



Department of Public Works
Right-of-Way Services
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: Robert J. Duncanson, P.E.
Manager 2, Development Engineering Services

PROJECT NO: 2013-0548-02

DATE: February 24, 2015

SUBJECT: Request for an Ordinance to relinquish certain easements established by:
Ordinance #440, Series of 1969

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

This office has investigated the request of Kevin Roth of Roth Engineering, dated November 11, 2013, on behalf of Denver Public School District #1 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 areas:

INSERT PARCEL DESCRIPTION ROW 2013-0548-02-001 HERE

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

RJD:aal

cc:
Asset Management – Steve Wirth
City Councilperson & Aides
City Council Staff – Shelley Smith
Department of Law – Karen Aviles
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.

Date of Request: February 24, 2015

Please mark one: Bill Request or Resolution Request

Is this request: A new contract* A contract amendment* or Neither

*If this request is a contract or an amendment, is it:

A revenue agreement or An expenditure agreement

Contract Control Number:

Contract Terms/Dates:

Costs (if this is a contract amendment please include the original cost, additional cost and new total. *Failure to provide this information may delay processing*):

1. **Bill Description for the City Council Agenda:** (please give a one sentence description of the ordinance request. Describe if the request is a contract, amendment, lease, grant, change to code, rezoning, etc. and any other information that Council needs to approve the request)

2013-0548-02: This is a request to relinquish the easement established by Ordinance #440, Series of 1969 at 28th and Vallejo.

2. **Requesting Agency:** Public Works - Survey

3. **Contact Person:** (Subject Matter Expert on the request)

- **Name:** Adrienne Lorantos, AICP
- **Phone:** 720-865-3119
- **Email:** Adrienne.Lorantos@denvergov.org

4. **Contact Person:** (Please list the person who will read this item at Mayor Council and attend first and second reading to answer questions)

- **Name:** Angela Casias
- **Phone:** 720-913-8529
- **Email:** Angela.Casias@denvergov.org

5. **Background on the request:**

This is a request to relinquish an easement established by Ordinance #440, Series of 1969 .

6. **Please complete the following fields:**

- A. **Location:** 28th and Vallejo
- B. **Affected Council District:** #9 – Judy Montero
- C. **Benefits:** N/A

7. **Is there any controversy surrounding this ordinance? Please explain.**

None.

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: _____

Date Entered: _____



DENVER
THE MILE HIGH CITY

EXECUTIVE SUMMARY

Project Title: 2013-0548-02: Easement Relinquishment at 28th and Vallejo.

Description of Proposed Project: This is a proposal to relinquish an easement reserved by Ordinance #440, Series of 1969.

Explanation of why the public right-of-way must be utilized to accomplish the proposed project: N/A

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

What is the known duration of an MEP: N/A

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: None.

97071

DEC 11 1969
BY AUTHORITY

ORDINANCE NO. 440

COUNCILMAN'S BILL NO. 480

SERIES OF 1969

INTRODUCED BY COUNCILMEN

Henry Hill, Frank Carl De Temple

A BILL

FOR AN ORDINANCE VACATING A CERTAIN PART OF THE SYSTEM OF THOROUGHFARES OF THE MUNICIPALITY; I. E., VACATING THE ALLEY IN BLOCK 6, CASEMENT'S ADDITION TO DENVER, 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 alley in the system of thoroughfares of the municipality 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 alley in the City and County of Denver, State of Colorado, to-wit:

The Alley in Block 6, Casement's Addition to Denver;

be and the same is hereby approved and the described alley is hereby vacated and declared vacated; provided, however, 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 sewer, power and telephone lines in the vacated alley.

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 December 17, 1969
Edward F. Burke Jr. President

APPROVED: [Signature] acting Mayor November 19, 1969

ATTEST: [Signature] Clerk and Recorder, Ex-Officio
Clerk of the City and County
of Denver

PUBLISHED IN The Daily Journal Nov 14, 1969 and Nov 21, 1969

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 alley 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.

R. S. Shannon
Manager of Public Works

PREPARED BY: 1969 P. Zall City Attorney
W.H.C.

APPROVED: _____ Planning Director

Ordinance No. 440 Series 1969

Councilman's Bill No. 480

Introduced by Councilman
Hertyell, Hook and Sampie

A BILL
For

An Ordinance VACATING A CERTAIN PART
OF THE SYSTEM OF THOROUGHFARES OF
THE MUNICIPALITY, i. e., VACATING THE
ALLEY IN BLOCK 6, CASEMENT'S ADDITION
TO DENVER, SUBJECT TO CERTAIN RESERVA-
TIONS.

000 097671

STATE OF COLORADO
CITY & COUNTY
OF DENVER
FILED IN MY OFFICE ON

DEC 11 4 03 PM '69

RECORDED IN 119 365

F. J. SERAFINI
CLERK AND RECORDER

Meeting Date of November 10, 1969
Read in full in the Board of Councilmen and
referred to the Committee on
Public Improvements

Meeting Date of November 10, 1969
Reported back by the Committee on
Public Improvements
Recommended that the bill be ordered published
and report adopted.

Published in The Daily Journal
this 11 day of Nov., A. D. 19 69
Meeting Date of November 17, 1969
Read by title, placed upon its passage and
passed.

Presented to the Mayor and signed by him
this 19 day of Nov., A. D. 19 69

Ent'd as Ordinance No. 440, Series 1969

Published in The Daily Journal
this 21 day of Nov., A. D. 19 69

CITY COUNCIL
CITY & COUNTY OF DENVER
RECEIVED

NOV 10 1969
11 12 11 AM '69

EXHIBIT A

ROW Project No. 2013-0548-02
Legal Description No. 2013-0548-02-001

A PARCEL OF LAND BEING A PORTION OF BLOCK 6, CASEMENT'S ADDITION AND THE 20' WIDE ALLEY VACATED AT ORDINANCE 440, SERIES OF 1969; SITUATED IN THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID BLOCK 6; THENCE S00°09'41"E, ALONG THE WEST LINE OF SAID BLOCK 6, A DISTANCE OF 185.01 FEET TO THE POINT OF BEGINNING; THENCE ALONG A NON-TANGENT CURVE TO THE LEFT WITH A RADIUS OF 329.90 FEET, A CENTRAL ANGLE OF 19°02'01", AN ARC LENGTH OF 109.59 FEET AND A CHORD BEARING N78°14'06"E A DISTANCE OF 109.09 FEET TO A POINT OF COMPOUND CURVATURE; THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 349.90 FEET, A CENTRAL ANGLE OF 09°19'10", AN ARC LENGTH OF 56.91 FEET AND A CHORD BEARING N64°03'31"E A DISTANCE OF 56.85 FEET; THENCE N59°23'56"E A DISTANCE OF 17.07 FEET; THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 600.10 FEET, A CENTRAL ANGLE OF 14°17'30", AN ARC LENGTH OF 149.69 FEET AND A CHORD BEARING N66°32'41"E A DISTANCE OF 149.30 FEET TO A POINT ON THE EAST LINE OF SAID BLOCK 6; THENCE S00°09'41"W, ALONG THE EAST LINE OF SAID BLOCK 6, A DISTANCE OF 60.32 FEET TO A POINT ON THE INTERSTATE HIGHWAY 25 RIGHT OF WAY AS SHOWN AT COLORADO DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLANS FOR PROJECT IR 25-2(198) FILED AT BOOK 5 OF THE COUNTY SURVEYOR'S LAND SURVEY/RIGHT-OF-WAY SURVEYS AT PAGES 49-64, REC. NO. L000449, 5/4/91; THENCE ALONG THE INTERSTATE HIGHWAY 25 RIGHT OF WAY, AS DEFINED AT SAID RIGHT OF WAY PLANS, THE FOLLOWING FOUR (4) COURSES;

- 1) THENCE S68°07'24"W A DISTANCE OF 58.48 FEET;
- 2) THENCE S61°55'45"W A DISTANCE OF 139.86 FEET;
- 3) THENCE S73°22'32"W A DISTANCE OF 99.46 FEET;
- 4) THENCE S87°37'37"E A DISTANCE OF 36.64 FEET TO A POINT AT THE INTERSECTION OF THE NORTHWESTERLY RIGHT OF WAY LINE OF INTERSTATE HIGHWAY 25 AND THE WEST LINE OF SAID BLOCK 6;

THENCE N00°09'41"E, ALONG THE WEST LINE OF SAID BLOCK 6, A DISTANCE OF 62.66 FEET TO THE POINT OF BEGINNING;

SAID PARCEL CONTAINS 19,821 SQUARE FEET, 0.455 ACRES, MORE OR LESS.

THIS LEGAL DESCRIPTION WAS PREPARED BY:

DON LAMBERT, PLS 30830
FOR AND ON BEHALF OF FRONTIER SURVEYING, INC.
352 NORFOLK STREET, AURORA, CO 80011



SHEET 1 OF 2

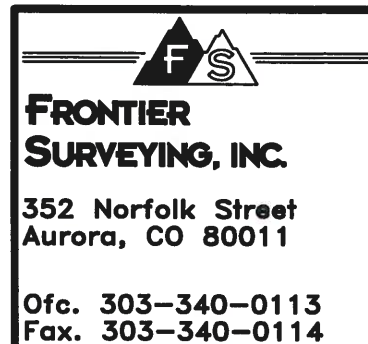
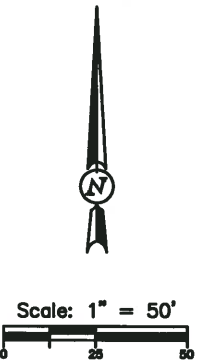
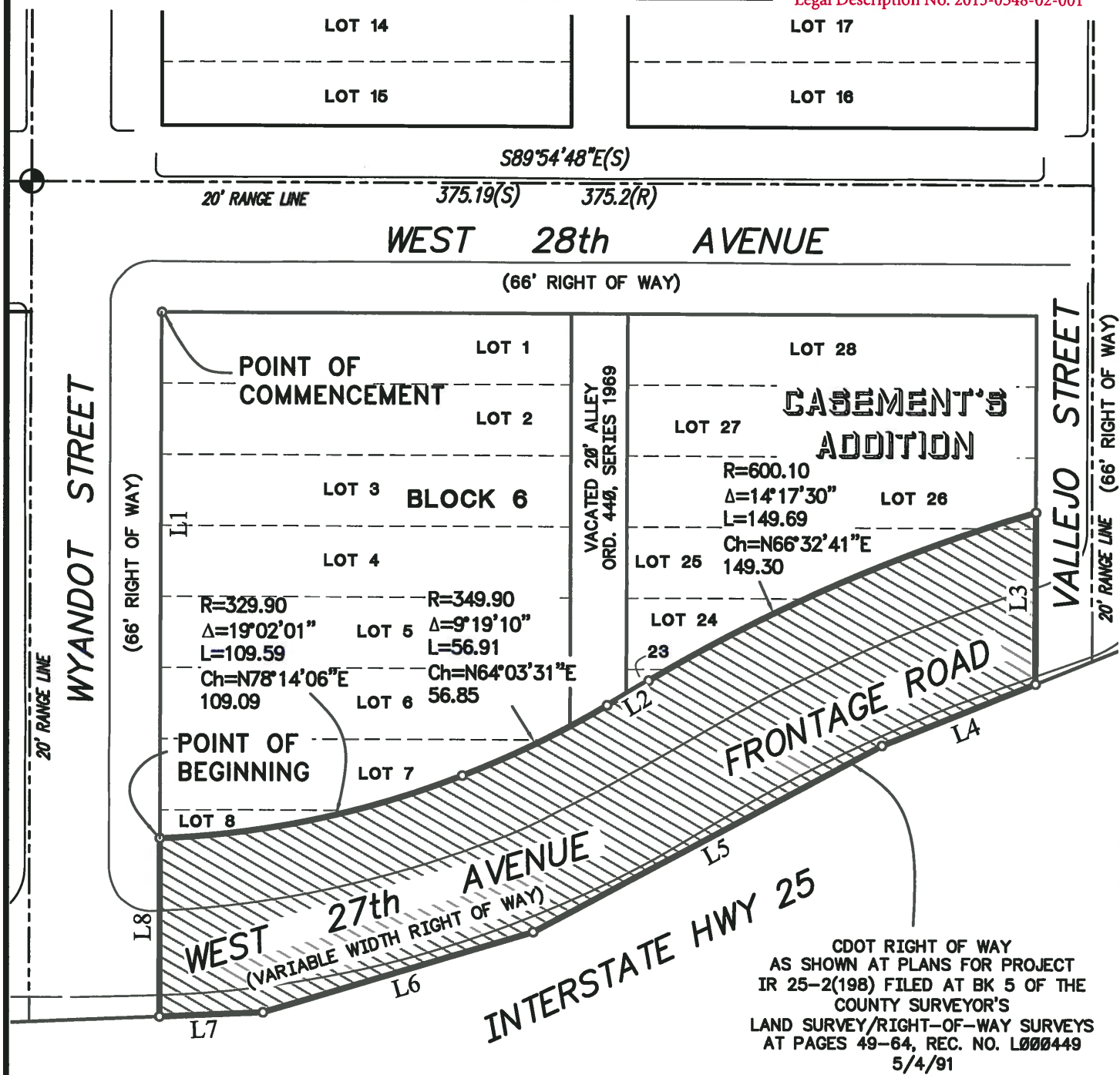


EXHIBIT A

ROW Project No. 2013-0548-02
 Legal Description No. 2013-0548-02-001



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S00°09'41"W	185.01
L2	N59°23'56"E	17.07
L3	S00°09'41"W	60.32
L4	S68°07'24"W	58.48
L5	S61°55'45"W	139.86
L6	S73°22'32"W	99.46
L7	S87°37'37"W	36.64
L8	N00°09'41"E	62.66

SHEET 2 OF 2

FRONTIER SURVEYING, INC.

352 Norfolk Street
 Aurora, CO 80011

Ofc. 303-340-0113
 Fax. 303-340-0114