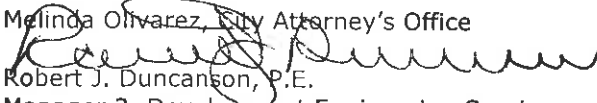


REQUEST FOR ORDINANCE TO RELINQUISH EASEMENT

****unique****

TO: Melinda Olivarez, City Attorney's Office
FROM: 
Robert J. Duncanson, P.E.
Manager 2, Development Engineering Services
PROJECT NO: 2010-0333-01
DATE: February 22, 2011
SUBJECT: Request for an Ordinance to relinquish portions of the easements established in the following Ordinances:
Ordinance number **24** Series of **1939**
Ordinance number **337** Series of **1967**,
Ordinance number **580** Series of **1976**,
Ordinance number **179** Series of **1989**,
Ordinance number **258** Series of **1989**,
Ordinance number **745** Series of **1990**,
Ordinance number **800** Series of **1990**,

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

This office has investigated the request of Jill Jennings Golich, dated 8/13/2010, on behalf of Auraria Higher Education Center for the relinquishment of said easements.

This matter has been checked by this office and has been coordinated with Asset Management; Comcast Corporation; Councilperson Montero; 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 2010-0357-003 HERE

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:VLH

cc: Councilperson Montero and Aides
Gretchen Williams, City Council
Melinda Olivarez, Department of Law
Steve Wirth, Asset Mgmt.
Christine Downs, Public Works
Debra Baca, Public Works
Karen Aviles, Department of Law
Arlene Dykstra, Department of Law
Public Works Survey-Paul Rogalla
Public Works Survey-Joel Schmidt
Project File **2010-0333-01**

Property Owner Or Agent
Auraria Higher Education Center
c/o Jill Jennings Golich Campus Planner
Campus Box A, PO Box 173361
Denver, Co 80217

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: February 24, 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 portions of the easements established in the following Ordinances:

Ordinance number 24 Series of 1939, Ordinance number 337 Series of 1967, Ordinance number 580 Series of 1976, Ordinance number 179 Series of 1989, Ordinance number 258 Series of 1989, Ordinance number 745 Series of 1990, Ordinance number 800 Series of 1990,

3. **Requesting Agency:** PW Right of Way Engineering Services

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

- **Name:** Vanessa Herman
- **Phone:** 720-913-0719
- **Email:** vanessa.herman@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:**

To relinquish only certain portions of the easements reserved in the above referenced Ordinances.

****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:** N/A
- c. **Location:** between 7th St and 9th St, and Larimer St and Auraria Parkway
- d. **Affected Council District:** Dist # 9 Montero
- 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. NONE

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: _____

Date Entered: _____



DENVER
THE MILE HIGH CITY

EXECUTIVE SUMMARY

Project Title: 2010-0333-01 Auraria Higher Education Center, Student Success Building

Description of Proposed Project: Request for an Ordinance to relinquish portions of the easements established in the following Ordinances:

Ordinance number 24 Series of 1939
Ordinance number 337 Series of 1967,
Ordinance number 580 Series of 1976,
Ordinance number 179 Series of 1989,
Ordinance number 258 Series of 1989,
Ordinance number 745 Series of 1990
Ordinance number 800 Series of 1990,

Explanation of why the public right-of-way must be utilized to accomplish the proposed project: This area is no longer Public Right of Way but private property with easements. We are relinquishing certain portions of those easements 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: N/A

Additional information: This is to relinquish only certain portions of the easements reserved in the above referenced Ordinance numbers. The portions are specified in the legal description.



Protecting the Present & Building the Future
Accountability, Innovation, Empowerment, Performance, Integrity,
Diversity, Teamwork, Respect, Excellence, Safety

EXHIBIT "A"
UTILITY EASEMENT VACATIONS
A PART OF THE AURARIA HIGHER EDUCATION CENTER
CITY AND COUNTY OF DENVER
DESCRIPTION

2 PARCELS LOCATED IN BLOCKS 67 AND 68, "WEST DENVER" (EBERT'S), A SUBDIVISION PLAT RECORDED IN BOOK 01, AT PAGE 022, CITY SURVEYOR'S OFFICE, CITY AND COUNTY OF DENVER RECORDS, BEING A PART OF SECTION 33, TOWNSHIP 3 SOUTH, RANGE 68 WEST, OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1:

THE EASEMENT IN BLOCK 67 RESERVED IN THE ALLEY AS VACATED BY ORDINANCE 580, SERIES OF 1976, CITY AND COUNTY OF DENVER RECORDS, BETWEEN THE NORTHWESTERLY RIGHT-OF-WAY LINE OF VACATED LARIMER STREET AND THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF VACATED WALNUT STREET.

PARCEL 2:

THE EASEMENT IN BLOCK 68 RESERVED IN THE ALLEY AS VACATED BY ORDINANCE 337, SERIES OF 1967, CITY AND COUNTY OF DENVER RECORDS, BETWEEN THE NORTHWESTERLY RIGHT-OF-WAY LINE OF VACATED WALNUT STREET AND THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF AURARIA PARKWAY.

TOGETHER WITH:

4 PARCELS LOCATED IN SAID "WEST DENVER" (EBERT'S), BEING A PART OF SECTION 33, TOWNSHIP 3 SOUTH, RANGE 68 WEST, OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 3:

THE EASEMENT RESERVED IN VACATED 8TH STREET BY ORDINANCE 800, SERIES OF 1990, CITY AND COUNTY OF DENVER RECORDS, BETWEEN THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF AURARIA PARKWAY AS RECORDED AT ORDINANCE 258, SERIES OF 1989, AND A LINE 225 FEET NORTHWESTERLY OF AND PARALLEL WITH THE NORTHWESTERLY LINE OF VACATED LARIMER STREET AS VACATED BY ORDINANCE 745 SERIES OF 1990, CITY AND COUNTY OF DENVER RECORDS.

PARCEL 4:

THE EASEMENT RESERVED IN VACATED WALNUT STREET BY ORDINANCE 179, SERIES OF 1989, CITY AND COUNTY OF DENVER RECORDS, BETWEEN THE NORTHEASTERLY RIGHT-OF-WAY LINE OF 7TH STREET AND THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF VACATED 8TH STREET.

PARCEL 5:

THE EASEMENT RESERVED IN VACATED WALNUT STREET BY ORDINANCE 800, SERIES OF 1990, CITY AND COUNTY OF DENVER RECORDS, BETWEEN THE NORTHEASTERLY RIGHT-OF-WAY LINE OF VACATED 8TH STREET AND THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF VACATED 9TH STREET.

PARCEL 6:

THE EASEMENT RESERVED IN VACATED 9TH STREET BY ORDINANCE 24, SERIES OF 1939 AND ORDINANCE 800, SERIES OF 1990, CITY AND COUNTY OF DENVER RECORDS, BETWEEN THE NORTHWESTERLY RIGHT-OF-WAY LINE OF VACATED LARIMER STREET AND THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF AURARIA PARKWAY AS RECORDED AT ORDINANCE 258, SERIES OF 1989, CITY AND COUNTY OF DENVER RECORDS.

PREPARED BY: JANET A. CALDWELL, P.L.S. 29027
FOR AND ON BEHALF OF
THE LUND PARTNERSHIP, INC.
12265 W. BAYAUD AVE., SUITE 130
LAKEWOOD, COLORADO 80228

2010-0357-003



EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION

THIS EXHIBIT IS A GRAPHIC DEPICTION OF THE PARCEL DESCRIBED ON THE ATTACHED LEGAL DESCRIPTION AND IS NOT INTENDED TO INCLUDE SURVEY PLAT REQUIREMENTS AS DEFINED IN CRS 38-51-106.

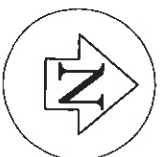
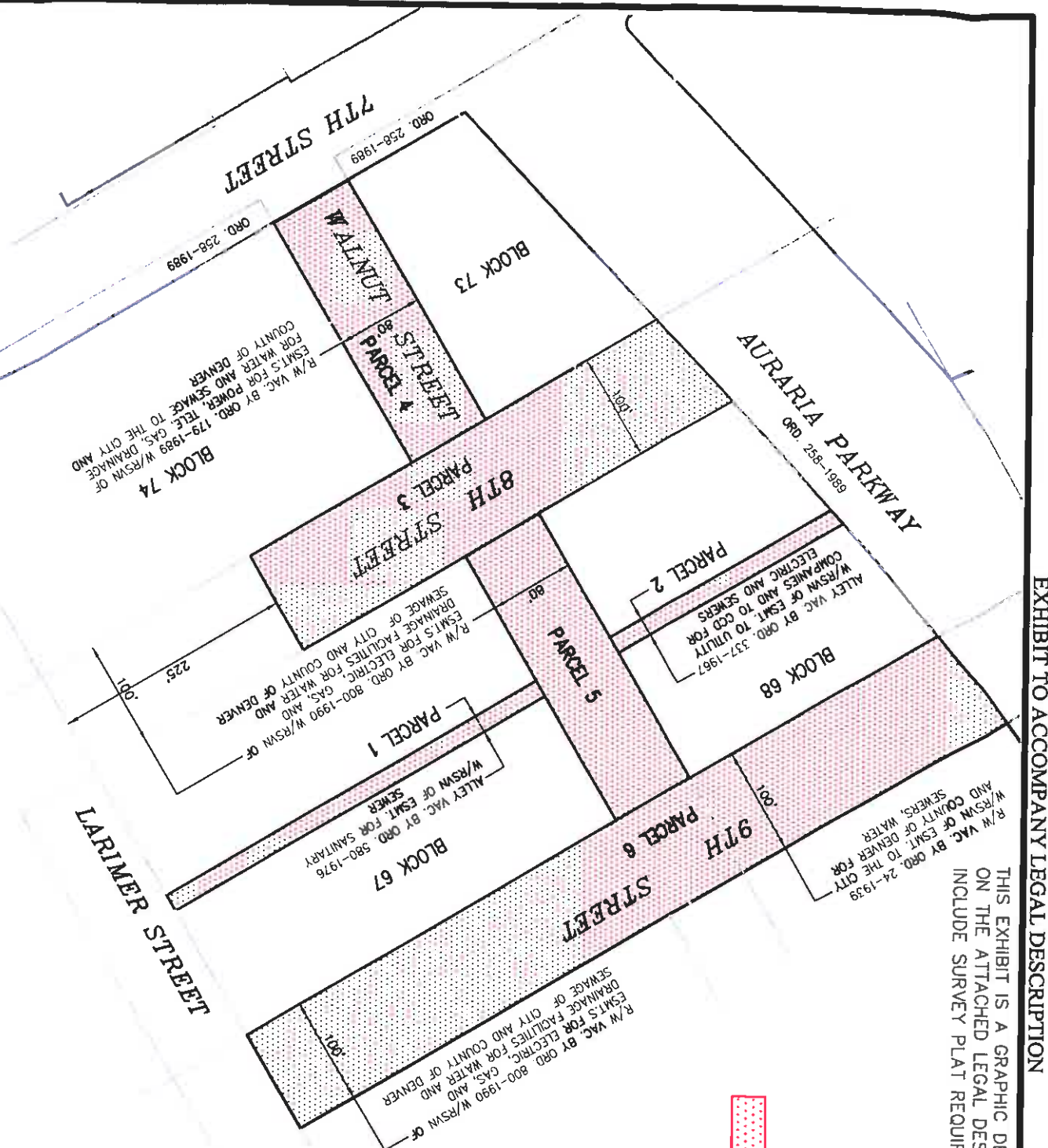
EASEMENTS TO BE VACATED
ORD. 24-1939, 337-1967,
580-1976, 179-1989 &
800-1990

S 1/2

SEC. 33, T.3S., R.68W.

6th P.M.

2010-0357-003



JOB NO.: 518-0309
SCALE: 1" = 140'
DATE: DEC. 9, 2010
EXHIBIT SHEET 1 OF 1
DRAWN BY: JAC

A PART OF THE AURARIA HIGHER EDUCATION CENTER
SECTION 33, TOWNSHIP 3 SOUTH, RANGE 68 WEST, 6TH P.M.
CITY AND COUNTY OF DENVER

LUND
PARTNERSHIP
P. 303.989.1461 F. 303.989.4094
CIVIL ENGINEERING & SURVEYING

140' 70' 0' 140'
SCALE: 1" = 140 FEET