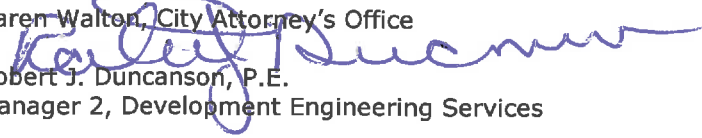


## REQUEST FOR ORDINANCE TO RELINQUISH EASEMENT

**TO:** Karen Walton, City Attorney's Office

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

**PROJECT NO:** 2005-0751-11

**DATE:** September 9, 2013

**SUBJECT:** Request for an Ordinance to relinquish the easements established in Ordinance number 394, Series of 1957.

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

This office has investigated the request of Bryan Ruth, dated December 13, 2012, on behalf of The Spanos Corporation for the relinquishment of said easements.

This matter has been checked by this office and has been coordinated with Asset Management; Comcast Corporation; Councilperson Susan Shepherd; CPD: Planning Services; Denver Water Board; Fire Department; Metro Wastewater Reclamation District; Office of Telecommunications; PW: DES Engineering, and DES Survey; Qwest Corporation; 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(s).

Therefore, you are requested to initiate Council action to relinquish the easements in the following described areas:

### **INSERT PARCEL DESCRIPTION ROW 2005-0751-11-002 HERE**

A map is attached showing the area in which the subject easement is to be relinquished. A copy of the Ordinance creating the easement is also attached.

#### Attachments

RJD:LRA

cc: Asset Mgmt. Steve Wirth  
City Council, Gretchen Williams  
Councilperson Susan Shepherd and Aides  
Department of Law, Karen Aviles  
Department of Law, Brent Eisen  
Department of Law, Karen Walton  
Department of Law, Shaun Sullivan  
Public Works, Alba Castro  
Public Works, Nancy Kuhn  
Public Works Survey-Paul Rogalla  
Project File 2005-0751-11

Property Owner  
The Spanos Corporation  
C/O Peter Rossick  
300 S. Jackson St., Ste. # 210  
Denver, CO 80209

Agent  
Merrick & Company  
C/O Bryan Ruth  
2450 S. Peoria St.  
Aurora, CO 80014

**ORDINANCE/RESOLUTION REQUEST**

Please email requests to Nancy Kuhn at  
Nancy.khun@denvergov.org by **NOON 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: September 9, 2013

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

Request for an Ordinance to relinquish the easements established in Ordinance number 394, Series of 1957.

3. Requesting Agency: Public Works Right-of-Way Engineering Services

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

- Name: Lisa R. Ayala
- Phone: 720-865-3153
- Email: [lisa.ayala@denvergov.org](mailto:lisa.ayala@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: Nancy Kuhn
- Phone: 720-865-8720
- Email: [nancy.kuhn@denvergov.org](mailto:nancy.kuhn@denvergov.org)

6. General description of proposed ordinance including contract scope of work if applicable:

Request for an Ordinance to relinquish the easements established in Ordinance number 394, Series of 1957.

**\*\*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.)

- a. Contract Control Number: No
- b. Duration: Permanent
- c. Location: Bryant St. and Front View Crescent
- d. Affected Council District: # 1, Susan Shepherd
- e. Benefits: N/A
- f. Costs: 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: \_\_\_\_\_



**DENVER**  
THE MILE HIGH CITY

## EXECUTIVE SUMMARY

**Project Title: 200-0751-11 Easement Relinquish Element 47.**

**Description of Proposed Project: Request for an Ordinance to relinquish the easements established in Ordinance number 394, Series of 1957.**

**Explanation of why the public right-of-way must be utilized to accomplish the proposed project: Redevelopment of the area and re-routed easements that are no longer in use.**

**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:**

**PROPERTY DESCRIPTION**

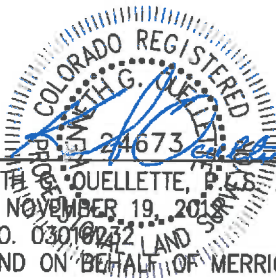
A PARCEL OF LAND BEING A PART OF VACATED FRONT VIEW CRESCENT AS DESCRIBED IN ORDINANCE NO. 394, SERIES 1957 RECORDED IN BOOK 8132 AT PAGE 106 IN THE OFFICE OF THE CITY AND COUNTY OF DENVER CLERK AND RECORDER, LOCATED IN THE EAST HALF OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEARINGS ARE ASSUMED AND ARE BASED UPON THE EASTERLY LINE OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN AS BEARING S00°00'00"E BETWEEN THE NORTHEAST CORNER OF SAID SECTION 32, BEING A BRASS DISC SET IN CONCRETE AND THE SOUTHEAST CORNER OF SAID SECTION 32, BEING A 3" ALUMINUM CAP, LS# 13155.


**COMMENCING** AT SAID NORTHEAST CORNER OF SECTION 32;  
 THENCE S19°40'42"W A DISTANCE OF 2063.49 FEET TO THE NORTHEASTERLY CORNER OF THAT PARCEL OF LAND AS DESCRIBED IN BOOK 893 AT PAGE 79, RECORDED IN SAID OFFICE OF THE CITY AND COUNTY OF DENVER CLERK AND RECORDER, SAID POINT BEING THE **POINT OF BEGINNING**;  
 THENCE ALONG THE EASTERLY, SOUTHERLY, WESTERLY, AND NORTHERLY LINES OF SAID PARCEL THE FOLLOWING SIX (6) COURSES:

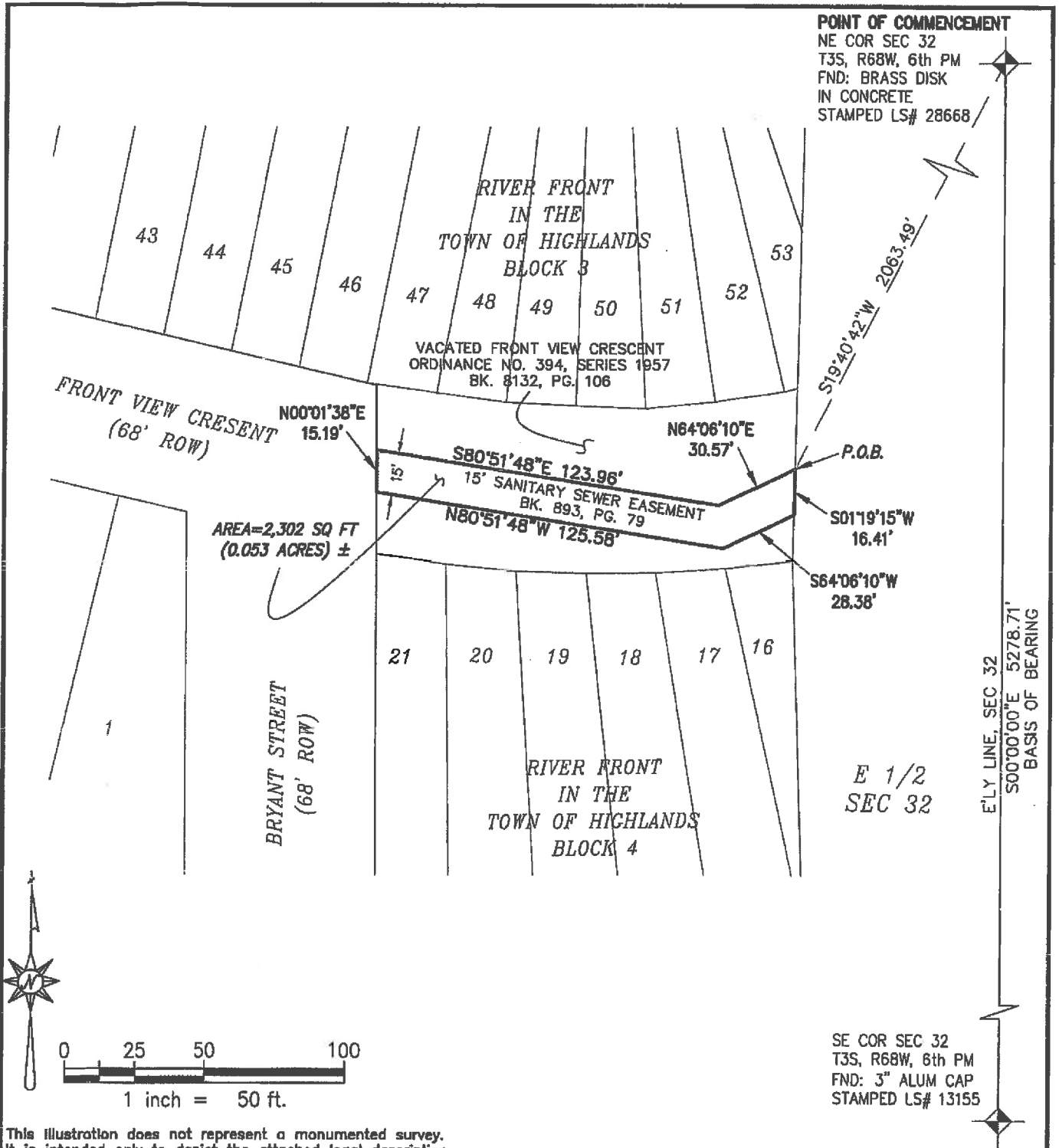
1. S01°19'15"W A DISTANCE OF 16.41 FEET;
2. THENCE S64°06'10"W A DISTANCE OF 28.38 FEET;
3. THENCE N80°51'48"W A DISTANCE OF 125.58 FEET;
4. THENCE N00°01'38"E A DISTANCE OF 15.19 FEET;
5. THENCE S80°51'48"E A DISTANCE OF 123.96 FEET;
6. THENCE N64°06'10"E A DISTANCE OF 30.57 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 2,302 SQUARE FEET (0.053 ACRES), MORE OR LESS.



KENNETH G. OUELLETTE, P.C.S. 24673  
 DATE: NOVEMBER 19, 2012  
 JOB NO. 03016232  
 FOR AND ON BEHALF OF MERRICK & COMPANY

REVISION DESCRIPTION		CITY AND COUNTY OF DENVER
MERRICK PROJECT NO.	03016232	
DRAWN	KGO	EASEMENT RELINQUISHMENT
 2450 S. Peoria St., Aurora, Co. 80014 Phone: 303-751-0741		DATE: NOVEMBER 19, 2012
		SCALE: N/A
		SHEET 1 OF 1



This illustration does not represent a monumented survey.  
 It is intended only to depict the attached legal description.

REVISION DESCRIPTION	
MERRICK PROJECT NO.	03D16232
DRAWN	KGO
<b>MERRICK &amp; COMPANY</b>	
2450 S. Peoria St., Aurora, Co. 80014 Phone: 303-751-0741	

<b>CITY AND COUNTY OF DENVER</b>	
<b>EASEMENT RELINQUISHMENT</b>	
DATE: NOVEMBER 19, 2012	
SCALE: 1"=50'	SHEET 1 OF 1

VACATION BK 893 PG 79

Segment# 1: Line  
Course: S1° 19' 15"WLength: 16.413'  
North: 1,698,637.750'East: 3,136,229.791'

Segment# 2: Line  
Course: S64° 06' 10"WLength: 28.376'  
North: 1,698,625.356'East: 3,136,204.264'

Segment# 3: Line  
Course: N80° 51' 48"WLength: 125.585'  
North: 1,698,645.298'East: 3,136,080.272'

Segment# 4: Line  
Course: N0° 01' 38"ELength: 15.192'  
North: 1,698,660.489'East: 3,136,080.280'

Segment# 5: Line  
Course: S80° 51' 48"ELength: 123.959'  
North: 1,698,640.805'East: 3,136,202.666'

Segment# 6: Line  
Course: N64° 06' 10"ELength: 30.573'  
North: 1,698,654.158'East: 3,136,230.169'

Perimeter: 340.098'Area: 2,301.79Sq.Ft.  
Error Closure: 0.001Course: N5° 41' 31"W  
Error North : 0.0011East: -0.0001

Precision 1: 340,098.000

Containing 2302 square feet (0.053 Acres), more or less.