



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: Charlene Thompson, City Attorney's Office
FROM: Robert J. Duncan, P.E.
Manager 2, Development Engineering Services
PROJECT NO: 2016-RELINQ-0000006 155 Steele Street Condominiums
DATE: July 11, 2016
SUBJECT: Request for an Ordinance to relinquish certain easements, established in the "Easement for Right-Of-Way" document, with recordation No. 2011051715. Located at 155 Steele 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 Randall Phelps, dated April 22, 2016 on behalf of Firstbank of Cherry Creek 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 2016-RELINQ-0000006-001 HERE

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

RJD:cs

cc:

City Councilperson & Aides - Councilman Wayne New, District 10
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: July 11, 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 in the “Easement for Right-Of-Way” document, with recordation No. 2011051715. Located at 155 Steele Street.

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:**

The easement established in the document, “Easement for Right-of-Way Area,” with a recordation No. 2011051715 at 155 Steele Street was originally created so the alleyway was not a dead-end alley. Since a purposed Right-of-Way Dedication has been granted to the City and County of Denver for a permanent L-out alley, the easement is no longer needed.

****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:** 155 Steele Street
- d. **Affected Council District:** Councilman Wayne New, District 10
- 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: 2016-RELINQ-0000006 155 Steele Street Condominiums

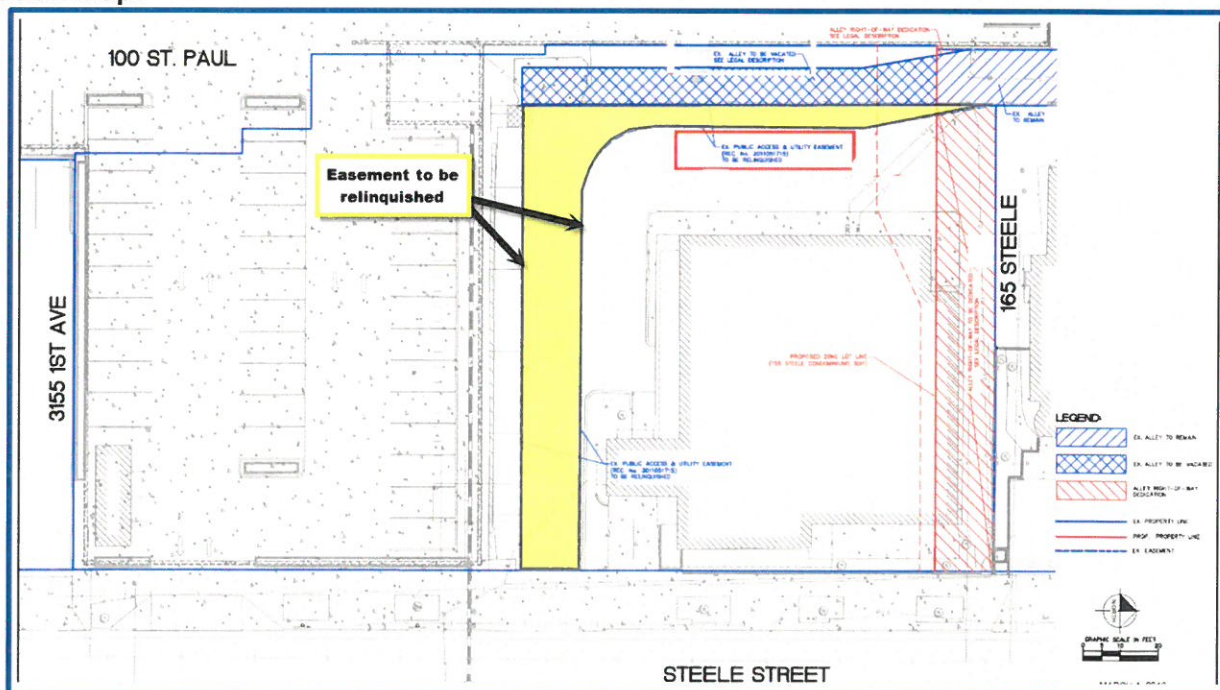
Owner name: Firstbank of Cherry Creek

Description of Proposed Project: Request for an Ordinance to relinquish certain easements, established in the "Easement for Right-Of-Way" document, with recordation No. 2011051715. Located at 155 Steele Street.

Explanation of why the public right-of-way must be utilized to accomplish the proposed project: Easement is no longer needed due to the fact that a Right of Way dedication has been established as an L-out for this alleyway.

Background: The easement held by the "Easement for Right-of-Way Area" document, with a recordation No. 2011051715 at 155 Steele Street was originally established so the alleyway was not a dead-end alley. Since the purposed Right of Way Dedication has been deeded to the City for the purpose of being Dedication for a permanent L-out alley, the easement is no longer needed.

Location Map:



**EXHIBIT A
LEGAL DESCRIPTION
EASEMENT RELINQUISHMENT**

THAT CERTAIN EASEMENT FOR RIGHT-OF-WAY AREA AS DESCRIBED IN THE EASEMENT DEED BETWEEN FIRSTBANK OF CHERRY CREEK AND THE CITY AND COUNTY OF DENVER, RECORDED MAY 10, 2011 AT RECEPTION NO. 2011051715, IN THE OFFICE OF THE CLERK AND RECORDER OF THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, LYING WITHIN THE NORTH ONE-HALF OF SECTION 12, TOWNSHIP 4 SOUTH, RANGE 68 WEST, 6TH PRINCIPAL MERIDIAN, IN SAID CITY, COUNTY AND STATE.

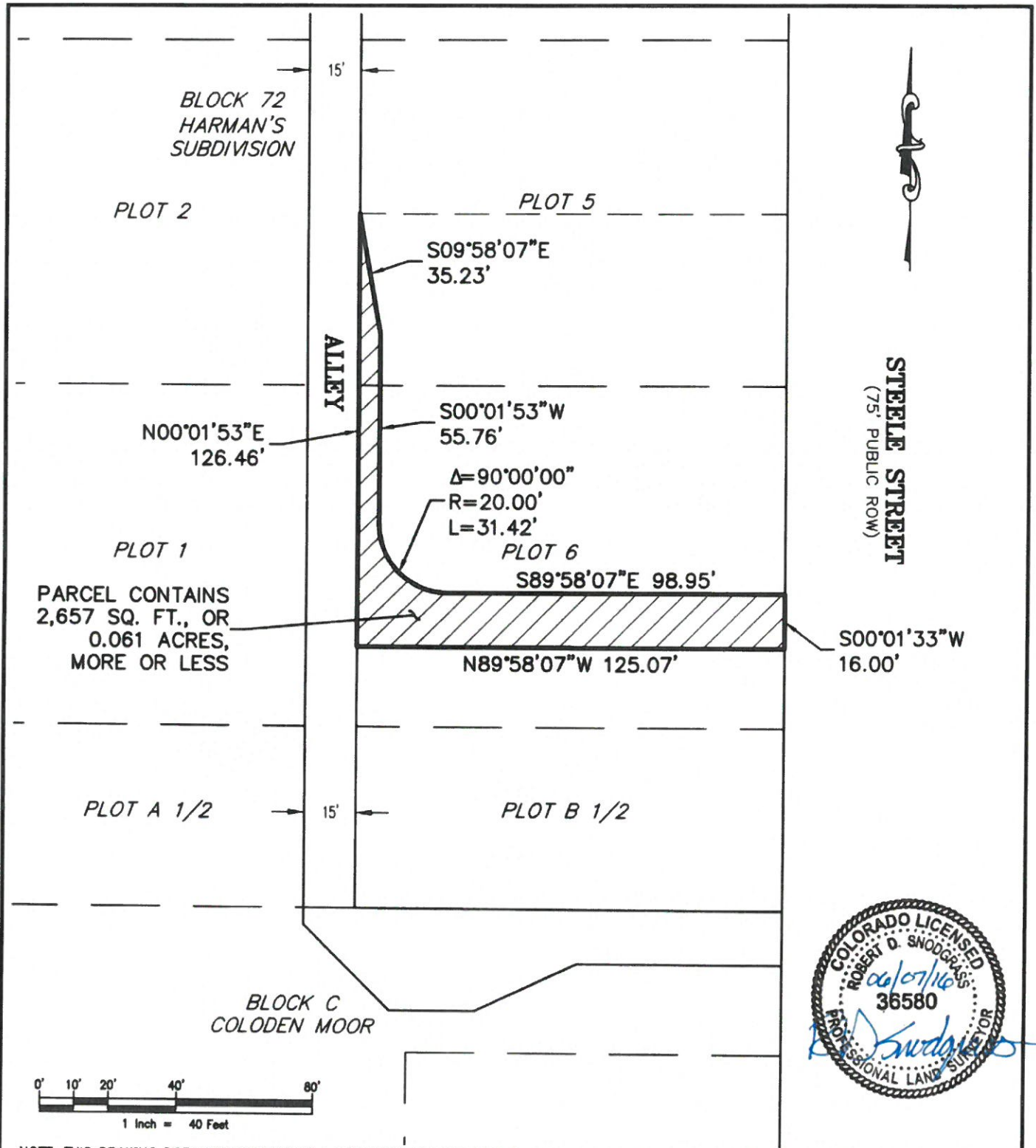
AS SHOWN ON THE ATTACHED ILLUSTRATION.



ROBERT D. SNODGRASS, PLS 36580
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVENUE, SUITE 1
LITTLETON, CO 80122

EXHIBIT A

ILLUSTRATION TO ACCOMPANY LEGAL DESCRIPTION



NOTE: THIS DRAWING DOES NOT REPRESENT A MONUMENTED LAND SURVEY AND IS ONLY INTENDED TO DEPICT THE ATTACHED LEGAL DESCRIPTION.

PATH: Q:\48115-22 - 149 Steele Street
DWG NAME: ROW ESMT RELINQ EX
DWG: RDS CHK: JRW
DATE: 06-07-2013
SCALE: 1" = 40'



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EASEMENT RELINQUISHMENT
CITY AND COUNTY OF DENVER
STATE OF COLORADO

JOB NUMBER 48115-22

2 OF 2 SHEETS