




Department of Public Works
Engineering Regulatory & Analytics
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-RELINQ-0000010

DATE: December 16, 2016

SUBJECT: Request for an Ordinance to relinquish certain easements established on the New Avondale Subdivision Plat, recorded in 1963. Located at W Colfax Avenue and Federal Boulevard.

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

This office has investigated the request of John Stafford, dated October 14, 2015 on behalf of Embrey Partners, Ltd. 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 2015-RELINQ-0000010-001 HERE

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

RJD:cs

cc:
City Councilperson & Aides
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 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 16, 2016

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 certain easements established on the New Avondale Subdivision Plat recorded in 1963. Located at W Colfax Avenue and Federal Boulevard.

3. Requesting Agency: Public Works – Right of Way Services – Engineering, Regulatory, and 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 certain easements established on the New Avondale Subdivision Plat recorded in 1963. Located at W Colfax Avenue and Federal Boulevard.

****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:** Federal Blvd and W Colfax Ave
- d. **Affected Council District:** District 3, Paul Lopez
- 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: 2015-RELINQ-0000010 Mile High Apts

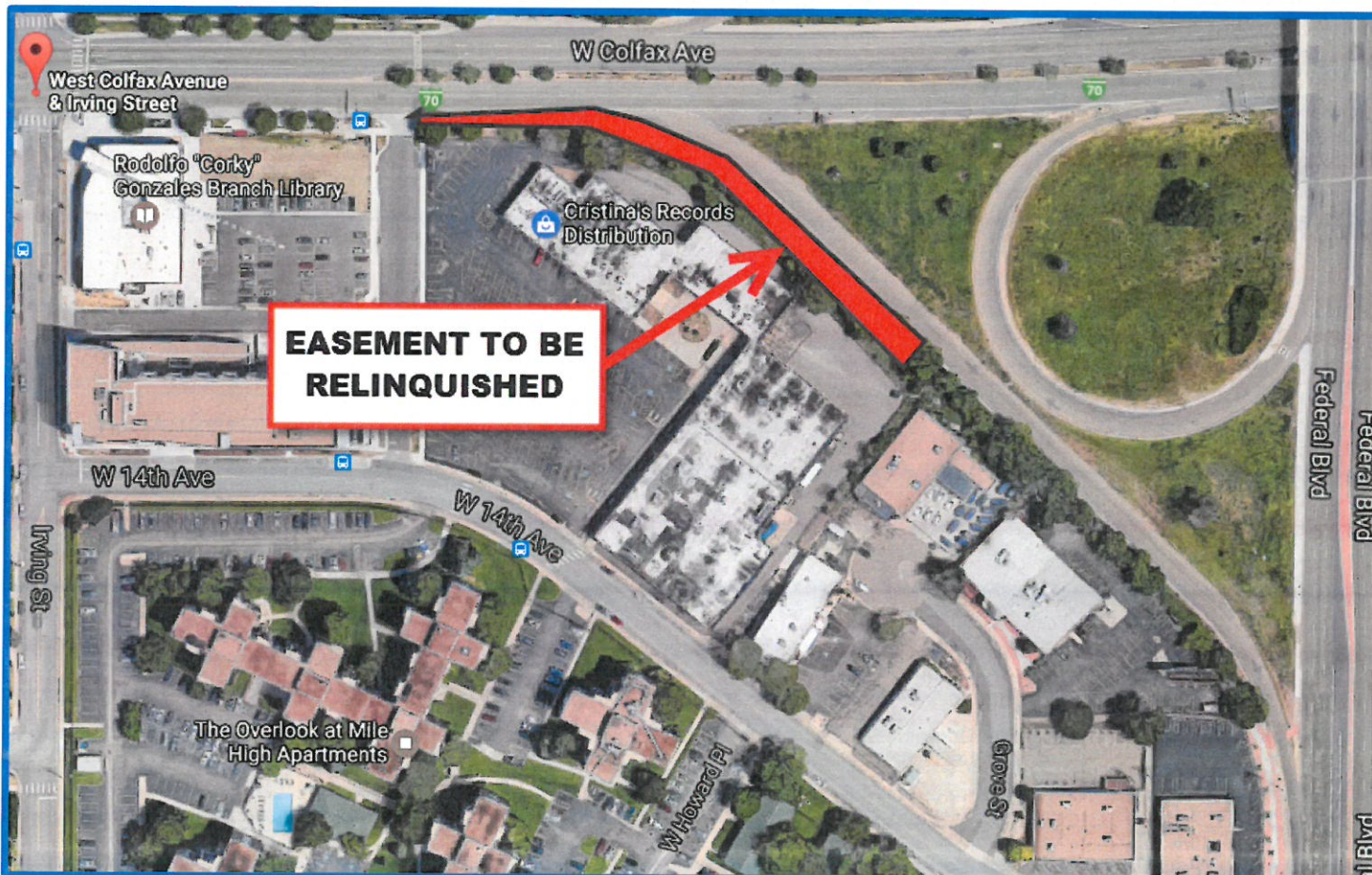
Owner name: Embrey Partners, Ltd.

Description of Proposed Project: The relinquishment of a utility easement conveyed in the New Avondale Subdivision Plat, recorded in 1963.

Explanation of why the public right-of-way must be utilized to accomplish the proposed project: The customer would like to redevelop the land into a multi-family residential building.

Background: There are no remaining utilities within the area of easement to be relinquished.

Location Map:



LAND DESCRIPTION

A PORTION OF THE EXISTING UTILITY EASEMENT AS DELINEATED WITHIN BLOCK A, NEW AVONDALE, A RECORDED SUBDIVISION AT RECEPTION NO. 75861, IN PLAT BOOK 25, PAGE 2 OF THE OFFICIAL CITY AND COUNTY OF DENVER RECORDS, SITUATED IN THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID BLOCK A, NEW AVONDALE;

THENCE SOUTH 37°52'03" WEST ALONG THE EAST LINE OF SAID BLOCK A, A DISTANCE OF 25.10 FEET TO THE SOUTH LINE OF SAID EXISTING UTILITY EASEMENT;

THENCE ALONG SAID SOUTH LINE BEING PARALLEL WITH AND 25.00 FEET SOUTH OF THE NORTH LINE OF SAID BLOCK A THE FOLLOWING FOUR (4) COURSES;

- (1) THENCE NORTH 46°41'23" WEST, A DISTANCE OF 121.20 FEET;
- (2) THENCE NORTH 46°38'46" WEST, A DISTANCE OF 18.33 FEET;
- (3) THENCE NORTH 51°41'51" WEST, A DISTANCE OF 155.59 FEET;
- (4) THENCE NORTH 69°14'41" WEST, A DISTANCE OF 57.88 FEET;

THENCE NORTH 81°35'48" WEST, A DISTANCE OF 221.70 FEET TO A POINT 8.00 FEET SOUTH OF THE NORTH LINE OF SAID BLOCK A;

THENCE SOUTH 89°46'16" WEST CONTINUING ALONG SAID SOUTH LINE BEING PARALLEL WITH AND 8.00 FEET SOUTH OF THE NORTH LINE OF SAID BLOCK A, A DISTANCE OF 43.31 FEET TO A POINT ON THE EAST LINE OF A PARCEL OF LAND DESCRIBED BY WARRANTY DEED AS RECORDED AT RECEPTION NO. 2011026779 OF THE AFOREMENTIONED RECORDS;

THENCE NORTH 00°30'44" WEST ALONG THE EAST LINE OF SAID PARCEL OF LAND PARALLEL WITH THE WESTERLY LINE OF BLOCK A, A DISTANCE OF 8.00 FEET TO A POINT ON THE NORTH LINE OF SAID BLOCK A;

THENCE ALONG THE NORTH LINE OF SAID BLOCK A THE FOLLOWING SIX COURSES;

- (1) THENCE NORTH 89°46'16" EAST, A DISTANCE OF 157.22 FEET;
- (2) THENCE SOUTH 81°35'48" EAST, A DISTANCE OF 113.03 FEET;
- (3) THENCE SOUTH 69°14'41" EAST, A DISTANCE OF 64.44 FEET;
- (4) THENCE SOUTH 51°41'51" EAST, A DISTANCE OF 160.55 FEET;
- (5) THENCE SOUTH 46°38'46" EAST, A DISTANCE OF 19.41 FEET;
- (6) THENCE SOUTH 46°41'23" EAST, A DISTANCE OF 118.83 FEET TO THE **POINT OF BEGINNING**.

SAID PARCEL OF LAND CONTAINS 13,938.44 SQUARE FEET OR 0.32 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE ASSUMPTION THAT THE 20' EAST/ WEST RANGE LINE PARALLEL WITH THE CENTERLINE OF WEST 14TH AVE., COMMENCING AT THE INTERSECTION OF IRVING STREET, BEARS NORTH 89°29'16" EAST WITH ALL BEARING RELATIVE THERETO, AS MONUMENTED AT SAID INTERSECTION WITH A 1" HEXAGONAL BOLT IN RANGE BOX; SECOND RANGE POINT APPROXIMATELY 310.5' MORE OR LESS EAST OF SAID INTERSECTION, ALSO BEING A POINT OF CURVATURE, AS MONUMENTED WITH A 3" BRASS CAP STAMPED "DENVER RANGE POINT/ PLS 38035".

AUTHORED BY:
 GEORGE G. SMITH JR., ON BEHALF OF:
 HARRIS KOCHER SMITH ENGINEERING GROUP, INC.
 1020 LINCOLN STREET, SUITE #1000
 DENVER, CO 80203
 (303) 623-6300



FILED IN: P:\150709\REVISED\150709_IRVING & COLFAX_EST-RELINQ.DWG LAYOUT: PAGE 1
 PLOTTED: MON 11/23/15 2:26:00P BY: AARON RANDEL

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

| ISSUE DATE: 11/23/2015 | PROJECT #: 150709 |
|------------------------|-------------------|
| DATE | REVISION COMMENTS |
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EASEMENT RELINQUISHMENT

HKS HARRIS KOCHER SMITH
 1120 Lincoln Street, Suite 1000
 Denver, Colorado 80203
 P: 303.623.6300 F: 303.623.6311
 HarrisKocherSmith.com

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|--|
| CHKD BY: GGS DRAWN BY: AJH JOB NUM: 150709 |
| SHEET NO. 1 1 OF 2 |



CHK'D BY: GGS
DRAWN BY: AJH
SHEET NO. 2
2 OF 2

EASEMENT RELINQUISHMENT

| DATE | REVISION COMMENTS |
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ISSUE DATE: 11/23/2015 PROJECT #: 150709
 HKS KOCHER SMITH
 1120 Lincoln Street, Suite 1000
 Denver, Colorado 80203
 P: 303.523.6300 F: 303.523.6311
 HarrisKocherSmith.com

LAND DESCRIPTION EXHIBIT

W. COLFAX AVE.

BLOCK B AVONDALE 25, PAGE 2
 NEW AVONDALE BOOK 25, PAGE 2
 REG. NO. 75861

BLOCK A AVONDALE 25, PAGE 2
 NEW AVONDALE BOOK 25, PAGE 2
 REG. NO. 75861

WARRANTY DEED
 REC. NO. 2011026779

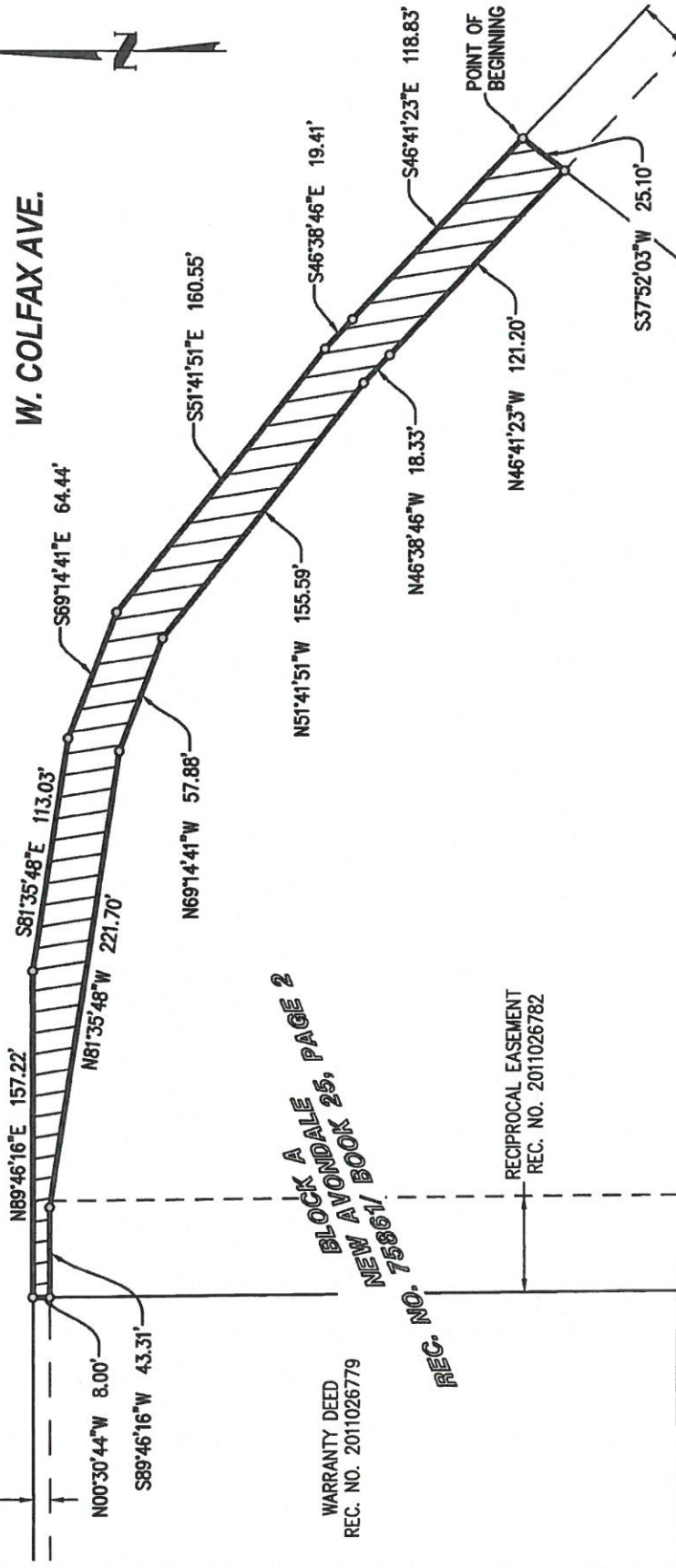
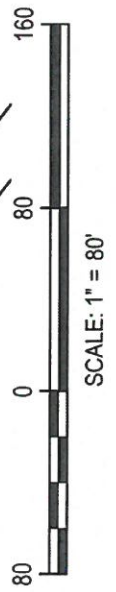
RECIPROCAL EASEMENT
 REC. NO. 2011026782

FOUND & ACCEPTED RANGE POINT
 3" BRASS DISC IN RANGE BOX
 PLS 38035

20.0' RANGE LINE
 BASIS OF BEARING
 NORTH 89°29'16" EAST

FOUND & ACCEPTED RANGE POINT
 1" HEXAGONAL BOLT IN RANGE BOX

25.0' EXISTING UTILITY EASEMENT
 PER PLAT REC. NO. 75861



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

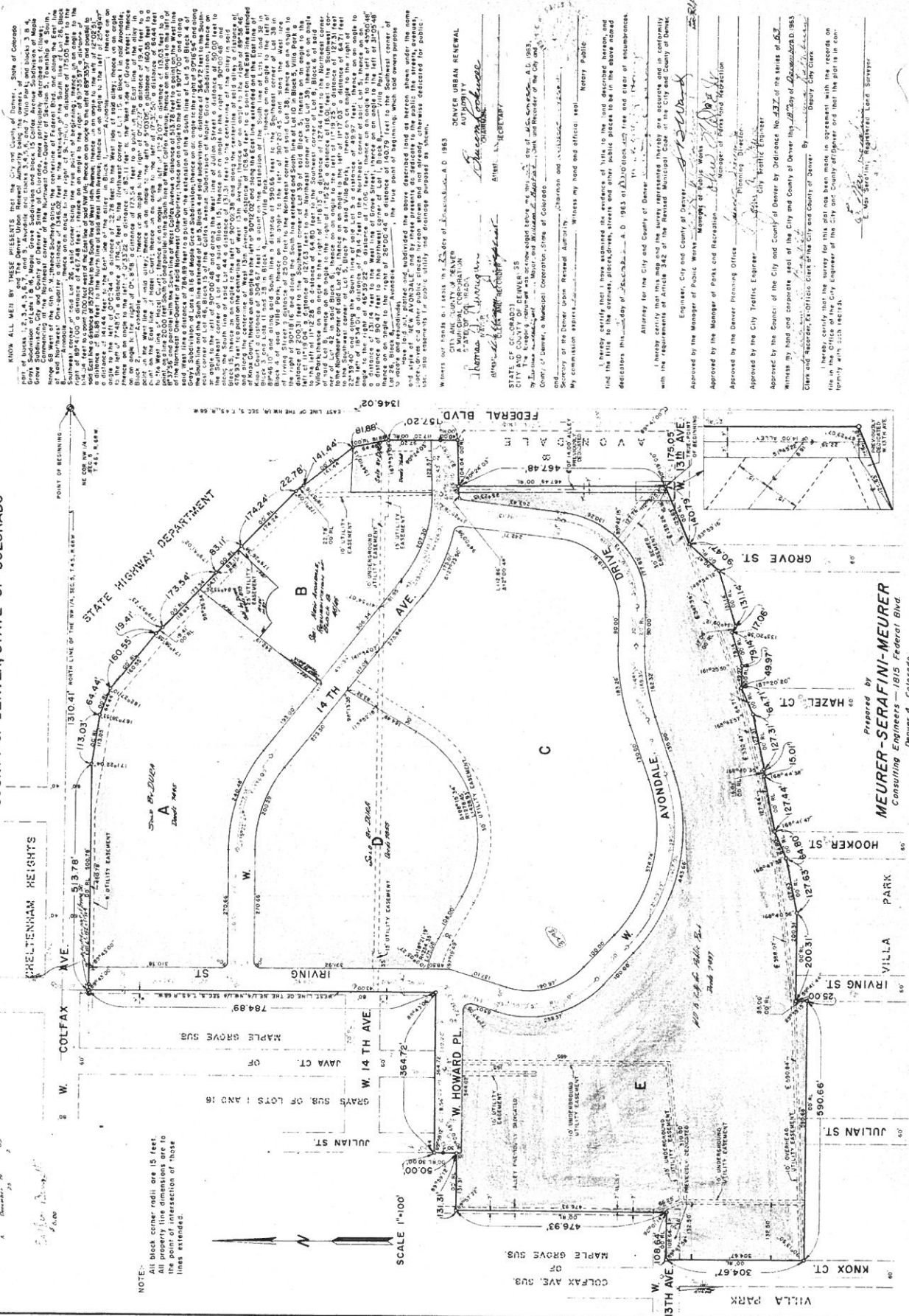
NEW AVONDALE

A RESUBDIVISION OF A PART OF AVONDALE; VILLA PARK; GRAY'S SUBDIVISION OF LOTS 1 & 16, OF MAPLE GROVE SUBDIVISION AND COLFAX AVENUE SUBDIVISION OF MAPLE GROVE SUBDIVISION, CITY AND COUNTY OF DENVER, STATE OF COLORADO

7538M

December 27, 1963

795



NOTE:
All block corner radii are 10 feet.
All property line dimensions are to the point of intersection of those lines extended.

KNOX ALL MEN BY THESE PRESENTS, that the City and County of Denver, State of Colorado, part of Blocks 1, 2, 3, 4, 5, and 6 of the Denver Union Resubdivision, being the corner of Block 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 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787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

WITNESSES MY HAND AND SEAL OF OFFICE AT DENVER, COLORADO, THIS 27th DAY OF DECEMBER, A.D. 1963.

SECRETARY OF THE CITY AND COUNTY OF DENVER

APPROVED BY THE MANAGER OF PUBLIC WORKS

APPROVED BY THE MANAGER OF RECREATION

APPROVED BY THE MANAGER OF PLANNING

APPROVED BY THE CITY TRAFFIC ENGINEER

APPROVED BY THE CITY ENGINEER

APPROVED BY THE CITY CLERK

I hereby certify that this map and the survey represented hereby are accurate and in conformity with the requirements of Article 342 of the Revised Municipal Code of the City and County of Denver, Colorado, and that the same have been filed in the Office of the City Engineer of the City and County of Denver, Colorado, on this 27th day of December, A.D. 1963.

I hereby certify that the survey for this plat has been made in agreement with the records on file in the Office of the City Engineer of the City and County of Denver and that the plat is in conformity with said records.