


REQUEST FOR ORDINANCE TO RELINQUISH AN EASEMENT

TO: Caroline Martin, City Attorney's Office

FROM: Matt R. Bryner, PE, Director, Right of Way Services 

PROJECT NO: 2021-RELINQ-0000003

DATE: May 24, 2021

SUBJECT: Request for an Ordinance to relinquish a portion of the 6 foot utility easement(s) established in the Gateway Landing Subdivision Plat with Recordation No. 2020200141. Located at 4909 North Telluride 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 Kimley-Horn and Associates, Inc. c/o Eric McDaniel, dated February 2, 2021 on behalf of Millennium Green Valley Ranch Owner, LLC. c/o Lynton Smith for the relinquishment of the subject easement(s).

This matter has been coordinated with City Councilperson Gilmore, District 11; 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; Colorado Department of Transportation; 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 2021-RELINQ-0000003-001 HERE

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

MB:dp



DENVER
THE MILE HIGH CITY

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
Phone: 720-865-3003

311 | POCKETGOV.COM | DENVERGOV.ORG | DENVER 8 TV

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: May 24, 2021

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 6-foot utility easement(s) established in the Gateway Landing Subdivision Plat with Recordation No. 2020200141. Located at 4909 North Telluride Street.

3. Requesting Agency: Department of Transportation and Infrastructure; Engineering and Regulatory

4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution	Contact person to present item at Mayor-Council and Council
Name: Devin Price	Name: Jason Gallardo
Email: devin.price@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 6-foot utility easement(s) established in the Gateway Landing Subdivision Plat with Recordation No. 2020200141. Located at 4909 North Telluride Street.

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

7. City Council District: Councilperson Gilmore, District 11

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

Key Contract Terms

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____

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 (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: 2021-RELINQ-0000003 - 4909 N Telluride St Relinquishment

Property Owner: Millennium Green Valley Ranch Owner, LLC c/o Lynton Smith

Description of Proposed Project: Request for an Ordinance to relinquish a portion of the 6 foot utility easement(s) established in the Gateway Landing Subdivision Plat with Recordation No. 2020200141. Located at 4909 North Telluride Street.

Background: Applicant is requesting the relinquishment to support the right-of-way dedication in the Northeast corner of Green Valley Apartments project.

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

EXHIBIT A

LEGAL DESCRIPTION

A PORTION OF THAT 6.00-FOOT-WIDE UTILITY EASEMENT AS DEPICTED ON LOT 1, BLOCK 2, GATEWAY LANDING SUBDIVISION AS RECORDED UNDER RECEPTION NO. 2020200141 IN THE OFFICIAL RECORDS OF THE CLERK AND RECORDER, CITY AND COUNTY OF DENVER, STATE OF COLORADO, LYING IN THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, SAID COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER QUARTER CORNER OF SAID SECTION 16, WHENCE THE EAST LINE OF SAID SOUTHWEST QUARTER BEARS SOUTH 00°04'35" EAST, A DISTANCE OF 2,649.97 FEET, BEING MONUMENTED BY A 3-1/4" ALUMINUM CAP STAMPED PLS NO. 20699, AND AT THE CENTER QUARTER CORNER AND A 3-1/4" ALUMINUM CAP STAMPED PLS NO. 36053 AT THE SOUTH QUARTER CORNER, WITH ALL BEARINGS REFERENCED HEREIN BEING RELATIVE THERETO.

THENCE ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER, SOUTH 00°04'35" EAST, A DISTANCE OF 1,536.04 FEET;

THENCE DEPARTING SAID EAST LINE, SOUTH 89°52'50" WEST, A DISTANCE OF 94.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 1, AND THE **POINT OF BEGINNING**;

THENCE ALONG THE EASTERLY BOUNDARY OF SAID LOT 1, SOUTH 00°04'35" EAST, A DISTANCE OF 10.30 FEET;

THENCE DEPARTING SAID EASTERLY BOUNDARY, NORTH 63°33'16" WEST, A DISTANCE OF 6.71 FEET TO THE WESTERLY BOUNDARY OF SAID 6.00-FOOT-WIDE UTILITY EASEMENT;

THENCE ALONG SAID WESTERLY BOUNDARY AND THE SOUTHERLY BOUNDARY OF SAID 6.00-FOOT-WIDE UTILITY EASEMENT THE FOLLOWING TWO (2) COURSES:

1. NORTH 00°04'35" WEST, A DISTANCE OF 1.30 FEET;
2. SOUTH 89°52'50" WEST, A DISTANCE OF 2.59 FEET;

THENCE DEPARTING SAID SOUTHERLY BOUNDARY, NORTH 63°33'16" WEST, A DISTANCE OF 13.42 FEET TO THE NORTHERLY BOUNDARY OF SAID LOT 1;

THENCE ALONG SAID NORTHERLY BOUNDARY, NORTH 89°52'50" EAST, A DISTANCE OF 20.60 FEET TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 0.002 ACRES, (104 SQUARE FEET), MORE OR LESS.

EXHIBIT ATTACHED AND MADE A PART HEREOF.

BRADY J. MOORHEAD, PLS 38668
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVENUE, SUITE 1
LITTLETON, CO 80122

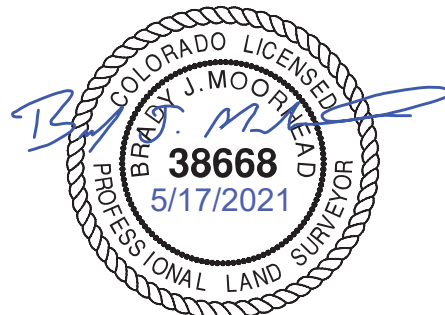
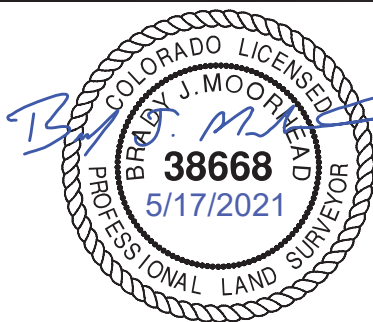


EXHIBIT A



POINT OF COMMENCEMENT
C 1/4 CORNER OF SECTION 16

T3S, R66W, 6TH P.M.
 FOUND 2-1/2" STEEL PIPE WITH 3-1/4" ALUMINUM
 CAP STAMPED "VIGIL LAND CONSULTANTS LS 20699
 (1998)" 0.3"± ABOVE GROUND

E. 49TH PL.
 (68' WIDE PUBLIC ROW)
 REC. NO. 2020200141

POINT OF BEGINNING
 NE CORNER LOT 1

N89°52'50"E
 20.60'

S89°52'50"W 94.00' (TIE)

6' UTILITY EASEMENT
 REC NO. 2020200141

N63°33'16"W
 13.42'

S00°04'35"E
 10.30'

S89°52'50"W
 2.59'

PARCEL CONTAINS
 104 (SQ.FT.)
 0.002 ACRES
 MORE OR LESS

N00°04'35"W
 1.30'

E 1/2 SW 1/4 SEC. 16,
 T.3S., R.66W., SIXTH P.M.

N63°33'16"W
 6.71'

6' UTILITY EASEMENT
 REC NO. 2020200141

N. TELLURIDE ST.
 (94' WIDE PUBLIC ROW)
 REC. NO. 2008079854

S00°04'35"E 1536.04' (TIE)

S00°04'35"E 2649.97'
 EAST LINE OF THE SW 1/4 OF SEC. 16
 (BASIS OF BEARINGS)

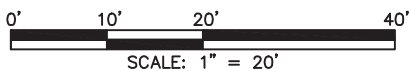
TOWER 160 SUBDIVISION
 REC. NO. 2008079854

S 1/4 CORNER SECTION 16
 T3S, R66W, 6TH P.M.

FOUND NO. 6 REBAR WITH 3-1/4" ALUMINUM CAP
 STAMPED "LUCHETTI SURVEYING INC. PLS 36053
 (2005)" 0.4"± BELOW GROUND IN RANGE BOX



LOT 1, BLOCK 2
GATEWAY LANDING
SUBDIVISION
 REC. NO. 2020200141



NOTE: THIS DRAWING DOES NOT REPRESENT A MONUMENTED LAND SURVEY AND IS ONLY INTENDED TO DEPICT THE ATTACHED LEGAL DESCRIPTION.

PATH: Q:\48120-02\Dwg\EXHIBITS
 DWG NAME:
 DWG: RBA CHK: JRW
 DATE: 2021/05/12
 SCALE: 1" = 20'



AZTEC
 CONSULTANTS, INC.

300 East Mineral Ave,
 Suite 1
 Littleton, Colorado 80122
 Phone: (303)713-1898
 Fax: (303)713-1897
www.aztecconsultants.com

EXHIBIT A

E 1/2, SW 1/4 SEC. 16, T.3S., R.66W., 6TH P.M.
 CITY AND COUNTY OF DENVER, COLORADO