



Department of Public Works
Engineering Regulatory & Analytics
201 W. Colfax Avenue, Dept. 507
Denver, CO 80202
720-865-3001
www.denvergov.org/survey

REQUEST FOR ORDINANCE TO RELINQUISH EASEMENT

TO: Caroline Martin, City Attorney's Office

FROM: Matt Bryner
Director, Public Works Right of Way Services

PROJECT NO: 2019-RELINQ-0000002

DATE: April 22, 2019

SUBJECT: Request for an Ordinance to relinquish a portion of the utility easement as established in Vacating Ordinance No. 239, Series of 1956, Councilman's Bill No. 232 at 2501 S Bellaire St.

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

This office has investigated the request of Brown Collective Architecture, dated January 13, 2019 on behalf of Bryan Bodhaine 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 Black of District 4; 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; 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.

Therefore, you are requested to initiate Council action to relinquish the easements in the following described area(s):

INSERT PARCEL DESCRIPTION 2019-RELINQ-0000002-001 HERE

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

MB:kr

cc:

City Councilperson Black & Aides
City Council Staff – Zach Rothmier
Department of Law – Bradley Beck
Department of Law – Deanne Durfee
Department of Law – Maureen McGuire
Department of Law – Martin Plate
Public Works, Manager's Office – Alba Castro
Public Works, Legislative Services – Jason Gallardo
Public Works, 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: April 17, 2019

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.)

Brown Collective Architecture on behalf of Bryan Bodhaine requests for an Ordinance to relinquish a portion of the utility easement as established in Vacating Ordinance No. 239, Series of 1956, Councilman's Bill No. 232 at 2501 S Bellaire St.

3. Requesting Agency: Public Works, 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: Katie Ragland	Name: Jason Gallardo
Email: Katie.Ragland@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 a portion of the utility easement as established in Vacating Ordinance No. 239, Series of 1956, Councilman's Bill No. 232 at 2501 S Bellaire St.

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

7. City Council District: City Councilperson Black of District 4

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

N/A

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____

Key Contract Terms

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: 2019-RELINQ-0000002 Harvard Easement at 2501 S Bellaire St

Owner name: Bryan Bodhaine

Description of Proposed Project: Request for an Ordinance to relinquish a portion of the utility easement as established in Vacating Ordinance No. 239, Series of 1956, Councilman's Bill No. 232 at 2501 S Bellaire St.

Explanation of why the public right-of-way must be utilized to accomplish the proposed project: This request has been submitted to allow a building addition to encroach 12'-0" into the current easement.

Background: N/A

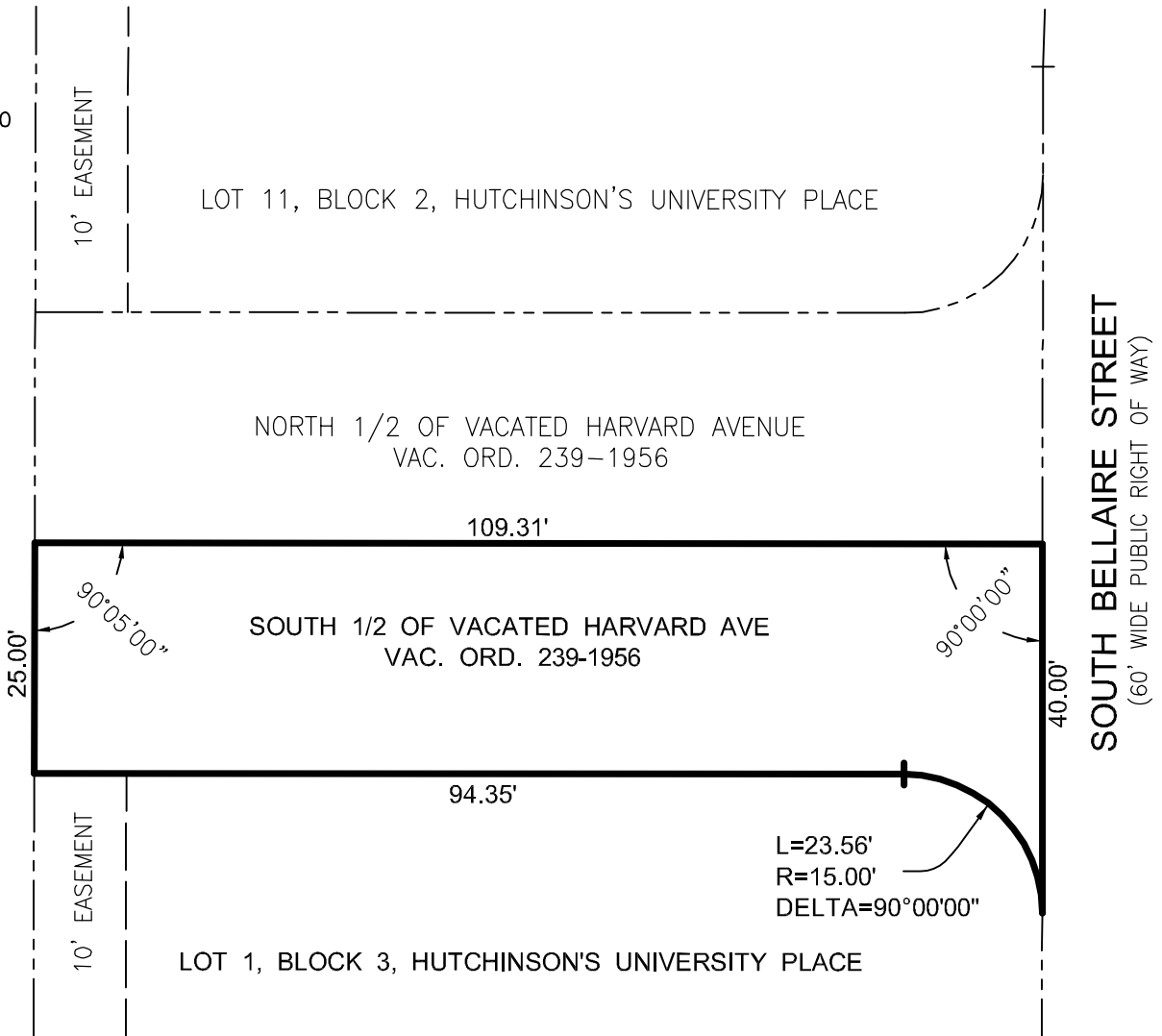
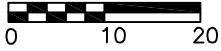
Location Map: Continued on next page.



EXHIBIT

N

SCALE 1" = 20'




LAND DESCRIPTION

THE SOUTH HALF OF THAT VACATED E HARVARD AVE, AS DESCRIBED IN ORDINANCE 0239-1956, LYING INTERJACENT TO BLOCKS 2 AND 3 OF HUTCHINSON'S UNIVERSITY PLACE, RECORDED IN ARAPAHOE COUNTY, STATE OF COLORADO, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

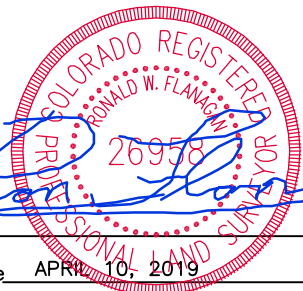
CONTAINING 2,781.5 SQUARE FEET, MORE OR LESS.

AUTHORED BY RONALD FLANAGAN, PLS 26958
DATED APRIL 10, 2019

COLORADO ENGINEERING & SURVEYING, INC.

By 

Date APRIL 10, 2019



41668

JUL 18 1956

7502 144

52 315

85

BY AUTHORITY

ORDINANCE NO. 239

COUNCILMAN'S BILL NO. 332

SERIES OF 1956

INTRODUCED BY COUNCILMAN

Harland Hasington *as Filed*

A B I L L

FOR AN ORDINANCE VACATING THAT PORTION OF HARVARD AVENUE LYING INTERJACENT TO BLOCKS 2 AND 3 OF HUTCHINSON'S UNIVERSITY PLACE. SUBJECT TO RESERVATIONS.

*Amended
6-26-56*

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 the portion of that certain street hereinafter described, and, subject to approval by ordinance, has vacated the same;

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 portion of a street in the City and County of Denver, State of Colorado, to-wit:

That part of Harvard Avenue lying interjacent to Blocks 2 and 3 of Hutchinson's University Place;

and that the last two lines of Section 1 of said Councilman's Bill No. 232, Series of 1956 be amended to read as follows;

reserving to the utility owners the continued right to maintain and operate existing electric light and power lines, telephone lines, and gas mains and pipes, be and the same is hereby approved, and said portion of said street is hereby vacated and declared vacated subject to the reservations above set forth.

Section 2. The Council finds this Ordinance is necessary for the immediate preservation of the public health and public safety, and determines that it shall take effect immediately upon its final passage and publication.

PASSED by the Council June 25 1956

[Signature] - President

APPROVED: [Signature] Mayor 27/June 1956

ATTEST: ROBERT E. LEE - Clerk and Recorder, Ex-Officio Clerk of the City and County of Denver

By: [Signature] - Deputy City Clerk

PUBLISHED IN The Daily Journal June 16 1956 and June 30 1956

SS

87

I have made the findings and determinations set forth in the foregoing draft or form of a proposed Bill for an Ordinance, and, subject to approval by ordinance, have vacated and do hereby vacate that portion of Harvard Avenue therein described, and request the Council of the City and County of Denver to approve such vacation, by the enactment of an appropriate ordinance. I approve said draft or form of a proposed Bill for an Ordinance, and recommend the introduction and passage thereof.

[Signature]
Manager of Public Works

APPROVED: [Signature] - City Attorney

APPROVED: _____ - Planning Director

41666

STATE OF ILLINOIS
CITY AND COUNTY
OF DENVER
SEEN IN MY OFFICE ON

1956 JUL 10 11 12 57

RECORDED IN 7808 144

BOOK PAGE

ROBERT LEE
CLERK AND RECORDER

CITY COUNCIL
CITY & COUNTY OF DENVER
RECEIVED

JUN 7 1956

OFFICIAL RECORDS

000

Ordinance No. 239 Series 1956

Councilman's Bill No. 237

Introduced by Councilman

Wesland, Hastings Ave 2nd Flr

A BILL

For

As Ordinance VACATING THAT PORTION

OF HARVARD AVENUE LYING INTER-

JACENT TO BLOCKS 2 AND 3 OF

HITCHINSON'S UNIVERSITY PLACE.

Meeting Date of June 11, 1956
Read in full in the Board of Councilmen and
referred to the Committee on

Public Improvements, Streets & Building

Meeting Date of June 11, 1956
Reported back by the Committee on

Public Improvements, Streets, & Building
Recommended that the bill be ordered published
and report adopted.

Published in The Daily Journal
this 16 day of June, A. D. 1956

Meeting Date of June 25, 1956
Read by title, placed upon its passage and
passed.

Presented to the Mayor and signed by him
this 27 day of June, A. D. 1956

Ent'd as Ordinance No. 239, Series 1956

Published in The Daily Journal
this 27 day of June, A. D. 1956