



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

PROJECT NO: 2016-RELINQ-0000018 4605 E Eastman Ave

DATE: November 7, 2016

SUBJECT: Request for an Ordinance to relinquish certain easements established in the Vacating Ordinance No. 123, Series of 1952. Located at 4605 East Eastman Avenue.

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

This office has investigated the request of David Wall, dated July 26th, 2016 on behalf of Mark Bailey 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 2016-RELINQ-0000018-001 HERE

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

RJD:cs

cc:
City Councilperson & Aides
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 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 7, 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.**)

Request for an Ordinance to relinquish easements established in the Vacating Ordinance No. 123, Series of 1952. Located at 4605 East Eastman Avenue.

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

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

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

Request for an Ordinance to relinquish easements established in the Vacating Ordinance No. 123, Series of 1952. Located at 4605 East Eastman Avenue.

****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:** 4605 East Eastman Avenue
- d. **Affected Council District:** District 4, Kendra Black
- 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: 4605 E Eastman Ave

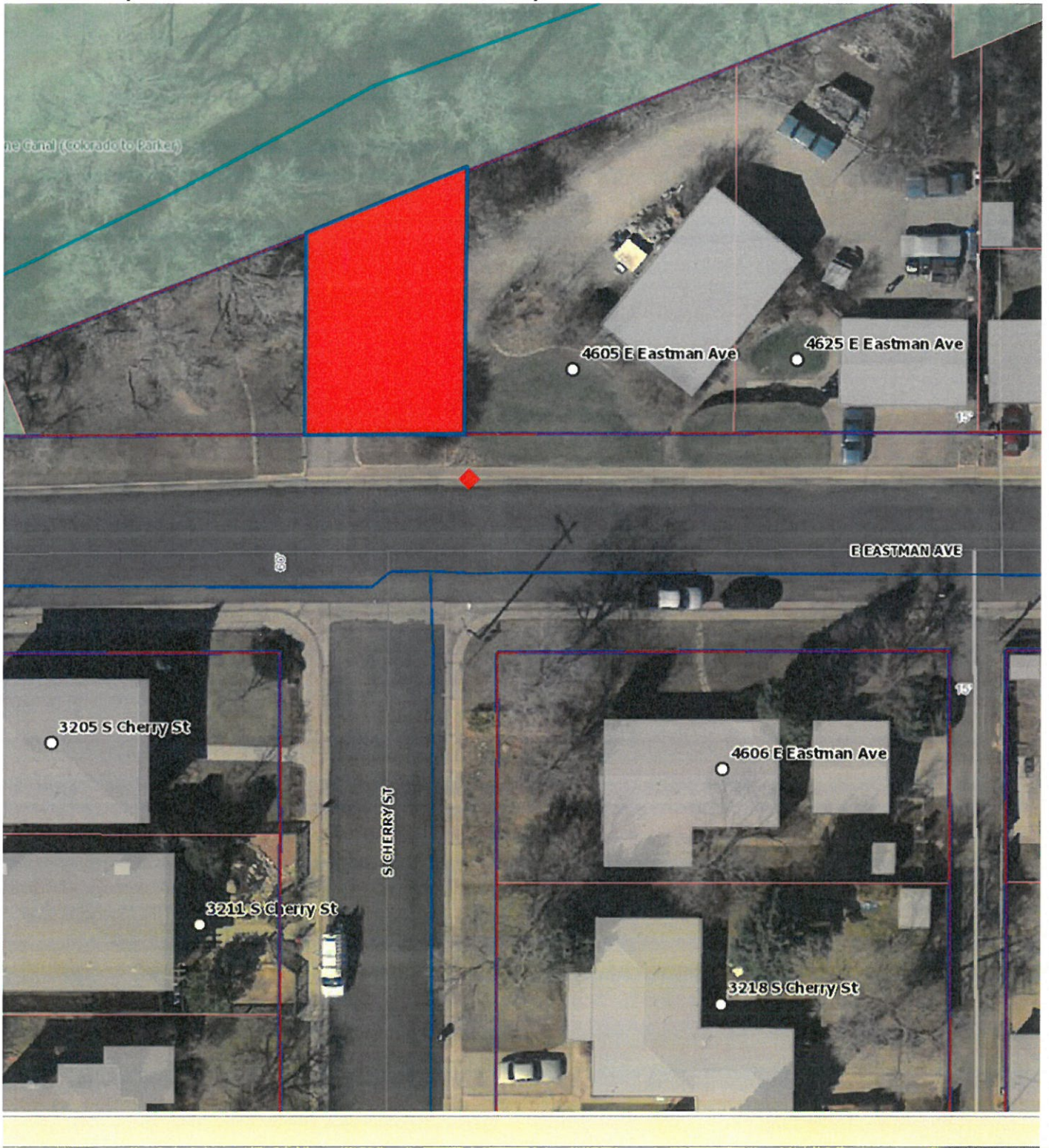
Owner name: Mark Bailey

Description of Proposed Project: Request for an Ordinance to relinquish certain easements established in the Vacating Ordinance No. 123, Series of 1952. Located at 4605 East Eastman Avenue.

Explanation of why the public right-of-way must be utilized to accomplish the proposed project: The customer would like to relinquish these easements for future redevelopment of the area.

Background: The easement is requested to be relinquished so the property owner can redevelop the area. The customer is processing an easement on the western most portion of his property for utility access.

Location Map: Area where easements are to be relinquished in red



**BY AUTHORITY
ORDINANCE NO. 123
COUNCILMAN'S BILL NO. 131, SE-
RIES OF 1952. INTRODUCED BY
COUNCILMEN MAPEL, BANZHAF
AND FRESQUES.**

**A BILL
FOR AN ORDINANCE VACATING A
PORTION OF SOUTH CHERRY
STREET, CITY AND COUNTY OF
DENVER.**

WHEREAS, T. P. Campbell, Man-
ager of Improvements and Parks, did
heretofore make the following
Order:

"ORDER

"It is hereby found and determined
that the public use, convenience and
necessity no longer require the por-
tion of South Cherry Street, City and
County of Denver, described as fol-
lows:

South Cherry Street from the
north side of Eastman Avenue to
the south side of Boundary Place,
and the same is hereby vacated, re-
serving to the City and County of
Denver at all times, the right to
construct, maintain and remove
sewers, water pipes and appurte-
nances, and to authorize the con-
struction, maintenance and removal
of same, therein and therefrom, and
subject to the continued right of the
owners to maintain and operate ex-
isting electric light and power lines,
telephone lines, gas mains and pipes;
and

"The Council of the City and
County of Denver is hereby re-
quested to give effect to this Order
by the passage of a suitable ordi-
nance.

"Done at Denver, Colorado, this
5th day of June, A. D. 1952.

/S/ T. P. CAMPBELL
Manager of Improvements
& Parks"

**NOW, THEREFORE,
BE IT ENACTED BY THE COUNCIL
OF THE CITY AND COUNTY OF
DENVER:**

Section 1. That the action of the
Manager of Improvements and Parks
as set forth in the foregoing Order
wherein a portion of South Cherry
Street, as described in said Order, is
vacated subject to the reservations
contained therein, is hereby ratified,
approved and confirmed.

Section 2. In the opinion of the
Council this Ordinance is necessary
for the immediate protection and
preservation of the public health,
safety, convenience and general wel-
fare, and it is enacted for that pur-
pose, and shall be in full force and
effect immediately after its passage
and final publication.

Passed by the Council and signed
by its President this 16th day of
June, A.D. 1952.

ALEX B. HOLLAND
President

Signed and approved by me this
19th day of June, A.D. 1952.

QUIGG NEWTON
Mayor

Attested by me with the Corpo-
rate Seal of the City and County
of Denver.

MAE HYNES
Clerk and Recorder, Ex-
Officio Clerk of the City
and County of Denver

By SIEWERS FINCHER
Deputy City Clerk
(Seal) Recommended and Approved:
T. P. CAMPBELL
Manager of Improvements
and Parks

Approved
W. F. HENNINGER
Director of Planning &
Land Office

Form Approved:
LEONARD M. CAMPBELL
Attorney, City and
County of Denver

First publication June 14, 1952
Last publication June 21, 1952
Published in The Daily Journal. 313

Exhibit A
Sheet 1 of 2

A PARCEL OF LAND IN THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 4 SOUTH, RANGE 67 WEST, SIXTH PRINCIPAL MERIDIAN, IN THE CITY AND COUNTY OF DENVER, COLORADO, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

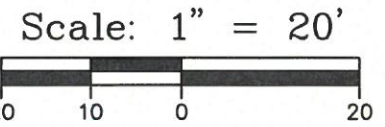
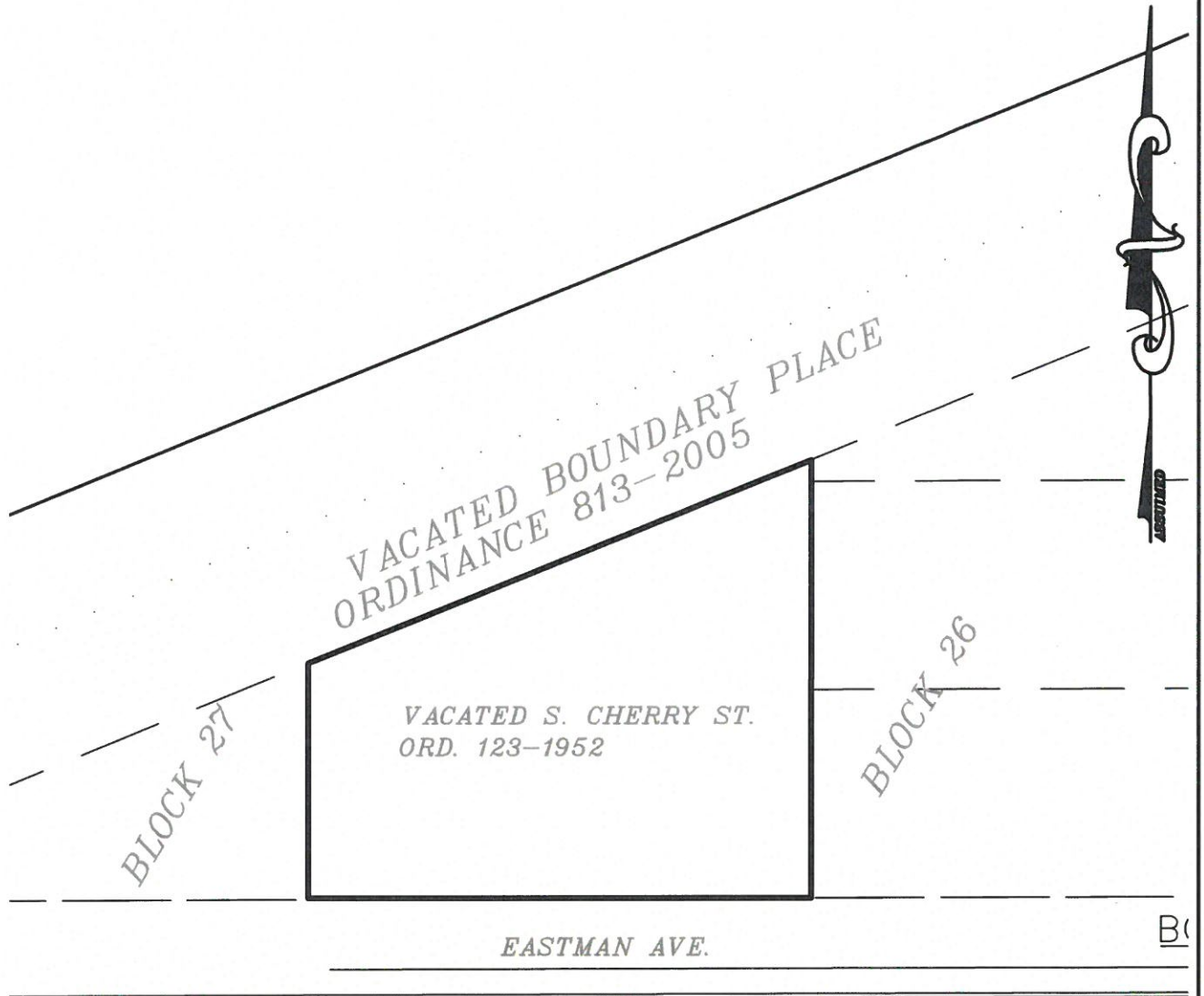
ALL OF SOUTH CHERRY STREET LYING BETWEEN BLOCKS 26 AND 27 LYING SOUTH OF BOUNDARY PLACE AND NORTH OF EASTMAN AVENUE OF SOUTH UNIVERSITY PLACE FIRST ADDITION.



DESCRIPTION PREPARED BY
ROGER KELLEY PLS 24667
FOR AND ON BEHALF OF
BASELINE LAND SURVEYING, INC.

EXHIBIT A

SHEET 2 OF 2



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SURVEYING, INC.

PROJECT # 10315
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