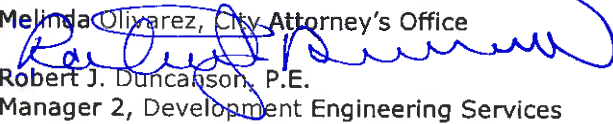




DENVER
THE MILE HIGH CITY

Department of Public Works
Permit Operations and Right of Way Enforcement
201 W. Colfax Avenue, Dept. 507
Denver, CO 80202
P: 720-865-2782
F: 720-865-3280
www.denvergov.org/pwprs

REQUEST FOR ORDINANCE TO RELINQUISH EASEMENT

TO: Melinda Olivarez, City Attorney's Office
FROM: 
 Robert J. Duncan, P.E.
 Manager 2, Development Engineering Services
PROJECT NO: 2011-0311-01
DATE: June 3, 2011
SUBJECT: Request for an Ordinance to relinquish certain easements established in the **Subdivision Plat Bow-Mar Heights, recorded by Book 41, Page 59**

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

This office has investigated the request of James MacKay, Deborah Knapp and Roy and Julie Graybeal, dated May 3, 2011, for the relinquishment of said easements.

This matter has been checked by this office and has been coordinated with Asset Management; Comcast Corporation; Councilperson Faatz; 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 2011-0311-001

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:as

cc: Asset Mgmt. Steve Wirth City Council, Gretchen Williams Councilperson Faatz and Aides Department of Law, Karen Aviles Department of Law, Melinda Olivarez Department of Law, Arlene Dykstra Public Works, Christine Downs Public Works, Debra Baca Public Works Survey-Paul Rogalla Project File **2011-0311 -01**

Property Owner Or Agent
James MacKay and Deborah Knapp
4150 W. Stanford Ave
Roy and Julie Graybeal
4503 S. Quitman St
Denver Co 80236-3414



ORDINANCE/RESOLUTION REQUEST

Please email requests to Daelene Mix at
daelene.mix@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: June 3, 2011

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 a certain easement established in the Subdivision Plat Bow-Mar Heights, recorded by Book 41, page 059

3. **Requesting Agency:** PWDES

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

- **Name:** Ava Simmons
- **Phone:** 720-865-3036
- **Email:** ava.simmons@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:** Debra Baca
- **Phone:** 720-865-8712
- **Email:** debra.baca@denvergov.org

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

Request for Ordinance to relinquish the easement reserved by Subdivision Plat Bow-Mar Heights, Book 41 page 059

****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:** W. Stanford Ave and Quitman St
- d. **Affected Council District:** Dist 2, Councilperson Faatz
- 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.**

No

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: _____

Date Entered: _____



DENVER
THE MILE HIGH CITY

EXECUTIVE SUMMARY

Project Title: 2011-0311-01, Easement Relinquishment, Quitman and W. Stanford Ave

Description of Proposed Project: Relinquish Easement reserved in the Subdivision Plat Bow-Mar Heights, recorded by Book 41, Page 59

Explanation of why the public right-of-way must be utilized to accomplish the proposed project: This area is no longer Right-of-Way, but private property with an easement. We are relinquishing this easement at this time.

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: No

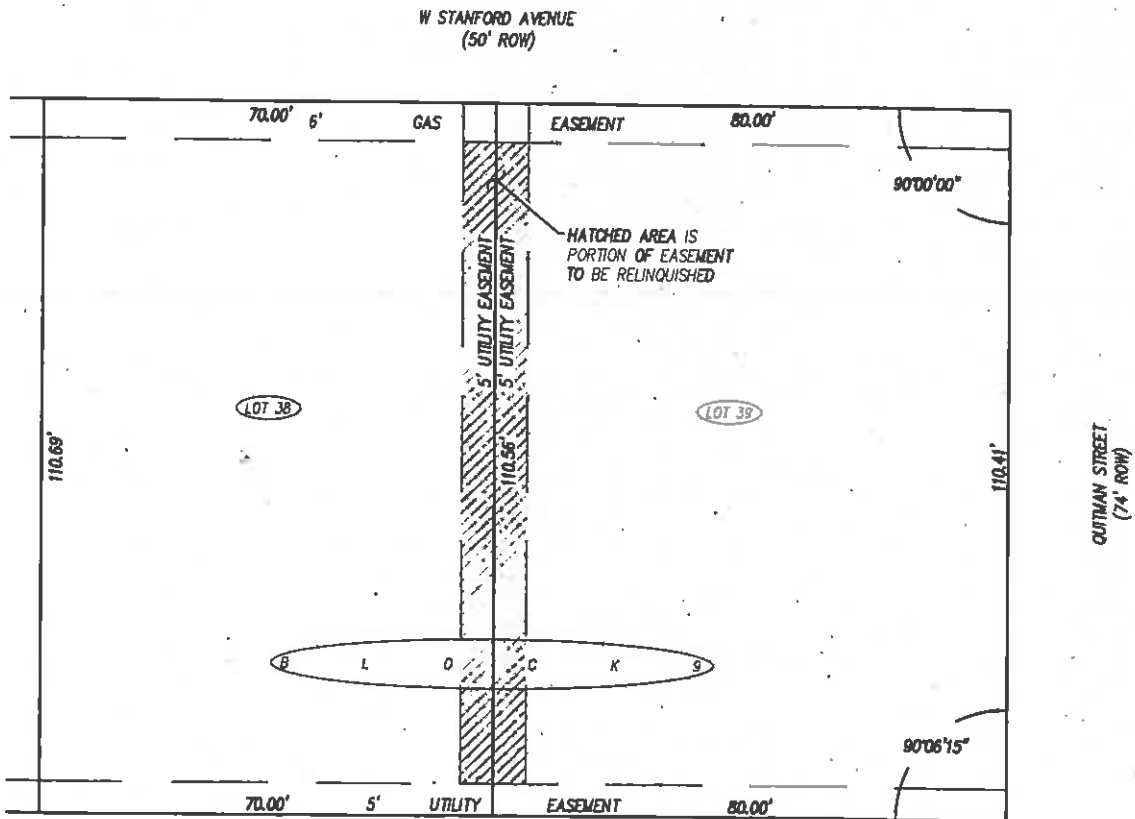
Additional information:

"EXHIBIT"

2011-0311-001

FOR
EASEMENT RELINQUISHMENT
FROM A PORTION OF
BOW - MAR HEIGHTS
SITUATE

IN THE NE1/4 OF SECTION 7, T.5.S., R.68.W. OF THE SIXTH P.M.,
CITY & COUNTY OF DENVER, STATE OF COLORADO



NOTES:

EASEMENT DESCRIPTION: THE UTILITY EASEMENT STRADDLING THE PROPERTY LINE COMMON TO LOTS 38 & 39, BLOCK 9, BOW-MAR HEIGHTS, PER THE PLAT THEREOF RECORDED AT ENGINEERING BOOK 41, PAGE 059, CITY & COUNTY OF DENVER, STATE OF COLORADO, EXCEPT THE NORTHERLY 6 FEET THEREOF AS RESERVED BY THE PSCO GAS EASEMENT, AS SHOWN HEREON.

SURVEYOR'S STATEMENT:

I, BRADLEY D. PETERSON, A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF COLORADO, DO HEREBY STATE THAT THIS 'EXHIBIT' WAS GENERATED BY ME AND THAT IT IS CORRECT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, BELIEF AND OPINION.

Bradley D. Peterson
 BRADLEY D. PETERSON, P.L.S. NO. 28660
 FOR & ON BEHALF OF TRISTATE SURVEYING, INC.
 MAY 27 '11
 DATE

PSCO EASEMENT NOTE:

GAS EASEMENT: RECORDED OCTOBER 23, 1963 IN BOOK 9123 AT PAGES 56 & 57 IN THE OFFICE OF THE CLERK & RECORDER OF THE CITY & COUNTY OF DENVER.

SCALE: 1"=30'

NOTICE 13-80-105(3)(a). ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

TriState Surveying, Inc.
 Bradley D. Peterson, PLS

CO NE KS

7371 S. DELAWARE STREET
 LITTLETON, CO 80120
 PH: 303-995-9072
 FX: 303-703-3830
 brad@tristatesurveying.com

DRAWN BY: BDP	DATE: MAY 27 '11
CHECKED BY: <i>MT</i>	DRAWING NO.: 201128_EXH
JOB NO.: 201128	SHEET 1 OF 1

2011-0311-001

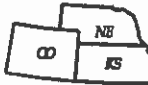
"DESCRIPTION"
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NOTES:

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PH: 303-995-9072
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DRAWN BY: BDP	DATE: JUNE 02 11
CHECKED BY:	201128_DESC DRAWING NO.: