


## REQUEST FOR ORDINANCE TO RELINQUISH AN EASEMENT

**TO:** Caroline Martin, City Attorney's Office

**FROM:** Matt R. Bryner, PE   
Director, Right of Way Services

**PROJECT NO:** 2020-RELINQ-0000010

**DATE:** September 17, 2020

**SUBJECT:** Request for an Ordinance to relinquish the sanitary and utility easements in their entirety established in the Vacating Ordinance No. 368, Series of 1970. Bounded by West Jewell Avenue and West Asbury Avenue, and South Acoma Street and South Bannock Street.

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

This office has investigated the request of Harris Kocher Smith c/o John Stafford, dated March 2, 2020 on behalf of Hanover Company c/o Ryan Hamilton for the relinquishment of the subject easement(s).

This matter has been coordinated with City Councilperson Clark, District 7; Asset Management; Emergency Management; Community Planning & Development: Planning Services; Historic Preservation/Landmark; Denver Water; Denver Fire Department; City Forester; Parks and Recreation; DOTI: ER Transportation and Wastewater, DES Transportation & Wastewater, Construction Engineering, Policy and Planning, TES Signing and Striping, Survey; Colorado Department of Transportation; Regional Transportation District; Comcast; Metro Wastewater Reclamation District; CenturyLink; and Xcel Energy, all of whom have indicated no objection to the proposed easement relinquishment(s).

As a result of these 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 easement(s) in the following described area(s):

**INSERT PARCEL DESCRIPTION 2020-RELINQ-0000010-001 HERE**

A vicinity map of the subject easement area(s) and a copy of the document(s) creating the easement(s) are attached.

MB:dp



**DENVER**  
THE MILE HIGH CITY

cc: City Councilperson & Aides  
City Council Staff – Zach Rothmier  
Department of Law – Bradley Beck  
Department of Law – Deanne Durfee  
Department of Law – Maureen McGuire  
Department of Law – Martin Plate  
DOTI, Manager’s Office – Alba Castro  
DOTI, Legislative Services – Jason Gallardo  
DOTI, Survey – Paul Rogalla

**City and County of Denver Department of Transportation & Infrastructure**  
Right-of-Way Services | Engineering & Regulatory  
201 W Colfax Ave, Dept 507 | Denver, CO 80202  
[www.denvergov.org/doti](http://www.denvergov.org/doti)  
Phone: 720-865-3003

**311 | POCKETGOV.COM | DENVERGOV.ORG | DENVER 8 TV**

**ORDINANCE/RESOLUTION REQUEST**

Please email requests to Jason Gallardo

at [Jason.Gallardo@denvergov.org](mailto:Jason.Gallardo@denvergov.org) by **12:00pm on Monday**. Contact him with questions.

Date of Request: September 17, 2020

Please mark one:  **Bill Request** or  **Resolution Request**

**1. Type of Request:**

- Contract/Grant Agreement**     **Intergovernmental Agreement (IGA)**     **Rezoning/Text Amendment**
- Dedication/Vacation**             **Appropriation/Supplemental**             **DRMC Change**
- Other:** Easement Relinquishment

**2. Title:** (Start with *approves, amends, dedicates*, etc., include name of company or contractor and indicate the type of request: grant acceptance, contract execution, contract amendment, municipal code change, supplemental request, etc.)

Request for an Ordinance to relinquish the sanitary and utility easements in their entirety established in the Vacating Ordinance No. 368, Series of 1970. Bounded by West Jewell Avenue and West Asbury Avenue, and South Acoma Street and South Bannock Street.

**3. Requesting Agency:** Department of Transportation and Infrastructure; Engineering and Regulatory

**4. Contact Person:**

Contact person with knowledge of proposed ordinance/resolution	Contact person to present item at Mayor-Council and Council
Name: Devin Price	Name: Jason Gallardo
Email: <a href="mailto:devin.price@denvergov.org">devin.price@denvergov.org</a>	Email: <a href="mailto:Jason.Gallardo@denvergov.org">Jason.Gallardo@denvergov.org</a>

**5. General description or background of proposed request. Attach executive summary if more space needed:**

Request for an Ordinance to relinquish the sanitary and utility easements in their entirety established in the Vacating Ordinance No. 368, Series of 1970. Bounded by West Jewell Avenue and West Asbury Avenue, and South Acoma Street and South Bannock Street.

**6. City Attorney assigned to this request (if applicable):** Martin Plate

**7. City Council District:** Councilman Clark, District 7

**8. \*\*For all contracts, fill out and submit accompanying Key Contract Terms worksheet\*\***

**Key Contract Terms**

*To be completed by Mayor's Legislative Team:*

Resolution/Bill Number: \_\_\_\_\_

Date Entered: \_\_\_\_\_

Type of Contract: (e.g. Professional Services > \$500K; IGA/Grant Agreement, Sale or Lease of Real Property):

Vendor/Contractor Name:

Contract control number:

Location:

Is this a new contract?  Yes  No Is this an Amendment?  Yes  No If yes, how many? \_\_\_\_\_

Contract Term/Duration (for amended contracts, include existing term dates and amended dates):

Contract Amount (indicate existing amount, amended amount and new contract total):

<i>Current Contract Amount</i> <i>(A)</i>	<i>Additional Funds</i> <i>(B)</i>	<i>Total Contract Amount</i> <i>(A+B)</i>
<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>

Scope of work:

Was this contractor selected by competitive process?

If not, why not?

Has this contractor provided these services to the City before?  Yes  No

Source of funds:

Is this contract subject to:  W/MBE  DBE  SBE  XO101  ACDBE  N/A

WBE/MBE/DBE commitments (construction, design, Airport concession contracts):

Who are the subcontractors to this contract?

*To be completed by Mayor's Legislative Team:*

Resolution/Bill Number: \_\_\_\_\_

Date Entered: \_\_\_\_\_

## **EASEMENT RELINQUISHMENT EXECUTIVE SUMMARY**

**Project Title:** 2020-RELINQ-0000010 - Hanover South Broadway

**Property Owner:** Hanover Company c/o Ryan Hamilton

**Description of Proposed Project:** Request for an Ordinance to relinquish the sanitary and utility easements in their entirety established in the Vacating Ordinance No. 368, Series of 1970. Bounded by West Jewell Avenue and West Asbury Avenue, and South Acoma Street and South Bannock Street.

**Background:** The proposed Hanover South Broadway (site) is a multi-family development located in an urbanized area in Denver. The development is composed of apartment units, parking garage, leasing office, courtyards, and amenities. The sanitary main will be rerouted and the overhead telephone will be relocated.

**Location Map:** Continued on next page



# EXHIBIT A

SITUATED IN THE NORTHWEST 1/4 OF SECTION 27, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M.,  
CITY AND COUNTY OF DENVER, STATE OF COLORADO

ALL OF THE 16 FOOT ALLEY VACATED PER ORDINANCE NO. 368 SERIES OF 1970, RECORDED IN BOOK 228 ON PAGE 523, SITUATED IN THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE NORTHEAST CORNER OF BLOCK 2, ROSEDALE;  
THENCE SOUTH 89°49'25" WEST ALONG THE NORTH LINE OF SAID BLOCK 2, A DISTANCE 125.09 FEET TO THE NORTHEAST CORNER OF SAID ALLEY AND THE **POINT OF BEGINNING**;

THENCE ALONG THE PERIMETER OF SAID ALLEY THE FOLLOWING FOUR (4) COURSES:

- 1) SOUTH 00°00'44" EAST, A DISTANCE OF 225.04 FEET;
- 2) SOUTH 89°48'18" WEST, A DISTANCE OF 16.00 FEET;
- 3) NORTH 00°00'44" WEST, A DISTANCE OF 225.05 FEET;
- 4) NORTH 89°49'25" EAST, A DISTANCE OF 16.00 FEET TO THE **POINT OF BEGINNING**.

SAID PARCEL CONTAINS 3,601 SQUARE FEET, OR 0.08 ACRES MORE OR LESS.

BEARINGS ARE BASED ON THE NORTH LINE BLOCK 2, ROSEDALE, ASSUMED TO BEAR SOUTH 89°49'25" WEST.

PREPARED BY: AARON MURPHY  
PLS 38162

ON BEHALF OF: HARRIS KOCHER SMITH  
1120 LINCOLN STREET, SUITE 1000  
DENVER, CO 80203  
303.623.6300



FILEPATH: P:\HARRIS\SURVEY\190815-ALLEYWAY LAYOUT DESCRIPTION  
PLOT: 190815-ALLEYWAY LAYOUT DESCRIPTION  
PLOTED: 1908/20/20 4:22:18A BY: JEREMY TELSON

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

ISSUE DATE: 02-25-2020	PROJECT #: 190815
DATE	REVISION COMMENTS
4/30/2020	REV. PER CITY COMMENTS

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DESCRIPTION
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**HKS HARRIS KOCHER SMITH**  
1120 Lincoln Street, Suite 1000  
Denver, Colorado 80203  
P: 303 623 8300 F: 303 623 6311  
HarrisKocherSmith.com

CHK'D BY: AWM DRAWN BY: KDW
SHEET NO. <b>1</b> 1 OF 3

# EXHIBIT A

SITUATED IN THE NORTHWEST 1/4 OF SECTION 27, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M.,  
CITY AND COUNTY OF DENVER, STATE OF COLORADO

W JEWELL AVE  
(VARIABLE WIDTH R.O.W.)

N89°49'25"E  
16.00'

**BASIS OF BEARINGS**

S89°49'25"W 125.09'

LOT 48 POINT OF COMMENCEMENT

POINT OF BEGINNING

PARCEL CONTAINS  
3,601 SQ. FT. OR  
0.08 ACRES ±

LOT 46

LOT 45

LOT 44

LOT 43

16.0' ALLEY VACATED  
PER ORD. NO. 368  
SERIES OF 1970  
RECORDED IN  
BK. 228 PG. 523

LOT 42

LOT 41

LOT 40

S89°48'18"W 16.00' LOT 39

SACOMA ST  
(60' R.O.W.)

BLOCK 2, ROSEDALE

N00°00'44"W 225.05'

S00°00'44"E 225.04'

LOT 1

LOT 2

LOT 3

LOT 4

LOT 5

LOT 6

LOT 7

LOT 8

LOT 9

LOT 10



SCALE: 1" = 40'

**NOTE:**

THIS ILLUSTRATION DOES NOT REPRESENT A MONUMENTED LAND SURVEY.  
IT IS INTENDED TO DEPICT ONLY THE ATTACHED LEGAL DESCRIPTION.

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

FILED IN: 2020-02-25-2020 PROJECT #: 190815

DATE	REVISION COMMENTS
4/30/2020	REV. PER CITY COMMENTS

ILLUSTRATION

**HKS HARRIS KOCHER SMITH**

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

CHK'D BY: AWM  
DRAWN BY: KDW

SHEET NO.

2

OF 2