



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: 2014-0597-07

DATE: February 23, 2015

SUBJECT: Request for an Ordinance to relinquish three sanitary sewer easements established by:
Book 3831, Page 24
Book 8795, Page 552
Book 8838, Page 151

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

This office has investigated the request of Kimley-Horn, dated January 21, 2015, on behalf of Continuum Partners 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 2014-0597-07-001 HERE
INSERT PARCEL DESCRIPTION ROW 2014-0597-07-002 HERE
INSERT PARCEL DESCRIPTION ROW 2014-0597-07-003 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 9, 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)

2014-0597-07: This is a request to relinquish three sanitary sewer easements at 9th and Colorado.

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 part of the overall redevelopment of the area at 9th and Colorado.

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

- A. **Location:** 9th and Colorado
- B. **Affected Council District:** #10 – Jeanne Robb and #5 – Mary Beth Susman
- 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: _____



EXECUTIVE SUMMARY

DENVER
THE MILE HIGH CITY

Project Title: 2014-0597-07: Easement Relinquishment at 9th and Colorado.

Description of Proposed Project: This is a proposal to relinquish three sanitary sewer easements for the overall redevelopment of the area at 9th and Colorado.

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.

FILED FOR RECORD AT 3.25 P.M. JUNE 24, 1924.

WILLIAM S. BAILLIE

RECORDER

EASEMENT - CONDUIT - EASEWAY

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned Plains Securities Corporation hereby grants to the City and County of Denver, State of Colorado, an easement for right of way twelve (12) feet wide for the purpose of constructing, inspecting, repairing, maintaining and operating a sanitary sewer over, across, under, in and through the E. 111 feet of the N. 491 feet of the North half (N¹/₂) of the Northwest quarter (NW¹/₄) of the Southwest quarter (SW¹/₄) of Section Six (6) Township Four (4) South Range sixty-seven (67) West of the P. . .

IN WITNESS WHEREOF the company has caused these presents to be signed by its President and attested with its corporate seal, by its Secretary, this 20th day of May, A. D. 1924.

[Signature]
Secretary

[Signature]
President

PLAINS SECURITIES CORPORATION
CITY AND COUNTY OF DENVER

ARTHUR M. WEIDEMAN, a notary public in and for the said City and County in the State of Colorado, do hereby certify that Carl Litzemberger and H. H. Tammen who are personally known to me to be the same persons whose names are subscribed to the foregoing instrument as having executed the same respectively as President and Secretary of the Plains Securities Corporation and who are known to me to be such officers, respectively, appeared before me this 28th day in person and severally acknowledged that the seal affixed to the foregoing instrument is the corporate seal of said corporation; that the same was thereunto affixed by the authority of said corporation; that the said Carl Litzemberger is the President of said corporation and the said H. H. Tammen is the Secretary thereof; that by the authority of said corporation they respectively subscribed their names thereto as President and Secretary and that they signed, sealed and delivered the said instrument of writing as their free and voluntary act and deed and as the free and voluntary act and deed of said corporation for the uses and purposes therein set forth.

Given under my hand and notarial seal this 28th day of May, A. D. 1924.

My commission expires May 25, 1927

[Signature]
Notary Public

[Signature]
Notary Public

94125
8795 552

JAN 30 1962

DEED OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

THAT THE REGENTS OF THE UNIVERSITY OF COLORADO, A BODY CORPORATE DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE CONSTITUTION OF THE STATE OF COLORADO, FOR AND IN CONSIDERATION OF ONE (\$1.00) DOLLAR AND OTHER GOOD AND VALUABLE CONSIDERATIONS, IN HAND PAID, DOES HEREBY GRANT AND CONVEY TO THE CITY AND COUNTY OF DENVER, A MUNICIPAL CORPORATION DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE CONSTITUTION OF THE STATE OF COLORADO, AN EASEMENT AND RIGHT-OF-WAY FOR A SEWER OVER, UPON, ACROSS, IN, THROUGH AND UNDER THE FOLLOWING DESCRIBED REAL PROPERTY SITUATE IN THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, TO-WIT:

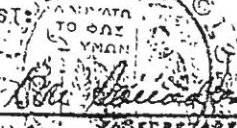
A STRIP OF LAND 10 FEET WIDE LYING 5 FEET ON EACH SIDE OF A CENTER LINE DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT THAT IS 485 FEET EAST OF THE WEST LINE AND 39 FEET SOUTH OF THE NORTH LINE OF NW $\frac{1}{4}$ OF THE SW $\frac{1}{4}$ OF SECTION 6, T.4S., R.67W. OF THE 6TH P.M.; THENCE SOUTHEASTERLY 137.83 FEET, MORE OR LESS, TO A POINT THAT IS 595.11 FEET EAST OF THE WEST LINE AND 121.90 FEET SOUTH OF THE NORTH LINE OF THE SAID NW $\frac{1}{4}$; THENCE SOUTHERLY ON A LINE PARALLEL WITH THE WEST LINE OF THE SAID NW $\frac{1}{4}$ 162 FEET; THENCE SOUTHEASTERLY 148.08 FEET, MORE OR LESS, TO A POINT THAT IS 694.35 FEET EAST OF WEST LINE AND 393.80 FEET SOUTH OF THE NORTH LINE OF THE SAID NW $\frac{1}{4}$; THENCE SOUTHERLY ON A LINE PARALLEL WITH THE WEST LINE OF THE SAID NW $\frac{1}{4}$ 187 FEET, MORE OR LESS; THENCE WESTERLY ON A LINE PARALLEL WITH THE NORTH LINE OF THE SAID NW $\frac{1}{4}$ 173.15 FEET, MORE OR LESS; THENCE SOUTHWESTERLY 50 FEET, MORE OR LESS, TO A POINT 615.80 FEET SOUTH OF THE NORTH LINE AND 485.50 FEET EAST OF THE WEST LINE OF THE SAID NW $\frac{1}{4}$.

RESERVING, HOWEVER, TO THE UNDERSIGNED, ITS SUCCESSORS AND ASSIGNS, THE RIGHT TO UTILIZE AND ENJOY THE ABOVE DESCRIBED PREMISES PROVIDING THE SAME SHALL NOT INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, REPAIRING, INSPECTION, AND OPERATION OF SAID SEWER, AND PROVIDING FURTHER THAT THE GRANTOR SHALL NOT ERRECT OR PLACE ANY BUILDING OR TREE ON THE ABOVE DESCRIBED RIGHT-OF-WAY AND THE CITY SHALL NOT BE LIABLE FOR THEIR REMOVAL IF THEY ARE SO PLACED.

SIGNED AND DELIVERED THIS 22nd DAY OF January A.D. 1962.

THE REGENTS OF THE UNIVERSITY OF COLORADO, A BODY CORPORATE


ATTEST:  Don Saunders
SECRETARY

By Quigg Newton
PRESIDENT

STATE OF COLORADO
CITY AND COUNTY OF DENVER
ss.

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 22nd DAY OF January A. D. 1962, BY Quigg Newton AS PRESIDENT AND BY Don Saunders AS SECRETARY OF THE REGENTS OF THE UNIVERSITY OF COLORADO, A BODY CORPORATE.

WITNESSED BY MY HAND AND OFFICIAL SEAL.


NOTARY PUBLIC
MY COMMISSION EXPIRES January 25, 1964

Edward W. Pink
NOTARY PUBLIC

As to Form
APPROVED FOR RECORDING:
LAND OFFICE W. M. ...
City Clerk, Office

2014-0597-07-001
2014-0597-07-002
2014-0597-07-003

LAND DESCRIPTION
PAGE 1 OF 1

A BILL

For an ordinance relinquishing three easements near the intersection of 9th Avenue and Colorado Boulevard.

PARCEL 1 DESCRIPTION ROW NO. 2014-0597-07-001

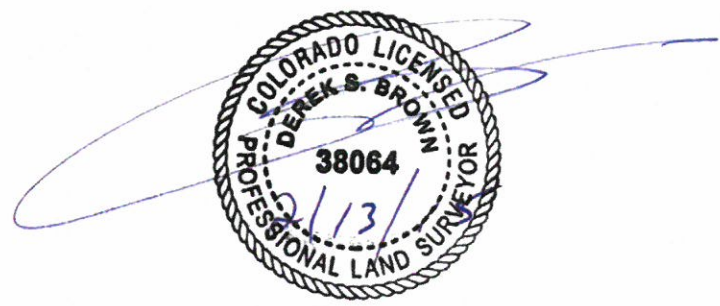
ALL THAT PERMANENT EASEMENT DESCRIBED IN BOOK 3831 AT PAGE 24, RECORDED JUNE 24, 1924 AT THE CITY AND COUNTY OF DENVER CLERK AND RECORDERS OFFICE;

PARCEL 2 DESCRIPTION ROW NO. 2014-0597-07-002

ALL THAT PERMANENT EASEMENT DESCRIBED IN BOOK 8795 AT PAGE 552, RECORDED JANUARY 30, 1962 AT THE CITY AND COUNTY OF DENVER CLERK AND RECORDERS OFFICE;

PARCEL 3 DESCRIPTION ROW NO. 2014-0597-07-003

ALL THAT PERMANENT EASEMENT DESCRIBED IN BOOK 8838 AT PAGE 151, RECORDED APRIL 30, 1962 AT THE CITY AND COUNTY OF DENVER CLERK AND RECORDERS OFFICE;



DEREK S. BROWN, PLS
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVE., SUITE 1, LITTLETON, CO 80122
303-713-1898