


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-0000022 Evans and Broadway

DATE: May 20, 2021

SUBJECT: Request for an Ordinance to relinquish the approximately 8,752 square foot utility easement(s) in its entirety established in the vacating Ordinance No. 370, Series of 1991. Located between West Evans Avenue and West Warren Avenue and between South Broadway and South Acoma Street.

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

This office has investigated the request of Kimley-Horn and Associates, Inc. c/o Meaghan Turner, dated August 17, 2020 on behalf of Jon C. Helmstaedter and Eric A. Helmstaedter for the relinquishment of the subject easement(s).

This matter has been coordinated with City Councilperson Clark, District 7; 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; 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-0000022-001 HERE

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

MB:je

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

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: May 20, 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 approximately 8,752 square foot utility easement(s) in its entirety established in the vacating Ordinance No. 370, Series of 1991. Located between West Evans Avenue and West Warren Avenue and between South Broadway and South Acoma Street.

3. Requesting Agency: DOTI, 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 the approximately 8,752 square foot utility easement(s) in its entirety established in the vacating Ordinance No. 370, Series of 1991. Located between West Evans Avenue and West Warren Avenue and between South Broadway and South Acoma Street.

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

7. City Council District: Councilperson Clark, District 7

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

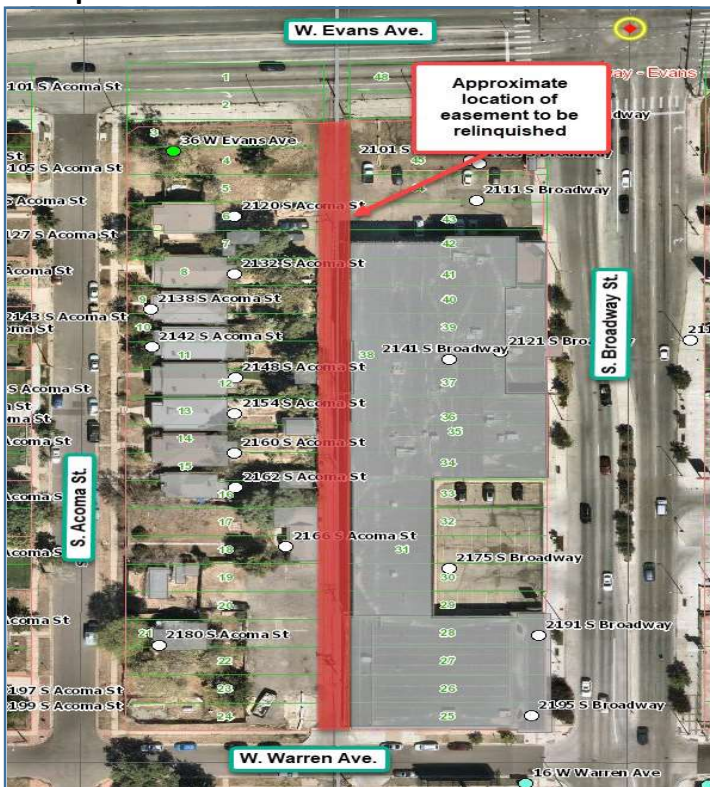
Project Title: 2020-RELINQ-0000022 - Evans and Broadway

Property Owner: Jon C. Helmstaedter and Eric A. Helmstaedter

Description of Proposed Project: Proposing to relinquish the approximate 8,752 square foot utility easement, in its entirety, located between West Evans Avenue and West Warren Avenue and between South Broadway and South Acoma Street.

Background: The property owners are planning to demolish all existing buildings on their site, located at W. Evans Ave. and S. Broadway to build a new mixed-use building. The new development will contain retail, leasing, amenity spaces, and live/work units at the ground floor; an above grade parking garage; and four levels of market-rate residential apartments. All utilities within the easement area have been relocated or rerouted and the utility easement is no longer necessary.

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
Phone: 720-865-3003

EXHIBIT A

LAND DESCRIPTION

PART OF BLOCK 9, ROSEDALE, LOCATED IN THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE 20 FOOT RANGE LINE ALONG W. WARREN AVE. WITH THE 20 FOOT RANGE LINE ALONG S. BROADWAY AND CONSIDERING SAID S. BROADWAY RANGE LINE TO BEAR NORTH 00°15'45" WEST, WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE NORTH 00°15'45" WEST, ALONG SAID S. BROADWAY RANGE LINE, A DISTANCE OF 20.00 FEET TO THE EASTERLY EXTENSION OF THE SOUTHERLY LINE OF SAID BLOCK 9;

THENCE SOUTH 89°33'54" WEST, ALONG SAID EASTERLY EXTENSION AND SOUTHERLY LINE OF SAID BLOCK 9, A DISTANCE OF 145.01 FEET TO THE SOUTHEASTERLY CORNER OF THE UTILITY EASEMENT RESERVED IN ORDINANCE NO. 370, SERIES OF 1991, RECORDED JULY 3, 1991 AT RECEPTION NO. R-91-0060774 IN THE OFFICE OF THE CLERK AND RECORDER OF THE CITY AND COUNTY OF DENVER, AND THE **POINT OF BEGINNING**;

THENCE SOUTH 89°33'54" WEST, ALONG THE SOUTHERLY LINE OF SAID EASEMENT, A DISTANCE OF 16.00 FEET TO THE WESTERLY LINE OF SAID EASEMENT;

THENCE NORTH 00°15'42" WEST, ALONG LAST SAID WESTERLY LINE, A DISTANCE OF 546.35 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF W. EVANS AVE. AS DESCRIBED IN COMBINED RULE AND ORDER RECORDED FEBRUARY 11, 2011 AT RECEPTION NO. 2011016186, IN THE OFFICE OF THE CLERK AND RECORDER OF THE CITY AND COUNTY OF DENVER;

THENCE NORTH 87°16'00" EAST, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 16.01 FEET TO THE EASTERLY LINE OF SAID EASEMENT;

THENCE SOUTH 00°15'42" EAST, ALONG LAST SAID EASTERLY LINE, A DISTANCE OF 546.99 FEET TO THE **POINT OF BEGINNING**;

CONTAINING A CALCULATED AREA OF 8,747 SQUARE FEET OR 0.2008 ACRES, MORE OR LESS.

I, BRIAN J. PFOHL, A SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION AND ATTACHED EXHIBIT WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND CHECKING.



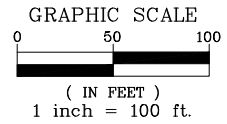
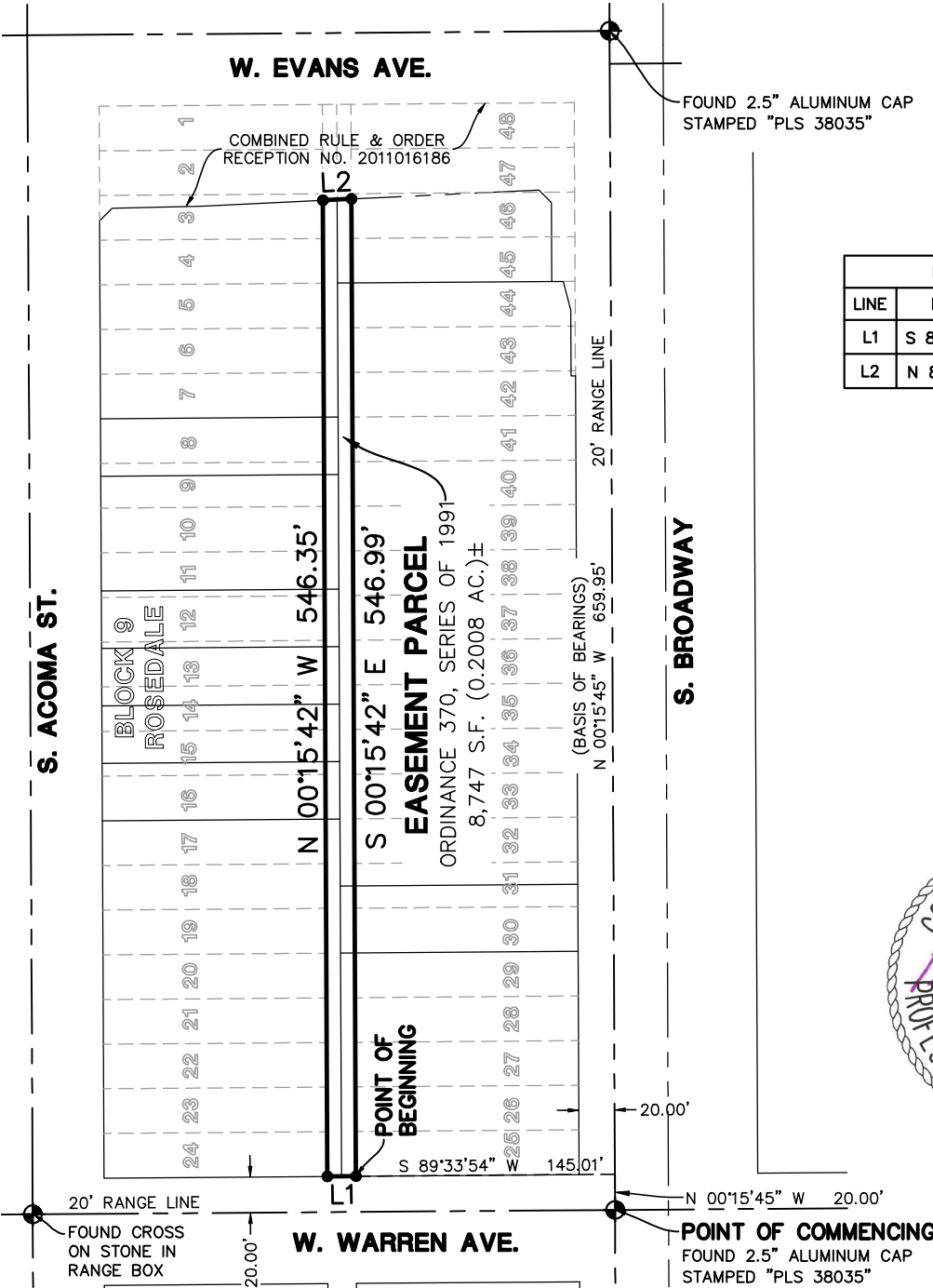
BRIAN J. PFOHL, P.L.S. 38445
FOR AND ON BEHALF OF MANHARD CONSULTING



7600 East Orchard Road, Suite 150-N, Greenwood Village, CO 80111 ph:303.708.0500 manhard.com
Civil Engineering | Surveying & Geospatial Services | GIS
Water Resource Management | Construction Management

EASEMENT	
CITY AND COUNTY OF DENVER, COLORADO	
EXHIBIT A	
PROJ. MGR.: <u>BJP</u>	SHEET
DRAWN BY: <u>EGL</u>	1 OF 2
DATE: <u>09/02/2020</u>	KHA.DNCO06.00
SCALE: <u>N/A</u>	

EXHIBIT A



LINE TABLE		
LINE	BEARING	LENGTH
L1	S 89°33'54" W	16.00'
L2	N 87°16'00" E	16.01'



NOTE:

● DENOTES CHANGE OF DIRECTION ONLY. THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED SURVEY. IT IS INTENDED ONLY TO DEPICT THE ATTACHED LEGAL DESCRIPTION.



7600 East Orchard Road, Suite 150-N, Greenwood Village, CO 80111 ph:303.708.0500 manhard.com
 Civil Engineering | Surveying & Geospatial Services | GIS
 Water Resource Management | Construction Management

EASEMENT	
CITY AND COUNTY OF DENVER, COLORADO	
EXHIBIT A	
PROJ. MGR.: <u>BJP</u>	SHEET
DRAWN BY: <u>EGL</u>	2 OF 2
DATE: <u>09/02/2020</u>	KHA.DNCO06.00
SCALE: <u>1" = 100'</u>	