



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: Ted Christianson
Director, Public Works Right of Way Services

PROJECT NO: 2017-RELINQ-0000002

DATE: April 3, 2017

SUBJECT: Request for an Ordinance to relinquish a portion of the easement established in Vacating Ordinance No 793, Series of 2002 at 2520 E Alameda Circle. Located at 2520 E Alameda Circle.

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

This office has investigated the request of Phil Taylor, dated January 5, 2017 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 2017-RELINQ-0000002-001 HERE

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

TC: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: April 3, 2017

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 a portion of the easement established in Vacating Ordinance No 793, Series of 2002 at 2520 E Alameda Circle. Located at 2520 E Alameda Circle.

3. Requesting Agency: PW Right of Way Services
Agency Division: Engineering, Regulatory & 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 a portion of the easement established in Vacating Ordinance No 793, Series of 2002 at 2520 E Alameda Circle. Located at 2520 E Alameda Circle.

****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:** 2520 E Alameda Circle
- d. **Affected Council District:** Dist # 10, Wayne New
- 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: 2017-RELINQ-0000002 2520 Alameda Cir

Owner name: Phil Taylor

Description of Proposed Project: Request for an Ordinance to relinquish a portion of the easement established in Vacating Ordinance No 793, Series of 2002 at 2520 E Alameda Circle. Located at 2520 E Alameda Circle.

Explanation of why the public right-of-way must be utilized to accomplish the proposed project: The customer would like to keep his existing fence and build a new garage.

Background: The customer would like to obtain permits for house improvements and to construct a new garage. The ROW Inspectors found that he had a fence and is purposing the new garage be built over the hard surface easement established in the Vacating Ordinance No. 793, Series of 2002 and would now like to relinquish this portion of the easement in order for his fence and garage to remain.

Location Map:



EXHIBIT A
LAND DESCRIPTION

THAT PART OF VACATED ALAMEDA AVENUE ABUTTING EAST ALAMEDA CIRCLE, AS RECORDED IN ORDINANCE NO. 793, SERIES 2002 AT RECEPTION NO. 2002180543 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, LOCATED IN THE SW1/4 OF SECTION 12, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 9, ADAMS COUNTRY CLUB SUBDIVISION AS RECORDED IN BOOK 23, AT PAGE 52 IN SAID CLERK AND RECORDER'S OFFICE;

THENCE S00°00'00"W ALONG THE WEST LINE OF SAID LOT 9 EXTENDED SOUTH, A DISTANCE OF 8.00 FEET TO A POINT OF CURVATURE;

THENCE 18.85 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 90°00'00", AND A RADIUS OF 12.00 FEET TO A POINT OF TANGENCY;

THENCE N90°00'00"E AND PARALLEL WITH THE SOUTH LINE OF SAID LOT 9, A DISTANCE OF 75.50 FEET;

THENCE N00°00'00"E ALONG THE EAST LINE OF SAID LOT 9 EXTENDED SOUTH, A DISTANCE OF 20.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 9;

THENCE S90°00'00"W, A DISTANCE OF 87.50 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,719 SQUARE FEET (0.04 ACRES) MORE OR LESS.

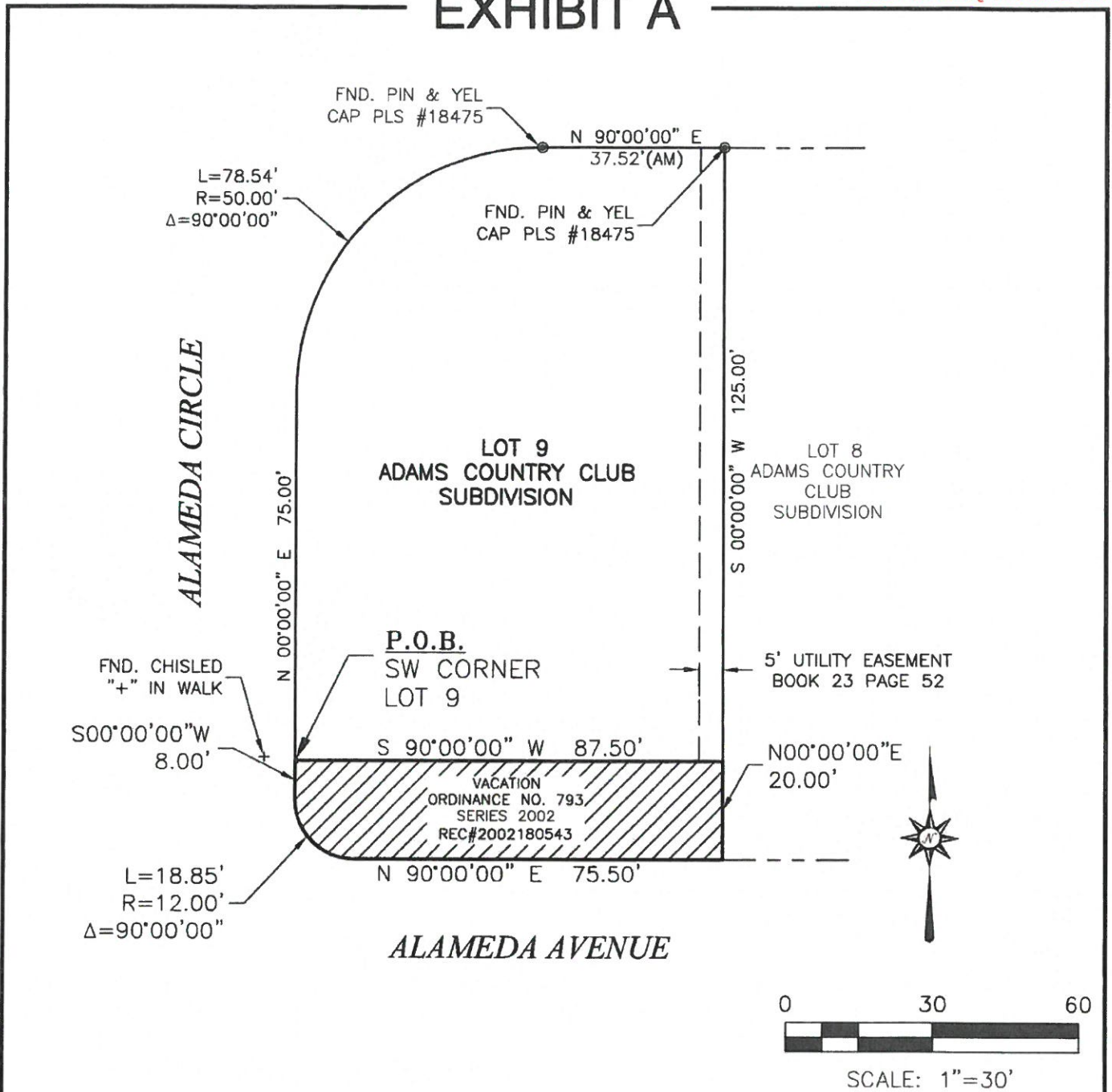
THE BASIS OF BEARINGS IS THE NORTH LINE OF LOT 9, ADAMS COUNTRY CLUB SUBDIVISION BEING N00°00'00"E. (ASSUMED) THE NORTH AND NORTHEAST CORNERS OF SAID LOT 9 ARE FOUND PIN AND YELLOW CAPS, PLS #18475.

Prepared By: Robert B. Taylor, PLS #28291
For and on behalf of
LCON LLC
P.O. Box 261176
Lakewood, CO 80226



ILLUSTRATION EXHIBIT A

2017-RELINQ-0000002-001



SHEET 2 OF 2

PARCEL CONTAINS 1,719 SQ.FT.

THIS' EXHIBIT DOES NOT REPRESENT A MONUMENTED SURVEY.
IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION.

CITY AND COUNTY OF DENVER

A PARCEL OF LAND SITUATED IN THE SW 1/4 OF SECTION 12, T4S, R68W OF THE 6TH PM, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING A VACATED PORTION OF ALAMEDA AVENUE SOUTH OF LOT 9, AS SHOWN ON THE PLAT OF ADAMS COUNTRY CLUB SUBDIVISION.

DRAWN BY: RBT	SCALE: 1" = 30'	LCON LLC Land Consultants · Land Surveyors P.O. BOX 261176 Lakewood, CO 80226
JOB NO.: PT1615	DATE: 02/07/17	

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BY AUTHORITY

ORDINANCE NO. **793**

COUNCIL BILL NO. **776**

SERIES OF 2002

COMMITTEE OF REFERENCE:

2002180543 2002/10/08 08:34:44 1/ 5 ORD 0.00 SUC
DENVER COUNTY CLERK AND RECORDER .00 .00 MGA

Public Works

A BILL

For an ordinance vacating portions of East Alameda Avenue abutting East Alameda Circle.

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 those certain areas 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 areas in the City and County of Denver and State of Colorado, to wit:

That part of Alameda Avenue as shown on the plat of ADAMS COUNTRY CLUB SUBDIVISION, recorded in Book 23 at Page 52 in the Clerk and Recorders office located in the SW1/4 of Section 12, T. 4 S., R. 68 W. of the 6th P.M. more particularly described as follows:

Beginning at the SW corner of Lot 1, ADAMS COUNTRY CLUB SUBDIVISION;
Thence South along the West line of said Lot 1 extended South a distance of 20.00 feet;
Thence on a deflection angle to the left of 89°41'30" a distance of 97.89 feet parallel with the South line of said Lot 1, to a point of curvature;
Thence along the arc of a curve to the left with a central angle of 90°00'00" a radius of 12.00 feet and an arc length of 18.85 feet to the point of tangency;
Thence Northerly a distance of 8.00 feet along the East line of said Lot 1 extended South, to the SE corner of said Lot 1;
Thence Westerly on a deflection angle to the left of 90°00'00" and along the South line of said Lot 1 a distance of 110.00 feet to the Point of Beginning, containing 2168 Sq. Ft. more or less.

That part of Alameda Avenue as shown on the plat of ADAMS COUNTRY CLUB SUBDIVISION, recorded in Book 23 at Page 52 in the Clerk and Recorders office located in the SW1/4 of Section 12, T. 4 S., R. 68 W. of the 6th P.M. more particularly described as follows:

Beginning at the SW corner of Lot 7, ADAMS COUNTRY CLUB SUBDIVISION;
Thence South along the West line of said Lot 7 extended South a distance of 8.00 feet to a point of curvature;
Thence along the arc of a curve to the left with a central angle of 90°00'00" a radius of 12.00 feet and an arc length of 18.85 feet to the point of tangency;
Thence Easterly parallel with the South line of said Lot 7 a distance of 98.11 feet;
Thence on a deflection angle to the left of 90°18'30" a distance of 20.00 feet along the East line of Lot 7 extended South to the SE corner of said Lot 7;
Thence Westerly on a deflection angle to the left of 89°41'30" and along the South line of said Lot 7 a distance of 110.00 feet to the Point of Beginning, containing 2170 Sq. Ft. more or less.

That part of Alameda Avenue as shown on the plat of ADAMS COUNTRY CLUB SUBDIVISION, recorded in Book 23 at Page 52 in the Clerk and Recorders office located in the SW1/4 of Section 12, T. 4 S., R. 68 W. of the 6th P.M. more particularly described as follows:

Beginning at the SW corner of Lot 8, ADAMS COUNTRY CLUB SUBDIVISION;
Thence South along the West line of said Lot 8 extended South a distance of 20.00 feet;
Thence on a deflection angle to the left of 90°00'00" a distance of 75.50 feet parallel with the South line of said Lot 8 to a point of curvature;
Thence along the arc of a curve to the left with a central angle of 90°00'00" a radius of 12.00 feet and an arc length of 18.85 feet to the point of tangency;
Thence Northerly a distance of 8.00 feet along the East line of said Lot 8 extended South to the SE corner of said Lot 8;
Thence Westerly on a deflection angle to the left of 90°00'00" and along the South line of said Lot 8 a distance of 87.50 feet to the Point of Beginning, containing 1719 Sq. Ft. more or less.

That part of Alameda Avenue as shown on the plat of ADAMS COUNTRY CLUB SUBDIVISION, recorded in Book 23 at Page 52 in the Clerk and Recorders office located in the SW1/4 of Section 12, T. 4 S., R. 68 W. of the 6th P.M. more particularly described as follows:

Beginning at the SW corner of Lot 9, ADAMS COUNTRY CLUB SUBDIVISION;
Thence South along the West line of said Lot 9 extended South a distance of 8.00 feet to a point of curvature;
Thence along the arc of a curve to the left with a central angle of 90°00'00" a radius of 12.00 feet and an arc length of 18.85 feet to the point of tangency;
Thence Easterly parallel with the South line of said Lot 9 a distance of 75.50 feet;
Thence on a deflection angle to the left of 90°00'00" a distance of 20.00 feet along the East line of said Lot 9 extended South to the SE corner of said Lot 9;
Thence Westerly on a deflection angle to the left of 90°00'00" and along the South line of said Lot 9 a distance of 87.50 feet to the Point of Beginning, containing 1719 Sq. Ft. more or less.

1 be and the same is hereby approved and the described areas are hereby vacated and declared
2 vacated; PROVIDED, HOWEVER, said vacation shall be subject to the following reservations:

3 That easements be and are hereby retained for sewer lines, power lines, gas lines, cable
4 television lines, drainage facilities for water and sewage of the City and County of Denver,
5 and water facilities of the City and County of Denver, acting by and through its Board of
6 Water Commissioners. In addition, a full width, hard surface easement be and is hereby
7 retained for utility purpose, and no trees, fencing, structures, retaining walls or landscaping
8 are allowed over, across, or below the easement limits and access for utility purposes will
9 not be denied or restricted for any reason.

10 PASSED BY THE COUNCIL September 30 2002

11 Cathy Ryan - PRESIDENT

12 APPROVED Walter E. Smith - MAYOR Oct 1 2002

13 ATTEST: Sherry Jackson - CLERK AND RECORDER,
14 EX-OFFICIO CLERK OF THE
15 CITY AND COUNTY OF DENVER
16

17 NOTICE PUBLISHED IN THE DAILY JOURNAL Sept. 27, 2002 Oct. 4, 2002
18

19
20 The Manager of Public Works has made the findings and determinations as set forth
21 in the above and foregoing draft or form of a proposed bill for an ordinance, and
22 subject to approval by ordinance, has vacated and does hereby vacate those
23 described areas subject to certain reservations and requests the Council of the City
24 and County of Denver to approve such vacation subject to certain reservations, by
25 the enactment of an appropriate ordinance. The Manager of Public Works approves
26 said draft or form of a proposed bill for an ordinance and recommends the
27 introduction and passage thereof.
28

29 PREPARED BY: PATRICK A. WHEELER, ASSISTANT CITY ATTORNEY 9/17/02

30 REVIEWED BY: Walter E. Smith - CITY ATTORNEY 9/19 2002

31 SPON.SORED BY COUNCIL MEMBER(S) _____

