



**Department of Public Works**  
Right-of-Way Services  
201 W. Colfax Avenue, Dept. 507  
Denver, CO 80202  
720-865-3001  
[www.denvergov.org/survey](http://www.denvergov.org/survey)

## **REQUEST FOR ORDINANCE TO RELINQUISH EASEMENT**

**TO:** Charlene Thompson, City Attorney's Office

**FROM:** Robert J. Duncanson, P.E.  
Manager 2, Development Engineering Services

**PROJECT NO:** 2015-RELINQ-0000012

**DATE:** April 7, 2016

**SUBJECT:** This is a proposal to relinquish the easements in the alley located at 993 W. 43<sup>rd</sup> Ave. The easement is established in Ordinance #418, Series 2012, and Reception #2012110943.

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

This office has investigated the request of Stephen Schafhausen on behalf of Rapid Transit District (RTD) and Public Service Company of Colorado for 993 W 43<sup>rd</sup> Ave. Utilities have been relocated leaving no purpose for the easement.

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 areas:

### **INSERT PARCEL DESCRIPTION 2015-RELINQ-0000012-001 HERE**

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

RJD:ad

cc:

City Councilperson & Aides – District 1, Rafael Espinoza  
City Council Staff – Shelley Smith  
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](mailto: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: April 8, 2016

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.**)

This is a proposal to relinquish the easements in the alley vacated in Block 3, Viaduct Addition by Ordinance #418, Series 2012, and Reception #2012110943. Located at 993 W. 43<sup>rd</sup> Ave

3. **Requesting Agency:** Public Works – Right of Way Services – Engineering, Regulatory, and Analytics

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

- **Name:** Ann DeHerrera
- **Phone:** 720-865-3129
- **Email:** ann.deherrera@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/background of proposed ordinance including contract scope of work if applicable:**

This is a proposal to relinquish the easements in the alley located at 993 W. 43<sup>rd</sup> Ave. The easement is established in Ordinance #418, Series 2012, and Reception #2012110943.

**\*\*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:** 993 W. 43<sup>rd</sup> Ave.
- d. **Affected Council District:** District 1 Rafael Espinoza
- 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.

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To be completed by Mayor's Legislative Team:

SIRE Tracking Number: \_\_\_\_\_

Date Entered: \_\_\_\_\_



## EASEMENT RELINQUISHMENT EXECUTIVE SUMMARY

**Project Title:** 2015-RELINQ-0000012 Xcel - RTD Argo Substation Relinquishment, located at 993 W. 43<sup>rd</sup> Ave.

**Owner name:** Regional Transportation District

**Description of Proposed Project:** This is a request to relinquish the utility reservations south of 44th Ave, between Jason St and Inca St. Xcel states utilities have been relocated.

**Explanation of why the public right-of-way must be utilized to accomplish the proposed project:** The easement is no longer needed, due to the fact that the utilities that were utilizing the easements have been relocated

**Background:**

This is a proposal to relinquish the easements in the alley located at 993 W. 43<sup>rd</sup> Ave. The easement is established in Ordinance #418, Series 2012, and Reception #2012110943

**Location Map:**

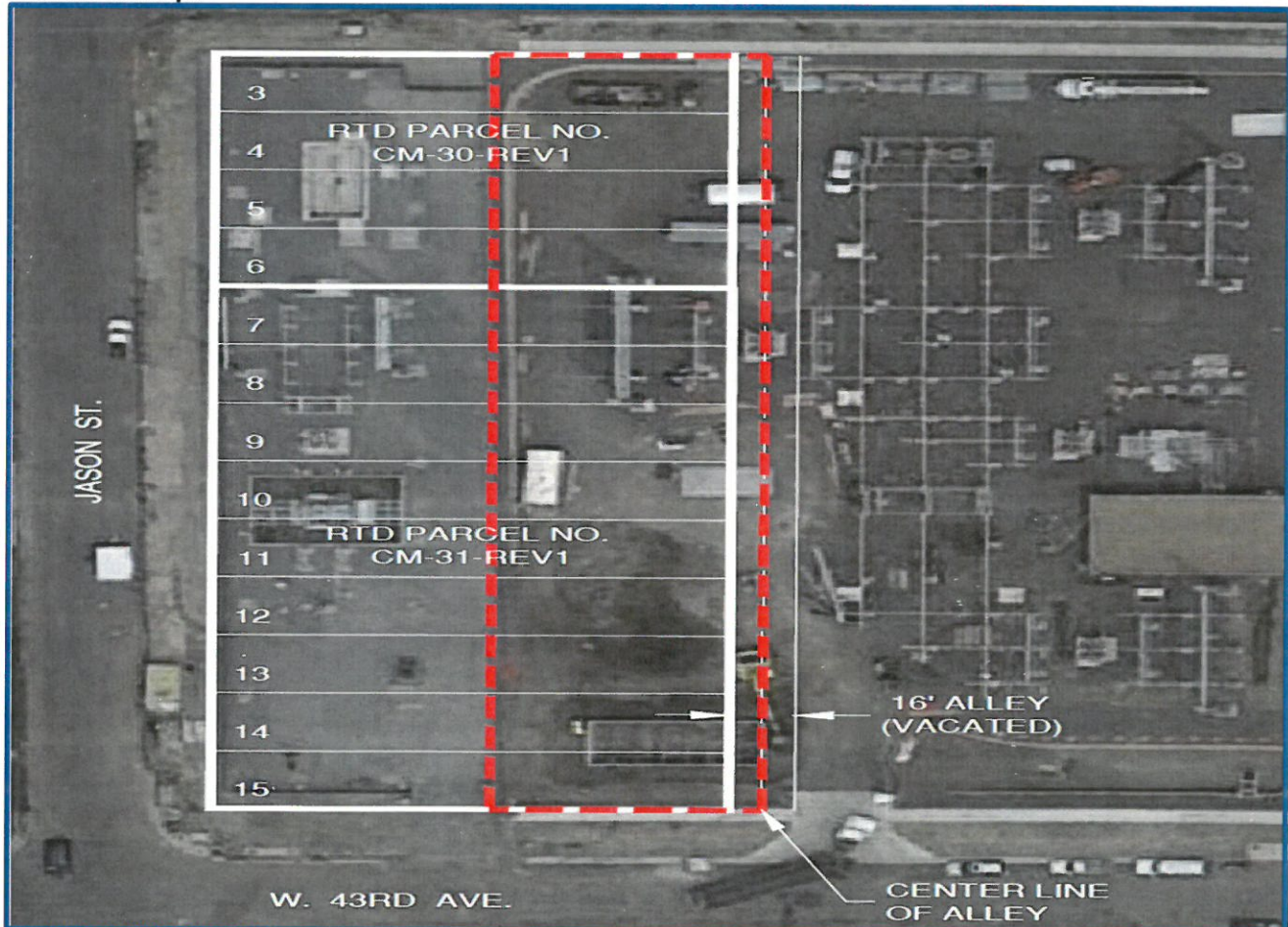




Exhibit A

Sheet 1 of 2

**ALLEY PARCEL**

A parcel of land lying in the southeast one-quarter (SE1/4) of Section 21, Township 3 South, Range 68 West, of the 6th Principal Meridian, City and County of Denver, State of Colorado, being that tract of land described in Ordinance No. 418, Series of 2012, recorded in Reception Number 2012110943, Denver County Records, described as follows, to wit:

That portion of the alley in Block 3, VIADUCT ADDITION lying between Lots 3 through 28, inclusive, as filed for record on October 8, 1887, located in the Southeast Quarter of Section 21, Township 3 South, Range 68 West of the Sixth Principal Meridian, City and County of Denver, Colorado.

Containing 5,195 square feet, (0.119 Acres), more or less.

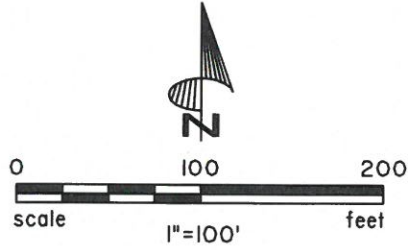
As shown and described on Exhibit A of Sheet 2 of 2 attached hereto and made a part hereof.

The author of this description is Norman L. Simonson, PLS 28288, prepared on behalf of SEH Inc., 12640 Cedar drive, Suite F, Lakewood, CO 80228, on November 21, 2015, under Job No. PSCO 131121 10.0, and is not to be construed as representing a monumented land survey

A circular professional seal for Norman L. Simonson, a Colorado Registered Professional Land Surveyor. The seal contains the text 'COLORADO REGISTERED', 'NORMAN L. SIMONSON', '28288', and 'PROFESSIONAL LAND SURVEYOR'. A handwritten signature in blue ink is written over the seal, and the date '11/21/15' is written in the center. Below the seal, the name 'Norman L. Simonson, PLS 28288' is printed.

Norman L. Simonson, PLS 28288

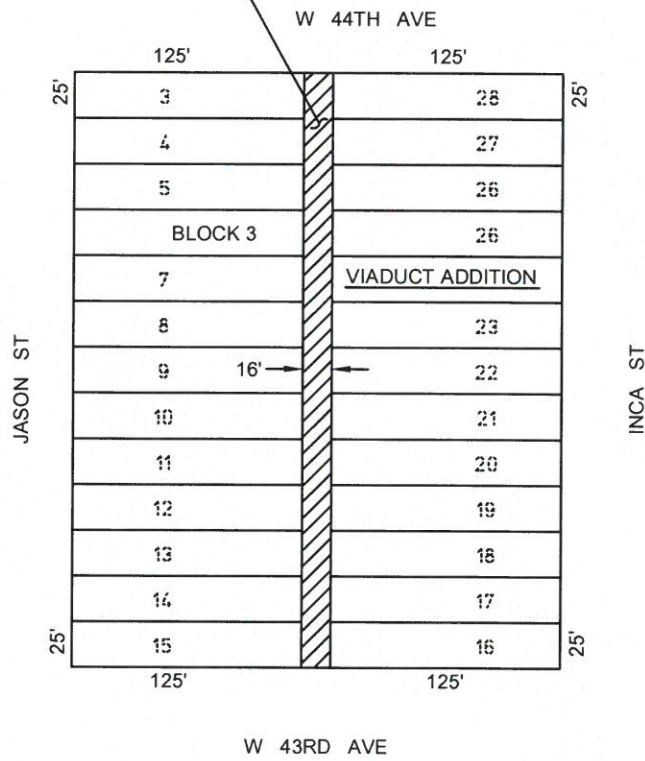
### EXHIBIT A ALLEY PARCEL



NE1/4,  
SEC 21,  
T3S, R68W

ALLEY PARCEL  
5,195 S.F. (0.119 AC.) M/L

SE1/4,  
SEC 21,  
T3S, R68W



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