


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: 2024-RELINQ-0000005

DATE: May 7, 2024

SUBJECT: Request for an Ordinance to relinquish a portion of two of the five-foot utility easements established in the Kibler Addition Plat, recorded in Arapahoe County Recordation No. 433417, 1950, later annexed by the City and County of Denver. Located at 4201 East Arkansas Avenue.

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

This office has investigated the request of Aaron McLean, dated March 1, 2024 on behalf of KRF Arkansas LLC for the relinquishment of the subject easements.

This matter has been coordinated with Asset Management; City Forester; Comcast; Denver Water; DOTI ROWS Survey; Denver Fire Department; Historic Preservation/Landmark; Metro Water Recovery; Emergency Management; Parks & Recreation; DOTI ROWS Construction Engineering; DOTI Policy and Planning; DOTI Sign & Stripe; CenturyLink; Xcel Energy; City Councilperson Kashmann, District 6; CPD DS Project Coordinator; DOTI ROWS DES Transportation and Wastewater; 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 2024-RELINQ-0000005-001 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 – Nicholas Williams
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/rowplanreview
Phone: (720) 865-3003

ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor's Legislative Team

at MileHighOrdinance@DenverGov.org by 9 a.m. Friday. Contact the Mayor's Legislative team with questions

Date of Request: May 7, 2024

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.)

Approves the request from KRF Arkansas LLC, for an Ordinance to relinquish a portion of two of the five-foot utility easements established in the Kibler Addition Plat recorded in Arapahoe County Recordation No. 433417, 1950, later annexed by the City and County of Denver. Located at 4201 East Arkansas Avenue.

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

4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution (e.g., subject matter expert)	Contact person for council members or mayor-council
Name: Jessica Eusebio	Name: Nicholas Williams
Email: Jessica.Eusebio@denvergov.org	Email: Nicholas.Williams@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 two of the five-foot utility easements established in the Kibler Addition Plat, recorded in Arapahoe County Recordation No. 433417, 1950, later annexed by the City and County of Denver. Located at 4201 East Arkansas Avenue.

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 (including any dba's):

Contract control number (legacy and new):

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

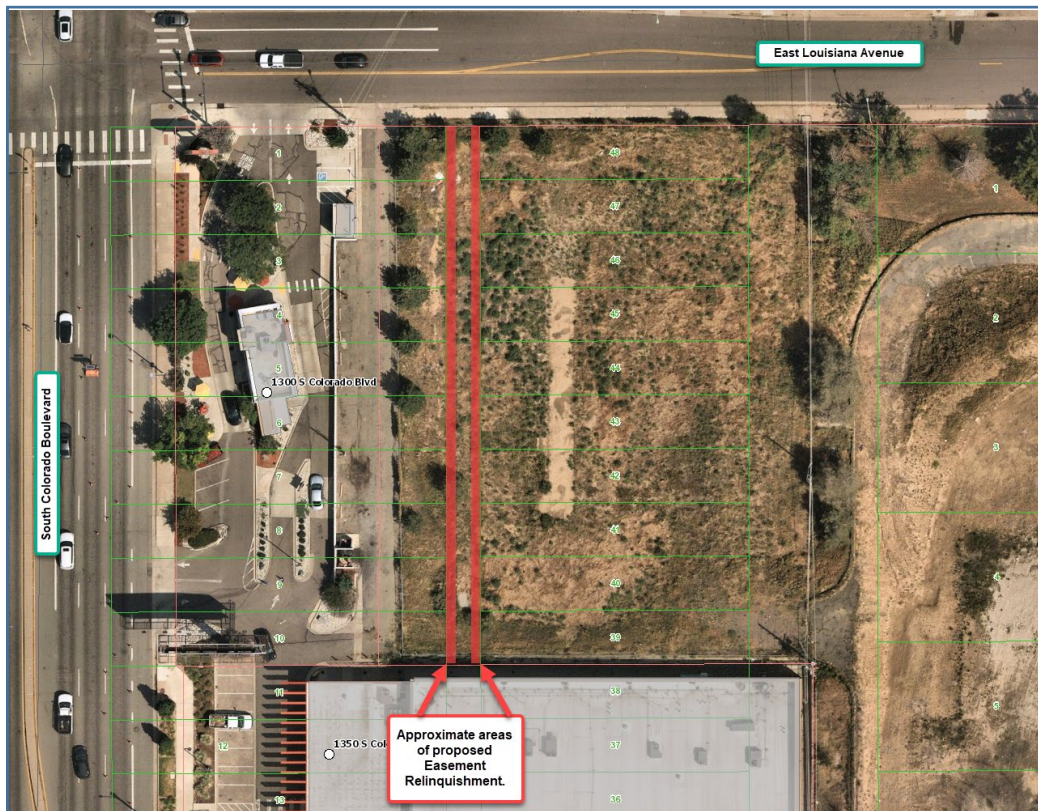
Application Title: 2024-RELINQ-0000005 - 4201 E Arkansas Relinquishment

Property Owner: KRF Arkansas LLC

Description of Proposed Easement Relinquishment: Relinquishing a portion of the (2) two five-foot utility easements as established in the Kibler Addition Plat, recorded in Arapahoe County Recordation No. 433417, 1950, later annexed by the City and County of Denver.

Project Background: The applicant is proposing to relinquish a portion of the easements to allow for development of the area. There are no existing utilities located within the area being proposed to be relinquished.

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/rowplanreview
Phone: (720) 865-3003

**EXHIBIT A
LEGAL DESCRIPTION
SHEET 1 OF 2**

PARCEL A:

A PORTION OF A 5 FOOT UTILITY EASEMENT LOCATED IN BLOCK 4, KIBLER ADDITION, AND BEING A PORTION OF PARCEL 1 IN BARGAIN AND SALE DEED RECORDED AT RECEPTION NO. 2019089561 AND QUITCLAIM DEED RECORDED AT RECEPTION NO. 2019089560, IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER OFFICE, BEING LOCATED IN THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EAST 5.00 FEET OF LOTS 1 THROUGH 10, INCLUSIVE, BLOCK 4, KIBLER ADDITION, LOCATED IN THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

THE ABOVE DESCRIPTION CONTAINS 1,251 SQUARE FEET OR 0.03 ACRES, MORE OR LESS.

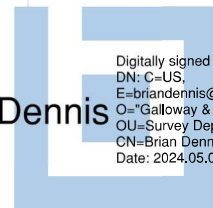
PARCEL B:

A PORTION OF A 5 FOOT UTILITY EASEMENT LOCATED IN BLOCK 4, KIBLER ADDITION, AND BEING A PORTION OF PARCEL 1 IN BARGAIN AND SALE DEED RECORDED AT RECEPTION NO. 2019089561 AND QUITCLAIM DEED RECORDED AT RECEPTION NO. 2019089560, IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER OFFICE, BEING LOCATED IN THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 5.00 FEET OF LOTS 39 THROUGH 48, INCLUSIVE, BLOCK 4, KIBLER ADDITION, LOCATED IN THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

THE ABOVE DESCRIPTION CONTAINS 1,251 SQUARE FEET OR 0.03 ACRES, MORE OR LESS.

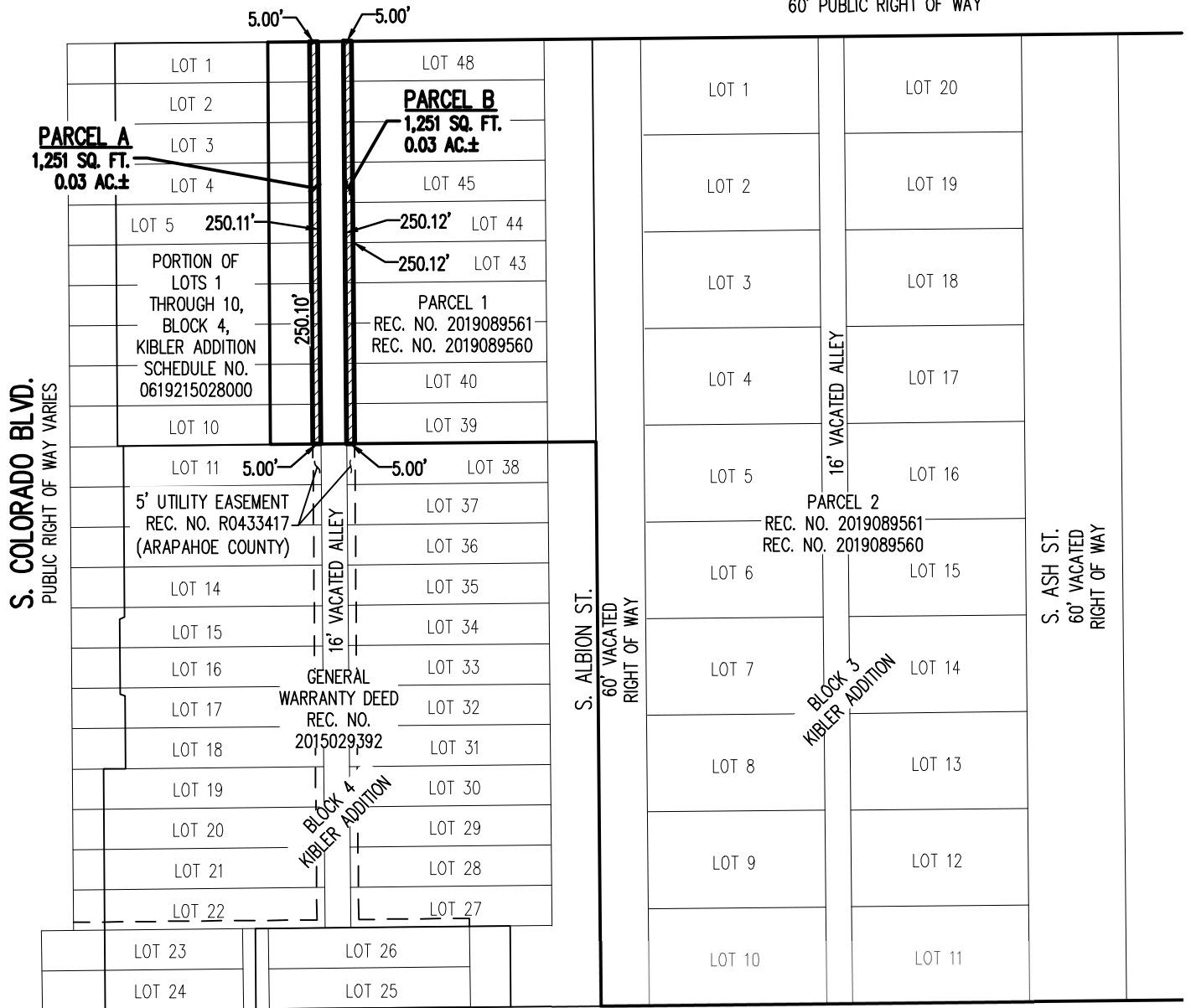
BRIAN J. DENNIS, PLS 38069
PREPARED FOR AND ON BEHALF OF GALLOWAY & COMPANY, INC.
1155 KELLY JOHNSON BLVD., SUITE 305
COLORADO SPRINGS, COLORADO 80920
PROJECT NO.: KSS000150.20



Digitally signed by Brian Dennis
DN: C=US,
E=briandennis@gallowayus.com,
O="Galloway & Company, Inc",
OU=Survey Department,
CN=Brian Dennis
Date: 2024.05.01 17:33:27-06'00'

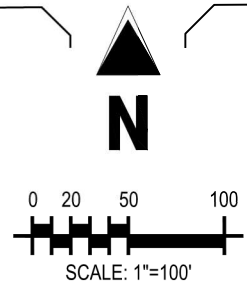
Brian Dennis

E. LOUISIANA AVE.
60' PUBLIC RIGHT OF WAY



E. ARKANSAS AVE.
60' PUBLIC RIGHT OF WAY

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



**EXHIBIT A
ILLUSTRATION - SHEET 2 OF 2**

A PORTION OF 5' UTILITY EASEMENTS, REC. NO. R0433417 (ARAP. CO.)
A PORTION OF LOTS 1-10 & 39-48, BLOCK 4, KIBLER ADDITON
A PORTION OF PARCEL 1, REC. NO. 2019089561 & REC. NO. 2019089560
CITY AND COUNTY OF DENVER, COLORADO

Project No: KSS000150.20

Drawn By: AAY/JGH

Checked By: BJD

Date: 01.25.2024



1155 Kelly Johnson Blvd., Suite 305
Colorado Springs, CO 80920
719.900.7220 • GallowayUS.com