



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: Ted Christianson
Director, Public Works Right of Way Services

PROJECT NO: 2016-RELINQ-0000007

DATE: May 26, 2017

SUBJECT: Request for an Ordinance to relinquish easements in their entirety established in the Vacating Ordinance No. 224, Series of 2014. Bounded by 36th Street, Blake Street, Walnut Street, and Downing 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 Melyssa Lorenger, dated May 2, 2016 on behalf of Elevation HUB LLC 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-0000007-001 HERE

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

TC: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: May 26, 2017

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 in their entirety established in the Vacating Ordinance No. 224, Series of 2014. Bounded by 36th Street, Blake Street, Walnut Street, and Downing Street.

3. Requesting Agency: PW Right of Way Services
Agency Division: Engineering, Regulatory & 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 in their entirety established in the Vacating Ordinance No. 224, Series of 2014. Bounded by 36th Street, Blake Street, Walnut Street, and Downing Street.

****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:** 36th Street and Blake Street
- d. **Affected Council District:** Dist #9, 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-0000007 36th and Blake HUB

Land Owner name: Elevation HUB LLC

Description of Proposed Project: Request for an Ordinance to relinquish easements in their entirety established in the Vacating Ordinance No. 224, Series of 2014. Bounded by 36th Street, Blake Street, Walnut Street, and Downing Street.

Explanation of why the public right-of-way must be utilized to accomplish the proposed project: The customer would like to redevelop the land.

Background: This alley was vacated with reservations for a sanitary sewer line. The sanitary sewer line has since been re-routed.

Location Map:



PARCEL A
PAGE 1 OF 2

LAND DESCRIPTION

A TRACT OF LAND, BEING THE 16 FOOT WIDE ALLEY VACATED BY ORDINANCE 224, SERIES OF 2014, RECORDED AT RECEPTION NO. 2014046693 WITHIN BALDWIN'S ADDITION TO DENVER, LYING SOUTHEAST OF BLAKE STREET, NORTHEAST OF 36TH STREET, NORTHWEST OF WALNUT STREET AND SOUTHWEST OF DOWNING STREET, SITUATED IN THE SOUTHWEST QUARTER OF SECTION 23, AND THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

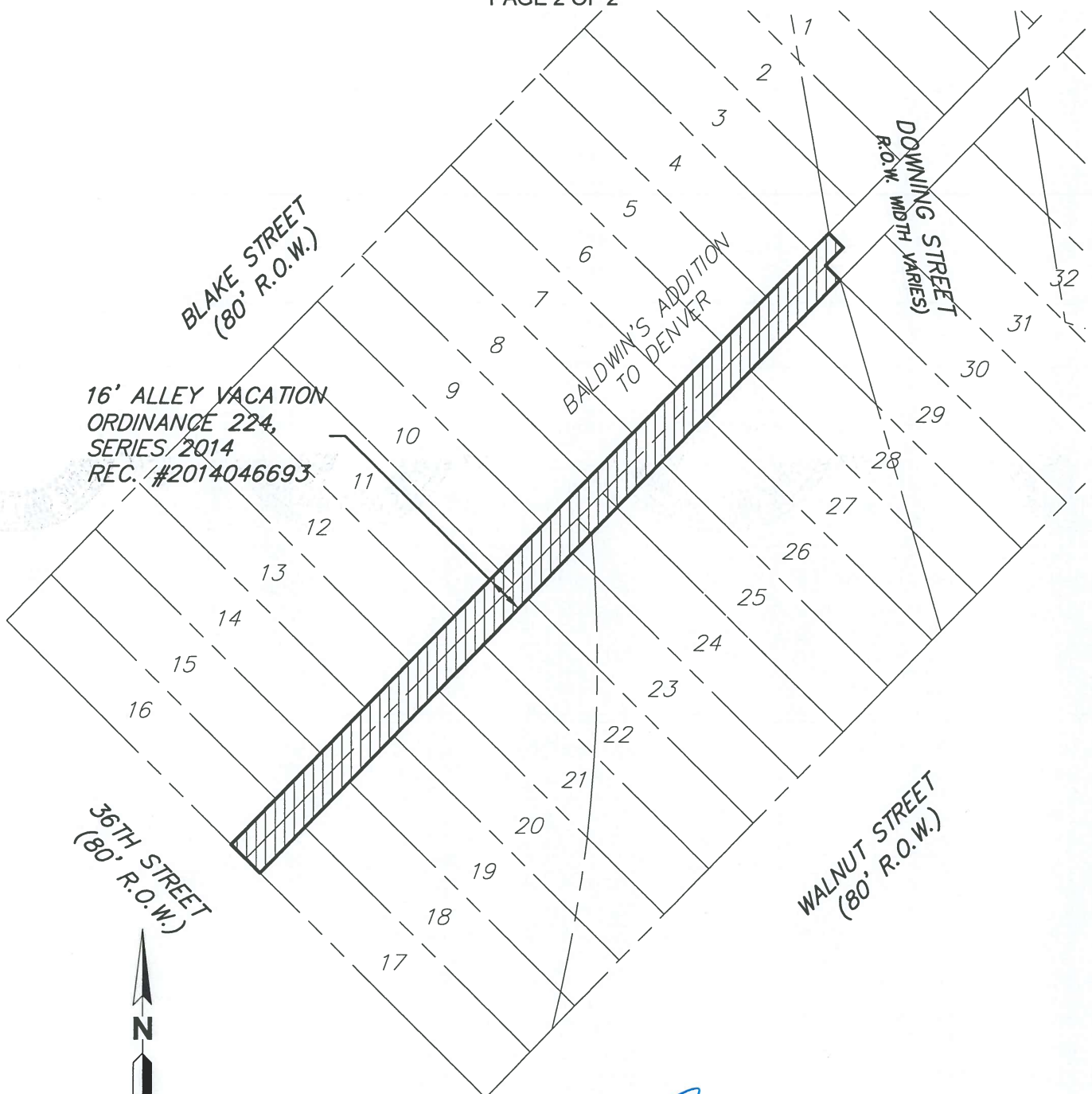
CONTAINING 5,280 SQUARE FEET, MORE OR LESS.

PREPARED BY SCOTT A. AREHART, PLS
FOR AND ON BEHALF OF
MARTIN/MARTIN, INC.
12499 WEST COLFAX AVENUE,
LAKEWOOD, COLORADO 80215
February 19, 2016
Rev. February 13, 1017



EXHIBIT A

PAGE 2 OF 2



16' ALLEY VACATION
 ORDINANCE 224,
 SERIES/2014
 REC. #2014046693

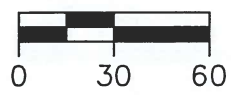
36TH STREET
 (80' R.O.W.)

WALNUT STREET
 (80' R.O.W.)

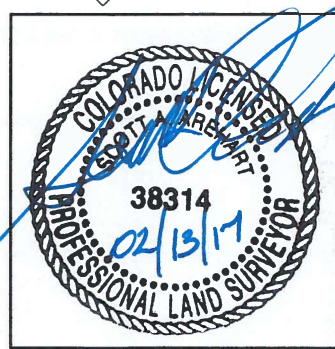
BLAKE STREET
 (80' R.O.W.)

DOWNING STREET
 R.O.W. WIDTH VARIES)

BALDWIN'S ADDITION
 TO DENVER



SCALE: 1"=60'
 ALL DIMENSIONS ARE
 U.S. SURVEY FEET



REV. FEBRUARY 13, 2017
 FEBRUARY 19, 2016

MARTIN/MARTIN
 CONSULTING ENGINEERS

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

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

DRAWING LOCATION: g:\SCHLAGETER\15.0120-36th and Blake\SURVEY\Exhibits\Exhibit.dwg



BY AUTHORITY

ORDINANCE NO. 224
SERIES OF 2014

COUNCIL BILL NO. CB14-0269
COMMITTEE OF REFERENCE:

Land Use, Transportation, and Infrastructure

A BILL

For an ordinance vacating an alley bounded by 36th Street, Blake Street, Walnut Street and Downing Street, with 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 area in the system of thoroughfares 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 right-of-way in the City and County of Denver and State of Colorado, to wit:

PARCEL DESCRIPTION ROW NO. 2013-0536-01-001

A Tract of Land, Being That 16 Foot Wide Alley Shown on Baldwin's Addition Lying Southeast of Blake Street, Northeast of 36th Street, Northwest of Walnut Street and Southwest of Downing Street, Situated in the Southwest ¼ of Section 23 And The Northwest ¼ of Section 26, Township 3 South, Range 68 West of The Sixth Principal Meridian, City and County of Denver, State of Colorado.

Containing 5,280 Square Feet, More or Less.

be and the same is hereby approved and the described right-of-way is hereby vacated and declared vacated;

PROVIDED, HOWEVER, said vacation shall be subject to the following reservation:

A perpetual, non-exclusive easement is hereby reserved by the City and County of Denver, its successors and assigns, over, under, across, along, and through the vacated area for the purposes of constructing, operating, maintaining, repairing, upgrading and replacing public or private utilities including, but not limited to, storm drainage, sanitary sewer, and water facilities and all appurtenances to said utilities. A hard surface shall be maintained by the property owner over the entire vacated area. The City reserves the right to authorize the use of the reserved easement by all utility providers with existing facilities in the vacated area. No trees, fences, retaining walls, landscaping or structures shall be allowed over, upon or under the vacated area. Any such obstruction may be removed by the

1 City or the utility provider at the property owner's expense. The property owner shall not re-grade or
2 alter the ground cover in the vacated area without permission from the City and County of Denver. The
3 property owner shall be liable for all damages to such utilities, including their repair and replacement,
4 at the property owner's sole expense. The City and County of Denver, its successors, assigns,
5 licensees, permittees and other authorized users shall not be liable for any damage to property
6 owner's property due to use of this reserved easement.

7 COMMITTEE APPROVAL DATE: April 3, 2014 [by consent]

8 MAYOR-COUNCIL DATE: April 8, 2014

9 PASSED BY THE COUNCIL: April 21, 2014

10 Mayor Bob Sullivan - PRESIDENT

11 APPROVED: [Signature] - MAYOR April 22, 2014
ACTING MAYOR

12 ATTEST: [Signature] - CLERK AND RECORDER,
13 EX-OFFICIO CLERK OF THE
14 CITY AND COUNTY OF DENVER
15

16 NOTICE PUBLISHED IN THE DAILY JOURNAL: April 18, 2014; April 25, 2014

17 PREPARED BY: Brent A. Eisen, Assistant City Attorney DATE: April 10, 2014

18 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of the
19 City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
20 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to §
21 3.2.6 of the Charter.
22

23 D. Scott Martinez, Denver City Attorney

24 BY: [Signature], City Attorney

DATE: 10 Apr, 2014

