


## 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:** 2023-RELINQ-0000021

**DATE:** February 6, 2024

**SUBJECT:** Request for an Ordinance to relinquish a portion of an easement reserved in New Avondale; Plat Book 25, Page 2; Reception Number 75861. Located at 3270 West Colfax 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 Sarah Harman, dated October 5, 2023 on behalf of Avondale Commons, LLC for the relinquishment of the subject easement.

This matter has been coordinated with Asset Management; City Forester; Comcast; Denver Water; DOTI: Survey, Construction Engineering, Policy & Planning, TES Signing and Striping, DES Transportation & Wastewater; Denver Fire Department; Historic Preservation/Landmark; Metro Water Recovery; Emergency Management; Parks & Recreation; CenturyLink; Xcel Energy; City Councilperson Torres, District 3; CPD: DS Project Coordinator; RTD; and CDOT 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 2023-RELINQ-0000021-001 HERE**

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

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

# ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor's Legislative Team

at [MileHighOrdinance@DenverGov.org](mailto:MileHighOrdinance@DenverGov.org) by 9 a.m. Friday. Contact the Mayor's Legislative team with questions

Date of Request: February 6, 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.)

Request for an Ordinance to relinquish a portion of an easement reserved in New Avondale; Plat Book 25, Page 2; Reception Number 75861. Located at 3270 West Colfax Avenue.

3. **Requesting Agency:** DOTI, Right-of-Way Services, Engineering and 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: Brianne White	Name: Nicholas Williams
Email: Brianne.white@denvergov.org	Email: Nicholas.williams@denvergov.org

5. **General description or background of proposed request. Attach executive summary if more space needed:**

(who, what, why)

Avondale Commons, LLC is requesting an Ordinance to relinquish a portion of an easement reserved in New Avondale; Plat Book 25, Page 2, Reception Number 75861. Located at 3270 West Colfax Avenue. Executive Summary is attached with additional information.

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

7. **City Council District:** Councilperson Torres, District 3

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?

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

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

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

# EASEMENT RELINQUISHMENT EXECUTIVE SUMMARY

**Project Title:** 2023-RELINQ-0000021-3270 W. Colfax

**Property Owner:** Avondale Commons, LLC

**Description of Proposed Project:** The applicant is building a 102-unit affordable housing development on this site. The easement needs to be relinquished to allow the applicant to build on the subject easement area.

**Background:** The easement area contains electric distribution facilities; however, Xcel Energy confirmed a separate easement was acquired for their facilities and that they do not object to the subject easement relinquishment.

## Location Map:



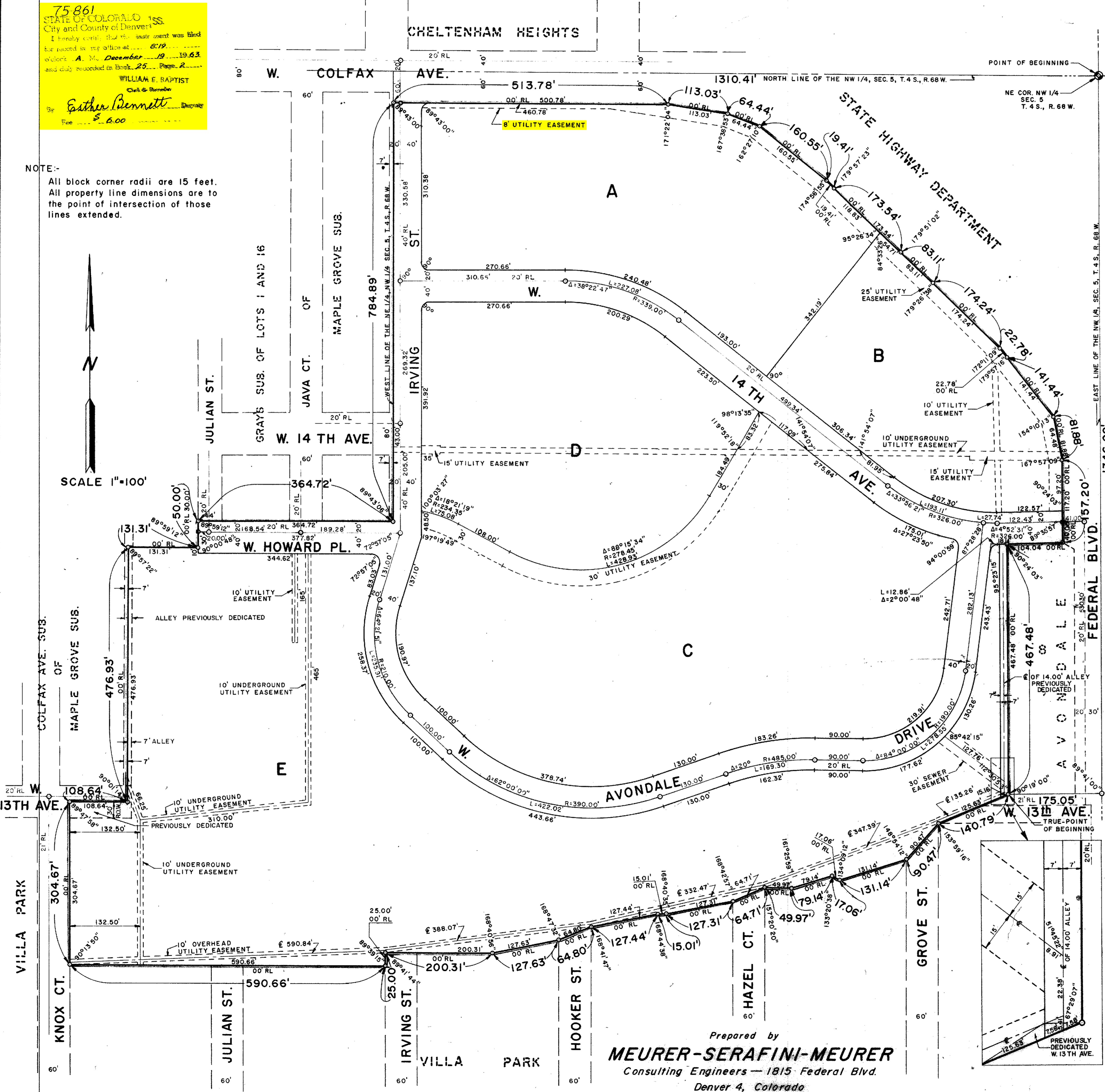
City and County of Denver Department of Transportation & Infrastructure  
Right-of-Way Services / Engineering & Regulatory  
201 W Colfax Ave, Dept 507 | Denver, CO 80202  
[www.denvergov.org/dot](http://www.denvergov.org/dot)  
Phone: 720-865-3003

# NEW AVONDALE

A RESUBDIVISION OF A PART OF AVONDALE; VILLA PARK; GRAY'S SUBDIVISION OF LOTS 1 & 16, OF MAPLE GROVE SUBDIVISION AND COLFAX AVENUE SUBDIVISION OF MAPLE GROVE SUBDIVISION, CITY AND COUNTY OF DENVER, STATE OF COLORADO

75-861  
 STATE OF COLORADO  
 City and County of Denver  
 I hereby certify that the above instrument was filed for record as per affidavit of William E. Baptist dated December 19, 1963 and duly recorded in Book 25, Page 2.  
 WILLIAM E. BAPTIST  
 Clerk & Recorder  
 By Eather Bennett  
 Fee \$ 6.00

NOTE:-  
 All block corner radii are 15 feet.  
 All property line dimensions are to the point of intersection of those lines extended.



Prepared by  
**MEURER-SERAFINI-MEURER**  
 Consulting Engineers - 1815 Federal Blvd.  
 Denver 4, Colorado

KNOW ALL MEN BY THESE PRESENTS that the City and County of Denver, State of Colorado and the Denver Urban Renewal Authority being the owners of part of blocks 1, 2, 3, 4, 5, 6, 7, and 8, Avondale and blocks 3, 4, 5, 6, and 7, Villa Park; Gray's Subdivision of Lots 1 & 16, Maple Grove Subdivision of Maple Grove Subdivision, City and County of Denver, State of Colorado, more particularly described as follows: Commencing at the Northwest corner of the Northwest One-Quarter of Section 5, Township 4 South, Range 68 West of the 6th P. M.; thence Southerly along the centerline of Federal Blvd. and along the East line of said Northwest One-Quarter a distance of 1346.02 feet to the extension of the South line of Lot 26, Block 8, Avondale; thence on an angle to the right of 90°19'00" a distance of 175.05 feet to the Southwest corner of said Lot 26, said corner being the true point of beginning; thence on an angle to the right of 89°41'00" a distance of 467.48 feet; thence on an angle to the right of 89°35'57" a distance of 104.04 feet to a point 7100 feet west of the East line of said NW 1/4; thence on an angle to the left of 89°35'57" and parallel to said East line a distance of 157.20 feet to the South line of West 14th Avenue; thence on an angle to the left of 12°02'51" a distance of 81.88 feet to the North line of said West 14th Avenue; thence on an angle to the left of 25°49'47" a distance of 141.44 feet to the East line of the alley in Block 1, Avondale; thence on an angle to the left of 0°02'44" a distance of 22.78 feet to the West side of said alley; thence on an angle to the left of 7°48'51" a distance of 174.24 feet to the Northwest corner of Lot 15 in Block 1 in said Avondale; thence on an angle to the left of 0°33'22" a distance of 83.11 feet to the West side of Grove Street; thence on an angle to the right of 0°08'58" a distance of 173.54 feet to a point on the East line of the alley in Block 2, Avondale; thence on an angle to the right of 0°02'37" a distance of 19.41 feet to a point on the West line of said alley; thence on an angle to the left of 5°03'05" a distance of 160.55 feet to a point on the East line of Hazel Court; thence on an angle to the left of 17°32'50" a distance of 64.44 feet to the West line of Hazel Court; thence on an angle to the left of 12°21'07" a distance of 113.03 feet to a point on a line 20.00 feet South of and parallel to the South line of West Colfax Avenue; thence on an angle to the left of 8°37'56" and parallel to the South line of West Colfax Avenue a distance of 513.78 feet to a point on the West line of the Northwest One-Quarter of said Northwest One-Quarter; thence on an angle to the left of 90°17'00" and along said West line a distance of 784.89 feet to a point on the extension of the South line of Lot 5 of Block 4 of Gray's Subdivision of Lots 1 & 16 of Maple Grove Subdivision; thence on an angle to the right of 90°16'54" and along the South line and the South line extended of Lot 5, Block 4 of said subdivision a distance of 364.72 feet to the Southeast corner of Lot 46, Block 4 of the Colfax Avenue Subdivision of Maple Grove Subdivision; thence on an angle to the left of 90°00'48" and along the West line of Julian Street a distance of 50.00 feet to the Southwest corner of Lot 44 of Block 15; thence on an angle to the right of 90°00'48" and along the South line of said Lot 44 a distance of 131.31 feet to the centerline of the alley in said Block 15; thence on an angle to the left of 90°02'38" and along the centerline of said alley a distance of 476.93 feet to a point on the centerline of West 13th Avenue; thence on an angle to the right of 89°58'46" and along the centerline of West 13th Avenue a distance of 108.54 feet to a point on the East line extended of Knox Court; thence on an angle to the left of 90°18'16" and along the East line of Knox Court a distance of 304.67 feet to a point on the extension of the South line of Lots 11 and 38 in Block 3 and Lots 11 and 38 in Block 4, Villa Park; thence on an angle to the left of 89°46'10" and along said South line a distance of 590.66 feet to the Southeast corner of Lot 38 in Block 4 of said Villa Park; thence on an angle to the left of 90°20'45" and along the West line of Irving Street a distance of 25.00 feet to the Northeast corner of said Lot 38; thence on an angle to the right of 90°18'16" and along the South line extended and South line of Lot 10 in Block 5, Villa Park a distance of 200.31 feet to the Southwest corner of Lot 39 of said Block 5; thence on an angle to the left of 11°19'04" a distance of 127.63 feet to the Northeast corner of said Lot 39; thence on an angle to the left of 11°12'28" a distance of 64.80 feet to the Southwest corner of Lot 8, Block 6 of said Villa Park; thence on an angle to the right of 11°18'13" a distance of 127.44 feet to the Northeast corner of said Lot 8; thence on an angle to the right of 11°15'22" a distance of 16.01 feet to the Southwest corner of Lot 42 in said Block 6; thence on an angle to the left of 11°19'25" a distance of 127.31 feet to the Northeast corner of said Lot 42; thence on an angle to the left of 11°17'03" a distance of 64.71 feet to the Southwest corner of Lot 5, Block 7 of said Villa Park; thence on an angle to the right of 22°33'40" and along the South line of said Lot 5 a distance of 48.97 feet; thence on an angle to the left of 18°34'01" a distance of 79.14 feet to the Northeast corner of Lot 5; thence on an angle to the right of 46°39'22" a distance of 17.06 feet; thence on an angle to the left of 45°50'48" a distance of 131.14 feet to the West line of Grove Street; thence on an angle to the left of 31°05'48" a distance of 108.64 feet to the Northwest corner of Lot 1, Block 8 of said Villa Park; thence on an angle to the right of 26°00'44" a distance of 40.78 feet to the Southwest corner of Lot 26, Block 8, Avondale, the true point of beginning; which said owners purpose to vacate and resubdivide.

Have laid out, plotted and subdivided the above described land as herein shown under the name and style of NEW AVONDALE and by these presents do dedicate to the public the streets, avenues, places, drives and other public places herein shown and not already otherwise dedicated for public use, also easements for public utility and drainage purposes as shown:

Witness our hands and seals this 19 day of December A. D. 1963.  
 CITY AND COUNTY OF DENVER  
 A MUNICIPAL CORPORATION  
 STATE OF COLORADO  
 Mayor: Thomas J. Curran  
 Attest: William E. Baptist Clerk and Recorder  
 DENVER URBAN RENEWAL AUTHORITY  
 Chairman: Robert C. Moore  
 Secretary: William E. Baptist

STATE OF COLORADO  
 CITY AND COUNTY OF DENVER) SS  
 The foregoing instrument was acknowledged before me this 19 day of December, A. D. 1963, by Thomas J. Curran, Mayor, and William E. Baptist, Clerk and Recorder of the City and County of Denver, a Municipal Corporation, State of Colorado  
 and William E. Baptist, Chairman and Robert C. Moore, Secretary of the Denver Urban Renewal Authority.  
 My commission expires 12/31/64. Witness my hand and official seal William E. Baptist Notary Public

I hereby certify that I have examined the evidence of title to the land described hereon, and find the title to the avenues, places, drives, streets and other public places to be in the above named dedicators this 19 day of December A. D. 1963 at 12:00 o'clock P.M. free and clear of encumbrances.  
 Attorney for the City and County of Denver W. J. ...  
 I hereby certify that this map and the survey represented thereby are accurate and in conformity with the requirements of Article 342 of the Revised Municipal Code of the City and County of Denver.  
 Engineer, City and County of Denver W. J. ...  
 Approved by the Manager of Public Works W. J. ...  
 Approved by the Manager of Parks and Recreation W. J. ...  
 Approved by the Denver Planning Office W. J. ...  
 Approved by the City Traffic Engineer W. J. ...  
 Approved by the Council of the City and County of Denver by Ordinance No. 437 of the series of 1963  
 Witness my hand and corporate seal of the City and County of Denver this 18 day of December, A. D. 1963  
 Clerk and Recorder, Ex-Officio Clerk of the City and County of Denver William E. Baptist By Valerie Kethum Deputy City Clerk  
 I hereby certify that the survey for this plat has been made in agreement with the records on file in the Office of the City Engineer of the City and County of Denver and that the plat is in conformity with such records.  
 E. Max Serafini, Registered Land Surveyor

EXHIBIT A  
LAND DESCRIPTION

A PORTION OF THE 8' UTILITY EASEMENT IN BLOCK A, NEW AVONDALE, BOOK 25 PAGE 2, RECEPTION NUMBER 75861, NORTHWEST ONE-QUARTER OF SECTION 24, TOWNSHIP 3 SOUTH, RANGE 68 WEST, OF THE 6<sup>TH</sup> P.M., CITY AND COUNTY OF DENVER COLORADO; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH 8 FEET, OF THE EAST 179.76 FEET OF THE WEST 302.64 FEET OF SAID BLOCK A.

CONTAINING 1,438 SQUARE FEET OR 0.033 ACRES, MORE OR LESS.

LEGAL DESCRIPTION STATEMENT:

I, MICHAEL LINDQUIST, A LICENSED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE ABOVE LEGAL DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, AND ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF, IS CORRECT.

MICHAEL LINDQUIST, COLORADO PLS 38666  
WILSON & COMPANY  
990 S. BROADWAY, SUITE 220  
DENVER, CO 80209  
(303) 297-2976

Michael Lindquist

Digitally signed by  
Michael Lindquist  
Date: 2023.11.29  
12:55:46-07'00'

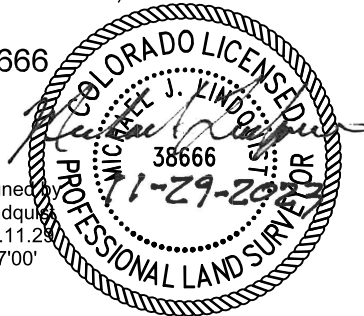
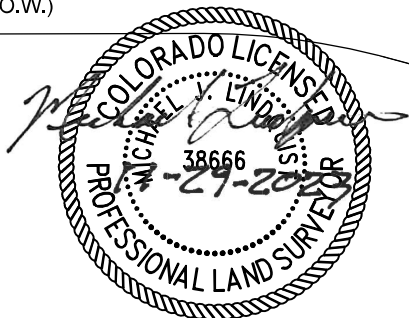
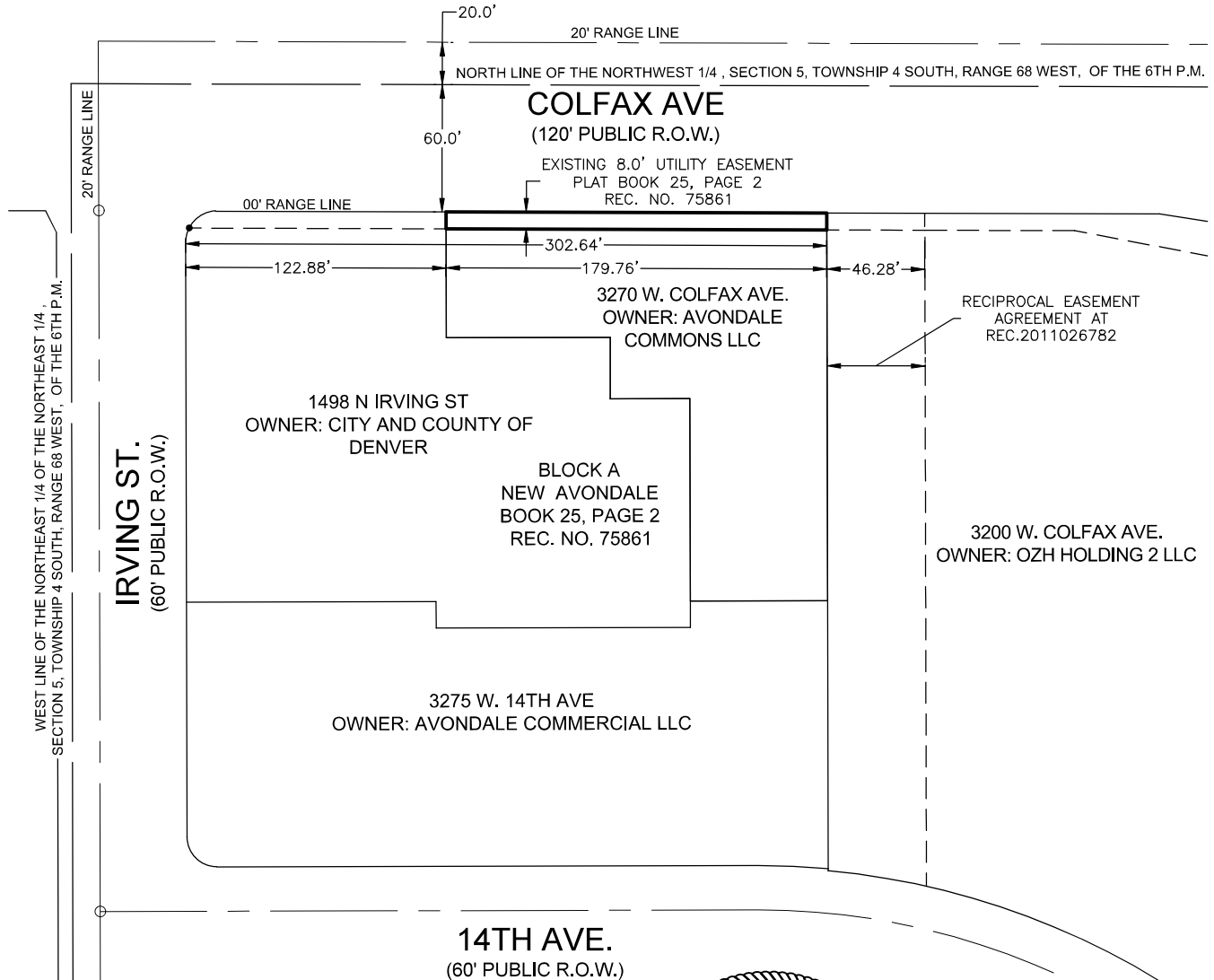


EXHIBIT A  
 NW 1/4 OF SEC 24, T3S, R68W OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO.



NOTE:  
 THIS DRAWING IS MEANT TO DEPICT THE ATTACHED LEGAL DESCRIPTION AND IS FOR INFORMATIONAL PURPOSES ONLY. IT DOES NOT REPRESENT A MONUMENTED LAND SURVEY.

					SHT. NO: 2 of 2	<b>WILSON &amp; COMPANY</b> 990 South Broadway Suite 220 Denver, CO 80209 Phone: 303-297-2976 Fax: 303-297-2693
					SCALE: 1" = 80'	
					DWN. BY: TJB	DATE: 9-25-2023
					CHK. BY:	
					PROJ. MGR: MJL	9-25-2023
					CLIENT APP:	
01						A PORTION OF BLOCK "A" NEW AVONDALE CITY AND COUNTY OF DENVER STATE OF COLORADO
NO.	REVISION-DESCRIPTION	BY	DATE	CHK'D	APP'D	