


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: 2020-RELINQ-0000025

DATE: February 10, 2021

SUBJECT: Request for an Ordinance to relinquish the 8 foot utility easements on Lots 30, 31, and 32 in its entirety as established in the Tower Commons Subdivision Filing No. 1 with Recordation Number 2019168398. Located at E. 47th Place and N. Tower Drive.

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

This office has investigated the request of Terracina Design c/o Mike Weiher, dated August 17, 2020 on behalf of Clayton Properties Group II, Inc. c/o Bob Sanderman 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 2020-RELINQ-000025-001 HERE
INSERT PARCEL DESCRIPTION 2020-RELINQ-000025-002 HERE
INSERT PARCEL DESCRIPTION 2020-RELINQ-000025-003 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

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

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: February 10, 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 the 8 foot utility easements on Lots 30, 31, and 32 in its entirety as established in the Tower Commons Subdivision Filing No. 1 with Recordation Number 2019168398. Located at E. 47th Place and N. Tower Drive.

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 the 8 foot utility easements on Lots 30, 31, and 32 in its entirety as established in the Tower Commons Subdivision Filing No. 1 with Recordation Number 2019168398. Located at E. 47th Place and N. Tower Drive.

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

7. City Council District: Councilwoman 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</i> <i>(A)</i>	<i>Additional Funds</i> <i>(B)</i>	<i>Total Contract Amount</i> <i>(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-0000025 - Tower Commons Relinquishment

Property Owner: Clayton Properties Group II, Inc. c/o Bob Sanderman

Description of Proposed Project: Request for an Ordinance to relinquish the 8 foot utility easements on Lots 30, 31, and 32 in its entirety as established in the Tower Commons Subdivision Filing No. 1 with Recordation Number 2019168398. Located at E. 47th Place and N. Tower Drive.

Background: The applicant requests the relinquishment of this easement to accommodate a different parcel configuration and new easement configuration. The new area will now be Parcels 30A, 31A, 31B, 32A.

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/doti
Phone: 720-865-3003

EXHIBIT A

LEGAL DESCRIPTION

A PORTION OF THE 8' UTILITY EASEMENT ACROSS LOTS 30, 31 AND 32 AS DEDICATED BY TOWER COMMONS SUBDIVISION FILING NO. 1, RECORDED AT RECEPTION NO. 2019168398 IN THE RECORDS OF THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE LYING WITHIN THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE BEARINGS FOR THIS DESCRIPTION ARE BASED ON THE NORTH LINE OF LOT 30, SAID TOWER COMMONS SUBDIVISION FILING NO. 1, BEARING S 89°59'55" E, FROM THE NORTHWEST CORNER OF SAID LOT 30 BEING MONUMENTED BY A REBAR WITH A YELLOW PLASTIC CAP STAMPED "PLS 38151", TO THE NORTHEAST CORNER OF SAID LOT 30 BEING MONUMENTED BY A REBAR WITH A YELLOW PLASTIC CAP STAMPED "PLS 38151", AS SHOWN THEREON, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

PARCEL 1:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 30, ALSO BEING A POINT ON THE SOUTH LINE OF 47TH PLACE, THENCE S 00°00'05" W, ALONG THE EAST LINE OF SAID LOT 30, A DISTANCE OF 5.00 FEET TO A POINT ON THE SOUTH LINE OF THAT 5-FOOT UTILITY EASEMENT LOCATED IN SAID LOT 30 AND THE POINT OF BEGINNING;

THENCE S 00°00'05" W, ALONG SAID EAST LINE, A DISTANCE OF 38.50 FEET TO THE SOUTHEAST CORNER OF SAID LOT 30;

THENCE N 89°59'55" W, ALONG THE SOUTH LINE OF SAID LOT 30, A DISTANCE OF 8.00 FEET;

THENCE N 00°00'05" E, ALONG A LINE BEING 8-FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID LOT 30, A DISTANCE OF 38.50 FEET TO A POINT ON THE SOUTH LINE OF THAT 5-FOOT UTILITY EASEMENT LOCATED WITHIN SAID LOT 30;

THENCE S 89°59'55" E, ALONG SAID SOUTH LINE, A DISTANCE OF 8.00 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 308 SQUARE FEET OR 0.007 ACRES, MORE OR LESS.

PARCEL 2:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 31, THENCE S 00°00'05" W, ALONG THE EAST LINE OF SAID LOT 31, A DISTANCE OF 46.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 31;

THENCE N 89°59'55" W, ALONG THE SOUTH LINE OF SAID LOT 31, A DISTANCE OF 8.00 FEET;

THENCE N 00°00'05" E, ALONG A LINE BEING 8-FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID LOT 31, A DISTANCE OF 46.00 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 31;

THENCE S 89°59'55" E, ALONG SAID NORTH LINE, A DISTANCE OF 8.00 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 368 SQUARE FEET OR 0.008 ACRES, MORE OR LESS.

PARCEL 3:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 32, THENCE S 00°00'05" W, ALONG THE EAST LINE OF SAID LOT 32, A DISTANCE OF 38.65 FEET TO A POINT ON THE NORTH LINE OF THAT 6-FOOT UTILITY EASEMENT LOCATED WITHIN SAID LOT 32;

THENCE S 49°52'27" W, ALONG SAID NORTH LINE, A DISTANCE OF 10.46 FEET;

THENCE N 00°00'05" E, ALONG A LINE BEING 8-FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID LOT 32, A DISTANCE OF 45.40 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 32;

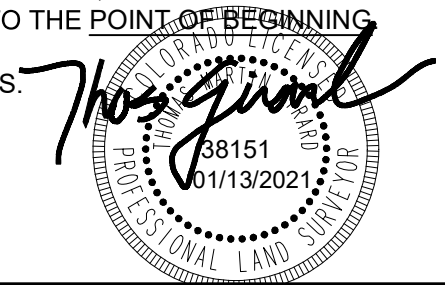
THENCE S 89°59'55" E, ALONG SAID NORTH LINE, A DISTANCE OF 8.00 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 336 SQUARE FEET OR 0.008 ACRES, MORE OR LESS.

THOMAS M. GIRARD
COLORADO PLS 38151
FOR AND ON BEHALF OF
CORE CONSULTANTS, INC.

2020-RELINQ-000025-002

2020-RELINQ-000025-003



NOTE: THIS DOES NOT REPRESENT A MONUMENTED SURVEY.
IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION

PROJECT: 18-006
DATE: 01/11/2021
SHEET 1 OF 2

DR: D. BUCHHOLZ
DS: T. GIRARD
P.M.:



CORE
CONSULTANTS

CIVIL ENGINEERING
DEVELOPMENT CONSULTING
NATURAL RESOURCES
LAND SURVEYING

303.703.4444
1950 W. Littleton Blvd., Ste. 109
Littleton, CO 80120

EXHIBIT A

2020-RELINQ-000025-001
 2020-RELINQ-000025-002
 2020-RELINQ-000025-003

47TH PL. (TRACT D)
 (32' PRIVATE ACCESS)

BASIS OF BEARINGS S89°59'55"E
 NORTH LINE, LOT 30 - S 89°59'55" E 8.00'

POINT OF COMMENCEMENT
 NORTHEAST CORNER,
 LOT 30

5' UTILITY EASEMENT

5.00'

LOT 30
 PARCEL 1
 ±308 S.F.
 0.007 AC.

POINT OF BEGINNING
 PARCEL 1

N0°00'05"E 38.50'

S0°00'05"W 38.50'

TRACT C

N89°59'55"W
 8.00'

PARCEL 2
 ±368 S.F.
 0.008 AC.

POINT OF BEGINNING
 PARCEL 2

N0°00'05"E 46.00'

S0°00'05"W 46.00'

TOWER COMMONS
 SUBDIVISION FILING NO. 1
 REC. 2019168398

TRACT C

S89°59'55"E
 8.00'

POINT OF BEGINNING
 PARCEL 3

N0°00'05"E 45.40'

S0°00'05"W 38.65'

6' UTILITY EASEMENT

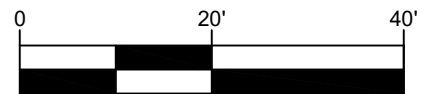
TOWER DR. (TRACT D)
 (32' PRIVATE ACCESS)

PARCEL 3
 ±336 S.F.
 0.008 AC.

S49°52'27"W
 10.46'

LOT 32

TOWER COMMONS
 SUBDIVISION FILING NO. 1
 REC. 2019168398



1 inch = 20 ft.

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PROJECT: 18-006
 DATE: 01/11/2021
 SHEET 2 OF 2

DR: D. BUCHHOLZ
 DS: T. GIRARD
 P.M.:



CORE
 CONSULTANTS

CIVIL ENGINEERING
 DEVELOPMENT CONSULTING
 NATURAL RESOURCES
 LAND SURVEYING
 303.703.4444
 1950 W. Littleton Blvd., Ste. 109
 Littleton, CO 80120