



Department of Public Works
Right-of-Way Services
201 W. Colfax Avenue, Dept. 507
Denver, CO 80202
720-865-3001
www.denvergov.org/survey

REQUEST FOR ORDINANCE TO RELINQUISH EASEMENT

TO: Karen Walton, City Attorney's Office
FROM: Robert J. Duncanson, P.E.
Manager 2, Development Engineering Services

PROJECT NO: 2013-0585-02

DATE: January 15, 2015

SUBJECT: Request for an Ordinance to relinquish certain easements established by the conditions of the Vacation 2013-0585-01 / 3124 W 20th Avenue.

It is requested that the above subject item be placed on the next available Mayor Council Agenda.

This office has investigated the request of Michelle Berger of Foster, Graham, Milstein & Calisher, dated December 30, 2014 for the relinquishment of said easements.

This matter has been checked by this office and has been coordinated with Asset Management; Comcast; the City Councilperson; CPD: Planning Services; Historic Preservation/Landmark; Denver Water; Denver Fire Department; City Forestry; Parks and Recreation; Engineering, Regulatory, and Analytics Transportation and Wastewater; Public Works: Construction Engineering; Public Works – Policy and Planning; Metro Wastewater Reclamation District; Office of Telecommunication; Survey; CenturyLink; and Xcel Energy, all of whom have returned our questionnaires indicating their agreement.

As a result of the investigations, it has been determined that there is no objection to relinquishing the subject easement(s).

Therefore, you are requested to initiate Council action to relinquish the easements in the following described areas:

INSERT PARCEL DESCRIPTION ROW 2013-0585-02-001 HERE

A map of the area and a copy of the document creating the easement are attached.

RJD:aal

Asset Management – Steve Wirth
City Councilperson & Aides
City Council Staff – Shelley Smith
Department of Law – Karen Aviles
Department of Law – Brent Eisen
Department of Law – Shaun Sullivan
Public Works, Manager's Office – Alba Castro
Public Works, Legislative Services – Angela Casias
Public Works, Survey – Paul Rogalla

ORDINANCE/RESOLUTION REQUEST

Please email requests to Angela Casias at
Angela.Casias@denvergov.org by **NOON on Monday**.

**All fields must be completed.*
Incomplete request forms will be returned to sender which may cause a delay in processing.*

Date of Request: January 15, 2015

Please mark one: Bill Request or Resolution Request

1. Has your agency submitted this request in the last 12 months?

Yes No

If yes, please explain:

2. **Title:** (Include a concise, one sentence description – please include name of company or contractor and contract control number - that clearly indicates the type of request: grant acceptance, contract execution, amendment, municipal code change, supplemental request, etc.)

2013-0585-02: Easement Relinquishment at 3124 W 20th Ave.

3. **Requesting Agency:** Public Works Survey

4. **Contact Person:** (With actual knowledge of proposed ordinance/resolution.)

- **Name:** Adrienne Lorantos, AICP
- **Phone:** 720-865-3119
- **Email:** Adrienne.Lorantos@denvergov.org

5. **Contact Person:** (With actual knowledge of proposed ordinance/resolution who will present the item at Mayor-Council and who will be available for first and second reading, if necessary.)

- **Name:** Angela Casias
- **Phone:** 720-913-8529
- **Email:** Angela.Casias@denvergov.org

6. **General description of proposed ordinance including contract scope of work if applicable:**

A proposal to relinquish the hard surface easement created by the conditions of the vacation 2013-0585-01 3124 W 20th Ave

****Please complete the following fields:** (Incomplete fields may result in a delay in processing. If a field is not applicable, please enter N/A for that field.)

- a. **Contract Control Number:** N/A
- b. **Duration:** Permanent
- c. **Location:** 3124 W 20th Ave
- d. **Affected Council District:** #1 - Shepherd
- e. **Benefits:** N/A
- f. **Costs:** N/A

7. **Is there any controversy surrounding this ordinance?** (Groups or individuals who may have concerns about it?)
Please explain.

None.

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: _____

Date Entered: _____



EXECUTIVE SUMMARY

DENVER
THE MILE HIGH CITY

Project Title: 2013-0585-02 Easement Relinquishment at 3124 W 20th Ave

Description of Proposed Project: This is a proposal to relinquish the hard surface easement created by the conditions of the vacation 2013-0585-01 3124 W 20th Ave.

Explanation of why the public right-of-way must be utilized to accomplish the proposed project: N/A

Has a Temp MEP been issued, and if so, what work is underway: N/A

What is the known duration of an MEP: N/A

Will land be dedicated to the City if the vacation goes through: N/A

Will an easement be placed over a vacated area, and if so explain: N/A

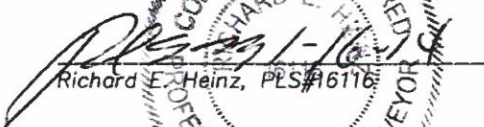
Will an easement relinquishment be submitted at a later date: N/A

Additional information: None.

**LEGAL DESCRIPTION FOR ALLEY VACATION
SW 1/4, SECTON 32, T3S, R68W, 6TH P.M.
CITY AND COUNTY OF DENVER, STATE OF COLORADO**

A PARCEL OF LAND(ALLEY) SITUATED IN THE SOUTHWEST 1/4 OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN AND A PART OF BLOCK 2, GRAHAM'S RESUBDIVISION OF BLOCK 2 CHELTENHAM HEIGHTS, CITY AND COUNTY OF DENVER, STATE OF COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF LOT 35 OF SAID BLOCK 2; THENCE N89°55'50"W ALONG THE SOUTH LINE OF SAID LOT 35, 3.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N89°55'50"W ALONG THE SOUTH LINE OF LOTS 33, 34, AND 35 OF SAID BLOCK 2, 74.00' TO A POINT 3.00 FEET EAST OF THE WEST LINE OF LOT 33 OF SAID BLOCK 2; THENCE S00°00'47"E, 17.00 FEET TO A POINT ON THE NORTH LINE OF LOT 36 OF SAID BLOCK 2; THENCE ALONG SAID NORTH LINE FOR THE FOLLOWING 3 COURSES; THENCE N45°04'10"E, 9.90 FEET; THENCE S89°55'50"E, 60.00 FEET; THENCE S44°55'50"E, 9.90 FEET; THENCE N00°00'47"W, 17.00 FEET TO THE POINT OF BEGINNING. SAID DESCRIBED PARCEL CONTAINS 789 SQUARE FEET MORE OR LESS. BEARINGS ARE BASED ON THE SOUTH LINE OF LOTS 33 TO 35 OF SAID BLOCK 2, ASSUMED TO BEAR N89°55'50"W.

I, Richard E. Heinz, a Professional Land Surveyor, Registered in the State of Colorado, do hereby certify that the above legal descriptions was prepared by me or under my direct supervision.


Richard E. Heinz, PLS#16116


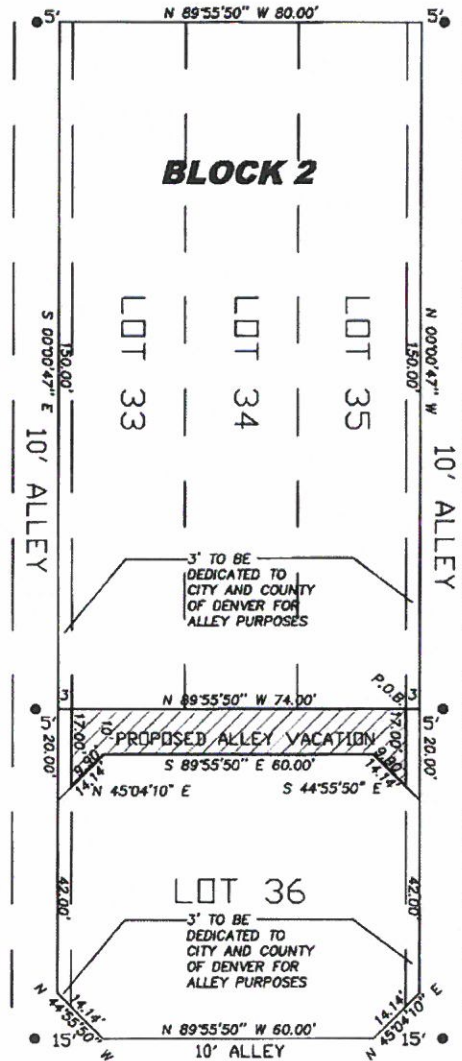




EXHIBIT FOR ALLEY VACATION
SW 1/4, SECTION 32, T3S, R68W, 6TH P.M.
CITY AND COUNTY OF DENVER, STATE OF COLORADO

Scale 1" = 40'

W. 20TH AVE. R.O.W. VARIES



GROVE ST. (80' R.O.W.)

THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED SURVEY. IT IS INTENDED ONLY TO DEPICT THE ABOVE VACATION.

AAA SURVEYING SERVICES, LLC
P.O. BOX 2055 ARVADA, CO 80001-2055
303-519-7015/FAX 303-940-4927

JOB NO. 13-0350

PAGE 2 OF 2

DATE: 12/02/2013

SCALE 1"=40'



BY AUTHORITY

1
2 ORDINANCE NO. 254
3 SERIES OF 2014

COUNCIL BILL NO. CB14-0311
COMMITTEE OF REFERENCE:
Land Use, Transportation, and Infrastructure

A BILL

For an ordinance vacating the alley south of 3124 West 20th Avenue, with reservations.

WHEREAS, the Manager of Public Works of the City and County of Denver has found and determined that the public use, convenience and necessity no longer require that certain area in the system of thoroughfares of the municipality hereinafter described and, subject to approval by ordinance, has vacated the same with the reservations hereinafter set forth;

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:

Section 1. That the action of the Manager of Public Works in vacating the following described right-of-way in the City and County of Denver and State of Colorado, to wit:

PARCEL DESCRIPTION ROW NO. 2013-0585-01-001

A PARCEL OF LAND (ALLEY) SITUATED IN THE SOUTHWEST 1/4 OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN AND A PART OF BLOCK 2, GRAHAM'S RESUBDIVISION OF BLOCK 2 CHELTENHAM HEIGHTS, CITY AND COUNTY OF DENVER, STATE OF COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 35 OF SAID BLOCK 2; THENCE N89°55'50"W ALONG THE SOUTH LINE OF SAID LOT 35, 3.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N89°55'50"W ALONG THE SOUTH LINE OF LOTS 33, 34, AND 35 OF SAID BLOCK 2, 74.00' TO A POINT 3.00 FEET EAST OF THE WEST LINE OF LOT 33 OF SAID BLOCK 2; THENCE S00°00'47"E, 17.00 FEET TO A POINT ON THE NORTH LINE OF LOT 36 OF SAID BLOCK 2; THENCE ALONG SAID NORTH LINE FOR THE FOLLOWING 3 COURSES; THENCE N45°04'10"E, 9.90 FEET; THENCE S89°55'50"E, 60.00 FEET; THENCE S44°55'50"E, 9.90 FEET; THENCE N00°00'47"W, 17.00 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 789 SQUARE FEET MORE OR LESS.

be and the same is hereby approved and the described right-of-way is hereby vacated and declared vacated;

PROVIDED, HOWEVER, said vacation shall be subject to the following reservation:

A perpetual, non-exclusive easement is hereby reserved by the City and County of Denver, its

