



**Department of Public Works**  
Engineering Regulatory & Analytics  
201 W. Colfax Avenue, Dept. 507  
Denver, CO 80202  
720-865-3001  
[www.denvergov.org/survey](http://www.denvergov.org/survey)

## REQUEST FOR ORDINANCE TO RELINQUISH EASEMENT

**TO:** Caroline Martin, City Attorney's Office

**FROM:** Ted Christianson  
Director, Public Works Right of Way Services

**PROJECT NO:** 2017-RELINQ-0000028

**DATE:** December 4, 2017

**SUBJECT:** Request for an Ordinance to relinquish **portion of the easement retained in the Vacating Ordinance No. 524 Series of 1987**. Located near South Harrison Street and East Alameda Avenue.

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

This office has investigated the request of Rob Frankenberger, dated October 31, 2017 on behalf of Opus Group 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 area(s):

### **INSERT PARCEL DESCRIPTION 2017-RELINQ-0000028-001 HERE**

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

TC:cs

cc:  
City Councilperson & Aides  
City Council Staff – Zach Rothmier  
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](mailto:angela.casias@DenverGov.org) by **12:00 pm 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: December 4, 2017

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

Request for an Ordinance to relinquish portion of the easement retained in the Vacating Ordinance No. 524 Series of 1987.  
Located near South Harrison Street and East Alameda Avenue.

**3. Requesting Agency:** PW Right of Way Services  
**Agency Division:** Engineering, Regulatory & Analytics

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

- **Name:** Chaunda Sinn
- **Phone:** 720-865-3036
- **Email:** Chaunda.sinn@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

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

Request for an Ordinance to relinquish portion of the easement retained in the Vacating Ordinance No. 524 Series of 1987.  
Located near South Harrison Street and East Alameda Avenue.

**\*\*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 – please do not leave blank.)

- a. **Contract Control Number:** N/A
- b. **Contract Term:** N/A
- c. **Location:** 301 South Harrison Street
- d. **Affected Council District:** Dist # 10, Wayne New
- e. **Benefits:** N/A
- f. **Contract Amount (indicate amended amount and new contract total):** 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: \_\_\_\_\_

# EASEMENT RELINQUISHMENT EXECUTIVE SUMMARY

**Project Title:** 2017-RELINQ-0000028 301 S Harrison St

**Property Owner name:** Parcel A – Joseph McSoud; Parcel B – Shea NWM, LLC

**Description of Proposed Project:** Request for an Ordinance to relinquish portion of the easement retained in the Vacating Ordinance No. 524 Series of 1987. Located near South Harrison Street and East Alameda Avenue.

**Explanation of why the public right-of-way must be utilized to accomplish the proposed project:** The customer would like to redevelop the land and need the easement to be relinquish to proceed.

**Background:** After review of this request, it was determined that the portion of the easement is not needed.

## Location Map:



EXHIBIT A  
SHEET 1 OF 2

A PORTION OF VACATED S. HARRISON ST. PER ORDINANCE 524 SERIES 1987, LOCATED WITHIN THE SOUTHEAST QUARTER OF SECTION 12 AND THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 13; THENCE ALONG THE NORTH LINE OF THE N.E. QUARTER OF SAID SECTION 13, S89°39'23"W A DISTANCE OF 215.98 FEET TO THE EASTERLY LINE OF SAID VACATED S. HARRISON ST. BEING THE POINT OF BEGINNING;  
THENCE ALONG SAID EASTERLY LINE, S00°18'57"E A DISTANCE OF 131.37 FEET TO A POINT ON THE EASTERLY EXTENSION OF THE SOUTHERLY LINE OF SAID LOT 46;  
THENCE ALONG SAID EASTERLY EXTENSION OF THE SOUTHERLY LINE S89°43'42"W A DISTANCE OF 9.50 FEET TO THE WESTERLY LINE OF SAID VACATED S. HARRISON ST.;  
THENCE ALONG SAID WESTERLY LINE N00°18'57"W A DISTANCE OF 131.36 FEET TO SAID NORTH LINE OF THE N.E. QUARTER;  
THENCE CONTINUING ALONG SAID WESTERLY LINE, N00°15'55"W A DISTANCE OF 105.61 FEET TO THE NORTH LINE OF SAID VACATED S. HARRISON ST.;  
THENCE ALONG SAID NORTH LINE OF VACATED S. HARRISON ST. N89°49'01"E A DISTANCE OF 9.50 FEET TO SAID EASTERLY LINE OF VACATED S. HARRISON ST.;  
THENCE ALONG SAID EASTERLY LINE, S00°15'55"E A DISTANCE OF 105.58 FEET TO THE POINT OF BEGINNING;

SAID PARCEL CONTAINS 0.052 ACRES (2,251 SQUARE FEET), MORE OR LESS.

ALL DIMENSIONS ARE IN U.S. SURVEY FEET.

BASIS OF BEARING: BEARINGS ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, BEING ASSUMED TO BEAR NORTH 89°39'22" EAST AND MONUMENTED BY A FOUND 3 1/4" ALUMINUM CAP, PLS #36068 IN RANGE BOX AT THE NORTH QUARTER CORNER AND A FOUND 3 1/4" ALUMINUM CAP PLS #11434 IN RANGE BOX AT THE NORTHEAST CORNER.

PREPARED BY DENNIS PETER  
REVIEWED BY RICHARD A. NOBBE, PLS  
FOR AND ON BEHALF OF MARTIN/MARTIN, INC.  
12499 WEST COLFAX AVENUE  
LAKEWOOD, COLORADO 80215  
OCTOBER 25, 2017



EXHIBIT A  
SHEET 2 OF 2

2017-RELINQ-000028-001

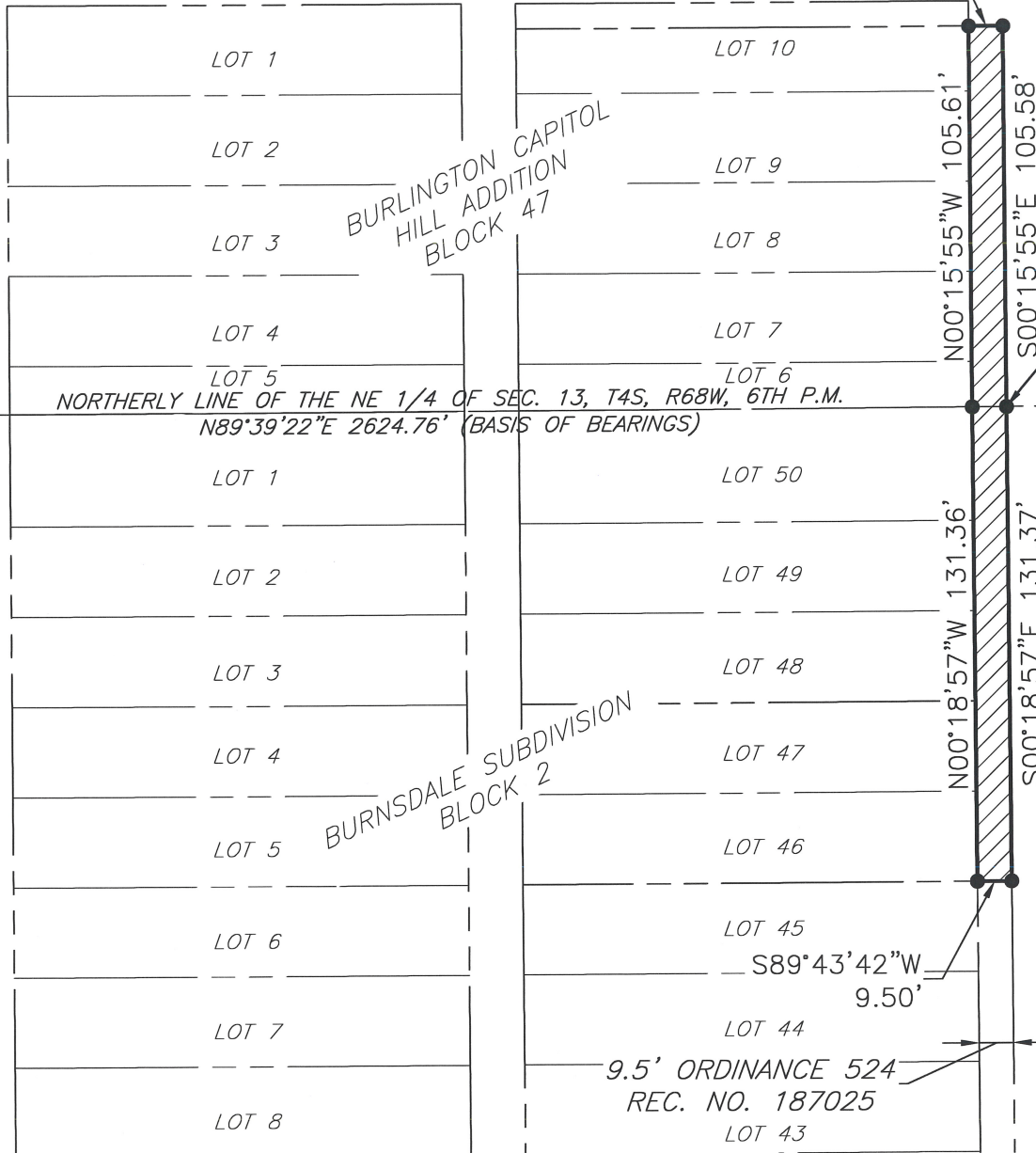
DRAWING\_LOCATION: G:\SCHLAGETER\17.0275-301\_South\_Harrison\_Street\PLANS\EXHIBITS\EASEMENT\_VACATION.dwg

S. JAKSON STREET

E. ALAMEDA AVENUE

POINT OF COMMENCEMENT

NE 1/4 COR., SEC. 13,  
T4S, R68W, 6TH P.M.  
FOUND 3-1/4" ALUM. CAP  
IN RANGE BOX PLS #11434

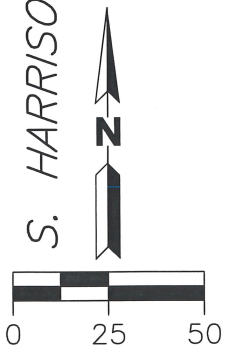


BURLINGTON CAPITOL  
HILL ADDITION  
BLOCK 47

BURNSDALE SUBDIVISION  
BLOCK 2

POINT OF BEGINNING

S. HARRISON STREET



SCALE: 1"=50'  
ALL DIMENSIONS ARE  
U.S. SURVEY FEET



OCTOBER 25, 2017

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

**MARTIN/MARTIN**  
CONSULTING ENGINEERS  
12499 WEST COLFAX AVENUE, LAKEWOOD, COLORADO 80215  
303.431.6100 MARTINMARTIN.COM

BY AUTHORITY

ORDINANCE NO. 524  
SERIES OF 1987

COUNCIL BILL NO. 552

COMMITTEE OF REFERENCE:

PUBLIC WORKS

A B I L L

FOR AN ORDINANCE VACATING A CERTAIN PART OF THE SYSTEM OF THOROUGHFARES OF THE MUNICIPALITY, SUBJECT TO CERTAIN RESERVATION: I.E., VACATING OF A PORTION OF SOUTH HARRISON STREET BETWEEN ALAMEDA AVENUE AND DAKOTA AVENUE.

WHEREAS, the Manager of Public Works of the City and County of Denver has found and determined that the public use, convenience and necessity no longer require that certain portion of that certain street in the system of thoroughfares of the municipality hereinafter described and, subject to approval by ordinance, has vacated the same with the reservations hereinafter set forth;  
NOW, THEREFORE,

BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:

Section 1. That the action of the Manager of Public Works in vacating the following described portion of a certain street in the City and County of Denver and State of Colorado, to wit:

*The westerly 9.5 feet of South Harrison Street lying between Alameda Avenue and Dakota Avenue except the northerly 7 feet and southerly 20 feet thereof.*

be and the same is hereby approved and the described portion of that certain street is hereby vacated and declared vacated;  
PROVIDED, HOWEVER, said vacation shall be subject to the following conditions and reservations:

*That easements be and are hereby retained to protect utilities in the vacated street which utilities include gas lines in the northerly 180 feet of the vacated area and cable television lines.*

PASSED By The Council September 14 1987

Stephanie Foot - President

APPROVED: Jedediah Davis - Mayor Sept 16 1987

ATTEST: [Signature] - Clerk and Recorder,  
Ex-Officio Clerk of the  
City and County of Denver

PUBLISHED IN The Daily Journal Sept. 11, 1987 Sept. 22, 1987

*I have made the findings and determinations as set forth in the above and foregoing draft or form of a proposed Bill for an Ordinance, and subject to approval by Ordinance, have vacated and do hereby vacate the described street, subject to certain reservations, and request the Council of the City and County of Denver to approve such vacation subject to certain reservations, by the enactment of an appropriate ordinance, I approve said draft or form of a proposed Bill for an Ordinance and recommend the introduction and passage thereof.*

PREPARED By: Robert M. Kelly, Ass't. City Atty., 9/2/87

REVIEWED By: [Signature] - City Attorney 9/2 1987

SPONSORED By Council Member(s): \_\_\_\_\_



ORDINANCE NO. 524 Series 1987

Council Bill No. 552 Series 1987

Meeting Date 9-8 1987

Read by Title, referred to Committee  
on PUBLIC WORKS

Committee report adopted/failed:

Council Bill ordered published:

Meeting Date 9-8 1987

Council Bill passed/defeated by the City Council:

Meeting Date 9-14 1987

VETOED: \_\_\_\_\_ 19\_\_

- Sustained
- Overruled
- No Action Taken

C/R 48 (Rev. 1/87)

#00187025 09/22/87 02:11 PM REAL ESTATE RECORDS  
F0268 FELICIA HUFTIC DENVER COUNTY CO RECORDER

**ORDINANCE**

COUNCIL RECD.

3 SEP 87 8:41

MISC 1 .00