



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: 2016-RELINQ-0000017
DATE: November 14, 2016
SUBJECT: Request for an Ordinance to relinquish easements established in the Vacating Ordinance No. 292, series 1963, book 9097, page 444. Located at 601 East 45th Avenue.

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

This office has investigated the request of Phillip Kriebel, dated July 12, 2016 on behalf of William Warren Group 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-0000017-001 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: November 14, 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 easements established in the Vacating Ordinance No. 292, series 1963, book 9097, page 444. Located at 601 East 45th Avenue.

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 easements established in the Vacating Ordinance No. 292, series 1963, book 9097, page 444. Located at 601 East 45th Avenue.

****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:** 601 East 45th Avenue
- d. **Affected Council District:** District 9, Albus Brooks
- 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-0000017 StorQuest E 45th Ave

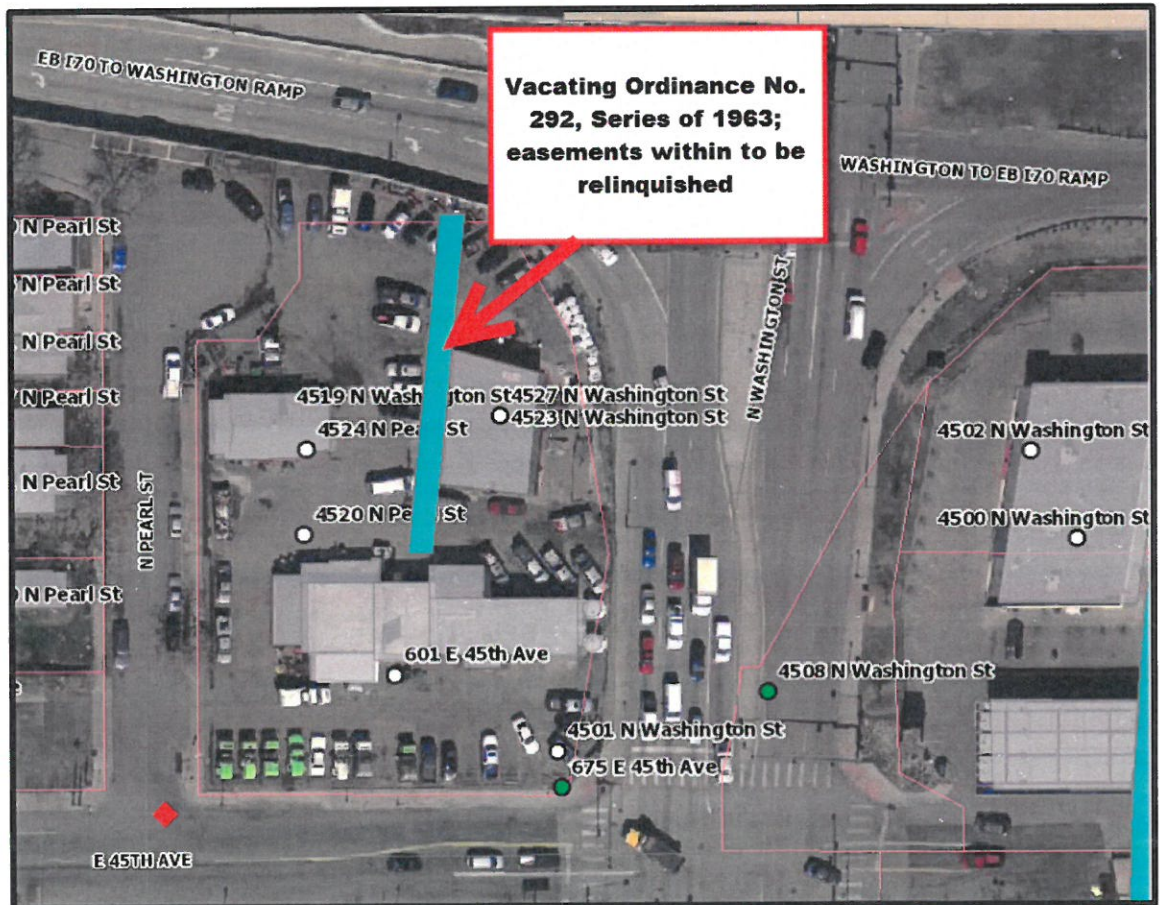
Owner name: William Warren Group

Description of Proposed Project: Request for an Ordinance to relinquish easements established in the Vacating Ordinance No. 292, series 1963, book 9097, page 444. Located at 601 East 45th Avenue.

Explanation of why the public right-of-way must be utilized to accomplish the proposed project: For future development of a self-storage facility.

Background: Reservations were for existing utilities in the vacated area. Utility facilities have since been removed and the sewer lines are now privately owned.

Location Map:



9097 444 33939

67 2

SEP 12 1963

BY AUTHORITY

ORDINANCE NO. 292
SERIES OF 1963

COUNCILMAN'S BILL NO. 348
INTRODUCED BY COUNCILMEN

Edward Herbert Caldwell

A B I L L

FOR AN ORDINANCE VACATING A CERTAIN
ALLEY IN SUBDIVISION OF BLOCK THREE,
GARDEN PLACE, SUBJECT TO CERTAIN
RESERVATIONS.

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 that certain alley 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 alley in the City and County of Denver, State of Colorado, to-wit:

The alley in Subdivision of Block Three, Garden Place; be and the same is hereby approved and the described alley is hereby vacated and declared vacated; provided, however, and subject to the following condition and reservation:

- (a) There is reserved to the utility owners and to the City and County of Denver the continued use of and the right to maintain and operate all existing power lines and sewer lines in the vacated alley.

Section 2. The Council finds this Ordinance is necessary for the immediate preservation of the public health and public safety and determines that it shall take effect immediately upon its final passage and publication.

PASSED BY the Council September 3 1963
Edward Herbert Caldwell - President

33939

9097 445
67 3

APPROVED: Thomas S. Currihan Mayor September 6 1963

ATTEST: WILLIAM E. BAPTIST - Clerk and Recorder, Ex-Officio
Clerk of the City and County
of Denver

BY: Joseph J. Kubat, Jr. - Deputy City Clerk

PUBLISHED IN The Daily Journal Aug 31 1963 and Sept 7 1963

I have made the findings and determinations set forth in the above and foregoing draft or form of a proposed Bill for An Ordinance, and, subject to approval by ordinance, have vacated and do hereby vacate that certain alley therein described subject to the reservations therein set forth, and request the Council of the City and County of Denver to approve such vacation, subject to such reservations, by the enactment of an appropriate ordinance. I approve said draft or form of a proposed Bill for An Ordinance, and recommend the introduction and passage thereof.

W. H. Murchob
Manager of Public Works

APPROVED: Max P. Zell - City Attorney

APPROVED: James D. Branney, Jr. Planning Director
R25

33939
9097 446

Ordinance No. 292 Series 1963

Councilman's Bill No. 348

Introduced by Councilman

David Wilson & Caldwell

A BILL

For

As Ordinance VACATING A CERTAIN

ALLY IN SUBDIVISION OF BLOCK

THREE, GARDEN PLACE, SUBJECT TO

CERTAIN RESERVATIONS.

Meeting Date of August 26, 1963
Read in full in the Board of Councilman and
referred to the Committee on
Public Improvements

Meeting Date of August 26, 1963
Reported back by the Committee on
Public Improvements

Recommended that the bill be ordered published
and report adopted.

Published in The Daily Journal
this 21st day of Aug, A. D. 1963

Meeting Date of September 3, 1963
Read by title, placed upon the passage and
passed.

Presented to the Mayor and signed by him
this 6th day of Sept, A. D. 1963

Entered as Ordinance No. 292, Series 1963

Published in The Daily Journal
this 7th day of Sept, A. D. 1963

FORM 46 (4/58) C/M

0.00

033939

I FEELS

STATE OF COLORADO
CITY AND COUNTY
OF DENVER
FACED IN MY OFFICE ON

SEP 12 1 08 PM '63

9097 444
WILLIAM E. BAYNE
CLERK AND RECORDER

SEP 12 63 155058

EXHIBIT A
LAND DESCRIPTION
PAGE 1 OF 2

2016-relinq-0000017-001

ALL OF THAT PARCEL OF LAND VACATED BY ORDINANCE 292, SERIES OF 1963, RECORDED SEPTEMBER 12, 1963, IN BOOK 9097 AT PAGE 444, BEING A PORTION OF BLOCK 3 OF GARDEN PLACE, LOCATED IN THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE 10 FOOT ALLEY LOCATED IN BLOCK 3, GARDEN PLACE.

PREPARED BY DAVID IOVINELLI
REVIEWED BY SCOTT A. AREHART, PLS
FOR AND ON BEHALF OF MARTIN/MARTIN, INC.
12499 WEST COLFAX AVENUE
LAKEWOOD, COLARADO 80215
(303) 431-6100
JULY 08, 2016
REV. OCTOBER 31, 2016



**EXHIBIT A
PAGE 2 OF 2**

INTERSTATE 70

10.00' VACATED
ALLEY AS PER ORD. 292
SERIES 1963
(EXC. NO 12)

BLOCK 3,
GARDEN PLACE

WASHINGTON STREET

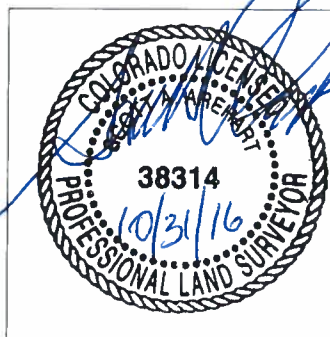
**THIS EXHIBIT DOES NOT
REPRESENT A MONUMENTED LAND
SURVEY. IT IS ONLY TO DEPICT THE
ATTACHED DESCRIPTION**

REV. 10/31/2016

7/8/2016



SCALE: 1"=30'
ALL DIMENSIONS ARE
U.S. SURVEY FEET



12499 WEST COLFAX AVENUE, LAKEWOOD, COLORADO 80215
303.431.6100 MARTINMARTIN.COM