



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. Duncanson, P.E.
Manager 2, Development Engineering Services
PROJECT NO: 2011-0163-04
DATE: May 24, 2011
SUBJECT: Request for an Ordinance to relinquish certain easements established in Lowry Filing No. 30, recorded with reception No. 2008087107

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

This office has investigated the request of Mark Wilson with Harris Kocher Smith, dated April 7, 2011, on behalf of JBGL Inwood LLC for the relinquishment of said easements.

This matter has been checked by this office and has been coordinated with Asset Management; Comcast Corporation; Councilperson Johnson; 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 2011-0163-001 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 *Ad*

cc: Asset Mgmt. Steve Wirth City Council, Gretchen Williams Councilperson Johnson 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 **2011-0163-04**

Property Owner
JBGL Inwood LLC.
3131 Harvard Ave # 103
Dallas Tx 75205

Owner agent
Edifice
c/o Dave Andrews
2027 W. Colfax Ave
Denver, Co 80204



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: May 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 certain easements established in Lowry Filing No. 30, recorded with reception No. 2008087107

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 the easements established in the Lowry Filing No 30, recorded with reception No 2008087107

****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: Ulster Way and Uinta Way
- d. Affected Council District: Dist # 5 Marcia Johnson
- 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: _____



EXECUTIVE SUMMARY

DENVER
THE MILE HIGH CITY

Project Title: 2011-0163-04 Park Lane at Lowry Easement Relinquishment

Description of Proposed Project: To relinquish the easements established in the Lowry Filing No 30, recorded with reception No 2008087107

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 easements. We are relinquishing these 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 near the corner of Ulster Way and Uinta Way, in private property. There will be another easement that will be granted to the private HOA once the HOA is created, and will hold the new easement as a private easement.

LEGAL DESCRIPTION:

A PARCEL OF LAND BEING A PORTION OF LOT 23, BLOCK 1, LOWRY FILING NO. 30 AS RECORDED UNDER RECEPTION NO. 2008087107 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE SITUATED IN THE SOUTH HALF OF SECTION 4, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWESTERLY CORNER OF SAID LOT 23, THENCE NORTH 06°12'02" WEST, ALONG THE WESTERLY LINE OF SAID LOT 23, A DISTANCE OF 40.28 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 06°12'02" WEST, CONTINUING ALONG SAID WESTERLY LINE, A DISTANCE OF 7.43 FEET TO THE SOUTHERLY NORTHWEST CORNER OF SAID LOT 23;

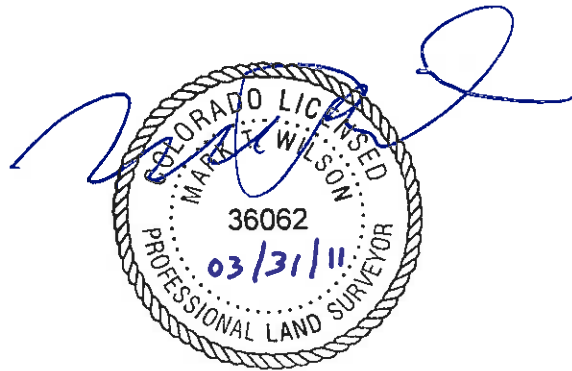
THENCE NORTH 48°22'24" EAST, ALONG THE NORTHWESTERLY LINE OF SAID LOT 23, A DISTANCE OF 12.58 FEET TO THE NORTHERLY NORTHWEST CORNER OF SAID LOT 23;

THENCE NORTH 83°48'16" EAST, ALONG THE NORTH LINE OF SAID LOT 23, A DISTANCE OF 20.92 FEET; THENCE SOUTH 58°30'48" WEST, A DISTANCE OF 34.48 FEET TO THE POINT OF BEGINNING;

CONTAINING 192 SQUARE FEET, MORE OR LESS.

BASIS OF BEARINGS: BEARINGS ARE BASED ON THE WESTERLY LINE OF LOT 23, BLOCK 1, LOWRY FILING NO. 30 AS SHOWN ON THE SUBDIVISION PLAT AS BEARING NORTH 06°12'02" WEST.

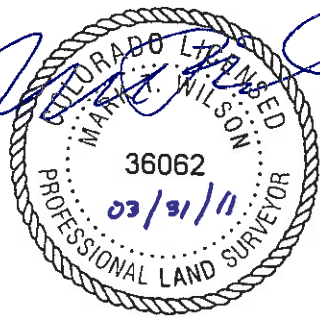
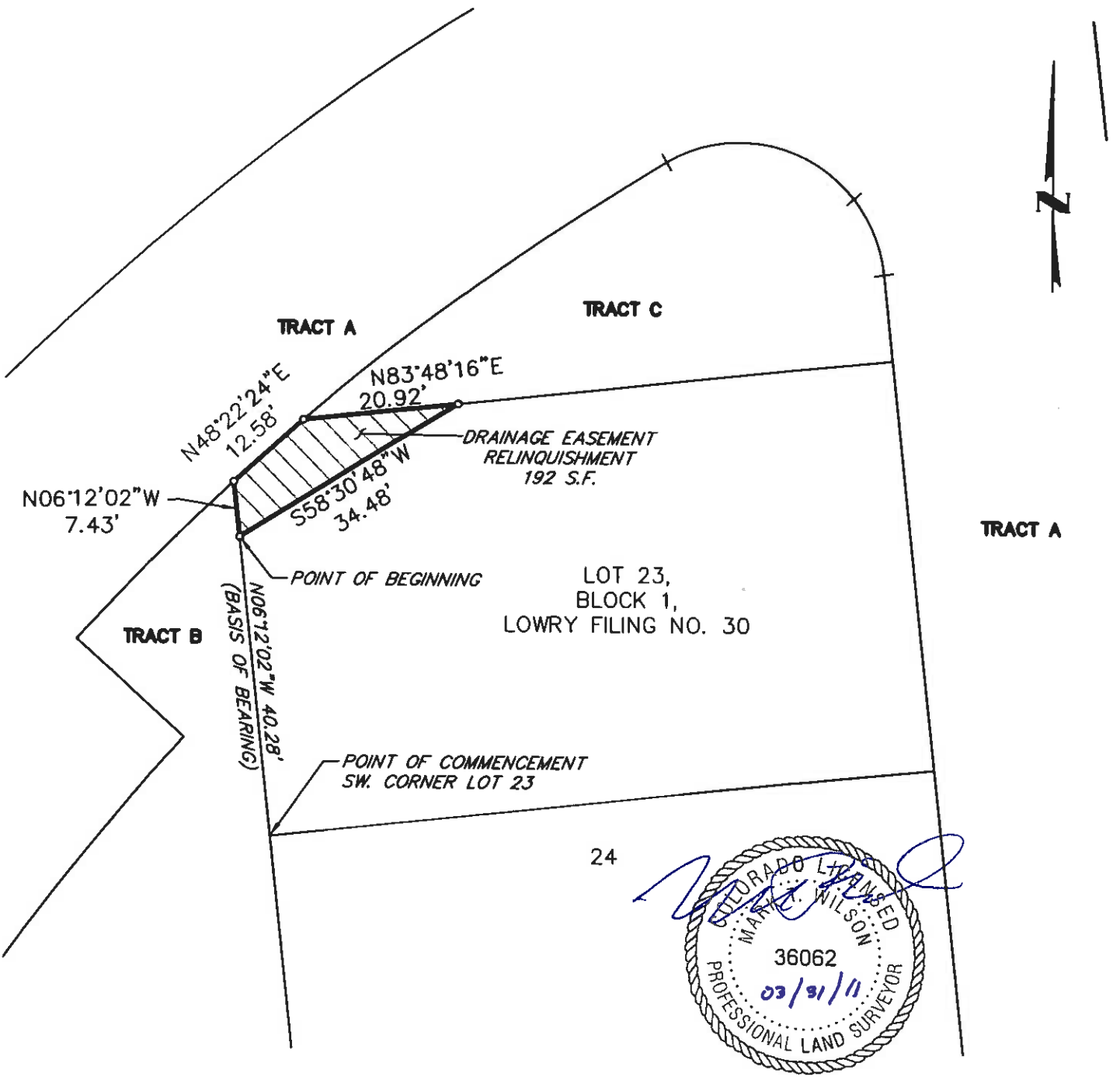
PREPARED BY: MARK T. WILSON, PLS 36062
ON BEHALF OF: HARRIS KOCHER SMITH
1391 SPEER BLVD. SUITE 390
DENVER, CO 80204
303.623.6300



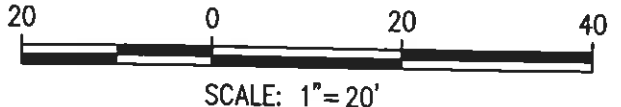
CLIPART: P:\MIND\120-10105\1316\FLOOR-ESMOUNTING_LAYOUT_V2.dwg
PLT: 03/23/11 12:34:37P BY: MARK WILSON

NO CHANGES ARE TO BE MADE TO THIS DRAWING WITHOUT WRITTEN PERMISSION OF HARRIS KOCHER SMITH

| DATE | REVISION COMMENTS | L 23, B 1, LOWRY FILING NO. 30 | PARK LANE AT LOWRY ESMT. RELINQUISHMENT | HARRIS KOCHER SMITH 1391 Speer Blvd., Suite 390 Denver, Colorado 80204 Phone (303) 623-6300 Fax (303) 623-6311 | ISSUE DATE 03-23-11 |
|------|-------------------|--------------------------------|--|---|-------------------------------|
| | | | | | CHKD BY: MTW |
| | | | | | DRAWN BY: DES |
| | | | | | JOB NUM. 101105 |
| | | | | | SHEET NO. 1 OF 2 |



NOTE:
THIS EXHIBIT DOES NOT REPRESENT
A MONUMENTED LAND SURVEY. IT
IS INTENDED TO DEPICT ONLY THE
ATTACHED LEGAL DESCRIPTION.
○ = DENOTES CHANGE IN COURSE ONLY



DESIGN: P:\14825\DESIGN\14825\DESIGN\14825.DWG DATE: 03/27/11 10:54:32 AM BY: HKS

NO CHANGES ARE TO BE MADE TO THIS DRAWING WITHOUT WRITTEN PERMISSION OF HARRIS KOCHER SMITH

| DATE | REVISION COMMENTS | L 23, B 1, LOWRY FILING NO. 30 | PARK LANE AT LOWRY ESMT. RELINQUISHMENT | HARRIS KOCHER SMITH 1391 Speer Blvd., Suite 390 Denver, Colorado 80204 Phone (303) 623-6300 Fax (303) 623-6311 | ISSUE DATE: 03-23-11 |
|------|-------------------|--------------------------------|--|---|-------------------------------|
| | | | | | |
| | | | | | SHEET NO: 2 OF 2 |