


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 (Jan 24, 2023 09:56 MST)

PROJECT NO: 2022-RELINQ-0000020

DATE: January 23, 2023

SUBJECT: Request for an Ordinance to relinquish a portion of easement established in Pena Station Filing No. 2, Recordation No. 2020050433. Located at 6105 North Tower Road.

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

This office has investigated the request of JR Engineering, LLC, dated July 26, 2022 on behalf of Rail Stop LLC for the relinquishment of the subject easement.

This matter has been coordinated with City Councilperson Gilmore, District 11; Asset Management; Emergency Management; Community Planning & Development: Development Services; Historic Preservation/Landmark; Denver Water; Denver Fire Department; City Forester; Parks and Recreation; DOTI: 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.

As a result of these 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 easement in the following described area:

INSERT PARCEL DESCRIPTION 2022-RELINQ-0000020-001 HERE

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

MB:bw

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: January 24, 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 easement established in Pena Station Filing No. 2, Recordation No. 2020050433. Located at 6105 North Tower Road.

3. **Requesting Agency:** DOTI: Right of Way; 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: Brianne White	Name: Jason Gallardo
Email: brianne.white@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 easement established in Pena Station Filing No. 2, Recordation No. 2020050433. Located at 6105 North Tower Road.

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: 2022-RELINQ-0000020 - 6105 N Tower Rd Partial Relinquishment

Property Owner: Rail Stop LLC

Description of Proposed Project: Request for an Ordinance to relinquish a portion of easement established in Pena Station Filing No. 2, Recordation No. 2020050433. Located at 6105 North Tower Road.

Background: The relinquishment is being requested to be partially relinquished for the development of a multi-unit dwelling complex.

Location Map:



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



J-R ENGINEERING

EXHIBIT A

LAND DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF THAT 10-FOOT UTILITY EASEMENT AS SHOWN ON THE PLAT OF PENA STATION FILING NO. 2 RECORDED UNDER RECEPTION NO. 2020050433 IN THE RECORDS OF THE DENVER COUNTY CLERK AND RECORDER, LOCATED IN THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, BEING MONUMENTED BY A 3-1/4" ALUMINUM CAP STAMPED "LS38252" IN A RANGE BOX AT THE EAST 1/4 CORNER, AND A 3-1/4" ALUMINUM CAP STAMPED "LS 27278" IN A RANGE BOX AT THE NORTHEAST CORNER, BEARING N00°11'13"W AS REFERENCED TO UTM ZONE 13.

COMMENCING AT THE EAST QUARTER CORNER OF SECTION 9, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN;

THENCE ON THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 9, N00°11'13"W A DISTANCE OF 714.51 FEET;

THENCE DEPARTING SAID EAST LINE, S89°48'47"W A DISTANCE OF 80.00 FEET, TO A POINT ON THE SOUTHERLY LINE OF BLOCK 3, AS SHOWN ON THE PLAT PENA STATION FILING NO. 2 RECORDED UNDER RECEPTION NO. 2020050433 IN THE RECORDS OF THE DENVER COUNTY CLERK AND RECORDER, ALSO BEING A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF 61ST AVENUE, AND THE POINT OF BEGINNING;

THENCE ON SAID NORTHERLY RIGHT-OF-WAY LINE, THE FOLLOWING FOUR (4) COURSES:

1. S66°09'58"W A DISTANCE OF 14.94 FEET;
2. N89°52'28"W A DISTANCE OF 117.65 FEET;
3. S87°09'36"W A DISTANCE OF 125.64 FEET;
4. N89°52'28"W A DISTANCE OF 265.58 FEET;

THENCE DEPARTING SAID NORTHERLY RIGHT-OF-WAY LINE, N13°35'37"W A DISTANCE OF 10.29 FEET, TO A POINT ON THE NORTHERLY LINE OF THAT 10-FOOT UTILITY EASEMENT RECORDED UNDER RECEPTION NO. 2020050433;

THENCE ON SAID NORTHERLY EASEMENT LINE, THE FOLLOWING FOUR (4) COURSES:

1. S89°52'28"E A DISTANCE OF 267.76 FEET;
2. N87°09'36"E A DISTANCE OF 125.64 FEET;



EXHIBIT A

LAND DESCRIPTION CONT.

3. S89°52'28"E A DISTANCE OF 115.79 FEET;
4. N66°09'58"E A DISTANCE OF 17.19 FEET;

THENCE DEPARTING SAID NORTHERLY EASEMENT LINE, S00°11'13"E A DISTANCE OF 10.92 FEET, TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 5,251 SQUARE FEET OR 0.1205 ACRES.

EXHIBIT ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF.

PROPERTY DESCRIPTION STATEMENT

I, JARROD ADAMS, A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE ABOVE PROPERTY DESCRIPTION AND ATTACHED EXHIBIT WERE PREPARED UNDER MY RESPONSIBLE CHARGE, AND ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF, ARE CORRECT.

JARROD ADAMS, PROFESSIONAL LAND SURVEYOR
COLORADO NO. 38252
FOR AND ON BEHALF OF JR ENGINEERING, LLC

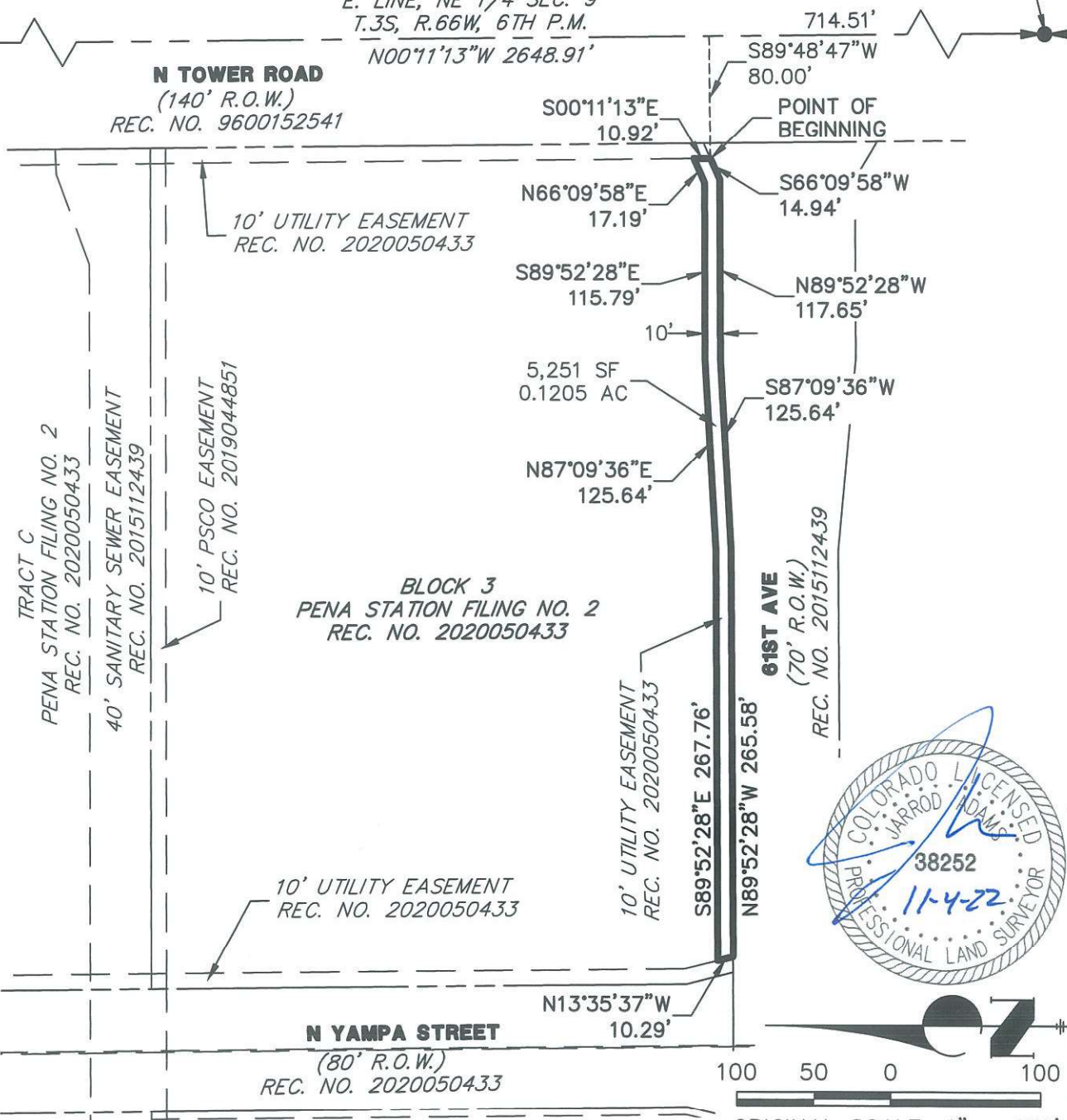


EXHIBIT A

NE COR. SEC. 9, T.3S, R.66W, 6TH P.M.
 RECOVERED 3-1/4" ALUMINUM CAP
 STAMPED: LS 27278 IN RANGE BOX

POINT OF COMMENCEMENT
 E 1/4 COR. SEC. 9, T.3S, R.66W, 6TH P.M.
 RECOVERED 3-1/4" ALUMINUM CAP
 STAMPED: LS 38252 IN RANGE BOX

BASIS OF BEARINGS
 E. LINE, NE 1/4 SEC. 9
 T.3S, R.66W, 6TH P.M.



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



61ST & TOWER
 PROJECT NO.: 15500.24
 DATE: 11/4/2022

SHEET: 3 OF 3



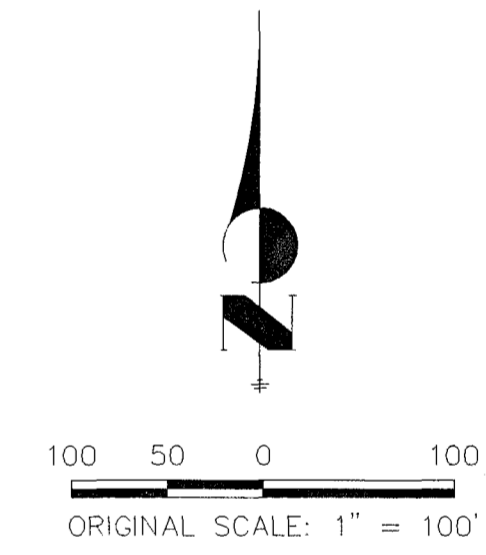
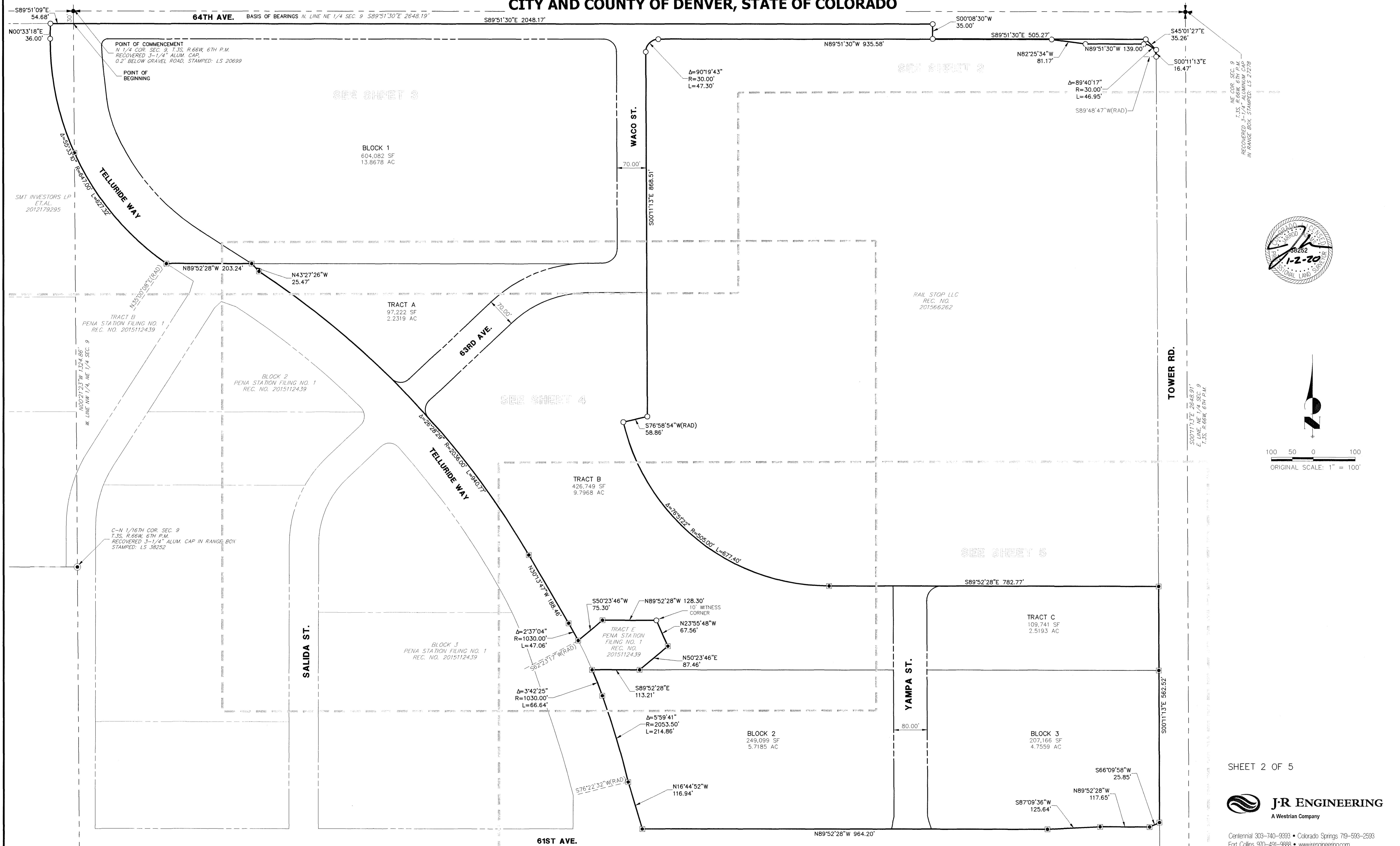
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 Fort Collins 970-491-9888 • www.jrengineering.com

PEÑA STATION FILING NO. 2

A PARCEL OF LAND BEING A RESUBDIVISION OF BLOCK 4 AND TRACT D, PEÑA STATION FILING NO. 1 TOGETHER WITH A PORTION OF THE NORTH 1/2 OF SECTION 9, TOWNSHIP 3S, RANGE 66 WEST OF THE 6TH P.M. CITY AND COUNTY OF DENVER, STATE OF COLORADO

LEGEND

- SET 18" #5 REBAR W/ 1-1/2" ALUMINUM CAP STAMPED "LS 38252"
- RECOVERED 1-1/2" ALUMINUM CAP STAMPED "LS 38252"



SHEET 2 OF 5

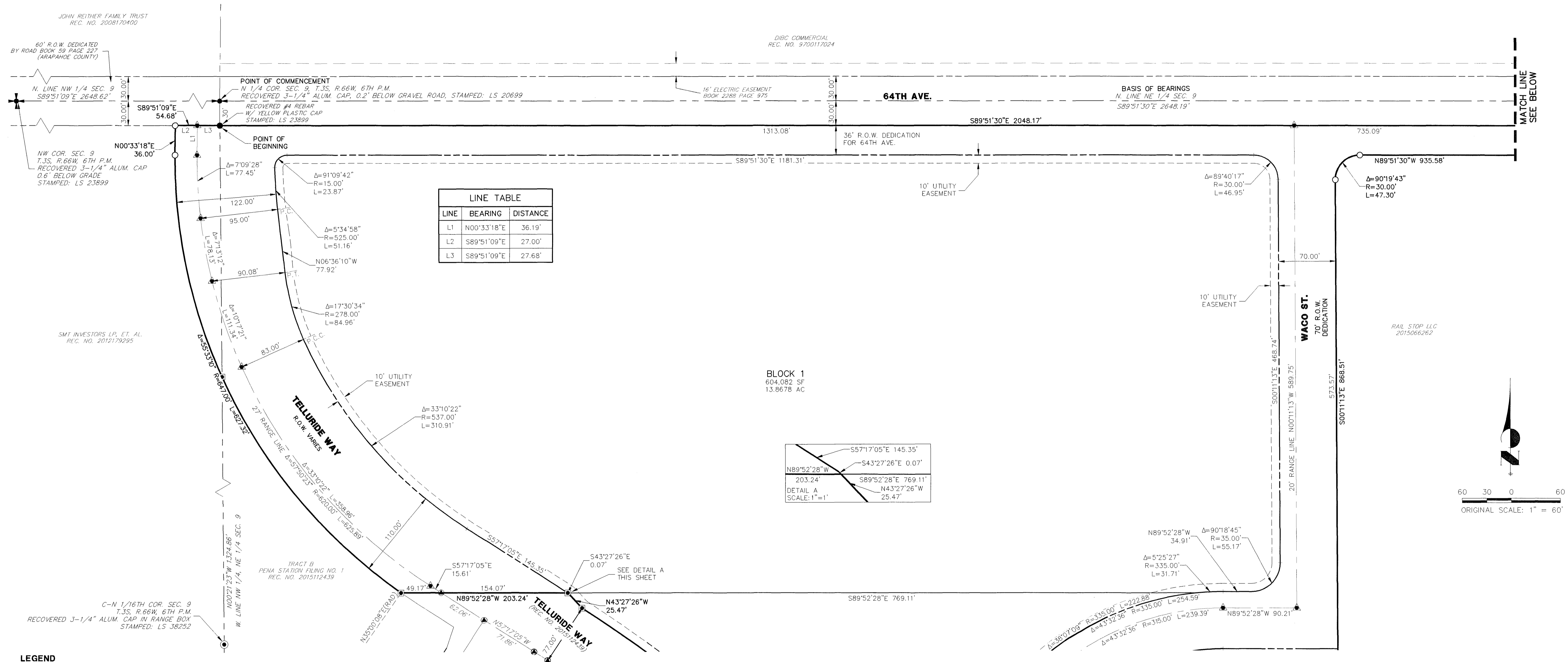
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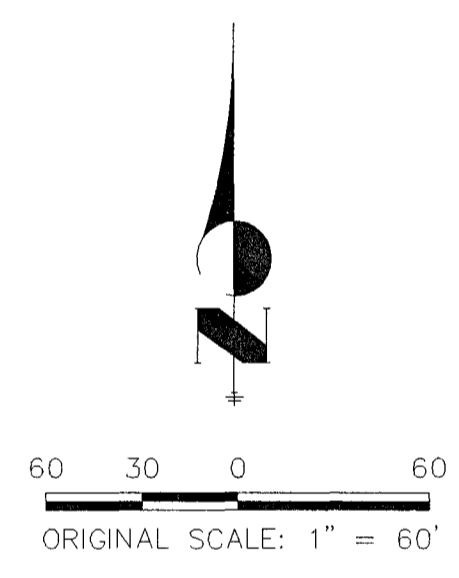
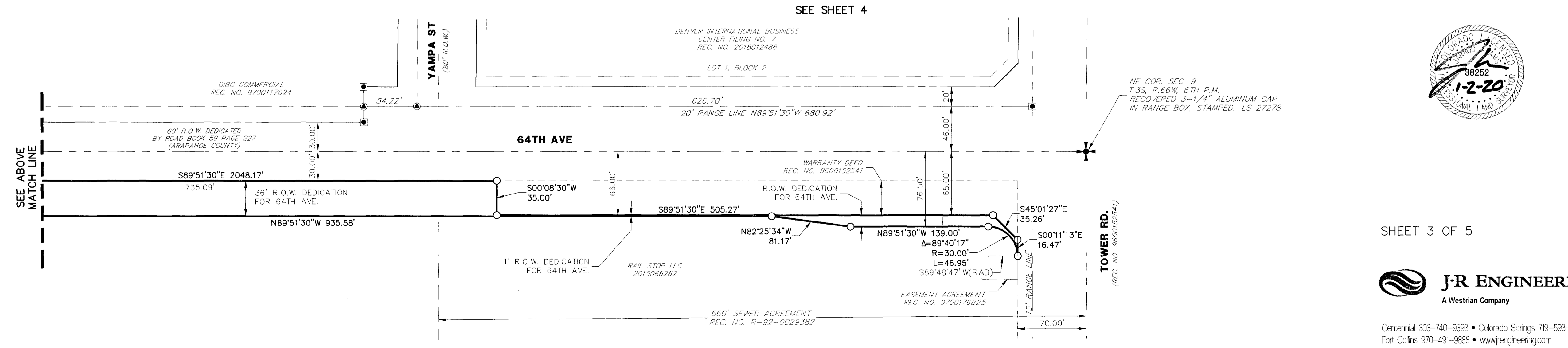
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- LEGEND**
- SET 18" #5 REBAR W/ 1-1/2" ALUMINUM CAP STAMPED "LS 38252"
 - ◻ RECOVERED 1-1/2" ALUMINUM CAP STAMPED "LS 38252"
 - ▲ RANGE POINT TO BE SET WITH ROAD CONSTRUCTION OF PEÑA STATION FILING NO. 1 AND DENVER INTERNATIONAL BUSINESS CENTER FILING NO. 7
 - RECOVERED DENVER RANGE POINT #6 REBAR W/ ALUMINUM CAP STAMPED "LS 38252"
 - ▲ RANGE POINT TO BE SET AFTER CONSTRUCTION 30" LONG #6 REBAR WITH DURABLE CAP STAMPED "RANGE POINT" & THE PLS NUMBER OF THE RESPONSIBLE SURVEYOR

- LINETYPE LEGEND**
- OUTER BOUNDARY
 - - - PROPOSED PROPERTY LINE
 - - - EXISTING PROPERTY LINE
 - - - PROPOSED R.O.W. LINE
 - - - EXISTING R.O.W. LINE
 - - - RANGE LINE
 - - - EXISTING EASEMENT LINE
 - - - PROPOSED EASEMENT LINE
 - - - SECTION LINE



SHEET 3 OF 5

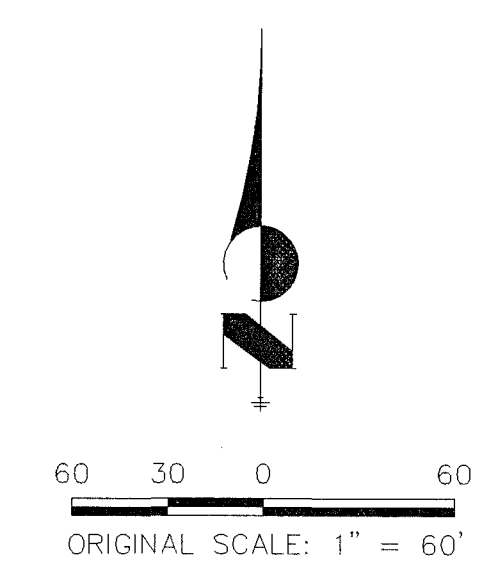
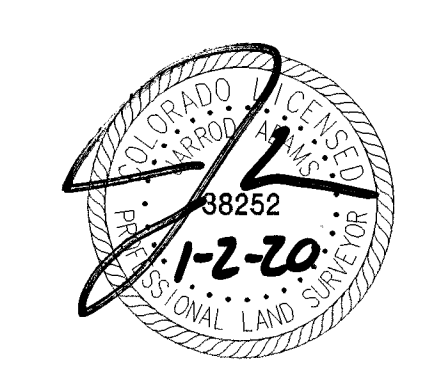
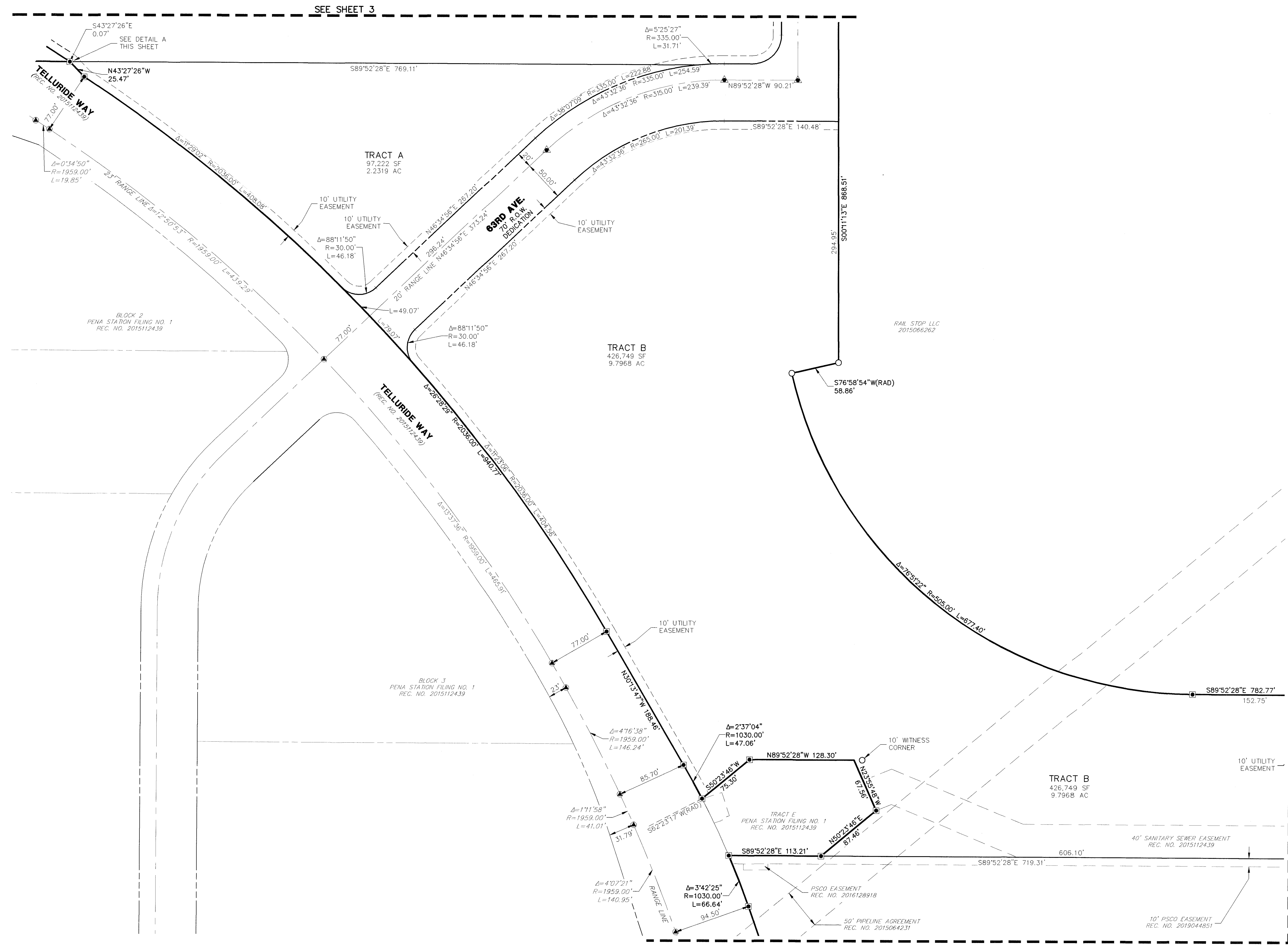


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SHEET 4 OF 5

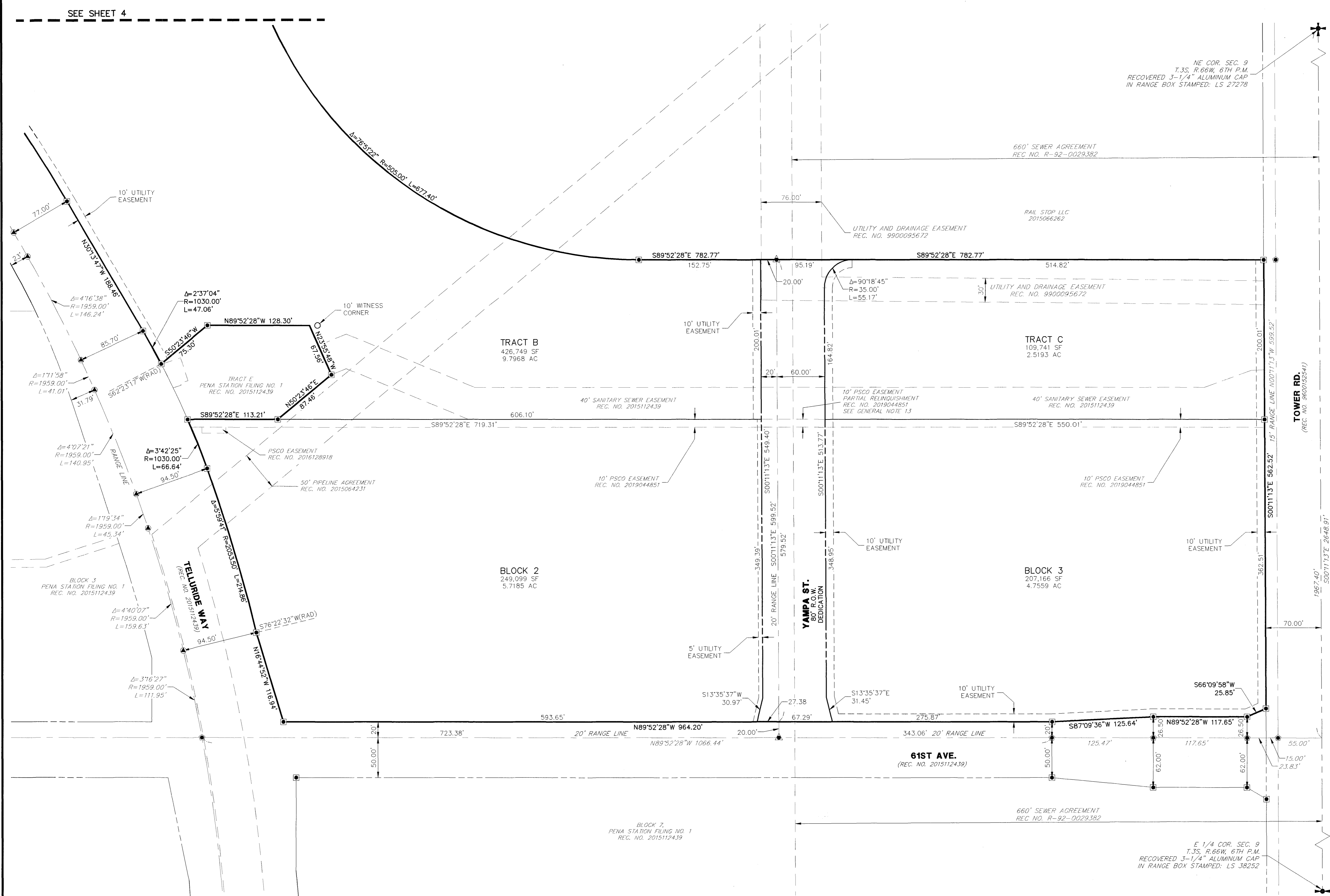


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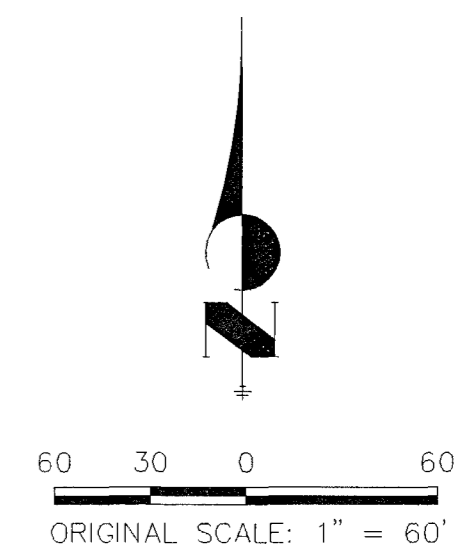
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SHEET 5 OF 5

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