



DENVER
THE MILE HIGH CITY

Department of Public Works
Permit Operations and Right of Way Enforcement
201 W. Colfax Avenue, Dept. 507
Denver, CO 80202
P: 720-865-2782
F: 720-865-3280
www.denvergov.org/pwprs

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: 2011-0422-02
DATE: October 1, 2012
SUBJECT: Request for an Ordinance to relinquish certain easements established in Ordinance number **Ordinance No 59, Series of 1947, and Ordinance No 11, Series of 1942.**

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

This office has investigated the request of Brian Valentine with Kimley-Horn and Associate Inc, dated 6/25/2012, on behalf of 2000 Delgany LLC for the relinquishment of said easements.

This matter has been checked by this office and has been coordinated with Asset Management; Comcast Corporation; Councilperson Montero; CPD: Planning Services; Denver Water Board; Fire Department; Metro Wastewater Reclamation District; Office of Telecommunications; PW: DES Engineering, and DES Survey; Qwest Corporation; 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 2011-0422-02-001 HERE

A map is attached showing the area in which the subject easement is to be relinquished. A copy of the Ordinance creating the easement is also attached.

Attachments

RJD:VLH

cc: Asset Mgmt. Steve Wirth City Council, Gretchen Williams Councilperson Montero and Aides Department of Law, Karen Aviles Department of Law, Brent Eisen Department of Law, Karen Walton Department of Law, Arlene Dykstra Public Works, Alba Castro Public Works, Nancy Kuhn Public Works Survey-Paul Rogalla Project File **2011-0422-02**

Property Owner
2000 Delgany LLC
2737 Larimer St, #C
Denver Co 80205

Agent
Kimley-Horn and Associates LLC
c/o Brian Valentine
990 S Broadway Suite 200
Denver Co 80209



ORDINANCE/RESOLUTION REQUEST

Please email requests to Daelene Mix at
Nancy.khun@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: October 1, 2012

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.)

Request for an Ordinance to relinquish certain easements established in Ordinance number Ordinance No 59, Series of 1947, and Ordinance No 11, Series of 1942.

3. **Requesting Agency:** PW Right of Way Engineering

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

- **Name:** Vanessa Herman
- **Phone:** 720-913-0719
- **Email:** vanessa.herman@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:** Nancy Kuhn
- **Phone:** 720-865-8720
- **Email:** nancy.kuhn@denvergov.org

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

To relinquish the easements reserved in Ordinance No 59, Series of 1947, and Ordinance No 11, Series of 1942.

****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:** 2100 Delgany
- d. **Affected Council District:** # 9 Montero
- 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: 2011-0422-02 MEP 2100 Delgany

Description of Proposed Project: Request for an Ordinance to relinquish certain easements established in Ordinance number Ordinance No 59, Series of 1947, and Ordinance No 11, Series of 1942.

Explanation of why the public right-of-way must be utilized to accomplish the proposed project: For a redevelopment

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

What is the known duration of an MEP: Permanent

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:

PROPERTY DESCRIPTION

THAT CERTAIN PORTION OF 21ST STREET TOGETHER WITH THAT CERTAIN PORTION OF THE ALLEY AS SHOWN ON GASTON'S ADDITION TO THE CITY OF DENVER, IN THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, PER PLAT RECORDED IN THE OFFICE OF THE CLERK AND RECORDER OF SAID COUNTY, VACATED BY CITY AND COUNTY OF DENVER ORDINANCE 59, SERIES 1947, AND TOGETHER WITH THAT CERTAIN PORTION OF THE ALLEY AS SHOWN ON SAID GASTON'S ADDITION TO THE CITY OF DENVER VACATED BY CITY AND COUNTY OF DENVER ORDINANCE 11, SERIES 1942, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHERLY CORNER OF LOT 1, BLOCK 9, SAID GASTON'S ADDITION TO THE CITY OF DENVER;

THENCE ALONG THE NORTHEASTERLY LINE OF SAID LOT 1, BLOCK 9, SOUTH 45°08'22" EAST, 125.00 FEET TO THE NORTHWESTERLY LINE OF THE ALLEY AS SHOWN ON SAID GASTON'S ADDITION TO THE CITY OF DENVER AND VACATED BY SAID ORDINANCE 59, SERIES 1947;

THENCE ALONG SAID NORTHWESTERLY LINE OF THE ALLEY, SOUTH 44°50'41" WEST, 95.00 FEET TO THE NORTHEASTERLY RIGHT-OF-WAY OF 21ST STREET PER CITY AND COUNTY OF DENVER RESOLUTION NO. 98, SERIES 2007;

THENCE ALONG THE SOUTHEASTERLY PROLONGATION OF SAID NORTHEASTERLY RIGHT-OF-WAY, SOUTH 45°08'22" EAST, 8.00 FEET TO CENTERLINE OF SAID ALLEY AS SHOWN ON SAID GASTON'S ADDITION TO THE CITY OF DENVER VACATED BY ORDINANCE 59, SERIES 1947;

THENCE ALONG SAID CENTERLINE, THE NORTHEASTERLY PROLONGATION THEREOF AND THE CENTERLINE OF THE ALLEY AS SHOWN ON SAID GASTON'S ADDITION TO THE CITY OF DENVER AND VACATED BY SAID ORDINANCE 11, SERIES 1942, NORTH 44°50'41" EAST, 375.00 FEET TO THE SOUTHEASTERLY PROLONGATION OF THE NORTHEASTERLY LINE OF LOT 9, BLOCK 10, OF SAID GASTON'S ADDITION TO THE CITY OF DENVER;

THENCE ALONG SAID SOUTHEASTERLY PROLONGATION, NORTH 45°08'22" WEST, 8.00 FEET TO THE MOST EASTERLY CORNER OF SAID LOT 9, BLOCK 10 AND THE NORTHWESTERLY LINE OF SAID ALLEY AS SHOWN ON GASTON'S ADDITION TO THE CITY OF DENVER VACATED BY ORDINANCE 11, SERIES 1942;

THENCE ALONG SAID NORTHWESTERLY LINE OF THE ALLEY, SOUTH 44°50'41" WEST, 200.00 FEET TO THE MOST SOUTHERLY CORNER OF LOT 16, BLOCK 10 OF SAID GASTON'S ADDITION TO THE CITY OF DENVER;

THENCE ALONG THE SOUTHWESTERLY LINE OF SAID LOT 16, BLOCK 10, NORTH 45°08'22" WEST, 125.00 FEET TO THE MOST WESTERLY CORNER OF LOT 16, BLOCK 10;

THENCE SOUTH 44°50'41" WEST, 80.00 FEET TO THE **POINT OF BEGINNING**;

CONTAINS AN AREA OF 13,000 SQUARE FEET OR 0.298 ACRES, MORE OR LESS.

AS SHOWN ON THE ATTACHED EXHIBIT TO ACCOMPANY PROPERTY DESCRIPTION.

ROBERT D. SNODGRASS, PLS 36580
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR
FOR AND BEHALF OF CALVADA SURVEYING, INC.
6551 S. REVERE PARKWAY, SUITE 165
CENTENNIAL, CO 80111

204-0422-02-01

RESERVED EASEMENT TO BE RELINQUISHED

SHEET 1 OF 2

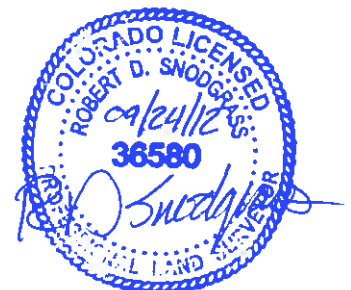
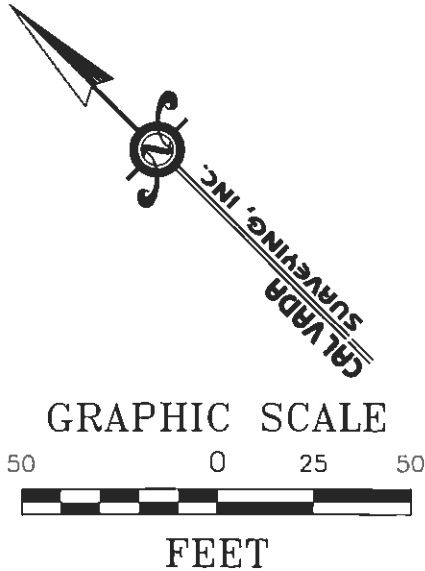
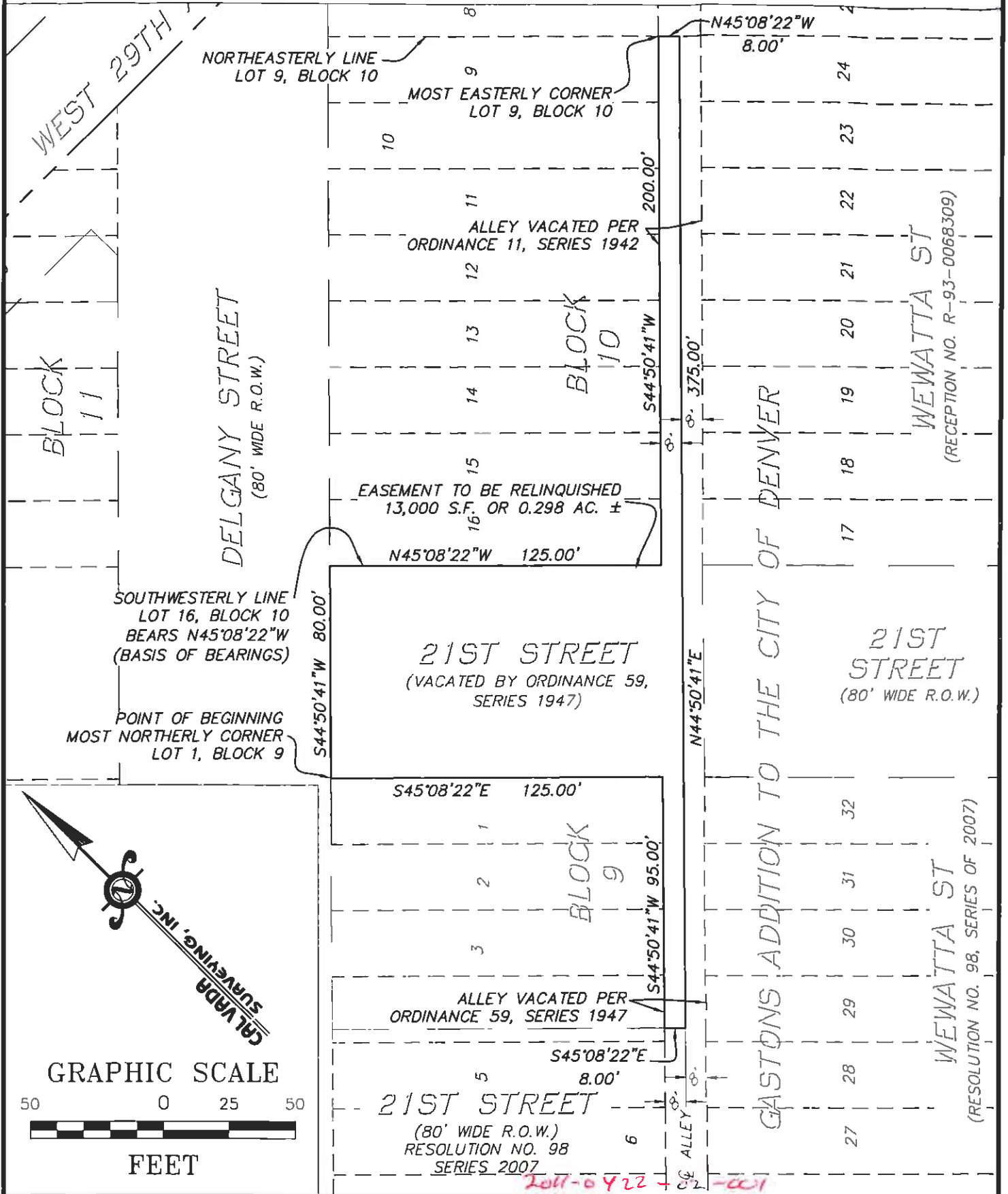


EXHIBIT TO ACCOMPANY PROPERTY DESCRIPTION



CAL VADA
SURVEYING, INC.

SHEET 2 OF 2

JOB NO. 12064
DATE: 08/27/12
SCALE: 1" = 50'