



**Department of Public Works**  
Engineering Regulatory & Analytics  
201 W. Colfax Avenue, Dept. 507  
Denver, CO 80202  
720-865-3001  
[www.denvergov.org/survey](http://www.denvergov.org/survey)

## **REQUEST FOR ORDINANCE TO RELINQUISH EASEMENT**

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

**FROM:** Matt Bryner  
Director, Public Works Right of Way Services

**PROJECT NO:** 2018-RELINQ-0000022

**DATE:** March 18, 2019

**SUBJECT:** Request for an Ordinance to relinquish the easement, in its entirety, as reserved in Vacating Ordinance No. 107, Series of 1967, under Recordation No. 1967055976. Located at 19<sup>th</sup> Ave. and Park Ave.

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

This office has investigated the request of Martin/Martin, Inc. c/o Jane Aschermann, dated November 20, 2018 on behalf of SCL Health - Front Range, Inc. c/o Al Davis 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 2018-RELINQ-0000022-001 HERE**

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

MB:bp

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
- Public Works, Manager's Office - Alba Castro
- Public Works, Legislative Services - Jason Gallardo
- Public Works, Survey - Paul Rogalla

**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: March 18, 2019

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.)

Martin/Martin, Inc. c/o Jane Aschermann, on behalf of SCL Health - Front Range, Inc. c/o Al Davis requests for an Ordinance to relinquish the easement, in its entirety, as reserved in Vacating Ordinance No. 107, Series of 1967, under Recordation No. 1967055976. Located at 19<sup>th</sup> Ave. and Park Ave.

**3. Requesting Agency:** Public Works, Engineering & Regulatory Dept.

**4. Contact Person:**

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

Requests for an Ordinance to relinquish the easement, in its entirety, as reserved in Vacating Ordinance No. 107, Series of 1967, under Recordation No. 1967055976. Located at 19<sup>th</sup> Ave. and Park Ave.

**6. City Attorney assigned to this request (if applicable):** Bradley Beck

**7. City Council District:** District 9; Councilman Albus Brooks

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

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

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

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

## Key Contract Terms

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> (A)	<i>Additional Funds</i> (B)	<i>Total Contract Amount</i> (A+B)
<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?

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

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

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

# EASEMENT RELINQUISHMENT EXECUTIVE SUMMARY

**Project Title:** 2018-RELINQ-0000022, Saint Joes MOB at 19th Ave and Park Ave

**Owner name:** SCL Health - Front Range, Inc. c/o Al Davis

**Description of Proposed Project:** Martin/Martin, Inc. c/o Jane Aschermann, on behalf of SCL Health - Front Range, Inc. c/o Al Davis requests for an Ordinance to relinquish the easement, in its entirety, as reserved in Vacating Ordinance No. 107, Series of 1967, under Recordation No. 1967055976. Located at 19<sup>th</sup> Ave. and Park Ave.

**Explanation of why the public right-of-way must be utilized to accomplish the proposed project:**  
Redevelopment

**Background:** N/A

**Location Map:**



EXHIBIT B  
SHEET 1 OF 2

A PARCEL OF LAND BEING A PORTION OF BLOCK 7, PARK AVENUE ADDITION TO DENVER IN THE SOUTHWEST QUARTER OF SECTION 35, 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:

BEING ALL OF EASEMENT RESERVATION FOR UTILITIES, RESERVED BY ORDINANCE 107, SERIES 1967 RECORDED AT RECEPTION NUMBER 1967055976, BOOK NUMBER 9724, PAGE. 295.

PREPARED BY MATTHEW CHAPA  
REVIEWED BY RICHARD A. NOBBE, PLS #23899  
FOR AND ON BEHALF OF  
MARTIN/MARTIN, INC.  
12499 WEST COLFAX AVENUE  
LAKEWOOD, COLORADO, 80215  
NOVEMBER 28, 2018



EXHIBIT B  
SHEET 2 OF 2

17.4' RL

19TH AVE.  
(80' R.O.W.)

12' ALLEY EASEMENT  
WITH RESERVATION  
ORD. 107, SERIES 1967  
REC#1967055976  
BK. 9724, PG. 295

16' ALLEY EASEMENT  
WITH RESERVATION  
ORD. 107, SERIES 1967  
REC#1967055976  
BK. 9724, PG. 295

BLOCK 7

PARK AVENUE ADDITION  
TO DENVER

CITY & COUNTY OF DENVER

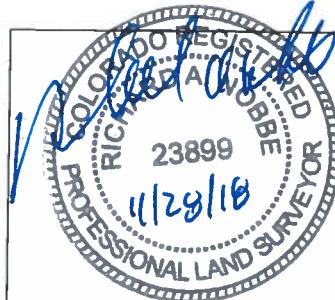
PARK AVE.  
(100' R.O.W.)  
26' RL

CITY & COUNTY OF DENVER

20' RL



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



NOVEMBER 28, 2018

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

**MARTIN/MARTIN**  
CONSULTING ENGINEERS

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

DRAWING LOCATION: G:\SCHLAPPE\18.0212-Scint\_Joseph\_Medical\_Office\_Building\PLANS\EXHIBITS\RELINQUISHMENT\EASEMENT\_B\_RELEASE\_BK9724PC295.dwg

APR 24 1967

55976

BY AUTHORITY

ORDINANCE NO. 107

COUNCILMAN'S BILL NO. 111

SERIES OF 1967

INTRODUCED BY COUNCILMEN

MacIntosh, Caldwell & Gibson

A B I L L

FOR AN ORDINANCE VACATING CERTAIN PARTS OF THE SYSTEM OF STREETS OF THE MUNICIPALITY, i. e., VACATING CERTAIN DESCRIBED PORTIONS OF THE ALLEY IN BLOCK 7, PARK AVENUE ADDITION, 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 those portions of that certain alley in the system of streets 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 portions of a certain public alley in the City and County of Denver, State of Colorado, to-wit:

- (a) That part of the East-West alley in Block 7, Park Avenue Addition, that lies South of and adjoins Lot 29, said Block 7 and extends from the Northeasterly line of Park Avenue to the Southerly extension of the East line of Lots 29 to 32, inclusive, said Block 7;
  - (b) That part of the North-South alley that lies West of and adjoins Lots 1 to 8, inclusive, said Block 7 and extends from the Northeasterly line of Park Avenue to the South line of 19th Avenue;
- be and the same is hereby approved and the described portions of the public alley are hereby vacated and declared vacated; provided, however, said vacation shall be subject to the following conditions and reservations:

9224 295

There is reserved to the City and County of Denver and to the utility owners, the continued use and the right to maintain and operate all existing sewer, power and telephone lines in the vacated portions of said 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.

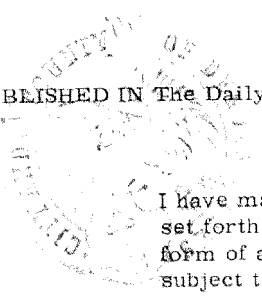
PASSED BY the Council April 3 1967

[Signature] President

APPROVED: [Signature] Mayor April 5, 1967

ATTEST: [Signature] Clerk and Recorder, Ex-Officio  
Clerk of the City and County of Denver

PUBLISHED IN The Daily Journal Apr. 1, 1967 and Apr. 8, 1967



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 those portions of 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.

[Signature]  
Manager of Public Works

PREPARED BY: [Signature] City Attorney

APPROVED: \_\_\_\_\_ Planning Director



Ordinance No. 107 Series 1967

Councilman's Bill No. 111

*Wm. A. ...*

Introduced by Councilmen

**A BILL**

For

An Ordinance VACATING CERTAIN PARTS OF THE

SYSTEM OF STREETS OF THE MUNICIPALITY, I. E., VACATING CERTAIN DESCRIBED PORTIONS OF THE ALLEY IN BLOCK 7, PARK AVENUE ADDITION, SUBJECT TO CERTAIN RESERVATIONS.

Meeting Date of March 27, 1967

Read in full in the Board of Councilmen and referred to the Committee on

*Public Improvements*

Meeting Date of March 27, 1967

Reported back by the Committee on

*Public Improvements*

Recommended that the bill be ordered published and report adopted.

Published in The *Daily Journal*

this 1st day of Apr, A. D. 1967

Meeting Date of April 3, 1967

Read by title, placed upon its passage and passed.

Presented to the Mayor and signed by him

this 5th day of Apr, A. D. 1967

Ent'd as Ordinance No. 107, Series 1967

Published in The *Daily Journal*

this 8th day of Apr, A. D. 1967

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STATE OF COLORADO  
CITY & COUNTY  
OF DENVER  
FILED IN THE OFFICE OF

APR 24 11 35 AM '67

RECORDED

F. J. SERAFIN  
CLERK AND RECORDER

755359

CITY COUNCIL  
CITY & COUNTY OF DENVER  
RECEIVED  
MAR 23 1967