


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: 2022-RELINQ-0000002

DATE: August 29, 2023

SUBJECT: Request for an Ordinance to relinquish a portion of the ten (10) foot sewer easement in as established in the Deed of Easement, Book 7949, Page 335. Located at 3650 Chestnut Place.

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

This office has investigated the request of Bernard Hurley, dated December 21, 2021 on behalf of Menalto 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 CdeBaca, District 9; 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 2022-RELINQ-0000002-001 HERE

A vicinity map of the subject easement area and a copy of the document creating the easement 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 – 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: August 29, 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 the ten (10) foot sewer easement in as established in the Deed of Easement, Book 7949, Page 335. Located at 3650 Chestnut Place.

3. Requesting Agency: Department of Transportation & Infrastructure, Right of Way Services, 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: Jessica Eusebio	Name: Jason Gallardo
Email: Jessica.Eusebio@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 ten (10) foot sewer easement in as established in the Deed of Easement, Book 7949, Page 335. Located at 3650 Chestnut Place.

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

7. City Council District: Councilperson Watson, District 9

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:

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> (A)	<i>Additional Funds</i> (B)	<i>Total Contract Amount</i> (A+B)
<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

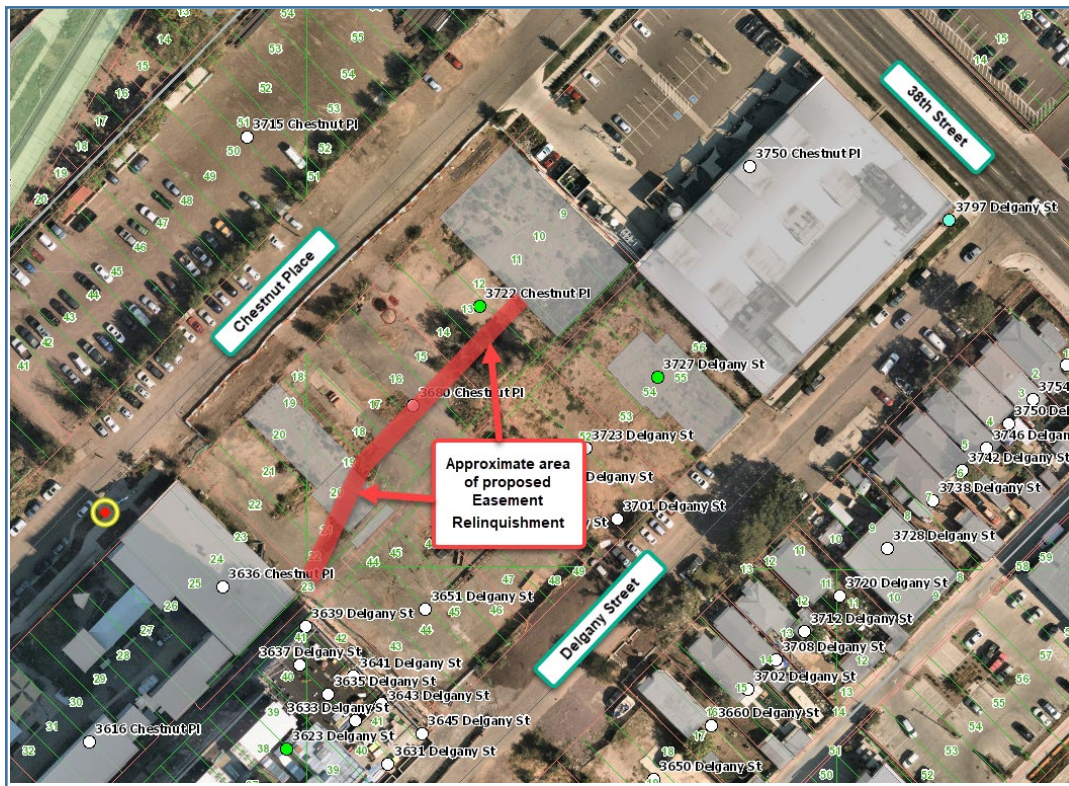
Project Title: 2022-RELINQ-0000002 - 3650 Chestnut Place Sanitary Sewer Relinquishment

Property Owner: Menalto LLC.

Description of Proposed Project: Request for an Ordinance to relinquish a portion of the ten (10) foot sewer easement in as established in the Deed of Easement, Book 7949, Page 335. Located at 3650 Chestnut Place.

Background: The buildings that were previously located in the area in which the easement is proposed to be relinquished have been demolished and the utilities that were located within that area have been removed or abandoned in place. The applicant is seeking to relinquish the easement in order to construct a new building on the property.

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/doti
Phone: 720-865-3003

EXHIBIT A
LAND DESCRIPTION
SHEET 1 OF 2

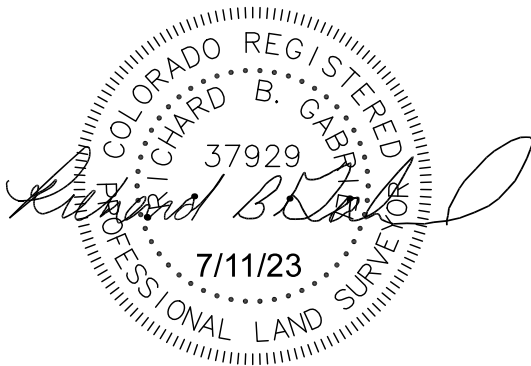
2022-RELINQ-000002-001

A 10 FOOT STRIP OF LAND BEING A PORTION OF THAT 10 FOOT STRIP OF LAND DESCRIBED IN BOOK 7949 AT PAGE 335 RECORDED OCTOBER 16, 1956, LOCATED WITHIN LOT 22, BLOCK 17, FIRST ADDITION TO IRONTON AND ALSO LOCATED WITHIN LOTS 12-22, BLOCK 41, ST. VINCENTS ADDITION SECOND FILING AND A PORTION OF A VACATED ALLEY ADJACENT TO THE SOUTHEASTERLY LINE OF SAID LOTS AS VACATED BY VACATION ORDINANCE #584, SERIES OF 1991, RECORDED AUGUST 9, 1991 UNDER RECEPTION NO. 75551, LOCATED WITHIN THE SE1/4 OF SECTION 22 AND THE SW1/4 OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, THE CENTER LINE OF SAID 10 FOOT STRIP WITH SIDELINES AT 5.00 FEET ON EACH SIDE OF SAID CENTER LINE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEARINGS ARE BASED ON THE SOUTHWESTERLY LINE OF SAID LOT 22, BLOCK 17, FIRST ADDITION TO IRONTON AND LOT 43, SAID BLOCK 17, FIRST ADDITION TO IRONTON AND THE EXTENSION OF SAID SOUTHWESTERLY LINE OF LOT 22, BLOCK 17, TO THE NORTHEASTERLY LINE OF THE VACATED ALLEY VACATED BY ORD. 584 SERIES 1991, BLOCK 17, FIRST ADDITION TO IRONTON, CITY AND COUNTY OF DENVER, STATE OF COLORADO, HAVING AN ASSUMED BEARING OF NORTH 45°05'56" WEST A DISTANCE OF 265.93 FEET BETWEEN A FOUND 1" YELLOW PLASTIC CAP PLS 18475 FOUND AT THE SOUTHEASTERLY CORNER SAID LOT 43, BLOCK 17 AND A YELLOW PLASTIC CAP STAMPED PLS 2132 FOUND AT THE SOUTHWESTERLY CORNER SAID LOT 22, BLOCK 17.

BEGINNING AT A POINT 25 FEET NORTHWESTERLY OF THE SOUTHEASTERLY LINE OF SAID LOTS 12 TO 22, BLOCK 41 AND 10 FEET SOUTHWESTERLY OF THE NORTHEASTERLY LINE OF SAID LOT 12, BLOCK 41; THENCE SOUTHWESTERLY ON A LINE PARALLEL TO THE AFORESAID SOUTHEASTERLY LINE TO THE NORTHEASTERLY LINE OF LOT 19, IN SAID BLOCK 41; THENCE SOUTHWESTERLY ON A LINE TO A POINT ON THE CENTER LINE OF ALLEY IN SAID BLOCK 17 AND 15.67 FEET SOUTHWESTERLY OF THE EXTENDED SOUTHWESTERLY LINE OF LOT 22 IN SAID BLOCK 17, EXCEPTING ANY PART OF SAID EASEMENT SOUTHWESTERLY OF THE EXTENDED SAID SOUTHWESTERLY LINE OF LOT 22, BLOCK 17, TO THE POINT OF TERMINUS.

CONTAINING ±2,690 SQ. FT. OR ±0.062 ACRES MORE OR LESS.



Richard B. Gabriel, P.L.S.
Colorado License #37929
For and on behalf of Power Surveying Company, Inc.
303-702-1617



6911 BROADWAY,
DENVER, CO 80221

PH. 303-702-1617
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WWW.POWERSURVEYING.COM

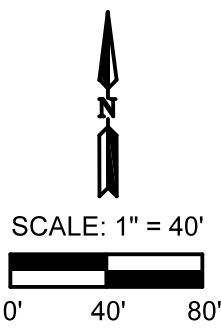
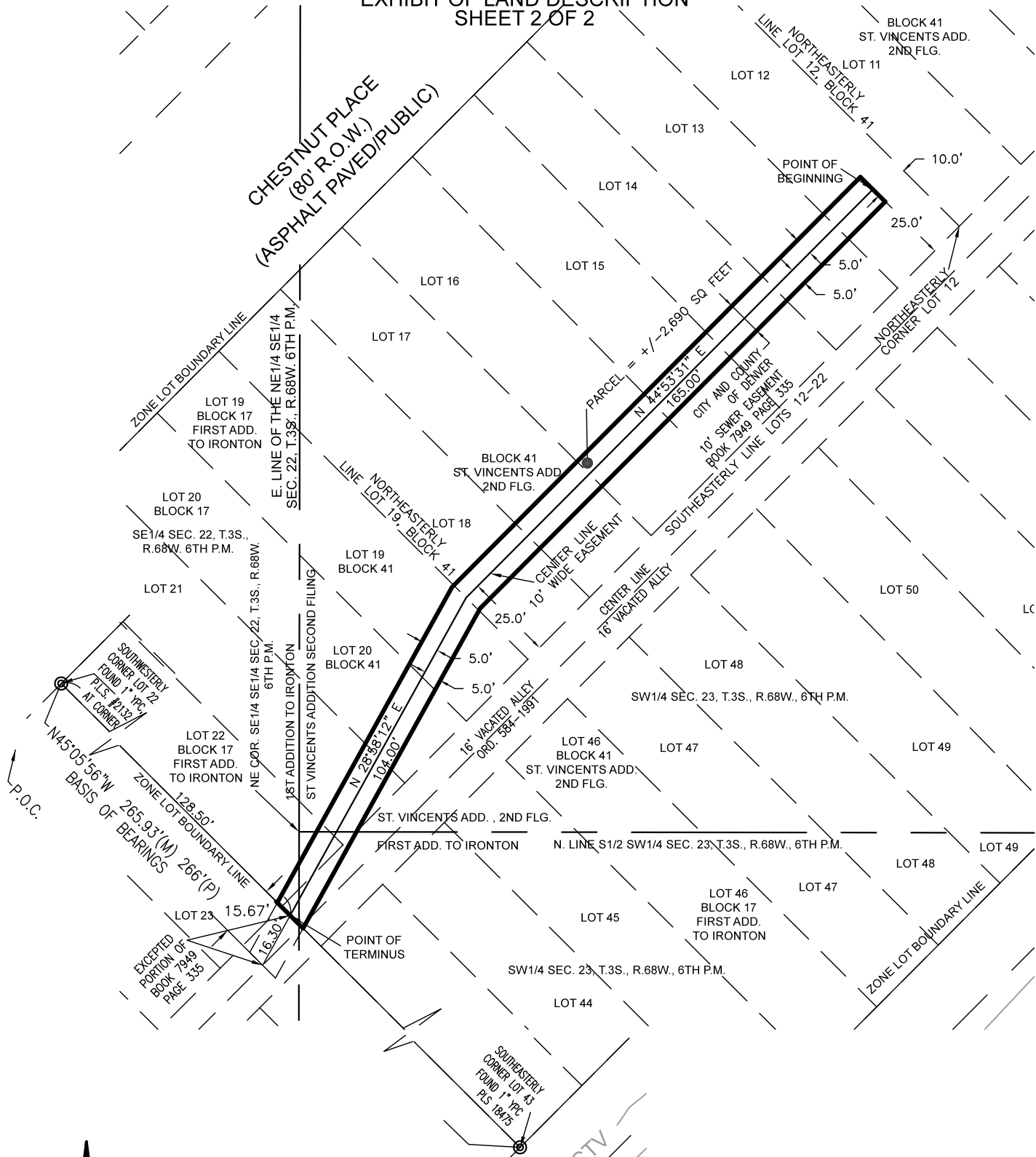
DRAWING BY: RBG
FILE NO. 20-055 EASEMENT VACATION.DWG

DATE: 7/11/2023

EXHIBIT A

EXHIBIT OF LAND DESCRIPTION

SHEET 2 OF 2



- LEGEND**
- ⊙ MONUMENT FOUND, AS NOTED
 - FND FOUND
 - P.O.T POINT OF TERMINUS
 - P.O.B POINT OF BEGINNING

POWERTM

Surveying Company, Inc.

Established 1948

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