


REQUEST FOR ORDINANCE TO RELINQUISH AN EASEMENT

TO: Ivone Avila-Ponce, City Attorney's Office

FROM: Glen Blackburn, PE, Director, Right of Way Services 

PROJECT NO: 2023-RELINQ-0000009

DATE: October 31, 2023

SUBJECT: Request for an Ordinance to relinquish a portion of the easements established in Vacating Ordinance No. 793, Series of 2002, and Vacating Ordinance No. 309, Series of 2020. Located at 2565 East Alameda Circle.

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

This office has investigated the request of Ross Peterson, dated August 20, 2023 on behalf of Lupe-Rebeka Samaniego Wuth for the relinquishment of the subject easements.

This matter has been coordinated with Asset Management; City Forester; Comcast; Denver Water; DOTI: Survey, Construction Engineering, Policy & Planning, TES Signing and Striping, DES Transportation & Wastewater, Denver Fire Department; Historic Preservation/Landmark; Metro Water Recovery; Emergency Management; Parks & Recreation; CenturyLink; Xcel Energy; City Councilperson Hinds, District 10; CPD: DS Project Coordinator; RTD; and CDOT all of whom have indicated no objection to the proposed easement relinquishments.

As a result of these investigations, it has been determined that there is no objection to relinquishing the subject easements.

Therefore, you are requested to initiate Council action to relinquish the easements in the following described areas:

INSERT PARCEL DESCRIPTION 2023-RELINQ-0000009-001 HERE

A vicinity map of the subject easement areas and a copy of the documents creating the easements are attached.

GB:je

cc: City Councilperson & Aides
City Council Staff – Luke Palmisano
Department of Law – Bradley Beck
Department of Law – Deanne Durfee
Department of Law – Maureen McGuire
Department of Law – Martin Plate
DOTI, Manager's Office – Alba Castro
DOTI, Legislative Services – Jason Gallardo
DOTI, Survey – Paul Rogalla

City and County of Denver Department of Transportation & Infrastructure
Right-of-Way Services | Engineering & Regulatory
201 W Colfax Ave, Dept 507 | Denver, CO 80202
www.denvergov.org/doti
Phone: 720-865-3003

ORDINANCE/RESOLUTION REQUEST

Please email requests to Jason Gallardo
at Jason.Gallardo@denvergov.org by **12:00pm on Monday**. Contact him with questions.

Date of Request: October 31, 2023

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.)

Request for an Ordinance to relinquish a portion of the easements established in Vacating Ordinance No. 793, Series of 2002, and Vacating Ordinance No. 309, Series of 2020. Located at 2565 East Alameda Circle.

3. Requesting Agency: Department of Transportation & Infrastructure, Right of Way Services, Engineering & Regulatory

4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution	Contact person to present item at Mayor-Council and Council
Name: Jessica Eusebio	Name: Jason Gallardo
Email: Jessica.Eusebio@denvergov.org	Email: Jason.Gallardo@denvergov.org

5. General description or background of proposed request. Attach executive summary if more space needed:

Request for an Ordinance to relinquish a portion of the easements established in Vacating Ordinance No. 793, Series of 2002, and Vacating Ordinance No. 309, Series of 2020. Located at 2565 East Alameda Circle.

6. City Attorney assigned to this request (if applicable): Martin Plate

7. City Council District: Councilperson Kashmann, District 6

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?

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____

EASEMENT RELINQUISHMENT EXECUTIVE SUMMARY

Project Title: 2023-RELINQ-0000009 - 2565 E Alameda Cir Relinquishments

Property Owner: Lupe-Rebeka Samaniego Wuth

Description of Proposed Project: Request for an Ordinance to relinquish a portion of the easements established in Vacating Ordinance No. 793, Series of 2002, and Vacating Ordinance No. 309, Series of 2020. Located at 2565 East Alameda Circle.

Background: The applicant is seeking a partial relinquishment of the easements in order to complete an addition-remodel project at 2565 East Alameda Circle.

Location Map: Continued on next page.



City and County of Denver Department of Transportation & Infrastructure
Right-of-Way Services / Engineering & Regulatory
201 W Colfax Ave, Dept 507 | Denver, CO 80202
www.denvergov.org/dotj
Phone: 720-865-3003

EASEMENT EXHIBIT 2023-RELINQ-0000009-001

PARCEL 1: ORD. NO. 309, SERIES OF 2020

PARCEL 2: ORD. NO. 793, SERIES OF 2002

LAND DESCRIPTION

PARCEL 1:

PARCEL 1 LYING SOUTH OF LOT 7, ADAMS COUNTRY CLUB SUBDIVISION AND ABUTTING THE VACATED PORTION OF ALAMEDA AVE.. AS DESCRIBED IN ORDINANCE NO. 793, SERIES 2002 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, LOCATED IN THE SW 1/4 OF SECTION 12, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 7;
THENCE S00°26'44"E ALONG THE SOUTHERLY EXTENSION OF THE EAST LINE OF SAID LOT 7, A DISTANCE OF 20.00 FEET TO THE SOUTH LINE OF SAID VACATED PORTION OF ALAMEDA AVE., AND THE POINT OF BEGINNING;

THENCE CONTINUING S00°26'44"E ALONG SAID SOUTHERLY EXTENSION, A DISTANCE OF 8.00 FEET;
THENCE S89°51'46"W ALONG A LINE 8.00 FEET SOUTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID VACATED PORTION OF ALAMEDA AVE., A DISTANCE OF 88.16 FEET-
THENCE N59°09'01"W, A DISTANCE OF 18.87 FEET TO A POINT OF TANGENCY ON THE SOUTHWESTERLY LINE OF SAID VACATED PORTION OF ALAMEDA AVE.;

THENCE THE FOLLOWING TWO (2) COURSES ALONG THE SOUTHWESTERLY AND SOUTHERLY LINES OF SAID VACATED PORTION OF ALAMEDA AVE.;

- 1) 6.49 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 12.00 FEET, A CENTRAL ANGLE OF 30°59'13", AND WHOSE CHORD BEARS S74°38'37"E, A DISTANCE OF 6.41 FEET;
- 2) N89°51'46"E, A DISTANCE OF 98.11 FEET TO THE POINT OF BEGINNING.

CONTAINING 759 SQUARE FEET (0.017 ACRES) MORE OR LESS.

THE BASIS OF BEARINGS: BEARINGS ARE BASED ON A GRID BEARING OF N05°01'14"E FROM USGS BM_65 TO CCD BM183A. USGS BM_65 IS A FOUND USGS BM DISK SET IN CONCRETE AND CCD BM183A IS A FOUND CCD BRASS CAP.

TOGETHER WITH:

PARCEL 2:

THAT PART OF ALAMEDA AVENUE AS SHOWN ON THE PLAT OF ADAMS COUNTRY CLUB SUBDIVISION, RECORDED IN BOOK 23 AT PAGE 52 IN THE CLERK AND RECORDERS OFFICE, LOCATED IN THE SW 1/4 OF SECTION 12, T. 4 S., R. 68 W. OF THE 6TH P.M. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SW CORNER OF LOT 7, ADAMS COUNTRY CLUB SUBDIVISION;
THENCE SOUTH ALONG THE WEST LINE OF SAID LOT 7 EXTENDED SOUTH A DISTANCE OF 8.00 FEET TO A POINT OF CURVATURE;
THENCE ALONG THE ARC OF A CURVE TO THE LEFT WITH A CENTRAL ANGLE OF 90°00'00" A RADIUS OF 12.00 FEET AND AN ARC LENGTH OF 18.85 FEET TO THE POINT OF TANGENCY;
THENCE EASTERLY PARALLEL WITH THE SOUTH LINE OF SAID LOT 7 A DISTANCE OF 98.11 FEET;
THENCE ON A DEFLECTION ANGLE TO THE LEFT OF 90°18'30" A DISTANCE OF 20.00 FEET ALONG THE EAST LINE OF LOT 7 EXTENDED SOUTH TO THE SE CORNER OF SAID LOT 7;
THENCE WESTERLY ON A DEFLECTION ANGLE TO THE LEFT OF 89°41'30" AND ALONG THE SOUTH LINE OF SAID LOT 7, A DISTANCE OF 110.00 FEET TO THE POINT OF BEGINNING, CONTAINING 2170 SQ. FT. MORE OR LESS.

EASEMENT EXHIBIT SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THIS EASEMENT EXHIBIT WAS PREPARED FOR ROSS PETERSON AND THE CITY AND COUNTY OF DENVER. AND THAT IT IS NOT A LAND SURVEY PLAT OR IMPROVEMENT SURVEY PLAT, AND THAT IT IS NOT TO BE RELIED UPON FOR THE ESTABLISHMENT OF FENCE, BUILDING, OR OTHER FUTURE IMPROVEMENT LINES. THIS CERTIFICATE IS VALID ONLY FOR USE BY ROSS PETERSON AND THE CITY AND COUNTY OF DENVER AND DESCRIBES PARCEL'S APPEARANCE ON 8/18/2023.

PAGE 1 OF 2

ORDERED BY:

ROSS PETERSON

Colorado ilc
LAND SURVEYING

REVISIONS

DATE PREPARED:
8/18/2023

3000 Lawrence Street
Ste. 111, Denver, CO 80205
303-668-7540

DRAWN BY:
CHRIS FRANKS
JOB# 23-6-590

Digitally signed by
David L Swanson

Date: 2023.08.18
09:44:35 -06'00'

DAVID L. SWANSON,
COLORADO P.L.S# 36070
ELECTRONICALLY STAMPED

Electronically Sealed, Signed & Dated
this 18th Day of August 2023



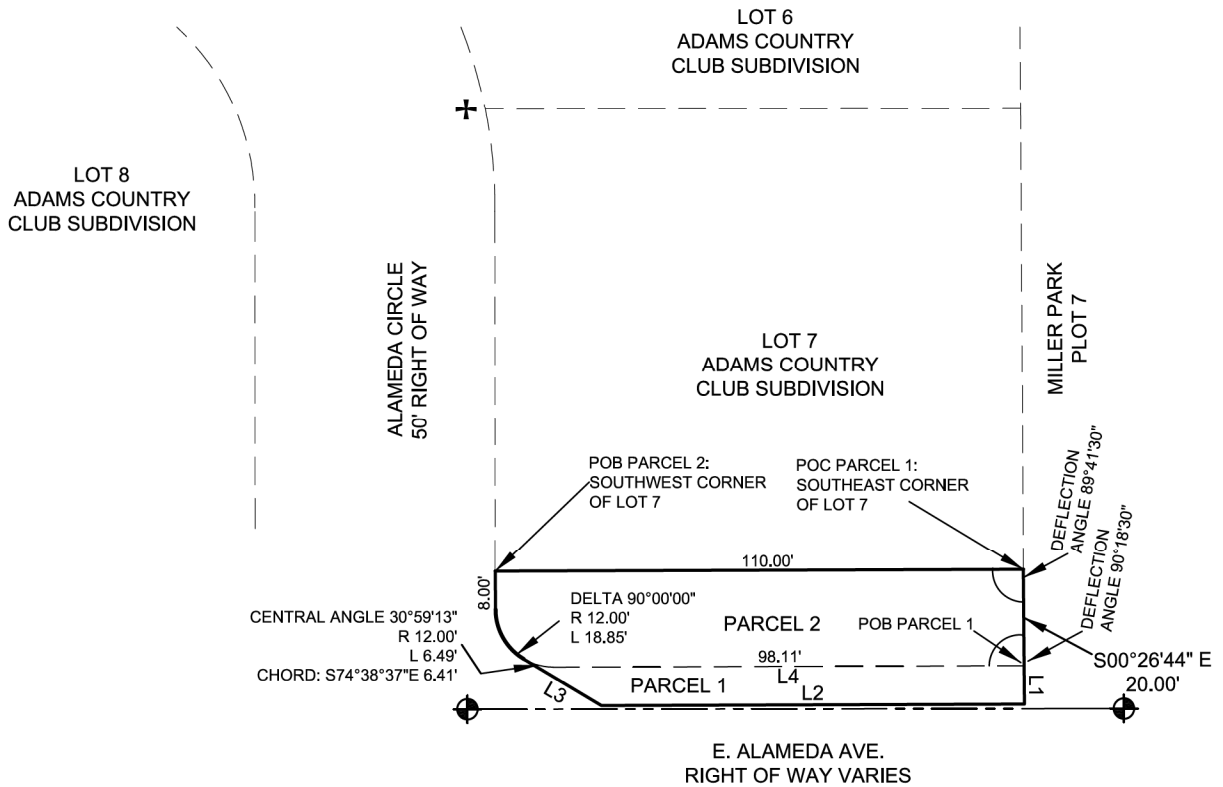
SURVEYOR'S SEAL

EASEMENT EXHIBIT

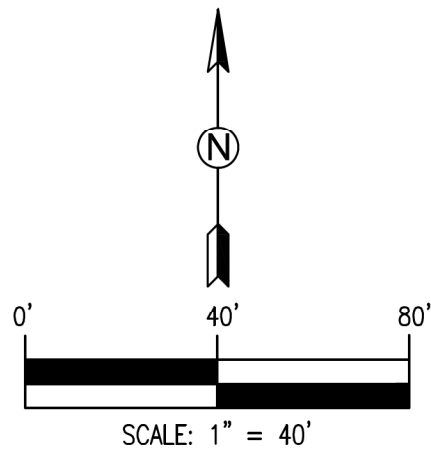
2023-RELINQ-0000009-001

PARCEL 1: ORD. NO. 309, SERIES OF 2020

PARCEL 2: ORD. NO. 793, SERIES OF 2002



LINE	BEARING	DISTANCE
L1	S 00°26'44" E	8.00'
L2	S 89°51'46" W	88.16'
L3	N 59°19'01" W	18.87'
L4	N 89°51'46" E	98.11'



PAGE 2 OF 2

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DRAWN BY:
CHRIS FRANKS
JOB# 23-6-590

LEGEND

- = FOUND SECTION CORNER
- = FOUND CHISELED CROSS
- = EASEMENT LINE
- = LOT LINE
- = SECTION LINE