


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-0000027

DATE: May 21, 2021

SUBJECT: Request for an Ordinance to relinquish the following easements, in their entirety, all located between West 42nd Ave, West 43rd Ave, and Fox Street:

- 1) The 16 foot alley as established in Vacating Ordinance No. 52 Series 1949
- 2) The 20 foot alley as established in Vacating Ordinance No. 614 Series 1980
- 3) Galapago Street in Vacating Ordinance No. 357 Series 1970

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

This office has investigated the request of Harris Kocher Smith c/o Rachel Patton, dated September 3, 2020 on behalf of RangeWater Real Estate c/o Kimberly Sperry for the relinquishment of the subject easement(s).

This matter has been coordinated with City Councilperson CdeBaca, District 9; 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-0000027-001 HERE
INSERT PARCEL DESCRIPTION 2020-RELINQ-0000027-002 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

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



DENVER
THE MILE HIGH CITY

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

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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: May 21, 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 following easements, in their entirety, all located between West 42nd Ave, West 43rd Ave, and Fox Street:

- 1) The 16 foot alley as established in Vacating Ordinance No. 52 Series 1949
- 2) The 20 foot alley as established in Vacating Ordinance No. 614 Series 1980
- 3) Galapago Street in Vacating Ordinance No. 357 Series 1970

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 following easements, in their entirety, all located between West 42nd Ave, West 43rd Ave, and Fox Street:

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

7. City Council District: District 9, Councilperson CdeBaca

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: 2020-RELINQ-0000027 - 4245 N Fox St

Property Owner: RangeWater Real Estate

Description of Proposed Project:

Request for an Ordinance to relinquish the following easements, in their entirety, all located between West 42nd Ave, West 43rd Ave, and Fox Street:

- 1) The 16 foot alley as established in Vacating Ordinance No. 52 Series 1949
- 2) The 20 foot alley as established in Vacating Ordinance No. 614 Series 1980
- 3) Galapago Street in Vacating Ordinance No. 357 Series 1970

Background: The applicant is requesting the easement relinquishment to allow for further development. The existing utilities will be removed.

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/dotj
Phone: 720-865-3003

EXHIBIT A
LAND DESCRIPTION
SHEET 1 OF 3

A PARCEL OF LAND BEING ALL OF THE VACATED PORTION OF GALAPAGO STREET, VACATED BY ORDINANCE NO. 357, SERIES OF 1970, SITUATED IN THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF BLOCK 11, VIADUCT ADDITION TO DENVER;

THENCE NORTH 89°53'04" WEST, A DISTANCE OF 72.32 FEET TO THE **POINT OF BEGINNING**, ALSO BEING A POINT OF NON-TANGENT CURVATURE;

THENCE ALONG THE ARC OF SAID CURVE TO THE LEFT AN ARC LENGTH OF 81.07 FEET, SAID CURVE HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 92°53'52", AND A CHORD WHICH BEARS SOUTH 86°06'21" EAST A CHORD DISTANCE OF 72.48 FEET TO A POINT ON THE EAST RIGHT OF WAY OF SAID VACATED GALAPAGO STREET AND BEING 4.78 FEET SOUTH OF THE NORTHWEST CORNER OF SAID BLOCK 11;

THENCE SOUTH 00°08'12" WEST ALONG SAID EAST RIGHT OF WAY OF SAID VACATED GALAPAGO STREET, A DISTANCE OF 359.73 FEET TO A POINT OF NON-TANGENT CURVATURE SAID POINT BEING 10.0 FEET NORTH OF THE SOUTHWEST CORNER OF SAID BLOCK 11;

THENCE LEAVING SAID EAST RIGHT OF WAY OF VACATED GALAPAGO STREET ALONG AN ARC TO THE LEFT HAVING AN ARC LENGTH OF 78.55 FEET, SAID CURVE HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 90°00'21", AND A CHORD WHICH BEARS SOUTH 81°59'09" WEST A CHORD DISTANCE OF 70.71 FEET;

THENCE NORTH 89°53'04" WEST, A DISTANCE OF 10.00 FEET TO THE SOUTHEAST CORNER OF BLOCK 12, VIADUCT ADDITION TO DENVER AND THE WEST RIGHT OF WAY OF SAID VACATED GALAPAGO STREET; THENCE NORTH 00°08'12" EAST ALONG SAID WEST RIGHT OF WAY OF VACATED GALAPAGO STREET, A DISTANCE OF 374.51 FEET TO THE NORTHEAST CORNER OF BLOCK 12, VIADUCT ADDITION TO DENVER; THENCE LEAVING SAID WEST RIGHT OF WAY TO VACATED GALAPAGO STREET SOUTH 89°53'04" EAST ALONG THE SOUTH RIGHT OF WAY OF 43RD AVENUE, A DISTANCE OF 7.68 FEET TO THE **POINT OF BEGINNING**.

SAID PARCEL CONTAINS 27,946 SQUARE FEET OR 0.64 ACRES, MORE OR LESS

BASIS OF BEARINGS: BEARINGS ARE BASED ON THE NORTH LINE OF BLOCK 11, VIADUCT ADDITION TO DENVER, ASSUMED TO BEAR NORTH 89°53'04" WEST.

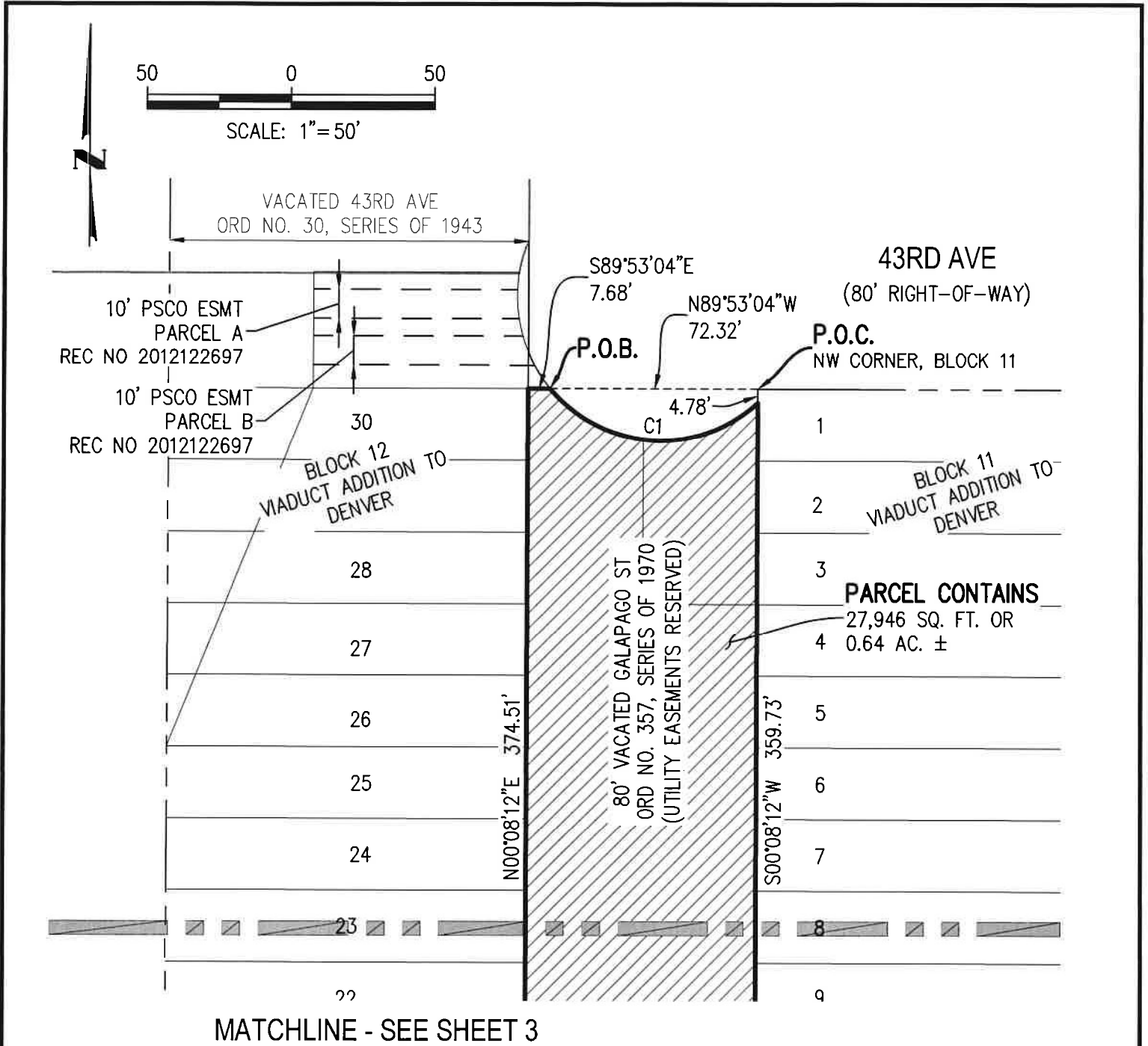
PREPARED BY: AARON MURPHY
PLS 38162

ON BEHALF OF: HARRIS KOCHER SMITH
1120 LINCOLN STREET, SUITE 1000
DENVER, CO 80203
303.623.6300



EXHIBIT A
SHEET 2 OF 3

2020-RELINQ-000027-001



CURVE TABLE					
CURVE	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD
C1	50.00'	92°53'52"	81.07'	S86°06'21"E	72.48'

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

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NO. SHEET: 2
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ISSUE DATE: 01/16/2020	PROJECT #: 190217
DATE	REVISION COMMENTS

EASEMENT RELINQUISHMENT

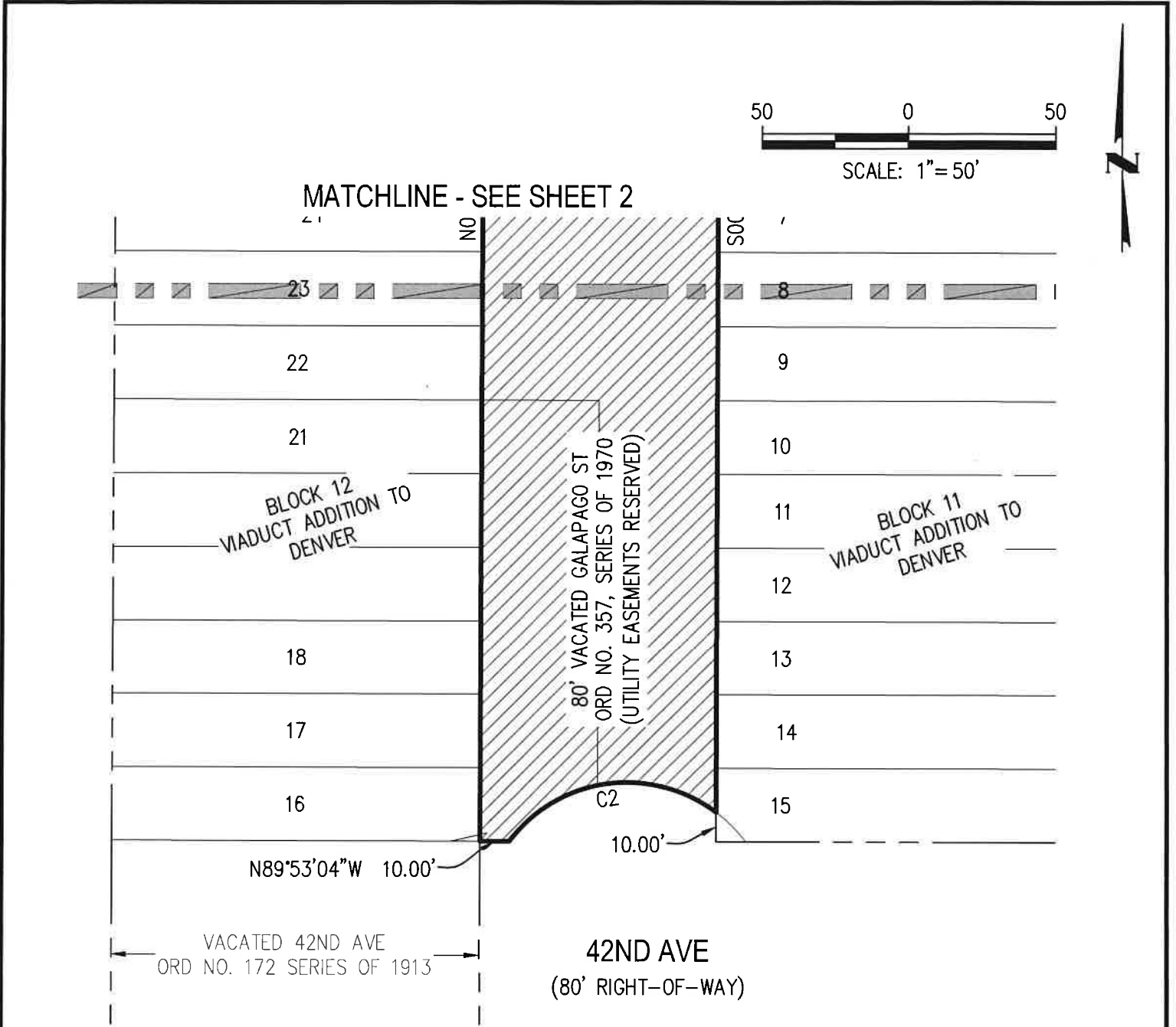
ILLUSTRATION

HKS HARRIS KOCHER SMITH
1120 Lincoln Street, Suite 1000
Denver, Colorado 80203
P: 303.623.6300 F: 303.623.6311
HarrisKocherSmith.com

CHKD BY: AWM
DRAWN BY: DJH
SHEET NO.
2
2 OF 3

EXHIBIT A
SHEET 3 OF 3

2020-RELINQ-0000027-001



CURVE TABLE					
CURVE	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD
C2	50.00'	90°00'21"	78.55'	S81°59'09"W	70.71'

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

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PLOTTED: THU 01/15/20 3:28:07P BY: DANNY HALEY

ISSUE DATE: 01/15/2020	PROJECT #: 190217
DATE	REVISION COMMENTS

EASEMENT RELINQUISHMENT

ILLUSTRATION

HKS HARRIS KOCHER SMITH
1120 Lincoln Street, Suite 1000
Denver, Colorado 80203
P: 303.623.6300 F: 303.623.6311
HarrisKocherSmith.com

CHK'D BY: AWM DRAWN BY: DJH
SHEET NO. 3
3 OF 3

EXHIBIT A
LAND DESCRIPTION
SHEET 1 OF 2

A PARCEL OF LAND BEING ALL OF THE 16-FOOT VACATED ALLEY WITHIN BLOCK 11, VIADUCT ADDITION TO THE CITY AND COUNTY OF DENVER, VACATED BY ORDINANCE NO. 52, SERIES OF 1949, AND ALL OF THE 20-FOOT VACATED ALLEY WITHIN SAID BLOCK 11, VACATED BY ORDINANCE NO. 614, SERIES OF 1980, SITUATED IN THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID VACATED 16-FOOT ALLEY (ORD. NO. 52 SERIES OF 1949);
 THENCE SOUTH 89°53'04" EAST ALONG THE NORTH LINE OF SAID VACATED 16-FOOT ALLEY (ORD. NO. 52 SERIES OF 1949), A DISTANCE OF 16.00 FEET TO THE NORTHEAST CORNER OF SAID VACATED 16-FOOT ALLEY (ORD. NO. 52 SERIES OF 1949);
 THENCE SOUTH 00°08'12" WEST ALONG THE EAST LINE OF SAID 16-FOOT VACATED ALLEY (ORD. NO. 52 SERIES OF 1949), A DISTANCE OF 204.70 FEET TO A POINT, SAID POINT BEING THE NORTHWEST CORNER OF SAID 20-FOOT VACATED ALLEY (ORD. NO. 614 SERIES OF 1980);
 THENCE SOUTH 89°53'04" EAST ALONG THE NORTH LINE OF SAID 20-FOOT VACATED ALLEY (ORD. NO. 614 SERIES OF 1980), A DISTANCE OF 125.00 FEET TO THE WEST RIGHT OF WAY OF FOX STREET;
 THENCE SOUTH 00°08'12" WEST ALONG THE SAID WEST RIGHT OF WAY OF FOX STREET, A DISTANCE OF 20.00 FEET TO THE SOUTHEAST CORNER OF SAID 20-FOOT VACATED ALLEY (ORD. NO. 614 SERIES OF 1980);
 THENCE NORTH 89°53'04" WEST ALONG THE SOUTH LINE OF SAID 20-FOOT VACATED ALLEY (ORD. NO. 614 SERIES OF 1980), A DISTANCE OF 125.00 FEET TO A POINT ON THE EAST LINE OF SAID 16-FOOT VACATED ALLEY (ORD. NO. 614 SERIES OF 1980);
 THENCE SOUTH 00°08'12" WEST ALONG THE EAST LINE OF SAID 16-FOOT VACATED ALLEY (ORD. NO. 614 SERIES OF 1980), A DISTANCE OF 17.50 FEET TO THE NORTHWEST CORNER OF A 20-FOOT ALLEY (ORD. NO. 20 SERIES OF 1980);
 THENCE NORTH 89°53'04" WEST, A DISTANCE OF 16.00 FEET TO A POINT ON THE WEST LINE OF SAID 16-FOOT VACATED ALLEY (ORD. NO. 614 SERIES OF 1980) ALSO BEING 7.5 FEET NORTH OF THE SOUTHEAST CORNER OF LOT 10, BLOCK 11, VIADUCT ADDITION;
 THENCE NORTH 00°08'12" EAST ALONG THE WEST LINE OF SAID 16-FOOT VACATED ALLEY (ORD. NO. 52 SERIES OF 1949 AND ORD. NO. 614 SERIES OF 1980), A DISTANCE OF 242.20 FEET TO THE **POINT OF BEGINNING**;

SAID PARCEL CONTAINS 6,375 SQUARE FEET OR 0.15 ACRES, MORE OR LESS.

BASIS OF BEARINGS: BEARINGS ARE BASED ON NORTH LINE OF BLOCK 11, VIADUCT ADDITION TO DENVER, ASSUMED TO BEAR SOUTH 89°53'04" EAST.

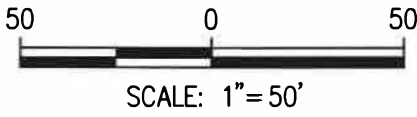
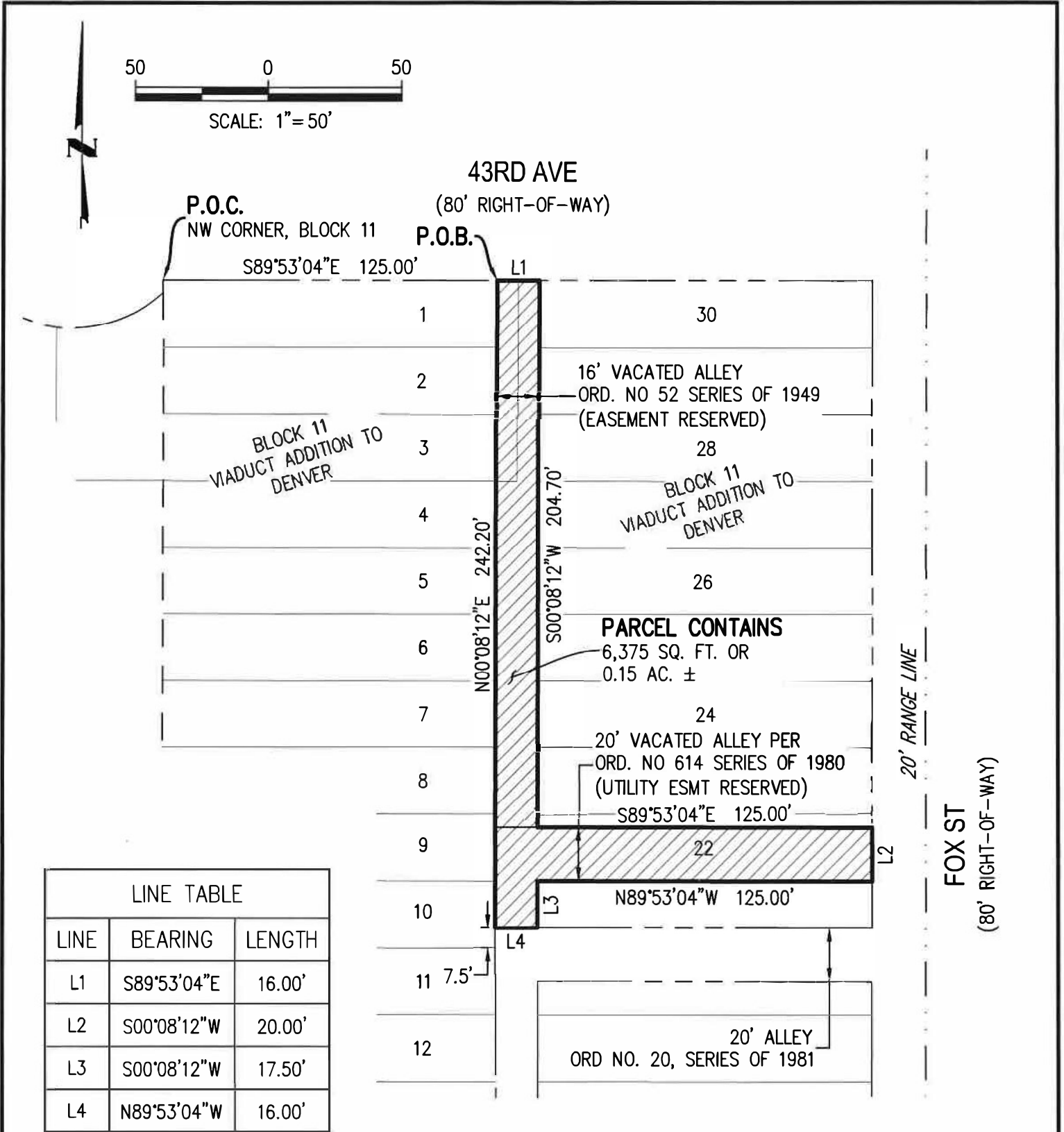
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EXHIBIT A
SHEET 2 OF 2

2020-RELINQ-000027-002



LINE TABLE		
LINE	BEARING	LENGTH
L1	S89°53'04"E	16.00'
L2	S00°08'12"W	20.00'
L3	S00°08'12"W	17.50'
L4	N89°53'04"W	16.00'

NOTE:
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ISSUE DATE: 01/16/2020	PROJECT #: 190217
DATE	REVISION COMMENTS
1-28-2020	MISC REVISIONS
3-11-2021	MISC REVISIONS

EASEMENT RELINQUISHMENT

ILLUSTRATION

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1120 Lincoln Street, Suite 1000
Denver, Colorado 80203
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HarrisKocherSmith.com

CHKD BY: AWM
DRAWN BY: DJH
SHEET NO
2
2 OF 2