DENVER
PUBLIC WORKS

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-0000014

DATE: November 17, 2016

SUBJECT: Request for an Ordinance to relinquish certain easements established in the Ordinance No. 91, Series of 1903, as well as a *portion* of easements as established in Ordinance No. 137, Series of 1948. Located at S. Cherokee St and W. Byers Pl.

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

This office has investigated the request of Kevin Kennedy, dated 6/16/2016 on behalf of Wood Partners, c.o Tim McEntee 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-0000014-001 HERE
INSERT PARCEL DESCRIPTION 2016-RELINQ-0000014-002 HERE

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

RJD:vw

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 17, 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 Ordinance No. 91, Series of 1903, as well as a portion of easements as established in Ordinance No. 137, Series of 1948. Located at S. Cherokee St and W. Byers Pl.

3. **Requesting Agency:** Public Works – Right of Way Services – Engineering, Regulatory, and Analytics

4. **Contact Person:** (W*ith actual knowledge of proposed ordinance/resolution.)*
   - **Name:** Vanessa West
   - **Phone:** 720-913-0719
   - **Email:** Vanessa.west@denvergov.org

5. **Contact Person:** (W*ith 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:**

   Relinquishing 2 separate easements. 1 established in the Ordinance No. 91, Series of 1903, and 2 a portion of easements as established in Ordinance No. 137, Series of 1948. Located at S. Cherokee St and W. Byers Pl.

***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:** S. Cherokee St and W. Byers Pl.
   d. **Affected Council District:** Dist # 7 Clark
   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: _____

Denver Public Works
Right-of-Way Engineering Services
Engineering, Regulatory & Analytics Office

201 W Colfax Ave, Dept. 507
Denver, CO 80202
720-865-3003
www.denvergov.org

DENVER
THE MILE HIGH CITY

EASEMENT RELINQUISHMENT EXECUTIVE SUMMARY

Project Title: 2016-RELINQ-0000014, Alta SoBo Station

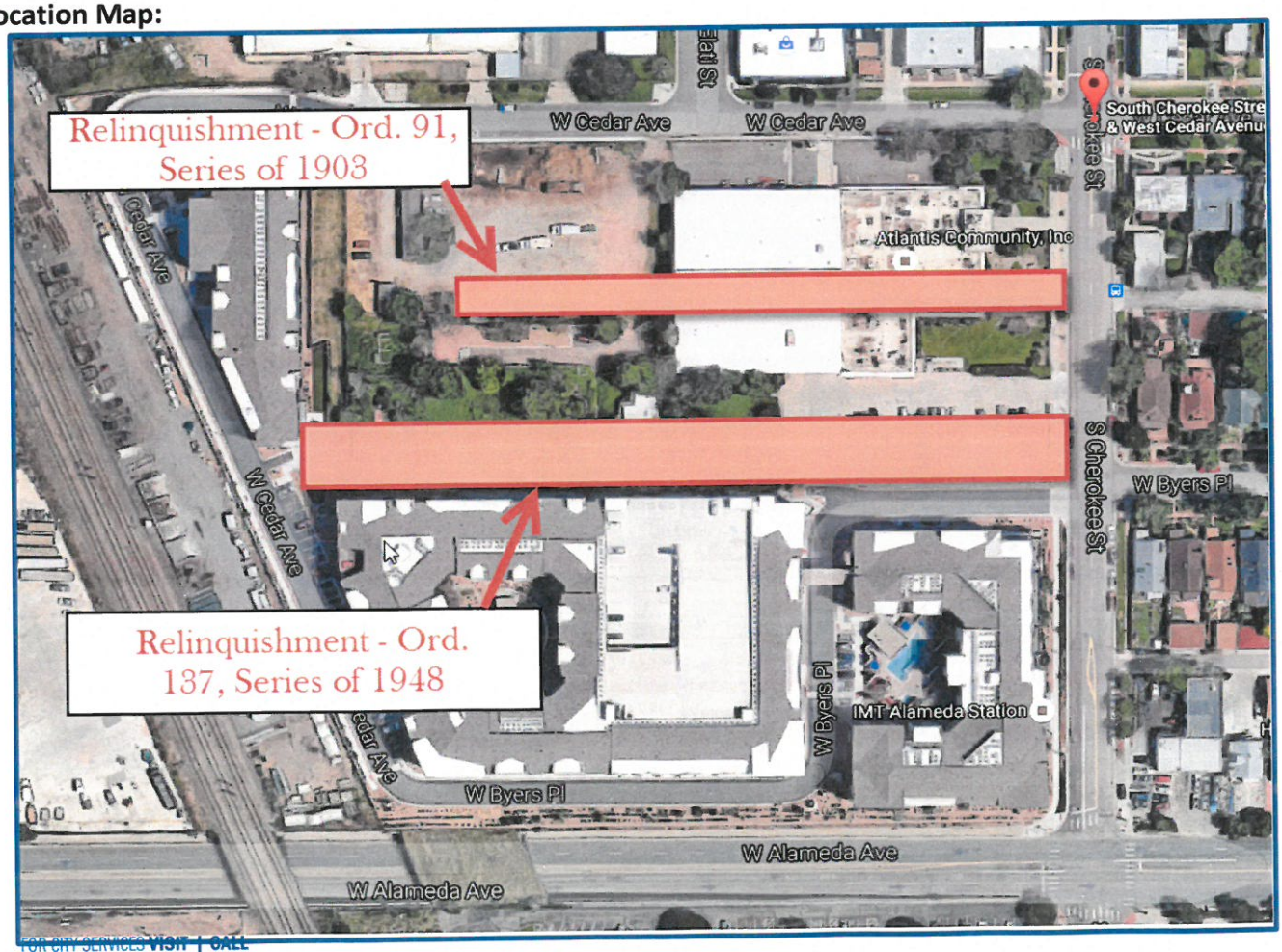
Owner name: Wood Partners, c/o Tim McEntee

Description of Proposed Project: Request for an Ordinance to relinquish certain easements established in the Ordinance No. 91, Series of 1903, as well as a *portion* of easements as established in Ordinance No. 137, Series of 1948. Located at S. Cherokee St and W. Byers Pl

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

Background: N/A

Location Map:



2016-RELINQ-0000014-001

DESCRIPTION

SITUATED IN THE SOUTHWEST 1/4 OF SECTION 10, TOWNSHIP 4 SOUTH,
RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO.

DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF WEST BYERS PLACE VACATED BY ORDINANCE NO. 137 SERIES OF 1948, SITUATED IN THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 48, BLOCK 51, FIRST ADDITION TO THE BYERS' SUBDIVISION;
THENCE SOUTH 00°01'31" EAST ALONG THE EXTENSION OF THE EAST LINE OF SAID BLOCK 51, A DISTANCE OF 35.00 FEET TO THE CENTERLINE OF WEST BYERS PLACE, VACATED BY ORDINANCE 137 SERIES OF 1948;
THENCE SOUTH 89°59'57" WEST ALONG SAID CENTERLINE, A DISTANCE OF 600.21 FEET TO THE EXTENSION OF THE WEST LINE OF SAID BLOCK 51;
THENCE NORTH 00°01'03" WEST ALONG SAID WEST LINE, A DISTANCE OF 35.00 FEET TO THE SOUTH LINE OF SAID BLOCK 51;
THENCE NORTH 89°59'57" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 600.20 FEET TO THE **POINT OF BEGINNING.**

CONTAINING 21,007 SQUARE FEET OR 0.48 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE SOUTH LINE OF BLOCK 51, FIRST ADDITION TO BYERS' SUBDIVISION, SITUATED IN THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, ASSUMED TO BEAR NORTH 89°59'57" EAST.

PREPARED BY: AARON MURPHY, PLS 38162
ON BEHALF OF: HARRIS KOCHER SMITH
1120 LINCOLN STREET, SUITE 1000
DENVER, CO 80203
303.623.6300

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

ISSUE DATE: 6/14/2016	PROJECT #: 140104
DATE	REVISION COMMENTS

DESCRIPTION

W BYERS PLACE
EASEMENT RELINQUISHMENT

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

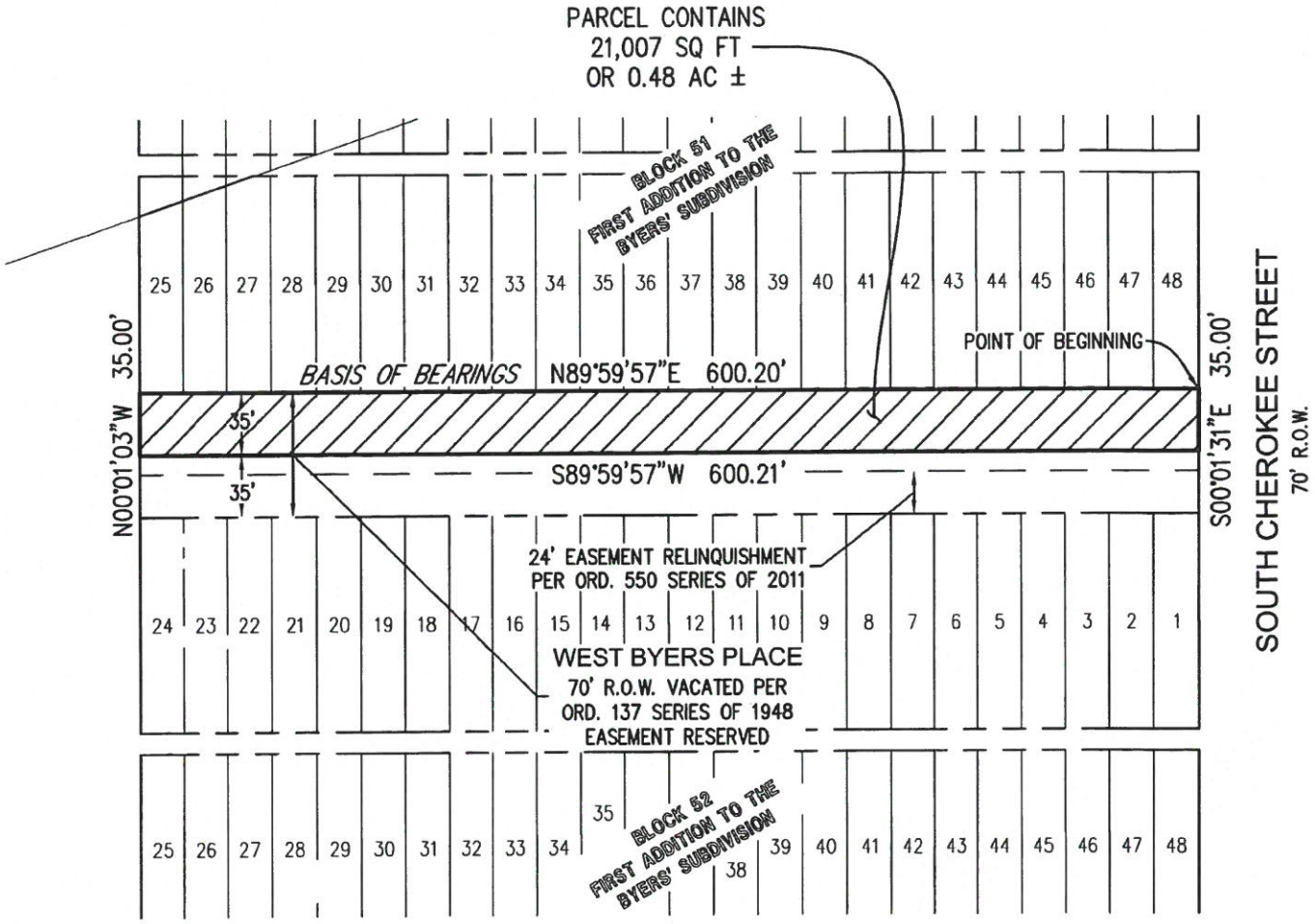
CHK'D BY: AWM
DRAWN BY: TWG

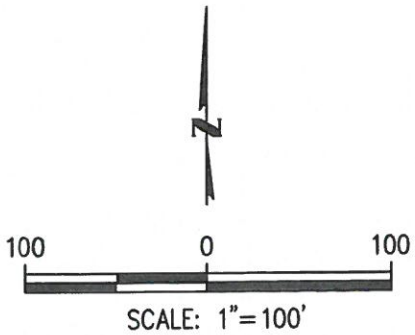
SHEET NO
1
1 OF 2

2016-RELINQ-0000014-001

EXHIBIT

SITUATED IN THE SOUTHWEST 1/4 OF SECTION 10, TOWNSHIP 4 SOUTH,
RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO.





NOTE:
THIS EXHIBIT 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.

FILEPATH: P:\140104\SURVEY\BYERS RELINQ.DWG LAYOUT: EXHIB
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PLOTTED: TUE, 06/14/16 7:59:09A BY: TOM GRUBESIC

ISSUE DATE: 6/14/2016	PROJECT #: 140104
DATE	REVISION COMMENTS

EXHIBIT

W BYERS PLACE
EASEMENT RELINQUISHMENT

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: TWG

SHEET NO.
2
2 OF 2

2016-RELINQ-0000014-002

DESCRIPTION

SITUATED IN THE SOUTHWEST 1/4 OF SECTION 10, TOWNSHIP 4 SOUTH,
RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO.

DESCRIPTION

A PARCEL OF LAND BEING THE ALLEY IN BLOCK 51, FIRST ADDITION TO THE BYERS' SUBDIVISION, VACATED BY ORDINANCE 91 SERIES OF 1903 RECORDED IN BOOK 1581 AT PAGE 309, SITUATED IN THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 1, BLOCK 51, FIRST ADDITION TO THE BYERS' SUBDIVISION, SAID POINT ALSO BEING THE NORTHEAST CORNER OF THE ALLEY IN SAID BLOCK 51;
THENCE SOUTH 00°01'31" EAST ALONG THE EAST LINE OF SAID BLOCK 51, A DISTANCE OF 12.00 FEET TO THE SOUTHEAST CORNER OF SAID ALLEY;
THENCE SOUTH 89°59'46" WEST ALONG THE SOUTH LINE OF SAID ALLEY, A DISTANCE OF 534.44 FEET TO THE NORTHWEST LINE OF SAID SUBDIVISION;
THENCE NORTH 71°09'04" EAST ALONG SAID NORTHWEST LINE, A DISTANCE OF 37.15 FEET TO THE NORTH LINE OF SAID ALLEY;
THENCE NORTH 89°59'46" EAST ALONG THE NORTH LINE OF SAID ALLEY, A DISTANCE OF 499.28 FEET TO THE **POINT OF BEGINNING.**

CONTAINING 6,202 SQUARE FEET OR 0.14 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE EAST LINE OF BLOCK 51, FIRST ADDITION TO THE BYERS' SUBDIVISION, SITUATED IN THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, ASSUMED TO BEAR SOUTH 00°01'31" EAST.

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:\140104\SURVEY\ALLEY RELINQ.DWG LAYOUT: DESC
NO XREFs
PLOTTED: TUE 06/14/16 8:00:32A BY: TOM GRUESKC

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

ISSUE DATE: 6/14/2016	PROJECT #: 140104
DATE	REVISION COMMENTS

DESCRIPTION

BLOCK 51 ALLEY
EASEMENT RELINQUISHMENT

HARRIS KOCHER SMITH
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P: 303.623.6300 F: 303.623.6311
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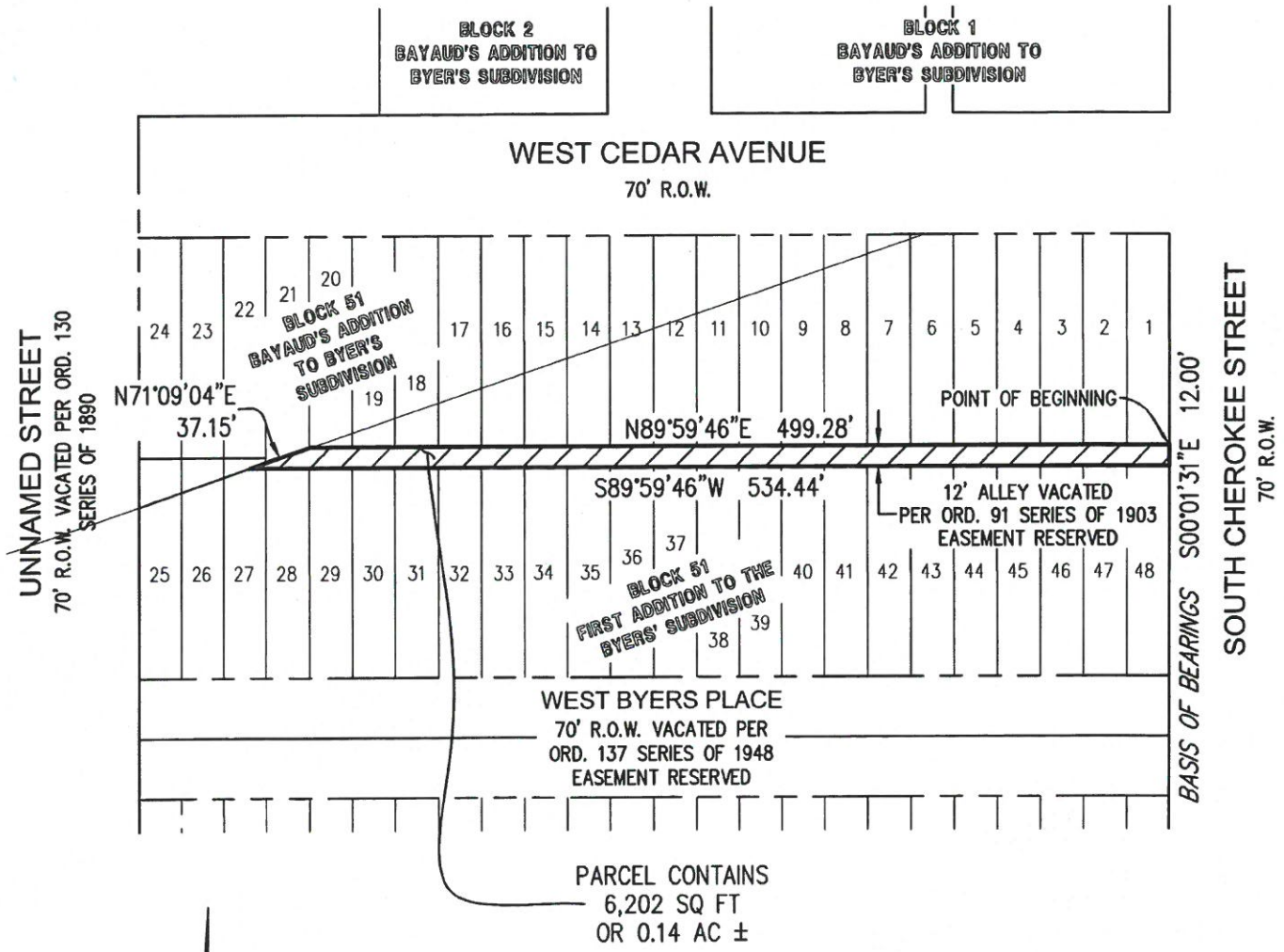
CHK'D BY: AWM
DRAWN BY: TWG

SHEET NO.
1
1 OF 2

2016-RELINQ-0000014-002

EXHIBIT

SITUATED IN THE SOUTHWEST 1/4 OF SECTION 10, TOWNSHIP 4 SOUTH,
RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO.



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ISSUE DATE: 6/14/2016	PROJECT #: 140104
DATE	REVISION COMMENTS

EXHIBIT

BLOCK 51 ALLEY
EASEMENT RELINQUISHMENT

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SHEET NO.
2
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