

## REQUEST FOR ORDINANCE TO RELINQUISH AN EASEMENT

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

**FROM:** Matt R. Bryner, PE, Director, Right of Way Services   
Matt R. Bryner (Jul 22, 2022 10:22 MDT)

**PROJECT NO:** 2020-RELINQ-0000013

**DATE:** July 22, 2022

**SUBJECT:** Request for an Ordinance to relinquish a portion of the easement as established in the vacating Ordinance No. 520, Series of 2002. Located at 1255 North Vrain 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 James Ridgeway, dated May 27, 2020 on behalf of Martinez & Nettie, LLC for the relinquishment of the subject easement.

This matter has been coordinated with City Councilperson Sandoval, District 1; Asset Management; Emergency Management; Community Planning & Development: Planning Services; Historic Preservation/Landmark; Denver Water; Denver Fire Department; City Forester; Parks and Recreation; DOTI: ER Transportation and Wastewater, DES Transportation & Wastewater, Construction Engineering, Policy and Planning, TES Signing and Striping, Survey; Regional Transportation District; Comcast; Metro Wastewater Reclamation District; CenturyLink; and Xcel Energy, all of whom have indicated no objection to the proposed easement relinquishment(s).

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

Therefore, you are requested to initiate Council action to relinquish the easement(s) in the following described area(s):

### INSERT PARCEL DESCRIPTION 2020-RELINQ-0000013-001 HERE

A vicinity map of the subject easement area(s) and a copy of the document(s) creating the easement(s) are attached.

MB:je

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  
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](http://www.denvergov.org/doti)  
Phone: 720-865-3003

# 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: **July 22, 2022**

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 easement as established in the vacating Ordinance No. 520, Series of 2002. Located at 1255 North Vrain Street.

## 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: <a href="mailto:Jessica.Eusebio@denvergov.org">Jessica.Eusebio@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:

Request for an Ordinance to relinquish a portion of the easement as established in the vacating Ordinance No. 520, Series of 2002. Located at 1255 North Vrain Street.

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

## 7. City Council District: Councilperson Sandoval, District 1

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

## Key Contract Terms

Type of Contract: (e.g. Professional Services > \$500K; IGA/Grant Agreement, Sale or Lease of Real Property):

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

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

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

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

<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:** 2020-RELINQ-0000013 - 1255 N Vrain St

**Property Owner:** Martinez & Nettie, LLC.

**Description of Proposed Project:** Applicant is proposing to relinquish a portion of the utility easement reserved in vacating Ordinance No. 520, Series of 2002. The applicant is developing the area with rowhouses.

**Background:** The land is currently vacant and there are no existing underground or ground level utilities. The eastern portion will still be available for utility needs as the easement will remain in place over that portion of the vacated right-of-way.

**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/dot](http://www.denvergov.org/dot)  
Phone: 720-865-3003

## EXHIBIT A

### LAND DESCRIPTION

The west one-half of Vrain Street vested in the owner of Lots 1-5, Block 4, Pleasant Hill by virtue of Vacation Ordinance No. 520, Series of 2002, recorded July 15, 2002 under Reception No. 2002124714 in the records of the City and County of Denver Clerk and Recorder, being located in the NW¼, Section 6, Township 4 South, Range 68 West of the 6th Principal Meridian, being more particularly described as follows:

Beginning at the NE corner of said Lot 1;

Thence S89°59' 18"E along the north line of said lot extended easterly, 20.00 feet to the range point located on the Vrain Street 20-foot range line;

Thence N89°59'02"E along the north line of Lot 32, Block 3 of said Pleasant Hill extended westerly, 10.00 feet to the east line of said west one-half of Vrain Street vacated;

Thence S0°44'00"E along said west line, 115.88 feet to a non-tangent, 52.00-foot radius curve in the north right-of-way line of Vrain Street;

Thence westerly along said non-tangent, 52.00-foot radius curve (having a chord bearing of N66°44'28"W and a chord distance of 32.84 feet), concave southerly through a central angle of 36°48'29", a distance of 33.41 feet to the west line of said west one-half of Vrain Street vacated;

Thence N0°44'00"W along said west line, 102.91 feet to the Point of Beginning.

Said parcel, as described, contains 3,223 square feet or 0.07 acres, more or less.

### BASIS OF BEARINGS

The east line of Lots 1-15, Block 4, Pleasant Hill is assumed to bear N0°44'00"W. It is monumented at the NE corner Lot 1 and at the south tip of the cul-de-sac bulb near the SE corner of Lot 9 by a #5 rebar & cap, stamped "Bayer PLS 6973".

### CERTIFICATION

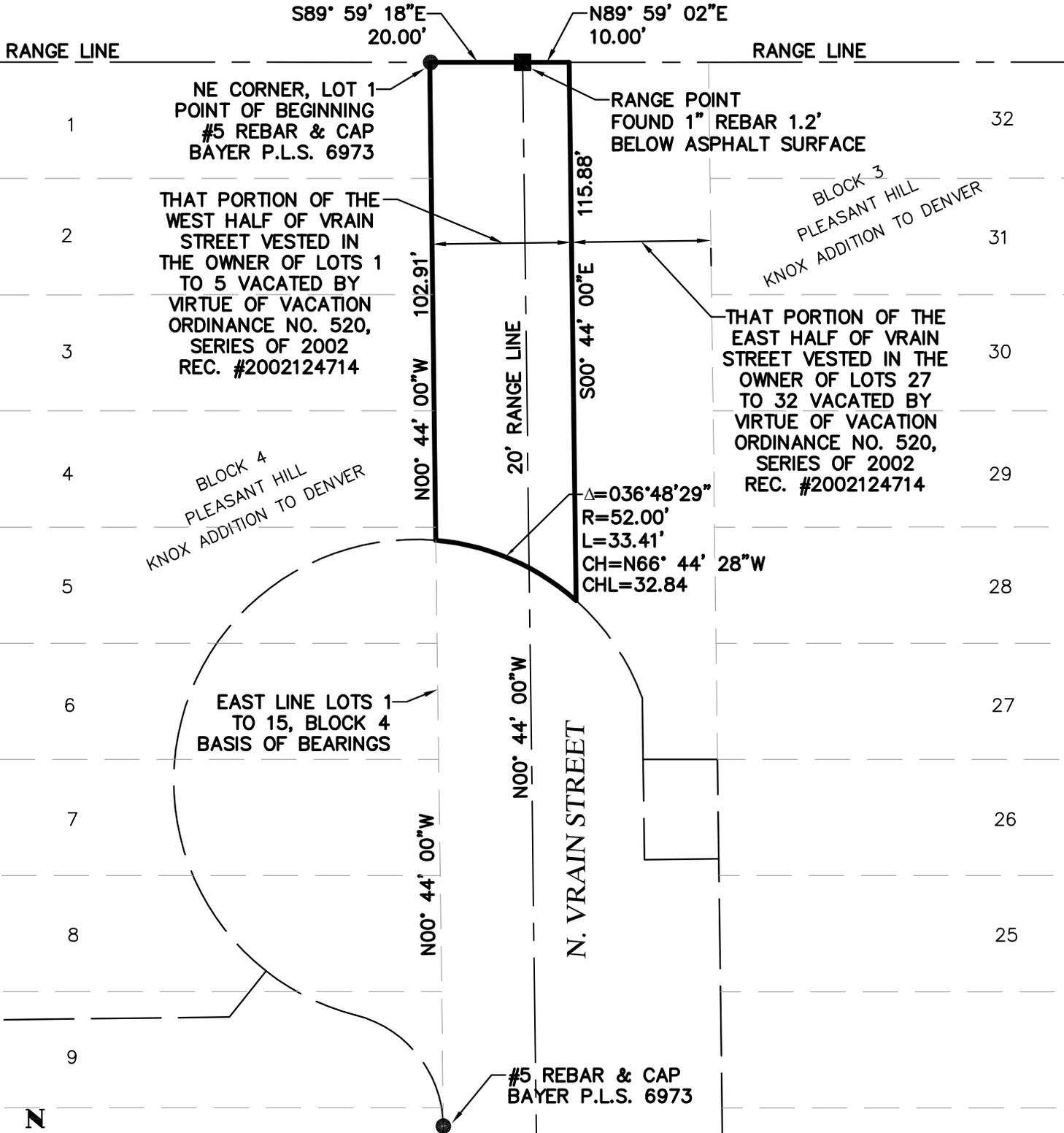


Brian Krombein, PE, PLS  
For and on behalf of  
Vermilion Peak Engineering LLC  
1745 Shea Center Drive, 4th Floor  
Highlands Ranch, CO 80129



7/22/20

# EXHIBIT A



0 15 30  
SCALE: 1" = 30'

1255 VRAIN STREET  
JOB NO. 18013  
DATE: JULY 22, 2020  
SHEET 2 OF 2

**Vermilion Peak Engineering**  
Civil Engineering & Land Surveying  
1745 Shea Center Drive, 4th Floor  
Highlands Ranch, CO 80129  
720-402-6070 / www.vermilionpeak.com