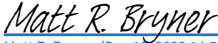


REQUEST FOR ORDINANCE TO RELINQUISH AN EASEMENT

TO: Ivone Avila-Ponce, City Attorney's Office

FROM: Matt R. Bryner, PE, Director, Right of Way Services 
Matt R. Bryner (Dec 19, 2022 14:54 MST)

PROJECT NO: 2022-RELINQ-0000025 - Marion St. Reserved Easement Relinquishment

DATE: December 12, 2022

SUBJECT: Request for an Ordinance to relinquish easement(s) in their entirety established in Ordinance No. 60, Series of 1935. Located at 4699 North Marion Street.

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

This office has investigated the request of Michael Bouchard, dated November 8, 2022 on behalf of The City and County of Denver for the relinquishment of the subject easement(s).

This matter has been coordinated with City Councilperson CdeBaca, District 9; Asset Management; Emergency Management; Community Planning & Development: Development Services; Historic Preservation/Landmark; Denver Water; Denver Fire Department; City Forester; Parks and Recreation; DOTI: ER Transportation & Wastewater, DES Transportation & Wastewater, Construction Engineering, Policy and Planning, TES Signing and Striping, Survey; Colorado Department of Transportation; Regional Transportation District; Comcast; Metro Wastewater Reclamation District; CenturyLink; and Xcel Energy, all of whom have indicated no objection to the proposed easement relinquishment(s).

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

A vicinity map of the subject easement area(s) and a copy of the document(s) creating the easement(s) are attached.

MB:bw

cc: City Councilperson & Aides
City Council Staff – Luke Palmisano
Department of Law – Bradley Beck
Department of Law – Deanne Durfee
Department of Law – Maureen McGuire
Department of Law – Martin Plate
DOTI, Manager's Office – Alba Castro
DOTI, Legislative Services – Jason Gallardo
DOTI, Survey – Paul Rogalla

ORDINANCE/RESOLUTION REQUEST

Please email requests to Jason Gallardo
at Jason.Gallardo@denvergov.org by **12:00pm on Monday**. Contact him with questions.

Date of Request: 12/12/2022

Please mark one: Bill Request or Resolution Request

1. Type of Request:

- Contract/Grant Agreement Intergovernmental Agreement (IGA) Rezoning/Text Amendment
 Dedication/Vacation Appropriation/Supplemental DRMC Change
 Other: Easement Relinquishment

2. Title: (Start with *approves*, *amends*, *dedicates*, etc., include name of company or contractor and indicate the type of request: grant acceptance, contract execution, contract amendment, municipal code change, supplemental request, etc.)

Request for an Ordinance to relinquish easement(s) in their entirety established in Ordinance No. 60, Series of 1935. Located at 4699 North Marion Street.

3. Requesting Agency: DOTI: ROWS, Engineering and Regulatory

4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution	Contact person to present item at Mayor-Council and Council
Name: Brianne White	Name: Jason Gallardo
Email: Brianne.white@denvergov.org	Email: Jason.Gallardo@denvergov.org

5. General description or background of proposed request. Attach executive summary if more space needed:

Request for an Ordinance to relinquish easement(s) in their entirety established in Ordinance No. 60, Series of 1935. Located at 4699 North Marion Street.

6. City Attorney assigned to this request (if applicable): Martin Plate

7. City Council District: Councilperson CdeBaca, District 9

8. ****For all contracts, fill out and submit accompanying Key Contract Terms worksheet****

Key Contract Terms

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____

Type of Contract: (e.g. Professional Services > \$500K; IGA/Grant Agreement, Sale or Lease of Real Property):

Vendor/Contractor Name:

Contract control number:

Location:

Is this a new contract? Yes No Is this an Amendment? Yes No If yes, how many? _____

Contract Term/Duration (for amended contracts, include existing term dates and amended dates):

Contract Amount (indicate existing amount, amended amount and new contract total):

<i>Current Contract Amount (A)</i>	<i>Additional Funds (B)</i>	<i>Total Contract Amount (A+B)</i>
<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>

Scope of work:

Was this contractor selected by competitive process?

If not, why not?

Has this contractor provided these services to the City before? Yes No

Source of funds:

Is this contract subject to: W/MBE DBE SBE XO101 ACDBE N/A

WBE/MBE/DBE commitments (construction, design, Airport concession contracts):

Who are the subcontractors to this contract?

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____

EASEMENT RELINQUISHMENT EXECUTIVE SUMMARY

Project Title: 2022-RELINQ-0000025, Marion St. Reserved Easement Relinquishment, 4699 North Marion Street

Property Owner: City and County of Denver c/o Michael Bouchard

Description of Proposed Project: Request for an Ordinance to relinquish the easement(s) in their entirety as reserved in Ordinance No. 60, Series of 1935. Located at 4699 North Marion Street. The applicant is proposing to redevelop site for the National Western Stock Show.

Background: The original fiber optic line has been abandoned and the storm sewer line does not require an easement.

Location Map:



City and County of Denver Department of Transportation & Infrastructure
Right-of-Way Services / Engineering & Regulatory
201 W Colfax Ave, Dept 507 | Denver, CO 80202
www.denvergov.org/doti
Phone: 720-865-3003

B Y A U T H O R I T Y

ORDINANCE NO.....*60*.....

SERIES OF 1935

COUNCILMAN'S BILL NO...*71*.....

INTRODUCED BY COUNCILMAN

Anderson & Harrington

A B I L L

FOR AN ORDINANCE VACATING A PORTION OF THE PUBLIC HIGHWAY IN NORTHEAST ONE-QUARTER (NE $\frac{1}{4}$) OF NORTHWEST ONE-QUARTER (NW $\frac{1}{4}$) OF SECTION 23 TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., KNOWN AND DESCRIBED AS "STRIP 2", IN DEED FROM THE DENVER UNION STOCK YARD COMPANY TO THE TOWN OF ELYRIA, DATED NOVEMBER 13, 1901, IN THE CITY AND COUNTY OF DENVER.

BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER

WHEREAS, GEO. E. CRANMER, Manager of Improvements and Parks did heretofore make the following order, to-wit:

"It is hereby found and determined that the public use, convenience and necessity do not now require that portion of the public highway being 20 feet wide and 40 feet long, more or less, in the northeast one-quarter (NE $\frac{1}{4}$) of northwest one-quarter (NW $\frac{1}{4}$) of Section 23, Township 3 South, Range 68 west of the Sixth Principal Meridian, known and described as "Strip 2" in Warranty Deed from The Denver Union Stock Yard Company to The Town of Elyria, dated November 13, 1901 and duly recorded in Book 1391, Page 302 in the records of the County Clerk and Recorders Office of Arapahoe County, now City and County of Denver, in the State of Colorado, and the same hereby is vacated.

And the Council of the City and County of Denver is hereby requested to give effect to this order by the passage of a suitable ordinance.

Done at Denver in the State of Colorado this 15th day of August, A. D. 1935.

George E. Cranmer
(Signed) Geo. E. Cranmer
Manager."

NOW, THEREFORE

Section 1: That the action of the Manager of Improvements and Parks as above set forth, be and the same is, hereby ratified, approved and confirmed.

Section 2: That, that portion of the Public Highway being 20 feet wide and 40 feet long, more or less, in the northeast one-quarter (NE $\frac{1}{4}$) of northwest one-quarter (NW $\frac{1}{4}$) of Section 23, Township 3 South, Range 68 West of the Sixth Principal Meridian, known and described as "Strip 2" in Warranty Deed from The Denver Union Stock Yard Company to The Town of Elyria, dated November 13, 1901 and duly recorded in Book 1391, Page 302 in the records of the County Clerk and Records Office of Arapahoe County, now City and County of Denver, in the State of Colorado, and the same hereby is vacated, reserving to the City and County of Denver at all times the right to construct, maintain and remove sewers, water pipe and appurtenances and to authorize the construction, maintenance and removal of the same therein and therefrom, and subject to the continued right of the owners to maintain and operate existing Electric Light and Power Lines, Telephone Lines, Gas mains and pipes.

Section 3: In the opinion of the Council this Ordinance is necessary for the immediate preservation of the public health and public safety and shall be in full force and effect immediately after its passage and final publication.

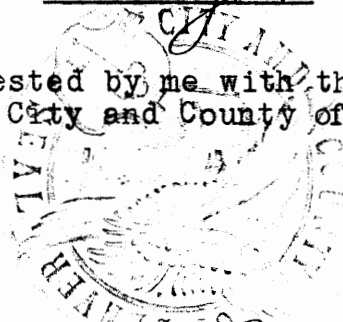
Passed by the Council and signed by its President this 26 day of August A. D. 1935.

M. Stafford
P R E S I D E N T

Signed and approved by me this 27 day of August A. D. 1935.

Bert Stapleton
M A Y O R

Attested by me with the corporate seal of the City and County of Denver.



Albert C. Monson
CLERK AND RECORDER, EX-OFFICIO
CLERK OF THE CITY AND COUNTY OF
DENVER.

By J. Elkins
DEPUTY CLERK

Published in Rocky Mountain News

First publication 8/24 1935

Last publication Aug 31 1935

Part of NE 1/4 of NW 1/4 of Sec. 23, T. 3S, R. 68W.
Property of
The Denver Union Stock Yard Co.

"Strip 2"
To be Vacated

B & C. R. of W. as of 1901.

450

Ward Ave.



Scale: 1" = 50'

95.87
7°06'

C. B. & Q. R.R.

190'

Colorado Eastern
100'

40'
SUBWAY
30'
15'

Public Highway
135'

Lafayette St (Cline St.)
160'

47th Av.
(Fisk Av.)

30' 30'

Map showing strip of Land deeded to
the Town of Elyria, by The Denver Union
Stock Yard Co. Nov. 13, 1901.