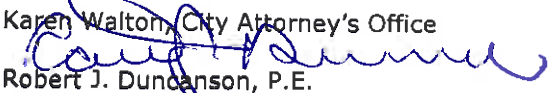




**DENVER**  
THE MILE HIGH CITY

**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:** Karen Walton, City Attorney's Office  
**FROM:**   
Robert J. Duncanson, P.E.  
Manager 2, Development Engineering Services

**PROJECT NO:** 2012-0193-02

**DATE:** December 7, 2012

**SUBJECT:** Request for an Ordinance to relinquish certain easements established in Ordinance No. 246 Series of 1953.

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

This office has investigated the request of Patrick Chelin, dated May 11, 2012, on behalf of Urban Land Conservancy for the relinquishment of said easements.

This matter has been checked by this office and has been coordinated with Asset Management; Comcast Corporation; Councilperson Albus Brooks; 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 2012-0193-02-001 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:BVS 

cc: Asset Mgmt. Steve Wirth City Council, Gretchen Williams  
Councilperson Albus Brooks and Aides  
Department of Law, Karen Aviles  
Department of Law, Brent Eisen  
Department of Law, Karen Walton  
Department of Law, Shawn Sullivan  
Public Works, Alba Castro  
Public Works, Nancy Kuhn  
Public Works Survey-Paul Rogalla  
Project File **2012-0193-02**

Property Owner  
Urban Land Conservancy  
c/o Aaron Miripol  
305 Park Avenue West, Unit B  
Denver, CO 80205

Agent  
Matrix Deslgn Group  
c/o Patrick Chelin  
1601 Blake St., Suite 200  
Denver, CO 80202



**ORDINANCE/RESOLUTION REQUEST**

Please email requests to Daelene Mix at Nancy.khun@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: December 7, 2012

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 the easements established in Ordinance No. 246 Series of 1953.

3. Requesting Agency: PW Right of Way Engineering Services

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

- Name: Beverly Van Slyke
- Phone: 720-865-3125
- Email: [Beverly.VanSlyke@denvergov.org](mailto:Beverly.VanSlyke@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: Nancy Kuhn
- Phone: 720-865-8720
- Email: [Nancy.Kuhn@denvergov.org](mailto:Nancy.Kuhn@denvergov.org)

6. General description of proposed ordinance including contract scope of work if applicable:

To relinquish the easement reserved in Ordinance No. 246 Series of 1953.

**\*\*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 Hudson St. any St., and 35<sup>th</sup> Ave. and 33<sup>rd</sup> Ave.
- d. Affected Council District:
- 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: 2012-0193-02 Easement Relinquishment, Boys and Girls Club**

**Description of Proposed Project: Request for an Ordinance to relinquish portions of the easements established in Ordinance number 246 Series of 1953**

**Explanation of why the public right-of-way must be utilized to accomplish the proposed project: For a redevelopment project.**

**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: None**

**EXHIBIT A  
PARCEL DESCRIPTION**

A PARCEL OF LAND BEING A PART OF THE EASEMENT RESERVED IN ORDINANCE NO. 246, SERIES OF 1953 LOCATED WITHIN THE RIGHT-OF-WAY OF VACATED 34<sup>TH</sup> AVENUE AS SHOWN ON THE PLAT OF SAN RAFAEL RECORDED JULY 10, 1877 IN BOOK 2 AT PAGE 78B IN THE RECORDS OF THE CLERK AND RECORDER OF THE CITY AND COUNTY OF DENVER, LOCATED IN THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPLE MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND 10 FEET IN WIDTH, LYING 5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTHWEST CORNER OF BLOCK 11 AS SHOWN ON SAID PLAT, THENCE NORTH 00°19'54" WEST, ALONG THE WEST LINE OF SAID BLOCK, A DISTANCE OF 299.88 FEET TO THE CENTERLINE OF VACATED 34<sup>TH</sup> AVENUE AND THE POINT OF BEGINNING;

THENCE SOUTH 89°25'17" WEST, ALONG SAID CENTERLINE OF VACATED 34<sup>TH</sup> AVENUE, A DISTANCE OF 414.98 FEET TO THE EAST LINE OF SAID BLOCK AND THE POINT OF TERMINUS OF SAID CENTERLINE AND EXTENDING OR FORSHORTENING THE SIDELINES OF SAID PARCEL TO INTERSECT THE EASTERLY AND WESTERLY LINES OF SAID BLOCK.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS A CALCULATED AREA OF 4,149 SQUARE FEET OR 0.095 ACRES, MORE OF LESS.

BASIS OF BEARINGS: THE EAST LINE OF BLOCKS 11 & 12, SAN RAFAEL, IS ASSUMED TO BEAR NORTH 00°19'10" WEST AS MONUMENTED BY OFFSET CROSSES, WITH ALL BEARINGS RELATIVE THERETO.



CHRISTOPHER A. BROOKS, PLS NO. 38063  
PREPARED FOR AND ON BEHALF OF  
MATRIX DESIGN GROUP, INC.



35 TH AVENUE  
(60' ROW)

HUDSON STREET  
(80' ROW)

HOLLY STREET  
(65' ROW)

BLOCK 12  
SAN RAFAEL

BLOCK 11  
SAN RAFAEL

10' UTILITY  
EASEMENT  
ORDINANCE NO.  
246-1953

POB

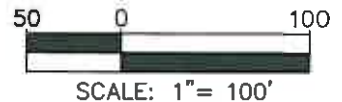
S89°25'17"W 414.98'

4,149 SF  
0.093 AC

N0°19'54"W 299.88'

POC  
SW CORNER  
BLOCK 11  
SAN RAFAEL

33 RD AVENUE  
(60' ROW)



1601 Blake Street, Suite 200  
Denver, CO 80202  
Phone 303-572-0200  
Fax 303-572-0202

EXHIBIT A

UTILITY ESMT  
NE 1/4 S 30, T3S, R67W 6TH P.M.

SHT 1 OF 2

05/11/2012