

## 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-0000016

**DATE:** August 27, 2020

**SUBJECT:** Request for an Ordinance to relinquish a portion of 2 dry utility easements:  
1. Located at Block 5, Lot 1, near Argonne Street and 66<sup>th</sup> Place  
2. Located at Block 11, Lot 3 near Ceylon Street, and Ceylon Court, and 65<sup>th</sup> Avenue  
As established in the High Point Subdivision Filing No.3, Recordation No. 2020036314

**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 John O'Rourke, dated June 4, 2020 on behalf of Taylor Morrison, c/o Jeff McGovern and Matthew Valente for the relinquishment of said easements.

This matter has been checked by this office and has been coordinated with Asset Management; Comcast; the City Councilperson Gilmore, District 11; CPD: Planning Services; Historic Preservation/Landmark; Denver Water; Denver Fire Department; City Forestry; Parks and Recreation; Engineering, Regulatory, and Analytics Transportation and Wastewater; DOTI: Construction Engineering; DOTI – Policy and Planning; Metro Wastewater Reclamation District; Survey; CenturyLink; and Xcel Energy, all of whom have returned our questionnaires indicating their agreement.

As a result of the 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 easements in the following described area(s):

**INSERT PARCEL DESCRIPTION 2020-RELINQ-0000016-001 HERE**  
**INSERT PARCEL DESCRIPTION 2020-RELINQ-0000016-002 HERE**

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

MB:dp



**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

**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

**311 | POCKETGOV.COM | DENVERGOV.ORG | DENVER 8 TV**

**ORDINANCE/RESOLUTION REQUEST**

Please email requests to Jason Gallardo

at [Jason.Gallardo@denvergov.org](mailto:Jason.Gallardo@denvergov.org) by **12:00pm on Monday**. Contact him with questions.

Date of Request: August 27, 2020

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 2 dry utility easements:

1. Located at Block 5, Lot 1, near Argonne Street and 66<sup>th</sup> Place
2. Located at Block 11, Lot 3 near Ceylon Street, and Ceylon Court, and 65<sup>th</sup> Avenue

As established in the High Point Subdivision Filing No.3, Recordation No. 2020036314

**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: <a href="mailto:devin.price@denvergov.org">devin.price@denvergov.org</a>	Email: <a href="mailto:Jason.Gallardo@denvergov.org">Jason.Gallardo@denvergov.org</a>

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

Request for an Ordinance to relinquish a portion of 2 dry utility easements:

1. Located at Block 5, Lot 1, near Argonne Street and 66<sup>th</sup> Place
2. Located at Block 11, Lot 3 near Ceylon Street, and Ceylon Court, and 65<sup>th</sup> Avenue

As established in the High Point Subdivision Filing No.3, Recordation No. 2020036314

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

**7. City Council District:** Councilwoman Gilmore, District 11

**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-0000016 - High Point Subdivision Filing No. 3 Relinquishment

**Owner name:** Taylor Morrison, c/o Jeff McGovern and Matthew Valente

**Description of Proposed Project:**

Request for an Ordinance to relinquish a portion of 2 dry utility easements:

1. Located at Block 5, Lot 1, near Argonne Street and 66th Place
2. Located at Block 11, Lot 3 near Ceylon Street, and Ceylon Court, and 65th Avenue  
As established in the High Point Subdivision Filing No.3, Recordation No. 2020036314

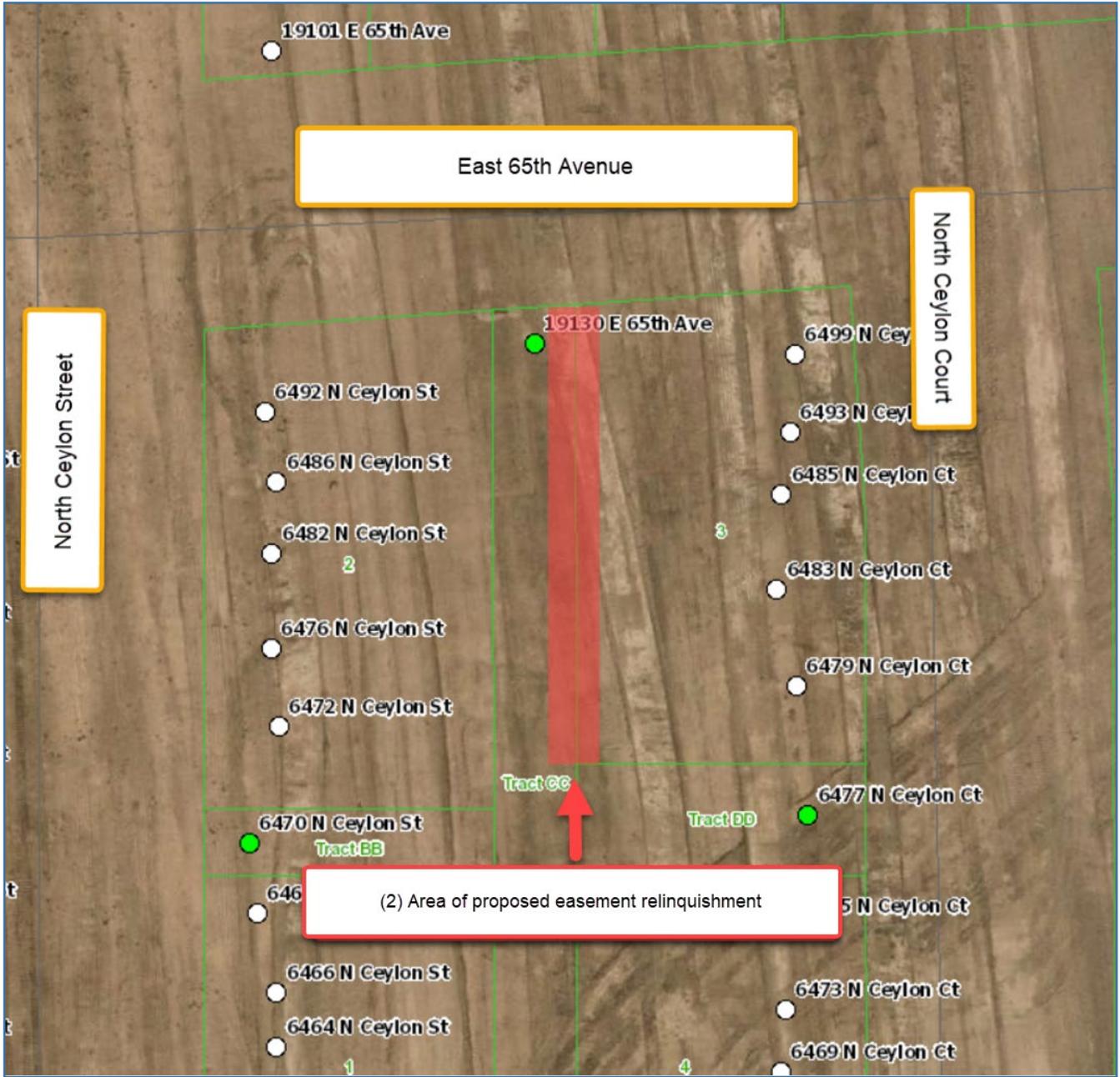
**Explanation of why the public right-of-way must be utilized to accomplish the proposed project:** The easement is no longer needed to service the development located at High Point Subdivision Filing No. 3.

**Background:** The portions of the easements that lie within the subject property are no longer useful to the public due to current alignments of street right-of-way and utility grids.

**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](http://www.denvergov.org/dotj)  
Phone: 720-865-3003



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](http://www.denvergov.org/dotj)  
 Phone: 720-865-3003

# EXHIBIT A

SITUATED IN THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE 6TH P.M.,  
CITY AND COUNTY OF DENVER, STATE OF COLORADO

**LAND DESCRIPTION:**

A PORTION OF THAT 8 FOOT UTILITY EASEMENT OVER AND ACROSS LOT 1, BLOCK 5, AND TRACT P, AS SHOWN ON THE PLAT OF HIGHPOINT SUBDIVISION FILING NO. 3, RECORDED AT RECEPTION NO. 2020036314, SITUATED IN THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE SOUTHWEST CORNER OF SAID LOT 1;  
THENCE NORTH 69°01'36" EAST A DISTANCE OF 10.77 FEET TO A CORNER OF SAID EASEMENT AND THE **POINT OF BEGINNING**;

THENCE SOUTH 89°10'19" EAST ALONG THE NORTH LINE OF SAID EASEMENT, A DISTANCE OF 94.25 FEET TO A CORNER OF SAID EASEMENT;  
THENCE SOUTH 00°49'41" WEST, A DISTANCE OF 8.00 FEET TO A POINT ON THE NORTH LINE OF TRACT P;  
THENCE NORTH 89°10'19" WEST ALONG THE SOUTH LINE OF SAID EASEMENT, A DISTANCE OF 94.25 FEET TO A CORNER OF SAID EASEMENT;  
THENCE NORTH 00°49'41" EAST, A DISTANCE OF 8.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 754 SQUARE FEET OR 0.02 ACRES, MORE OR LESS.

**BASIS OF BEARINGS:** BEARINGS ARE BASED ON THE SOUTH LINE OF LOT 1, BLOCK 5, HIGH POINT SUBDIVISION FILING NO. 3, BEARING SOUTH 89°10'19" EAST, AS SHOWN ON THE PLAT OF HIGH POINT SUBDIVISION FILING NO. 3 RECORDED AT RECEPTION NO. 2020036314, CITY AND COUNTY OF DENVER.

PREPARED BY: AARON MURPHY  
PLS 38162

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



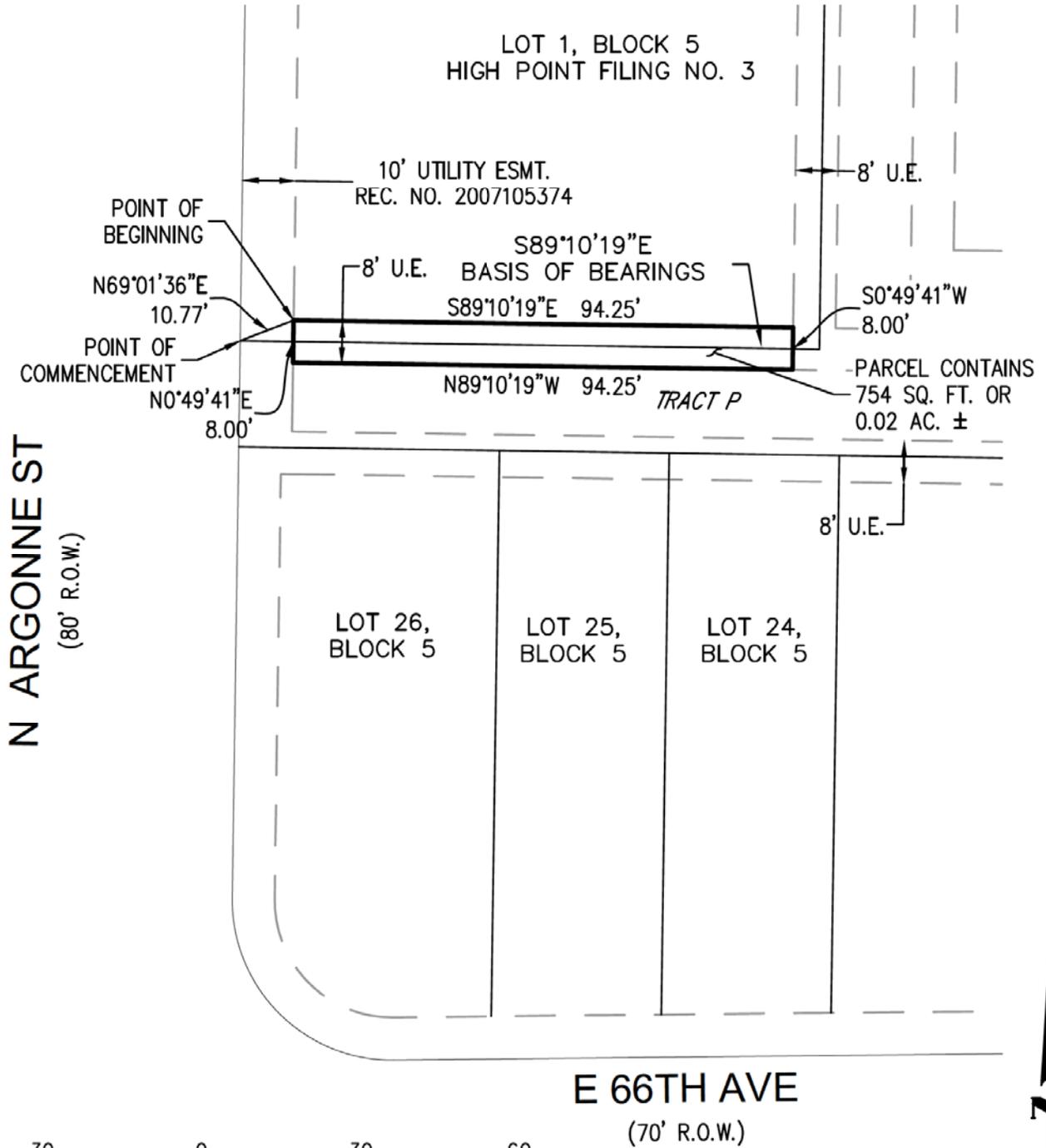
FILEPATH: P:\180422\SURVEY\CSMT-VACADMG\_LAYOUT\_LAYOUT  
4 2020/07/29 10:36:58A BY: RUSSELL REIMANN

NO CHANGES ARE TO BE MADE TO THIS DRAWING WITHOUT WRITTEN PERMISSION OF HARRIS KOCHER SMITH.

ISSUE DATE: 06-02-2020		PROJECT #: 180422	DESCRIPTION	 1120 Lincoln Street, Suite 1000 Denver, Colorado 80203 P: 303.623.6300 F: 303.623.6311 HarrisKocherSmith.com	CHK'D BY: AWM
DATE	REVISION COMMENTS				DRAWN BY: RCR
					SHEET NO.
					1
					1 OF 2

# EXHIBIT A

SITUATED IN THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE 6TH P.M.,  
CITY AND COUNTY OF DENVER, STATE OF COLORADO



SCALE: 1" = 30'



FILEPATH: P:\180422\SURVEY\ESMT-VACADMG\_LAYOUT.LAYOUT2  
A 0023: 1/2/2020 10:00:00 AM  
PLOTTER: HP 577/1720 TO 3636A HP\_RUSSELL\_REIMANN

NO CHANGES ARE TO BE MADE TO THIS DRAWING WITHOUT WRITTEN PERMISSION OF HARRIS KOCHER SMITH.

ISSUE DATE: 06-02-2020		PROJECT #: 180422	
DATE	REVISION COMMENTS		

EXHIBIT

**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: RCR
SHEET NO. <b>2</b> 2 OF 2

# EXHIBIT A

SITUATED IN THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE 6TH P.M.,  
CITY AND COUNTY OF DENVER, STATE OF COLORADO

**LAND DESCRIPTION:**

A PORTION OF THAT 8 FOOT UTILITY EASEMENT OVER AND ACROSS LOT 3, BLOCK 11, AND TRACT CC, AS SHOWN ON THE PLAT OF HIGHPOINT SUBDIVISION FILING NO. 3, RECORDED AT RECEPTION NO. 2020036314, SITUATED IN THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE NORTHWEST CORNER OF SAID LOT 3;  
THENCE SOUTH 20°00'39" WEST, A DISTANCE OF 8.75 TO A CORNER OF SAID EASEMENT AND THE **POINT OF BEGINNING**;

THENCE NORTH 86°08'29" EAST, A DISTANCE OF 8.02 FEET TO THE EAST LINE OF SAID EASEMENT;  
THENCE SOUTH 00°02'40" EAST ALONG SAID LINE, A DISTANCE OF 103.03 FEET TO A CORNER OF SAID EASEMENT;  
THENCE SOUTH 89°57'20" WEST, A DISTANCE OF 8.00 FEET TO THE WEST LINE OF SAID EASEMENT;  
THENCE NORTH 00°02'40" WEST ALONG SAID LINE, A DISTANCE OF 102.49 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 822 SQUARE FEET OR 0.02 ACRES, MORE OR LESS.

**BASIS OF BEARINGS:** BEARINGS ARE BASED ON THE NORTH LINE OF LOT 3, BLOCK 11, HIGHPOINT FILING NO. 3, BEARING NORTH 86°08'29" EAST, AS SHOWN ON THE PLAT OF HIGH POINT SUBDIVISION FILING NO. 3 RECORDED AT RECEPTION NO. 2020036314, CITY AND COUNTY OF DENVER.

PREPARED BY: AARON MURPHY  
PLS 38162

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



FILEPATH: P:\180422\SURVEY\CSMT-VACA-2.DWG LAYOUT: LAYOUT1  
4 2020: e-b700, e-700, p-211, p-211-df211  
PLOTTER: HPD 07/22/20 11:04:58A BY: RUSSELL REIMANN

NO CHANGES ARE TO BE MADE TO THIS DRAWING WITHOUT WRITTEN PERMISSION OF HARRIS KOCHER SMITH.

DATE	REVISION COMMENTS

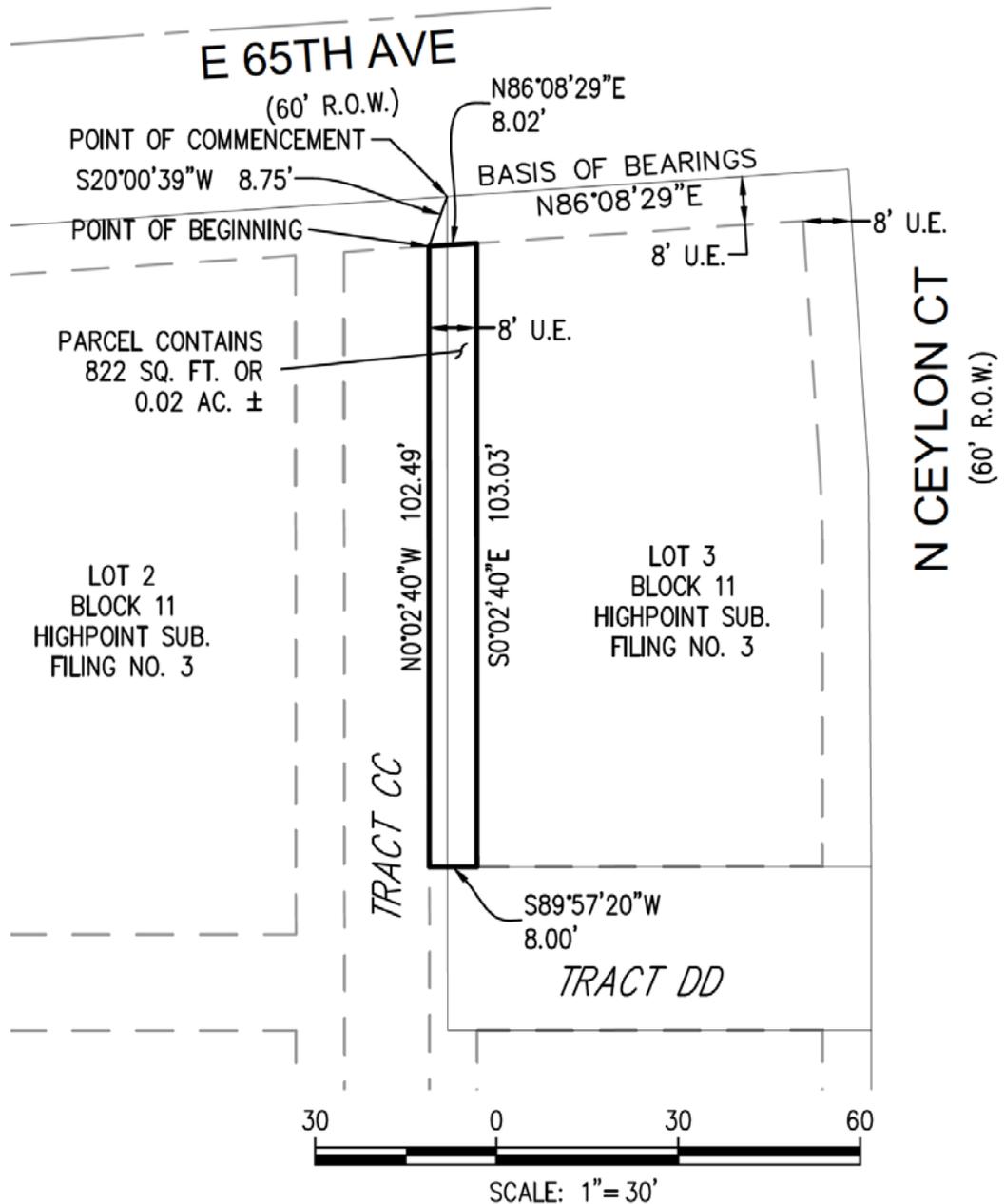
DESCRIPTION

**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: RCR
SHEET NO. <b>1</b>
1 OF 2

# EXHIBIT A

SITUATED IN THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE 6TH P.M.,  
CITY AND COUNTY OF DENVER, STATE OF COLORADO



FILEPATH: P:\180422\SURVEY\ESMT-VACA-2.DWG LAYOUT: LAYOUT2  
A DATE: 06/02/2020 07:58:00 BY: RCR  
PLOTTER: HP DesignJet 2400-600-104-011 RY: ROSECEL REIMANN

NO CHANGES ARE TO BE MADE TO THIS DRAWING WITHOUT WRITTEN PERMISSION OF HARRIS KOCHER SMITH.

DATE	REVISION COMMENTS

EXHIBIT

**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: RCR
SHEET NO. <b>2</b>
2 OF 2