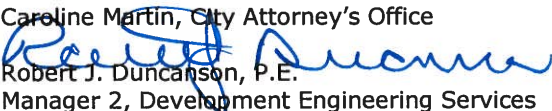




Department of Public Works  
Right-of-Way Services  
201 W. Colfax Avenue, Dept. 507  
Denver, CO 80202  
720-865-3001  
www.denvergov.org/survey

## REQUEST FOR ORDINANCE TO RELINQUISH EASEMENT

**TO:** Caroline Martin, City Attorney's Office  
**FROM:**   
Robert J. Duncan, P.E.  
Manager 2, Development Engineering Services  
**PROJECT NO:** 2012-0417-06  
**DATE:** March 13<sup>th</sup>, 2015  
**SUBJECT:** Request for an Ordinance to relinquish certain easements established by documents recorded with the City and County of Denver at Reception Number 1979090009.

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

This office has investigated the request of Erik Svesson, dated February 3, 2015, on behalf PUBLIC STORAGE, INC., a California corporation, SSC PROPERTY HOLDINGS, INC., a Delaware corporation, PUBLIC STORAGE INSTITUTIONAL FUND II, a California limited partnership for the relinquishment of said easements.

This matter has been checked by this office and has been coordinated with Denver Wastewater who is the sole Grantee and the only agency that has an interest of said easement has returned our questionnaire 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 2012-0417-05-001 HERE**

**INSERT PARCEL DESCRIPTION ROW 2012-0417-05-002 HERE**

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

RJD:aag

cc:

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 **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: March 13, 2015**

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.)*

2012-0417-05: Request to relinquish Storm Easement recorded at Reception Number 1979090009

**3. Requesting Agency:** Public Works Survey

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

- **Name:** Ali Gulaid
- **Phone:** 720-865-3132
- **Email:** [ali.gulaid@@denvergov.org](mailto:ali.gulaid@@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](mailto:Angela.Casias@denvergov.org)

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

This is a request to relinquish Storm Easement recorded at Reception Number 1979090009.

**\*\*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:** 4401 S. Tamarac
- d. **Affected Council District:** #4:Peggy Lehmann
- 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: 2012-0417-05: Request to relinquish Storm Easement recorded at Reception Number 1979090009**

**Description of Proposed Project: This is to relinquish storm easement that is no longer needed.**

**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.**

EXHIBIT "A"  
LEGAL DESCRIPTION  
PARCEL "A"

A parcel of land located in the North half of Section 9, Township 5 South, Range 67 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado, more particularly described as follows:

Commencing at the North quarter corner of said Section 9; Thence westerly along the North line of said Section 9, a distance of 1301.91 feet; Thence southerly at a deflection angle to the left of  $89^{\circ}55'24''$ , a distance of 600.00 feet to a point on the East right-of-way line of South Syracuse Street; Thence continuing along the last described course also being along said East right-of-way of South Syracuse Street 382.09 feet; Thence southeasterly at a deflection angle to the left of  $29^{\circ}54'04''$  a distance of 40.12 feet; Thence southerly at a deflection angle to the right of  $29^{\circ}54'04''$  a distance of 63.37 feet to a point on the North right-of-way line of Interstate Highway 225; Thence easterly along said North right-of-way line at a deflection angle to the left of  $90^{\circ}04'36''$  a distance of 155.01 feet to the True Point of Beginning, said point being on said North right-of-way line of Interstate Highway 225; Thence on a deflection angle to the left of  $16^{\circ}54'10''$  a distance of 386.44 feet; Thence on a deflection angle to the left of  $22^{\circ}55'24''$  a distance of 377.5.3 feet; Thence on a deflection angle to the right of  $129^{\circ}49'34''$  a distance of 13.02 feet to point on the centerline of a 75 foot Public Service Company of Colorado easement as recorded in Arapahoe County in Book 676, Page 410; thence southwesterly along said centerline easement on a deflection angle to the right of  $50^{\circ}10'26''$ , a distance of 409.74 feet; Thence on a deflection angle to the right of  $22^{\circ}55'24''$  a distance of 270.74 feet to a point on aforesaid North right-of-way line of Interstate Highway 225; Thence westerly along said North right-of-way line on a deflection angle to the right of  $16^{\circ}54'10''$  a distance of 85.98 feet to the True Point of Beginning, containing an area of 0.280 acres, more or less.

EXHIBIT "B"  
LEGAL DESCRIPTION  
PARCEL "B"

A parcel of land located in the North half of Section 9, Township 5 South, Range 67 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado, more particularly described as follows:

Commencing at the North quarter corner of Section 9; Thence westerly along the North line of said Section 9, a distance of 1301.91 feet; Thence southerly at a deflection angle to the left of 89°55'24" a distance of 600.00 feet to a point on the East right-of-way line of South Syracuse Street; thence continuing along the last described course also being along said East right-of-way line of South Syracuse Street 382.09 feet; Thence Southeasterly at a deflection angle to the left of 29°54'04" a distance of 40.12 feet; Thence southerly at a deflection angle to the right of 29°54'04" a distance of 63.37 feet to a point on the North right-of-way line of Interstate Highway 225; Thence easterly along said North right-of-way line at a deflection angle to the left of 90°04'36" a distance of 405.64 feet to a point on the centerline of a 75 foot Public Service Company of Colorado easement as recorded in Arapahoe County in Book 676, Page 410; Thence northeasterly along said centerline easement at a deflection angle to the left of 39°49'34" a distance of 696.76 feet to the True Point of Beginning; Thence continuing northeasterly along the centerline of said Public Service Company easement a distance of 77.37 feet; Thence southeasterly at a deflection angle to the right of 96°00'00" a distance of 25.14 feet; Thence southwesterly at a deflection angle to the right of 84°00'00" a distance of 44.76 feet; Thence westerly at a deflection angle to the right of 39°49'34" a distance of 39.04 feet to the True Point of Beginning, containing 0.035 acres, more or less.

090009

1979 FEB 26 AM 9:34

F. J. SERAFINI  
COUNTY CLERK  
DENVER COUNTY

DEED OF EASEMENT

1857 71

KNOWN ALL MEN BY THESE PRESENTS:

That (Print Name) John I. Schnip  
(Address) 88 Harland Road  
Norwich, Connecticut 06860

000.00 A B

of the County of New London State of Connecticut

~~corporation duly organized and existing under the laws of the State of Colorado,~~  
hereinafter sometimes referred to as "Grantor", for and in consideration of One Dollar (\$1.00), receipt of which is acknowledged, and the prospective benefits to be derived by reason of the locating, establishing and constructing drainage facilities for water and sewage under the supervision of and for the City and County of Denver, and other good and valuable considerations in hand paid, do hereby grant, convey and release to the CITY AND COUNTY OF DENVER, a municipal corporation of the State of Colorado, its successors and assigns, sometimes hereinafter referred to as the "City" or "Grantee", an exclusive and perpetual easement and right-of-way for drainage facilities across lands owned by Grantor, and situated in the City and County of Denver, State of Colorado.

Grantor hereby grants to Grantee the perpetual right to enter, re-enter and use the hereinafter described easement to locate, construct, inspect, operate, maintain, repair, remove, replace, relocate and reconstruct drainage facilities, including underground and surface facilities and appurtenances thereto, into, within, over, upon, across, through and under the parcel of land for which the easement and right-of-way is hereby granted, and said parcel of land is more particularly described as follows, to wit:

(Legal Description of land for easement itself)

A parcel of land described in Exhibit(s) A and B attached hereto, which by reference is(are) expressly incorporated herein.

The Grantor hereby warrants that Grantor has full right and lawful authority to make the grant herein contained and that Grantor has fee simple title to the land over which said easement is granted, and more particularly described as follows, to wit:

Land owned by Grantor as described by deed(s) recorded in the records of the City and County of Denver  
on March 1, 1978, in Book 1669, at Page 336  
and on \_\_\_\_\_, in Book \_\_\_\_\_, at Page \_\_\_\_\_

House and Home Center Project No SP-34-78 WMD. No. 1104,01-DE

1857 71  
770606

**CERTIFICATION**

The Clerk and Recorder for the CITY AND COUNTY OF DENVER State of Colorado does hereby certify this document to be a full, true and correct copy of the original document recorded in my office



Clerk and Recorder  
by \_\_\_\_\_  
Deputy County Clerk  
Date \_\_\_\_\_

David W. Johnson

APPROVED FOR RECORDING  
LAND OFFICE

As to Form

*W. H. ...*  
City Atty's Office

If ingress to and egress from the parcel of land for which an easement is hereby granted from and to a public road or highway is not available, the Grantor grants to Grantee the right of ingress to and egress from said parcel over and across the land owned by Grantor by means of roads and lanes thereon, if such exist, otherwise by such route or routes as shall occasion the least practicable damage and inconvenience to Grantor; provided that such right of ingress and egress shall not extend to any portion of said land which is isolated from the strip by any public road or highway now crossing or hereafter crossing said land; and provided further, that if any portion of said land is or shall be subdivided and dedicated roads or highways on such portion shall extend to the strip, the right of ingress and egress on that portion shall be confined to such dedicated roads and highways;

Grantor further grants to Grantee the right from time to time to trim and to cut down and clear away any and all trees and brush now or hereafter on the strip and to trim and to cut down and clear away any trees on either side of the strip which now or hereafter in the opinion of Grantee may be a hazard to the said facilities, or appurtenances thereto, or may interfere with the exercise of Grantee's rights hereunder; provided, however, that all trees which Grantee is hereby authorized to cut and remove, if valuable for timber or wood, shall continue to be the property of Grantor, but all tops, tops, brush and refuse wood shall be burned or removed by Grantee.

Grantor releases the City and County of Denver from any and all claims for damages arising in any way or incident to the construction and/or maintenance by Grantor, or his agents, of the said facilities across the described land.

RESERVING, however, to the undersigned and their successors in interest and assigns the right to use and enjoy the above-described premises, PROVIDING such use and enjoyment shall not interfere with the installation, construction, maintenance, repair, inspection, and operation of said facilities installed or permitted to be installed by the City and County of Denver, and PROVIDING FURTHER that the Grantor shall not erect or place any building, tree or other obstruction on the above-described easement and right-of-way and the City shall not be liable for their removal if they are so placed.

Signed and delivered this 12th day October A.D., 19 78

~~ADDRESS~~

Grantor

*[Handwritten Signature]*

~~by~~

~~by~~

~~Secretary~~

~~President~~

STATE OF ~~CONNECTICUT~~ Connecticut  
 COUNTY ~~OF~~ New London  
 CITY ~~OF~~ Norwich

RECEIVED  
 OCT 10 1978  
 SCHMIDT & CO.

The foregoing instrument was acknowledged before me this 12 day of October A.D., 1978, by John D. Schip

~~Secretary and~~  
~~President of~~

~~a corporation~~

MARGARET A. PETRONE  
 NOTARY PUBLIC

My Commission Expires BY COMMISSION EXPIRES MARCH 27, 1980



*[Handwritten Signature]*  
 Notary Public

**EXHIBIT "A"  
LEGAL DESCRIPTION**

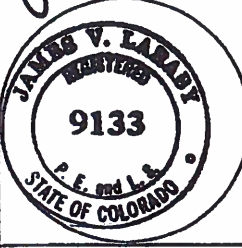
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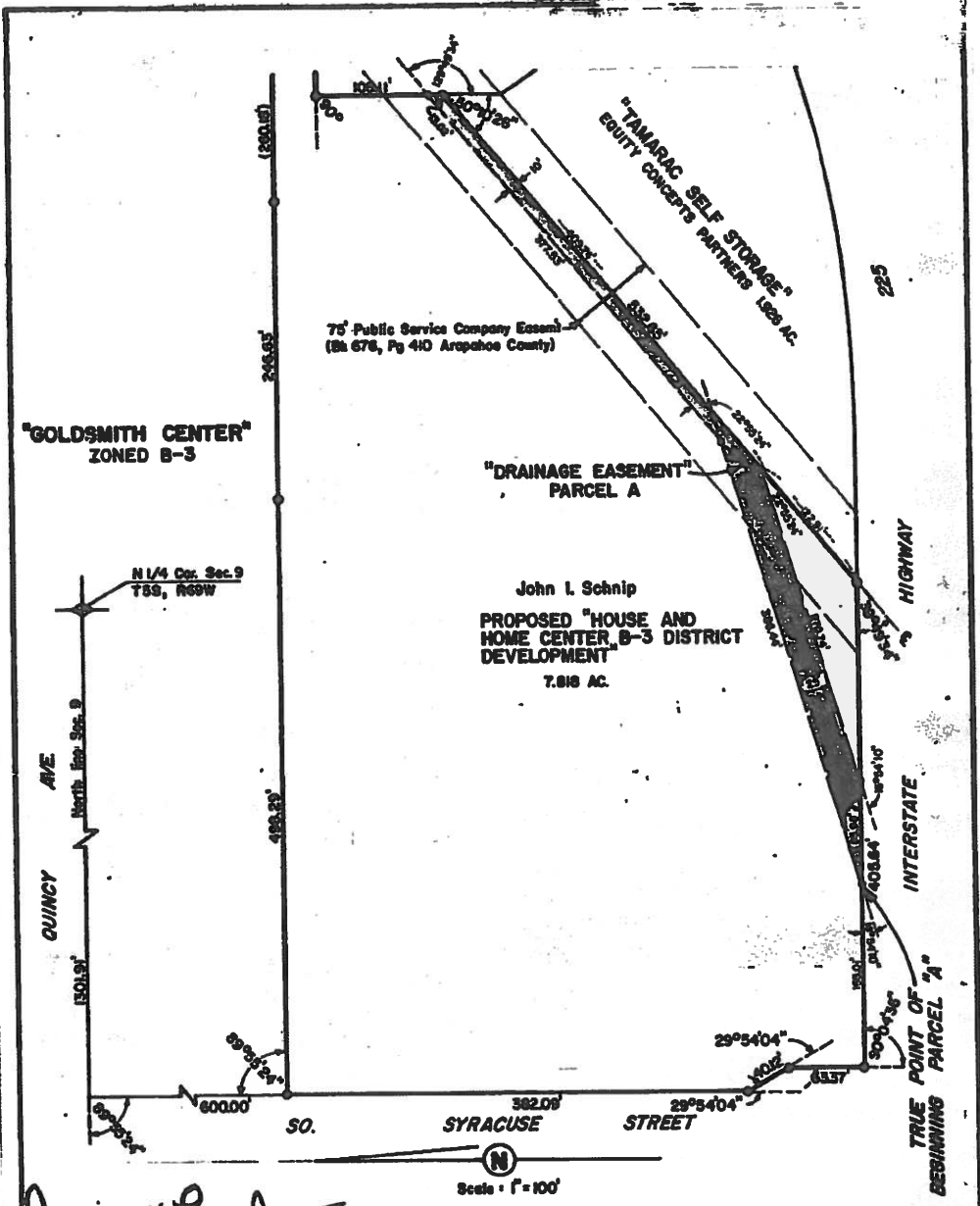
SUBJECT to all easements and rights-of-way existing or of record.

*James V. Lantry*  
CERTIFICATION: REGISTERED LAND SURVEYOR

	Rev.	AS	1/10/79	EXHIBIT A				
	REVISIED	AS	10/12/78	PREPARED BY Tri-Consultants, Inc. 7500 West Mississippi Avenue, Suite 030 Denver, Colorado 80226				
	APPROVED			PROJECT Drainage Project House and Home Center				
	CHECKED	JEC	8/30/78	LOCATION (INT - 503) R67W, T5S, SEC 09, NW-¼ (675-09.2)				
	DRAWN	DW	8/30/78	DATE	8/30/78	FILE NO.	110601-DE	SHEET 1 of 2
	SURVEYED	JWR	12/30/77					
ACTION BY DATE								
CITY AND COUNTY OF DENVER, DEPARTMENT OF PUBLIC WORKS, WASTEWATER MANAGEMENT DIVISION								

FORM 3107 (3/78) WMD





*James V. Laraby*  
CERTIFICATION: REGISTERED LAND SURVEYOR

	REVISED	AS	1/9/79	PREPARED BY	TRI - CONSULTANTS, INC. 7500 W. Mississippi Ave. Denver, Colorado 80226			
	REVISED	AS	10/12/78	PROJECT	Drainage Project HOUSE AND HOME CENTER			
	APPROVED			LOCATION (R/F-12)	R67W, T8S, SEC 09, NW-1/4, (875-082)			
	CHECKED	JEC	8/30/78	JOB NO.	PROJECT NO.	R/W FILE NO.	SHEET	
	DRAWN	DW	8/30/78	04710	SP-34-78	HO4.01-DE	2	OF 2
	SURVEYED	JR	12/30/77					
ACTION	BY	DATE						

CITY AND COUNTY OF DENVER, DEPARTMENT OF PUBLIC WORKS, WASTEWATER MANAGEMENT DIVISION

**EXHIBIT "B"  
LEGAL DESCRIPTION**

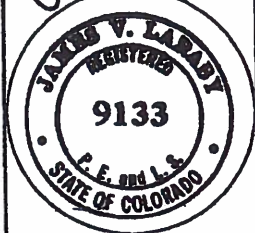
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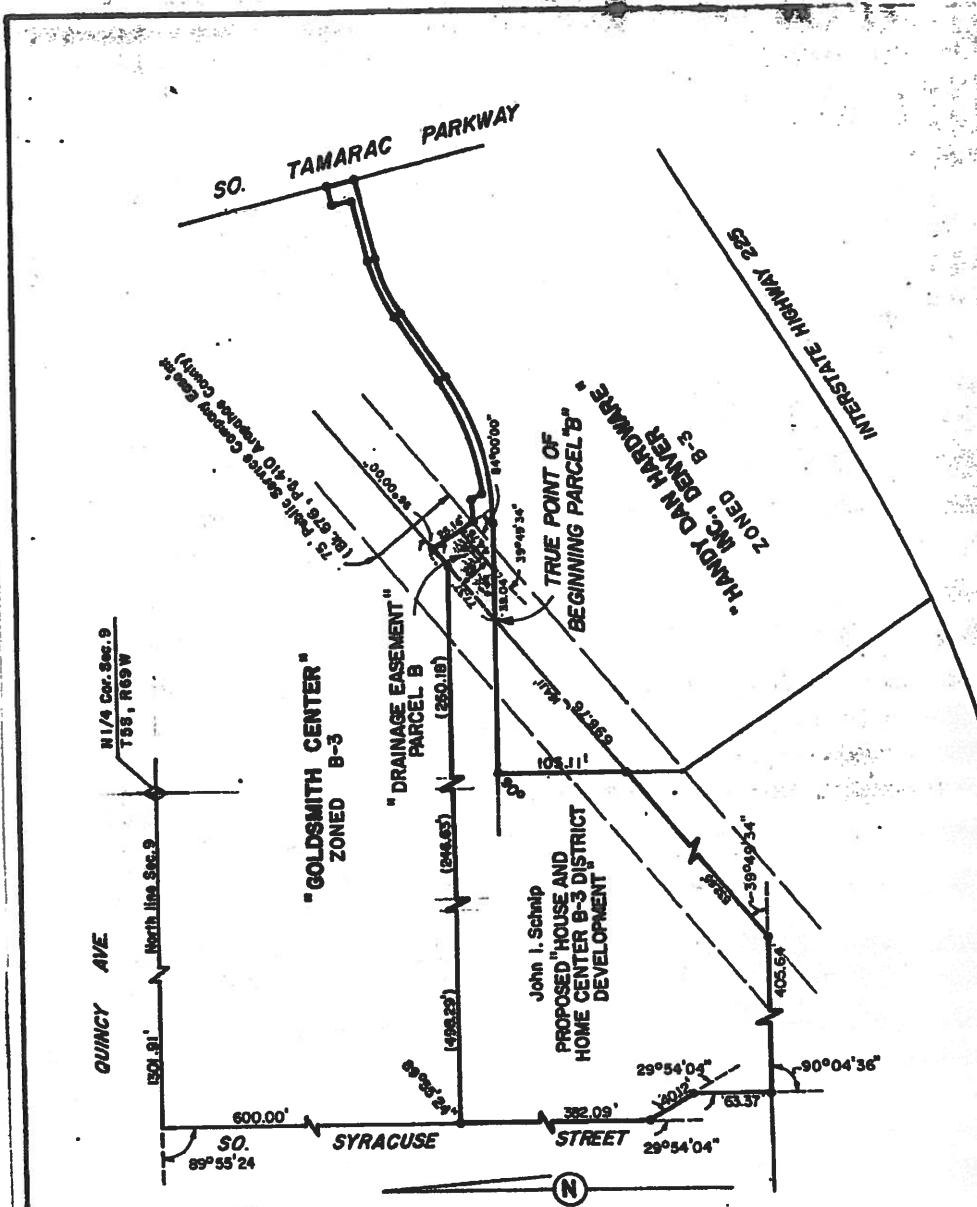
SUBJECT to all easements and rights-of-way existing or of record.

*James V. Laraby*  
 CERTIFICATION: REGISTERED LAND SURVEYOR



			<b>EXHIBIT B</b>			
REVISED	AS	10/12/78	PREPARED BY Tri-Consultants, Inc. 7500 West Mississippi Avenue, Suite 030 Denver, Colorado 80226			
APPROVED			PROJECT Drainage Project House and Home Center			
CHECKED	JEC	8/30/78	LOCATION (1/4 - 50) R67W, T5S, SEC 09, NW-K (675-09.2)			
DRAWN	DW	8/30/78	JOB NO.	PROJECT NO.	R.D. FILE NO.	SHEET
SURVEYED	JWR	12/30/77	04710	SP-34-78	1104-01-DE	1 of 2
ACTION	BY	DATE				

CITY AND COUNTY OF DENVER, DEPARTMENT OF PUBLIC WORKS, WASTEWATER MANAGEMENT DIVISION



*James V. Laraby*  
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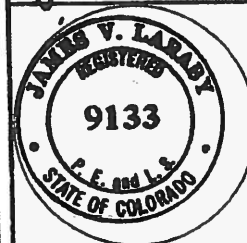


			EXHIBIT 'B'			
REVISED	AS	10/12/78	PREPARED BY TRI-CONSULTANTS, INC. 7500 W. MISSISSIPPI AVE. DENVER, COLORADO 80226			
APPROVED			PROJECT Drainage Project HOUSE AND HOME CENTER			
CHECKED	JEC	8/30/78	LOCATION (1st-50)			
DRAWN	DW	8/30/78	R67W, T5S, SEC. 09, NW-1/4 (678-082)			
SURVEYED	JR	12/30/77	JOB NO.	PROJECT NO.	NW FILE NO.	SHEET
ACTION	BY	DATE	04710	SP-34-78	U04.01-DE	2 of 2

CITY AND COUNTY OF DENVER, DEPARTMENT OF PUBLIC WORKS, WASTEWATER MANAGEMENT DIVISION