


REQUEST FOR ORDINANCE TO RELINQUISH AN EASEMENT

TO: Katie Ehlers, City Attorney's Office

FROM: Glen Blackburn, PE, Director, Right of Way Services 

PROJECT NO: 2024-RELINQ-0000018

DATE: February 26, 2025

SUBJECT: Request for an Ordinance to relinquish the sanitary sewer portion of the easements established in the Property Deed Reception No. 9900004241. Located at 3800 North Xanthia 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 Eric McDaniel, dated October 9, 2024 on behalf of KH Georgia LLC for the relinquishment of the subject easement.

This matter has been coordinated with Asset Management; City Forester; Comcast; Denver Water; DOTI ROWS Survey; Denver Fire Department; Historic Preservation/Landmark; Metro Water Recovery; Emergency Management; Parks & Recreation; DOTI ROWS Construction Engineering; DOTI Policy and Planning; DOTI Sign & Stripe; CenturyLink; Xcel Energy; City Councilperson Lewis, District 8; CPD DS Project Coordinator; DOTI ROWS DES Transportation and Wastewater; DOTI ROWS ER Transportation; 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 2024-RELINQ-0000018-001 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 – Alaina McWhorter
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/rowplanreview
Phone: (720) 865-3003

ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor's Legislative Team
at MileHighOrdinance@DenverGov.org by 9 a.m. Friday. Contact the Mayor's Legislative team with questions

Date of Request: February 26, 2025

Please mark one: Bill Request or Resolution Request

Please mark one: The request directly impacts developments, projects, contracts, resolutions, or bills that involve property and impact within .5 miles of the South Platte River from Denver's northern to southern boundary? (Check map [HERE](#))

Yes No

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.)

Approves an Ordinance to relinquish **the sanitary sewer portion of the** easements established in the Property Deed Reception No. **9900004241**. Located at 3800 North Xanthia Street.

3. **Requesting Agency:** Department of Transportation & Infrastructure, Right-of-Way Services, Engineering & 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: Jessica Eusebio	Name: Alaina McWhorter
Email: Jessica.eusebio@denvergov.org	Email: Alaina.mcwhorter@denvergov.org

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

Request for an Ordinance to relinquish the sanitary sewer portion of the easements established in the Property Deed Reception No. 9900004241. Located at 3800 North Xanthia Street.

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

7. **City Council District:** Councilperson Lewis, District 8

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</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

Application Title: 2024-RELINQ-0000018 - 3800 N Xanthia St Relinquishment

Property Owner: KH Georgia LLC

Description of Proposed Easement Relinquishment: Relinquishing the sanitary sewer portion of the easements established in the Property Deed Reception No. 9900004241. Located at 3800 North Xanthia Street.

Project Background: The applicant is proposing to relinquish a portion of the easements to allow for redevelopment of the area. The private sanitary sewer main has been realigned and no longer flows through this stretch of the subject easement area.

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/rowplanreview
Phone: (720) 865-3003

EXHIBIT A
LEGAL DESCRIPTION
SHEET 1 OF 2

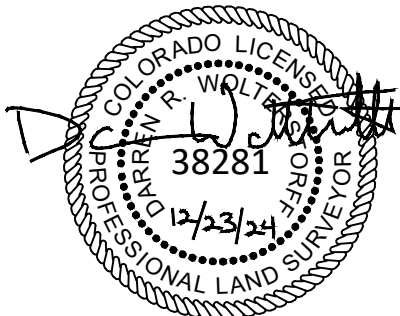
THAT PARCEL DESCRIBED IN EXHIBIT 2 OF THAT PROPERTY DEED RECORDED AT RECEPTION NO. 9900004241 IN THE RECORDS OF THE CITY AND COUNTY OF DENVER, SITUATED IN THE NORTHEAST QUARTER OF SECTION 28 AND NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE RANGE POINT AT E 35TH DRIVE AND N YOSEMITE STREET, AS MONUMENTED BY A RECOVERED 1-1/4" RED PLASTIC CAP STAMPED "URS CORP PLS 20683" 0.1' BELOW GRADE IN RANGE BOX, WHENCE THE RANGE POINT AT THE INTERSECTION OF N XANTHIA COURT AND E 35TH DRIVE, AS MONUMENTED BY A RECOVERED #5 REBAR 0.2' BELOW GRADE IN RANGE BOX, BEARS N 90°00'00" W, A DISTANCE OF 540.00 FEET, SAID 16' RANGE LINE FORMING THE BASIS OF BEARINGS FOR THIS DESCRIPTION; THENCE N 07°03'21" E, A DISTANCE OF 379.28 FEET TO THE SOUTH CORNER OF SAID EXHIBIT 2 PARCEL AND THE POINT OF BEGINNING; THENCE ALONG THE PERIMETER OF SAID EXHIBIT 2 PARCEL THE FOLLOWING EIGHT (8) COURSES:

- 1) N 26°58'39" W, A DISTANCE OF 193.35 FEET;
- 2) N 73°55'07" W, A DISTANCE OF 319.93 FEET;
- 3) N 26°52'42" W, A DISTANCE OF 270.39 FEET;
- 4) S 62°39'49" E, A DISTANCE OF 68.41 FEET;
- 5) S 26°52'42" E, A DISTANCE OF 197.49 FEET;
- 6) S 73°55'07" E, A DISTANCE OF 319.88 FEET;
- 7) S 26°58'39" E, A DISTANCE OF 140.68 FEET;
- 8) S 02°45'12" W, A DISTANCE OF 80.66 FEET TO THE POINT OF BEGINNING.

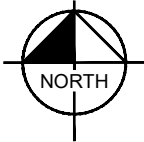
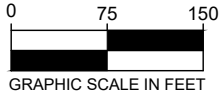
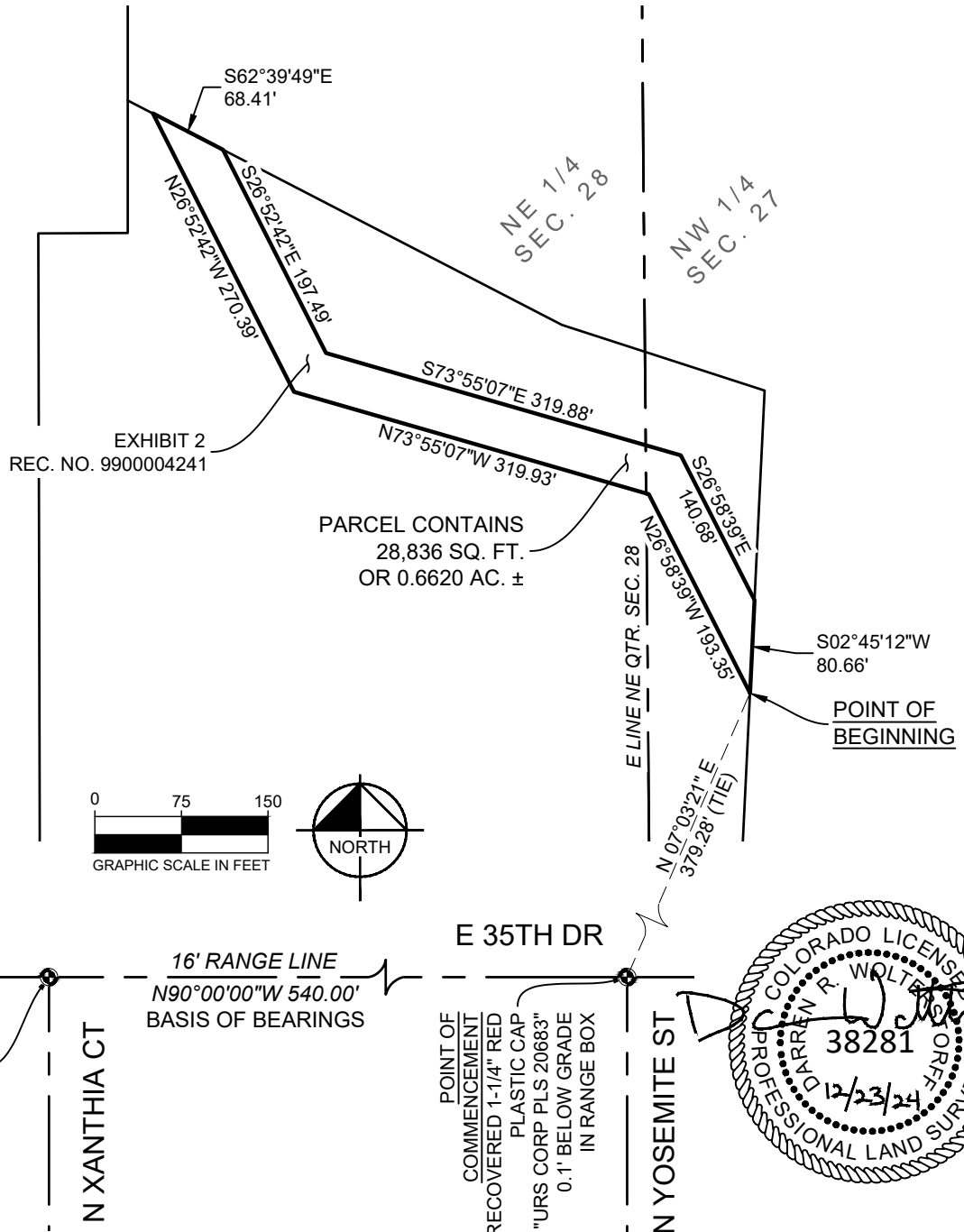
SAID PARCEL CONTAINS 28,836 SQUARE FEET OR 0.6620 ACRE, MORE OR LESS.

I, DARREN R. WOLTERSTORFF, BEING A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THIS EXHIBIT WAS PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE, IS IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE, IS ACCURATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, AND IS NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED.



DARREN R. WOLTERSTORFF, PLS 38281
FOR AND ON BEHALF OF KIMLEY-HORN AND ASSOCIATES, INC.
6200 SOUTH SYRACUSE WAY, #300
GREENWOOD VILLAGE, CO 80111
(303) 228-2300

EXHIBIT A
ILLUSTRATION
SHEET 2 OF 2



NOTES:

1. ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

2. THIS DOCUMENT IS NOT A LAND SURVEY PLAT OR AN IMPROVEMENT SURVEY PLAT AND DOES NOT REPRESENT A MONUMENTED LAND SURVEY. IT IS INTENDED TO DEPICT THE ATTACHED PARCEL DESCRIPTION ONLY.

Kimley»Horn

6200 SOUTH SYRACUSE WAY, #300
GREENWOOD VILLAGE, CO 80111

Tel. No. (303) 228-2300
www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 150'	PTM	DRW	2024-12-23	096468001	2 OF 2