



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: Ted Christianson
Director, Public Works Right of Way Services

PROJECT NO: 2017-RELINQ-0000020

DATE: November 13, 2017

SUBJECT: Request for an Ordinance to relinquish a portion of the easements contained in the Vacating Ordinance No. 246 Series of 1968. Located at 944 Osage 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 Andrew Hanna of McCaffery Interests, Inc., dated August 17, 2017 on behalf of Denver Housing Authority 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; 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 2017-RELINQ-0000020-001 HERE

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

TC:cs

cc:
City Councilperson & Aides
City Council Staff – Zach Rothmier
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 **12:00 pm 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: November 13, 2017

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, contract amendment, municipal code change, supplemental request, etc.**)*

Request for an Ordinance to relinquish a portion of the easements contained in the Vacating Ordinance No. 246 Series of 1968. Located at 944 Osage Street.

3. Requesting Agency: PW Right of Way Services
Agency Division: Engineering, Regulatory & Analytics

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

- **Name:** Chaunda Sinn
- **Phone:** 720-865-3036
- **Email:** chaunda.sinn@gmail.com

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/background of proposed ordinance including contract scope of work if applicable:

Request for an Ordinance to relinquish a portion of the easements contained in the Vacating Ordinance No. 246 Series of 1968. Located at 944 Osage Street.

****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 – please do not leave blank.)*

- a. **Contract Control Number:** N/A
- b. **Contract Term:** N/A
- c. **Location:** 944 Osage Street
- d. **Affected Council District:** Dist # 3, Paul Lopez
- e. **Benefits:** N/A
- f. **Contract Amount (indicate amended amount and new contract total):** 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: _____

EASEMENT RELINQUISHMENT EXECUTIVE SUMMARY

Project Title: 2017-RELINQ-0000020 944 Osage St

Property Owner name: Denver Housing Authority

Description of Proposed Project: Request for an Ordinance to relinquish a portion of the easements contained in the Vacating Ordinance No. 246 Series of 1968. Located at 944 Osage Street.

Explanation of why the public right-of-way must be utilized to accomplish the proposed project: The prospective purchaser of the land would like the portion of the easement be relinquished to accommodate a new development.

Background: It has been established that the remaining portion of the easement has enough width to cover the existing sanitary sewers from sewer central line.

Location Map:



LAND DESCRIPTION FOR PARCEL 1:

A TRACT OF LAND LOCATED IN THE SOUTHEAST $\frac{1}{4}$ OF SECTION 4, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M., BEING A PORTION OF THE VACATED OSAGE STREET (ORDINANCE NO. 246 SERIES 1968), CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF BLOCK 28, HUNT'S ADDITION TO DENVER; THENCE S00°12'23"E, 319.63 FEET TO THE SOUTHWEST CORNER OF LOT 13, HUNT'S ADDITION TO DENVER; THENCE S89°47'30"W, 2.72 FEET; THENCE N13°16'53"W, 53.56 FEET; THENCE N00°02'13"E, 267.27 FEET; THENCE N88°58'51"E, 13.70 FEET TO THE POINT OF BEGINNING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

THE ABOVE DESCRIBED PARCEL CONTAINS 4,272 SQUARE FEET OR 0.0981 ACRES MORE OR LESS.

LAND DESCRIPTION FOR PARCEL 2:

A TRACT OF LAND LOCATED IN THE SOUTHEAST $\frac{1}{4}$ OF SECTION 4, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M., BEING A PORTION OF THE VACATED OSAGE STREET (ORDINANCE NO. 246 SERIES 1968), CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF BLOCK 27, HUNT'S ADDITION TO DENVER; THENCE N88°58'51"E, 16.30 FEET; THENCE S00°02'13"W, 162.21 FEET; THENCE N14°38'55"W, 62.59 FEET; THENCE N00°12'23"W, 101.37 FEET TO THE POINT OF BEGINNING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

THE ABOVE DESCRIBED PARCEL CONTAINS 2,113 SQUARE FEET OR 0.0485 ACRES MORE OR LESS.

BASIS OF BEARINGS: AN ASSUMED BEARING OF N89°48'18"E BETWEEN BEING A 21 FOOT RANGE LINE IN WEST 10TH AVENUE BETWEEN TWO FOUND MONUMENTS 336.24 FEET APART; BOTH MONUMENTS BEING A 3.25" DIAMETER ALLOY CAP STAMPED PLS 34591 IN RANGE BOXES; ONE AT THE INTERSECTION OF OSAGE STREET AND WEST 10TH AVENUE AND THE OTHER AT THE INTERSECTION OF NAVAJO STREET AND WEST 10TH AVENUE.

DAMIEN CAIN PLS 38284
FOR AND ON BEHALF OF
39 NORTH ENGINEERING AND SURVEYING LLC
4495 HALE PARKWAY
SUITE 305
DENVER, CO 80220

PREPARED BY:
39 NORTH ENGINEERING AND SURVEYING LLC
4495 HALE PARKWAY
SUITE 305
DENVER, CO 80220
PH: 303-325-5071
EMAIL: damien.cain@39north.net



EXHIBIT A

SHEET 2 OF 2

21' RANGE LINE
336.24' A.M. (336.00' REC.)

N89°48'18"E
BASIS OF BEARINGS

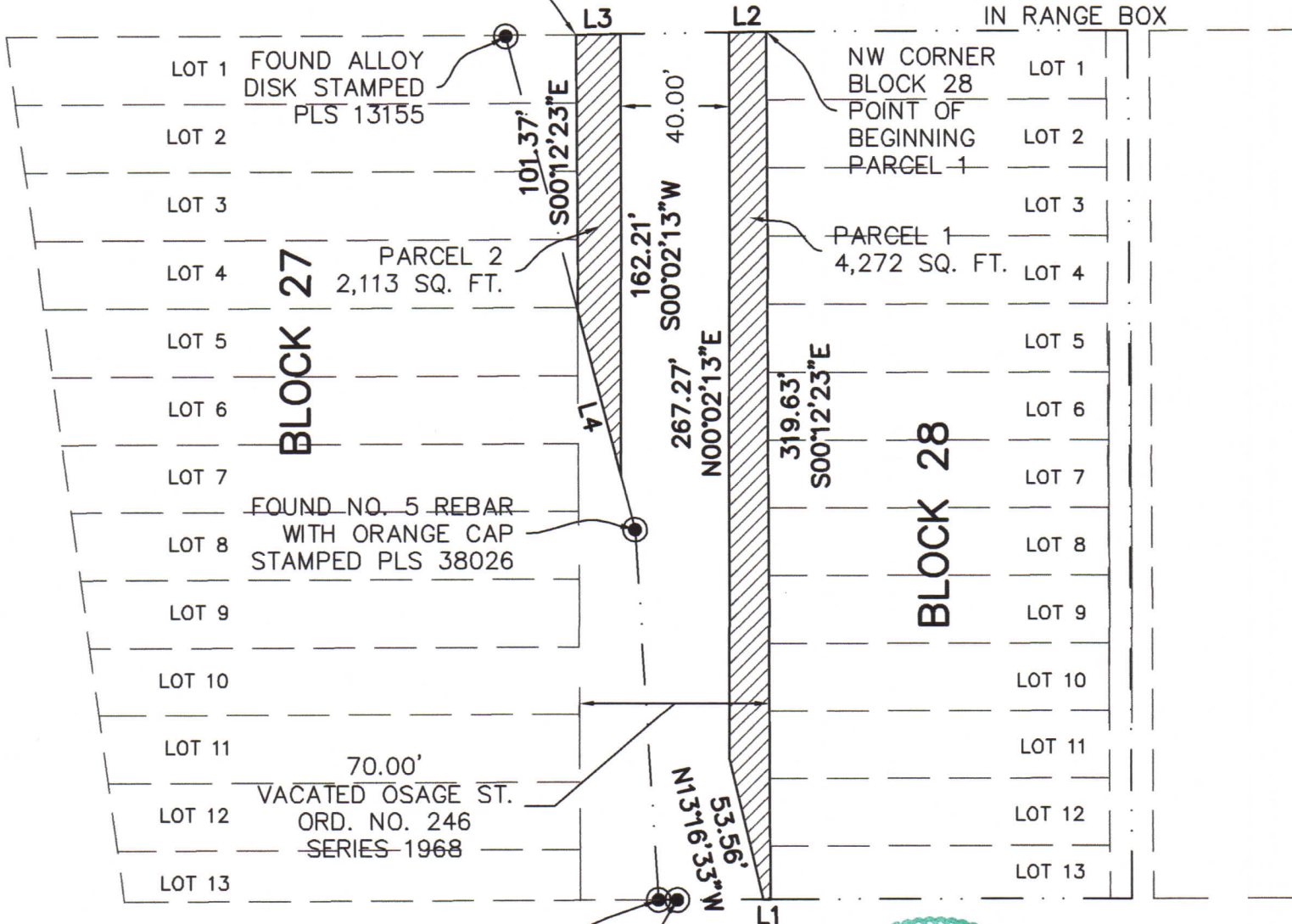
RANGE POINT
FOUND 3.25" DIA. ALLOY
CAP STAMPED PLS 34591
IN RANGE BOX

RANGE POINT
FOUND 3.25" DIA. ALLOY
CAP STAMPED PLS 34591
IN RANGE BOX

NE CORNER OF BLOCK 27
POINT OF BEGINNING
PARCEL 2

WEST 10TH AVENUE

80' R.O.W.

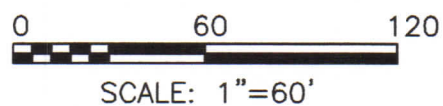


FOUND ILLEGIBLE
ALLOY DISK

FOUND NO. 5 REBAR
WITH YELLOW CAP
STAMPED PLS 25348



LINE TABLE		
LINE	LENGTH	BEARING
L1	2.72'	S89°47'30"W
L2	13.70'	N88°58'51"E
L3	16.30'	N88°58'51"E
L4	62.59'	N14°38'55"W



BY AUTHORITY

ORDINANCE NO. 246

COUNCILMAN'S BILL NO. 262

SERIES OF 1968

INTRODUCED BY COUNCILMEN

Marranzino - Burke
Mac Intosh

A B I L L

FOR AN ORDINANCE VACATING A CERTAIN PART OF THE SYSTEM OF THOROUGHFARES OF THE MUNICIPALITY, I. E., VACATING A CERTAIN DESCRIBED PORTION OF OSAGE STREET, SUBJECT TO CERTAIN 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 portion of that certain street 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 portion of a certain public street in the City and County of Denver, State of Colorado, to-wit:

Osage Street from the South line of Lot 13, Block 28, Hunts Addition to Denver extended Westerly to the South line of West 10th Avenue;

be and the same is hereby approved and the described portion of that certain street is hereby vacated and declared vacated; provided, however, that said vacation shall be subject to the following conditions and reservations:

There is reserved to the City and County of Denver and to the utility owners the continued use and the right to construct, operate and maintain water, sewer, power and gas lines over the vacated portion of Osage Street.

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.

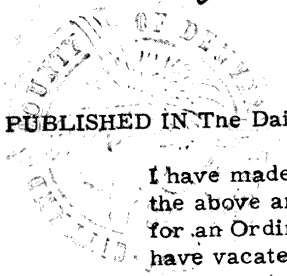
PASSED BY the Council July 22 1968

Edward F. Burke Jr. President pro tem

APPROVED: Tom Curigan Mayor July 24, 1968

ATTEST: F. J. Deane Clerk and Recorder, Ex-Officio
Clerk of the City and County
of Denver

PUBLISHED IN The Daily Journal July 19, 1968 and July 26, 1968



I have made the findings and determinations set forth in the above and foregoing draft or form of a proposed Bill for an Ordinance and, subject to approval by ordinance, have vacated and do hereby vacate that certain portion of that certain street therein described, subject to the reservations therein set forth and request the Council of the City and County of Denver to approve such vacation, subject to such reservations 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.

evn. nichols
Manager of Public Works

PREPARED BY: Marj. Zall City Attorney
WM

APPROVED: _____ Planning Director