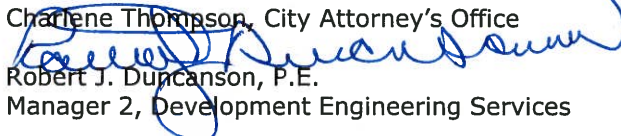




Department of Public Works  
Right-of-Way Services  
201 W. Colfax Avenue, Dept. 507  
Denver, CO 80202  
720-865-3001  
www.denvergov.org/survey

## REQUEST FOR ORDINANCE TO RELINQUISH EASEMENT

**TO:** Charlene Thompson, City Attorney's Office  
**FROM:**   
Robert J. Dupcanson, P.E.  
Manager 2, Development Engineering Services  
**PROJECT NO:** 2014-RELINQ-0106502  
**DATE:** December 14, 2015  
**SUBJECT:** This is a proposal to relinquish a portion of the utility easement dedicated in Ordinance 365, Series of 1997, recorded June 13, 1997 at Reception #9700076367.

**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, through Brian Valentine, for 2401 Blake LLC. Utilities have been relocated leaving no purpose for the easement area.

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 2014-RELINQ-0106502-001 HERE**

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

RJD:cmc

cc:

City Councilperson & Aides (#9 – Albus Brooks)  
City Council Staff – Shelley Smith  
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 14, 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, contract amendment, municipal code change, supplemental request, etc.**)*

**2014-RELINQ-0106502 – Blake Street Apartment Easement Relinquishment**

**3. Requesting Agency:** Public Works – Right of Way Services – Survey

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

- **Name:** Cindy Cooley
- **Phone:** 720-913-4527
- **Email:** Cindy.Cooley@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:**

**This is a request to relinquish a portion of the utility easement in Ordinance 365, Series of 1997 – recorded June 13, 1997 at Reception # 9700076367.**

**\*\*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:** 24<sup>th</sup> Street and Blake Street
- d. Affected Council District:** #9 – Albus Brooks
- 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: \_\_\_\_\_



**DENVER**  
THE MILE HIGH CITY

## EXECUTIVE SUMMARY

### **Project Title: 2014-RELINQ-0106502 – Blake Street Apartments Easement Relinquishment**

#### **Description of Proposed Project:**

This is a proposal to relinquish a portion of the utility easement dedicated in Ordinance 365, Series of 1997, recorded June 13, 1997 at Reception #9700076367.

#### **Background:**

Gas and fiber optic services were rerouted as to not impact future service.

#### **Explanation of why the public right-of-way must be utilized to accomplish the proposed project:**

The easements are no longer needed and should be removed to accommodate proposed development.

**Will an easement relinquishment be submitted at a later date: No.**

**Additional information: None.**



BY AUTHORITY

ORDINANCE NO. 365  
SERIES OF 1997

COUNCIL BILL NO. 355  
COMMITTEE OF REFERENCE:

PUBLIC WORKS

A BILL

FOR AN ORDINANCE VACATING A CERTAIN PART OF THE SYSTEM OF THOROUGHFARES OF THE MUNICIPALITY, SUBJECT TO CERTAIN RESERVATIONS: I.E., VACATING PART OF 24TH STREET LYING NORTHWESTERLY OF BLAKE STREET ADJOINING BLOCK 27, STECK'S ADDITION.

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 part 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 area in the City and County of Denver and State of Colorado, to wit:

9700076367 1997/06/13 09:56:41 1/ 3 ORD  
DENVER COUNTY CLERK AND RECORDER .00 .00 SMD

9701015

All of 24th Street lying Northwesterly of Blake Street to the South line of the NE ¼ SW ¼ of Section 27, Township 3 South, Range 68 West of the 6th P.M., and lying between the McPhee & McGinnity Block in Denver, Colorado and Block 27, Steck's Addition to Denver except the following described parcel to remain as a Public Alley:

Commencing at the most Easterly corner of Lot 1, Block 27, Steck's Addition to Denver;  
thence Northeasterly along the Southeasterly line of said Block 27, extended, also being the Northwesterly line of Blake Street, a distance of 28 feet to the point of beginning;  
thence continuing Northeasterly along said Northwesterly line of Blake Street a distance of 24 feet;  
thence Northwesterly and parallel with the Northeasterly line of said Block 27, being also the Southwesterly line of 24th Street, to a point of intersection with the South line of the NE ¼ SW ¼ of Section 27, Township 3 South, Range 68 West of the 6th P.M.;  
thence Westerly along the South line of said NE ¼ SW ¼ of said Section 27 a distance of 31.13 feet;  
thence Southwesterly and parallel with the Northwesterly line of Blake Street to a point that is 28 feet Northeasterly of the Northeasterly line of said Block 27;  
thence Southeasterly and parallel with the Northeasterly line of said Block 27 to a point of intersection with the Northwesterly line of the 16 foot wide alley in said Block 27, extended Northeasterly;  
thence Southwesterly on said extended alley line to the Northeasterly line of said Block 27 extended Northwesterly;  
thence Southeasterly along said Northeasterly block line 16 feet to the most Northerly corner of Lot 1, said Block 27;  
thence Northeasterly along the extension of the Southeasterly line of the alley in said Block 27 a distance of 28 feet;  
thence Southeasterly and parallel with the Northeasterly line of said Block 27, a distance of 125 feet to the point of beginning containing 4,069.67 S.F. or 0.093 acres.

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

4 That easements be and are hereby retained to protect the utilities in the street vacated  
5 which utilities include gas lines and telephone lines. In addition, a full-width easement is  
6 hereby retained for utility purposes, and no trees, structures or retaining walls are allowed  
7 within the easement limits and access for utility purposes will not be denied or restricted for  
8 any reason.

9 PASSED BY THE COUNCIL June 9 1997

10 Cathy Reynolds - PRESIDENT

11 APPROVED: Paul E. Johnston - MAYOR June 10 1997

12 ATTEST: Greenley E. Spurgeon - CLERK AND RECORDER,  
13 EX-OFFICIO CLERK OF THE  
14 CITY AND COUNTY OF DENVER

15 PUBLISHED IN THE ROCKY MTN NEWS June 6, 1997 June 13, 1997  
16

17 The Manager of Public Works has made the findings and determinations as set forth  
18 in the above and foregoing draft or form of a proposed bill for an ordinance, and  
19 subject to approval by ordinance, has vacated and does hereby vacate that  
20 described area subject to certain reservations and requests the Council of the City  
21 and County of Denver to approve such vacation subject to certain reservations, by  
22 the enactment of an appropriate ordinance. The Manager of Public Works approves  
23 said draft or form of a proposed bill for an ordinance and recommends the  
24 introduction and passage thereof.

25 PREPARED BY: ROBERT M. KELLY, ASSISTANT CITY ATTORNEY 5/27/97

26 REVIEWED BY: [Signature] - CITY ATTORNEY 5/28 1997

27 SPONSORED BY COUNCIL MEMBER(S) \_\_\_\_\_

