

**REQUEST FOR ORDINANCE TO RELINQUISH EASEMENT**

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

**FROM:** Robert J. Duncanson, P.E. *Tu Secord for Rob Duncanson*  
Manager 2, Development Engineering Services

**PROJECT NO:** 2010-0119-07

**DATE:** October 7, 2013

**SUBJECT:** Request for an Ordinance to relinquish certain easements established in Ordinance number **Ordinance #407, Series of 1988.**

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

This office has investigated the request of Ismael Guerrero of Denver Housing Authority, dated 8/16/2013, for the relinquishment of said easements.

This matter has been checked by this office and has been coordinated with Asset Management; Comcast Corporation; Councilperson Montero; 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 2010-0119-07-001 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:vlh

cc: Asset Mgmt. Steve Wirth City  
Council, Gretchen Williams  
Councilperson Montero 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 **2010-0119-07**

**Property Owner**  
**Denver Housing Authority**  
**c/o Ismael Guerrero**  
**777 Grant St**  
**Denver, co 80203**

**ORDINANCE/RESOLUTION REQUEST**

Please email requests to Daelene Mix 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: October 7, 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 certain easements established in Ordinance number **Ordinance #407, Series of 1988.**

3. **Requesting Agency:** Right of Way Engineering Services

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

- **Name:** Vanessa West
- **Phone:** 720-913-0719
- **Email:** vanessa.west@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

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

To relinquish the easement from Ordinance #407, Series of 1988

**\*\*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:** N/A
- b. **Duration:** Permanent
- c. **Location:** 1099 Osage St
- d. **Affected Council District:** Dist #9 Montero
- 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: \_\_\_\_\_



## EXECUTIVE SUMMARY

**DENVER**  
THE MILE HIGH CITY

**Project Title:**2010-0119-07 Easement Relinquishment DHA 1099 Osage St

**Description of Proposed Project:**Request for an Ordinance to relinquish certain easements established in Ordinance number Ordinance #407, Series of 1988.

**Explanation of why the public right-of-way must be utilized to accomplish the proposed project:**For redevelopment

**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

# EXHIBIT A

## LEGAL DESCRIPTION:

A PARCEL OF LAND BEING A PART OF THE VACATED RIGHT-OF-WAY OF WEST 11TH AVENUE, 80 FOOT RIGHT-OF-WAY VACATED PER ORDINANCE NO. 407 SERIES OF 1988 AND ORDINANCE NO. 491 SERIES OF 1988 RECORDED IN THE OFFICES OF THE CITY AND COUNTY OF DENVER CLERK AND RECORDER, SITUATED IN THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

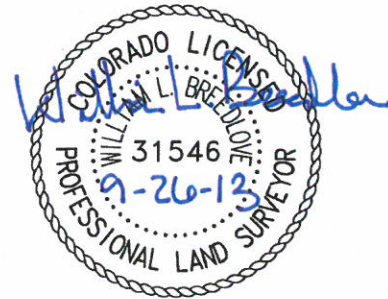
BEGINNING AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF OSAGE STREET (70 FEET IN WIDTH) AND THE SOUTH LINE OF VACATED WEST 11TH AVENUE (80 FEET IN WIDTH); THENCE ALONG SAID SOUTH LINE OF VACATED WEST 11TH AVENUE S89°50'19"W, A DISTANCE OF 125.37 FEET; THENCE LEAVING SAID SOUTH LINE N00°06'02"W, A DISTANCE OF 40.05 FEET; THENCE N89°51'36"E, A DISTANCE OF 125.08 FEET TO A POINT ON SAID WEST RIGHT-OF-WAY LINE OF OSAGE STREET; THENCE ALONG SAID WEST RIGHT-OF-WAY LINE OF OSAGE STREET S00°30'55"E, A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 5,012 SQUARE FEET OR 0.115 ACRE, MORE OR LESS.

BEARINGS ARE BASED ON THE WEST RIGHT-OF-WAY LINE OF OSAGE STREET BETWEEN VACATED WEST 11TH AVENUE AND WEST 10TH AVENUE. ASSUMED TO BEAR S00°09'41"E, 500.23 FEET.

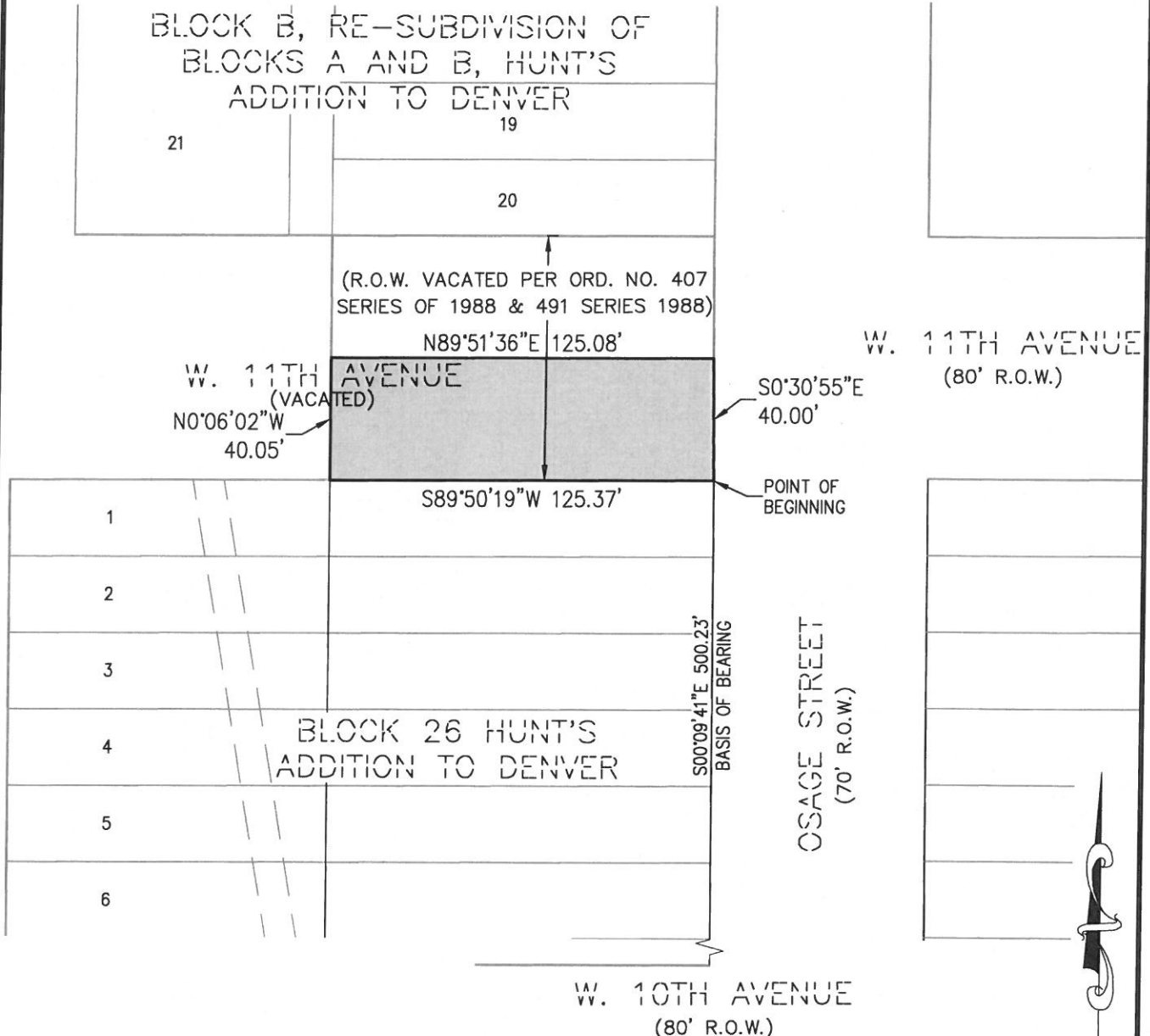
ALL LINEAL DISTANCES ARE REPRESENTED IN U.S. SURVEY FEET.

WILLIAM L. BREEDLOVE  
COLORADO PROFESSIONAL LAND SURVEYOR NO. 31546  
FOR AND ON BEHALF OF VISION LAND CONSULTANTS, INC.  
603 PARK POINT ROAD, SUITE 100 | GOLDEN, CO 80401



# EXHIBIT A

SITUATED IN THE NE ¼ OF SECTION 4, T 4 S, R 68 W, 6TH P.M.,  
 CITY AND COUNTY OF DENVER, STATE OF COLORADO



- BEARINGS ARE BASED ON THE WEST RIGHT-OF-WAY LINE OF OSAGE STREET. ASSUMED TO BEAR S00°09'41\"E.
- THE ABOVE DESCRIBED PARCEL CONTAINS 5,012 SQUARE FEET OR 0.115 ACRE, MORE OR LESS.
- ALL LINEAL DISTANCES ARE REPRESENTED IN U.S. SURVEY FEET.

THIS ILLUSTRATION DOES NOT REPRESENT A MONUMENTED SURVEY.  
 IT IS INTENDED ONLY TO DEPICT THE ATTACHED LEGAL DESCRIPTION.



SCALE: 1"=50'

SHEET  <b>1</b>	1099 OSAGE	 CIVIL ENGINEERS, CONSTRUCTION MANAGERS, AND PROGRAM MANAGEMENT 603 PARK POINT DRIVE, SUITE 100 GOLDEN, CO 80401 PHONE: (303) 674-7355 FAX: (303) 674-3263			
	<b>EASEMENT RELINQUISHMENT</b>		DATE NO.	REVISIONS	BY
	DENVER, COLORAD		DATE <u>08/01/13</u>	CHECKED BY <u>WLB</u>	

JOB NO. 2746.E0