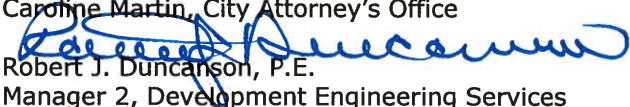




Department of Public Works
Right-of-Way Services
201 W. Colfax Avenue, Dept. 507
Denver, CO 80202
720-865-3001
www.denvergov.org/survey

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: 2015-0169-02

DATE: April 15, 2015

SUBJECT: Request for an Ordinance to relinquish certain easements established by documents recorded with the City and County of Denver in Book 7774, Page 118 on November 7, 1955.

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

This office has investigated the request of Andrew Rippey dated March 24, 2015, on behalf of the Gates Corporation for the relinquishment of said easement.

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 2015-0169-02-001 HERE

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

RJD:aal

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 12:00 pm on Monday.

Date of Request: April 15, 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)

2015-0169-02: This is a request to relinquish an easement recorded in Book 7774, Page 118 on November 7, 1955

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 a request to relinquish a sewer easement at 1054 S Sherman St (Lionstone Development Filing No. 1) recorded in Book 7774, Page 118 on November 7, 1955.

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

- A. **Location:** 1054 S Sherman St
- B. **Affected Council District:** #7 – Chris Nevitt
- C. **Benefits:** N/A

7. **Is there any controversy surrounding this ordinance? Please explain.**

No.

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: _____

Date Entered: _____



EXECUTIVE SUMMARY

DENVER
THE MILE HIGH CITY

Project Title: 2015-0169-02: Easement Relinquishment at 1054 S Sherman in Lionstone Development Filing No. 1

Description of Proposed Project: This is a proposal to relinquish a sewer easement recorded in Book 7774, Page 118 on November 7, 1955.

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.

DEED OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That SHWAYDER BROTHERS, INC., a corporation duly organized and existing under and by virtue of the laws 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:

#237

A storm sewer easement Twenty (20') feet wide lying Ten (10') feet on each side of a center line described as follows and extending from the North line of Mississippi Avenue to the Southwesterly right-of-way line of The Colorado and Souther Railway Company:

Beginning at a point on the North line of Mississippi Avenue and Three Hundred Sixty-Seven (367') feet West of the East line of South West Quarter of South East Quarter (SW4 of SE4) of Section Fifteen (15), Township Four S, (T. 4 S.), Range Sixty-eight West (R. 68 W.) of the Sixth (6th) Prime Meridian in South Logan Street; thence Northerly on a line parallel with and Three Hundred Sixty-Seven (367') feet West of said East line to the Southwesterly line of The Colorado and Southern Railway Company right-of-way.

together with the right to construct, maintain, repair, inspect and operate said sewer without cost or expense to the grantor, its successors and assigns, provided that the same is done in a manner designed not to injure the real estate or improvements now or hereafter situated thereon.

Reserving, however to the grantor, its successors and assigns, the right to utilize and enjoy the above described premises, and to make improvements thereon, provided that such improvements contemplate the use by the grantee as described in the preceding paragraph.

Signed and Delivered this 2nd day of November A.D. 1955.

WITNESST: SHWAYDER BROTHERS, INC.
Emmett H. Heitler Secretary
Jesse Shwayder President

STATE OF COLORADO
CITY AND
COUNTY OF DENVER } ss.

The foregoing instrument was acknowledged before me this 2nd Day of November A.D. 1955, by Jesse Shwayder as President and by Emmett H. Heitler as Secretary of Shwayder Brothers, Inc.

Witness my hand and official seal.

Commission Expires:
My Commission expires May 14, 1958

Notary Public

AS TO FORM
APPROVED FOR RECORDING
LAND OFFICE

RETURN TO
LAND OFFICE ROOM 481

RETURN TO
LAND OFFICE ROOM 481

RECORDED IN BOOK PAGE
PAUL V. HOOVER, JR.
ET AL. AMBROSIU

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RETURN TO
LAND OFFICE ROOM 481

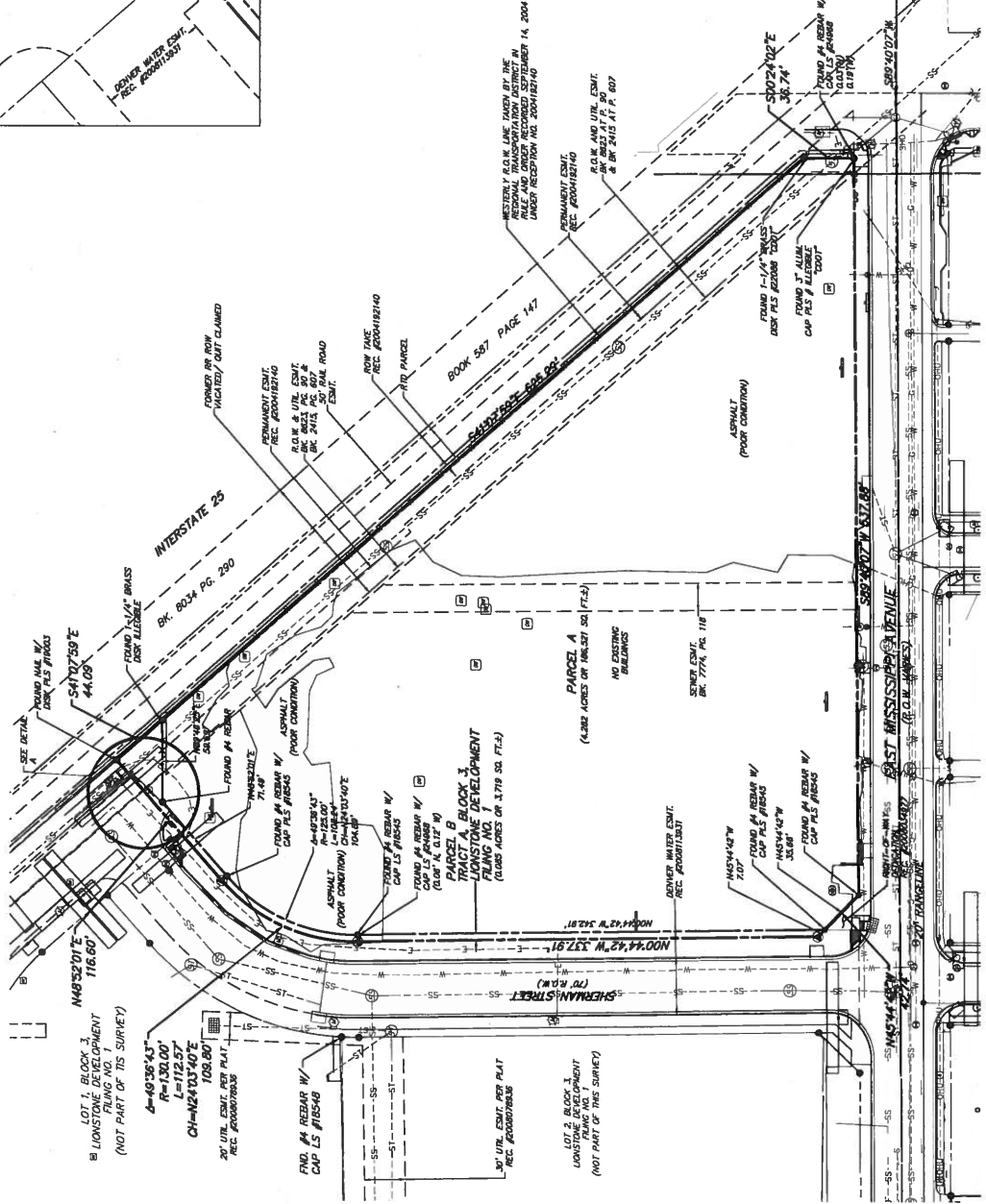
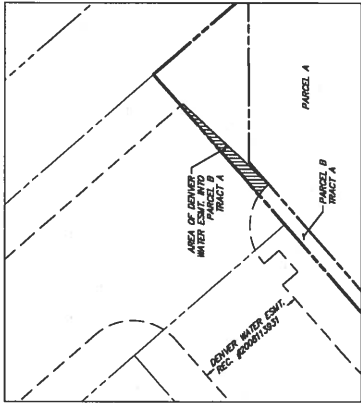
RETURN TO
LAND OFFICE ROOM 481

ALTA/ACSM LAND TITLE SURVEY

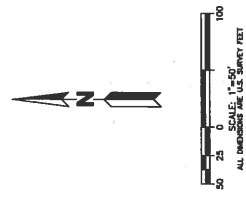
LIONSTONE EAST

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 4 SOUTH,
RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
CITY AND COUNTY OF DENVER,
STATE OF COLORADO

SHEET 2 OF 2



- LEGEND**
- PROPERTY LINE
 - RIGHT-OF-WAY
 - EASEMENT
 - CONTRACT
 - CONTRACT
 - SANITARY SEWER
 - STORM SEWER
 - WATER LINE
 - ELECTRIC LINE
 - TELEPHONE CABLE
 - FIBER OPTIC LINE
 - GAS LINE
 - CABLE TV
 - LINE HYDRANT
 - UTILITY POLE
 - SANITARY MANHOLE
 - STORM MANHOLE
 - WATER MANHOLE
 - WATER METER
 - CLEAN OUT
 - CURB INLET
 - AREA INLET
 - ELECTRIC BOX
 - CABLE TV BOX
 - IRRIGATION BOX
 - GAS METER
 - SON
 - UTILITY CORNER
 - DEODOROUS TREE
 - PINE TREE
 - BUSH/SHRUB
 - OBSERVATION WELL
 - ST #1 RESEAR W/ CAP PLS #18549
 - ST #2 RESEAR W/ CAP PLS #18548



REV. MARCH 11, 2013
DORBERT, IL 2004

MARTIN/MATTHEI
SURVEYORS & ENGINEERS
1500 WEST COLORED AVENUE, LAKWOOD, COLORADO 80123
MAILING ADDRESS: 1500 WEST COLORED AVENUE, LAKWOOD, COLORADO 80123
WWW.MARTINMATTHEI.COM

LIONSTONE EAST ALTA/ACSM SURVEY SHEET 2 OF 2

Project Manager: R. Osborne
Surveyed By: R. Osborne
Drawn By: S. Schaefer
Location: 15.0074, C.88
Job Number: 15.0074, C.88
Architect: 2 OF 2

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