


## 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:** 2023-RELINQ-0000006

**DATE:** October 10, 2023

**SUBJECT:** Request for an Ordinance to relinquish a portion of the easement established in the Permanent Easement for Public Access Recordation No. 2022068734. Located at 1049 North Stewart 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 Katie Bonomo, dated March 3, 2023 on behalf of Habitat for Humanity of Metro Denver 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, ER Transportation & Wastewater; Denver Fire Department; Historic Preservation/Landmark; Metro Water Recovery; Emergency Management; Parks & Recreation; CenturyLink; Xcel Energy; City Councilperson Torres, District 3; 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 2023-RELINQ-0000006-001 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](http://www.denvergov.org/doti)  
Phone: 720-865-3003

# 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: October 10, 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 easement established in the Permanent Easement for Public Access Recordation No. 2022068734. Located at 1049 North Stewart 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	Contact person to present item at Mayor-Council and Council
Name: Jessica Eusebio	Name: Jason Gallardo
Email: <a href="mailto:Jessica.Eusebio@denvergov.org">Jessica.Eusebio@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 the easement established in the Permanent Easement for Public Access Recordation No. 2022068734. Located at 1049 North Stewart Street.

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

## 7. City Council District: Councilperson Torres, District 3

## 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?

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*To be completed by Mayor's Legislative Team:*

Resolution/Bill Number: \_\_\_\_\_

Date Entered: \_\_\_\_\_

# EASEMENT RELINQUISHMENT EXECUTIVE SUMMARY

**Project Title:** 2023-RELINQ-0000006 1049 N Stuart St

**Property Owner:** Habitat for Humanity of Metro Denver

**Description of Proposed Project:** Request for an Ordinance to relinquish a portion of the easement established in the Permanent Easement for Public Access Recordation No. 2022068734. Located at 1049 North Stewart Street.

**Background:** A new alley is being built to replace the need for the subject easement and this will allow Habitat for Humanity to build two homes on the site.

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

# EXHIBIT "A" LAND DESCRIPTION

SHEET 1 OF 2

A PARCEL OF LAND BEING A PORTION OF LOTS 36 AND 37, BLOCK 9, WEST VILLA PARK, AND SITUATED IN THE NORTHEAST 1/4 OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A RANGE POINT IN THE INTERSECTION OF STUART STREET AND WEST 10TH AVENUE BEING A NUMBER 5 REBAR FROM WHENCE A RANGE POINT IN THE INTERSECTION OF TENNYSON STREET AND WEST 10TH AVENUE BEING AN AXLE BEARS NORTH 89°39'45" WEST, A DISTANCE OF 305.08 FEET WITH ALL BEARINGS HEREIN RELATIVE THERETO;

THENCE NORTH 03°14'59" WEST, A DISTANCE OF 320.45 FEET TO THE SOUTHEAST CORNER OF SAID LOT 37 AND THE POINT OF BEGINNING;

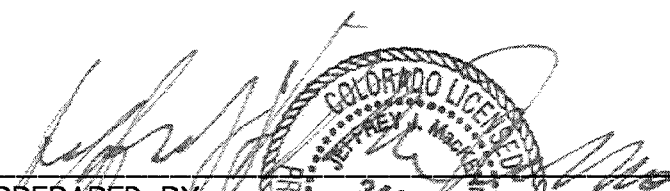
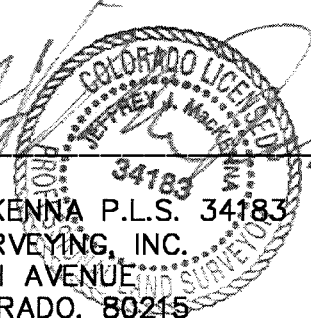
THENCE SOUTH 80°47'03" WEST, A DISTANCE OF 126.84 FEET TO THE WEST LINE OF SAID LOT 36;

THENCE NORTH 00°19'43" EAST ALONG THE WEST LINE OF SAID LOT 36, A DISTANCE OF 19.81 FEET;

THENCE NORTH 80°19'22" EAST, A DISTANCE OF 127.01 FEET TO THE EAST LINE OF SAID LOT 37;

THENCE SOUTH 00°19'43" WEST ALONG THE EAST LINE OF SAID LOT 37, A DISTANCE OF 20.85 FEET TO THE SOUTHEAST CORNER OF SAID LOT 37 AND THE POINT OF BEGINNING.

CONTAINING: 2,543 SQUARE FEET, 0.058 ACRES OF LAND, MORE OR LESS.

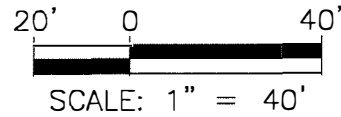
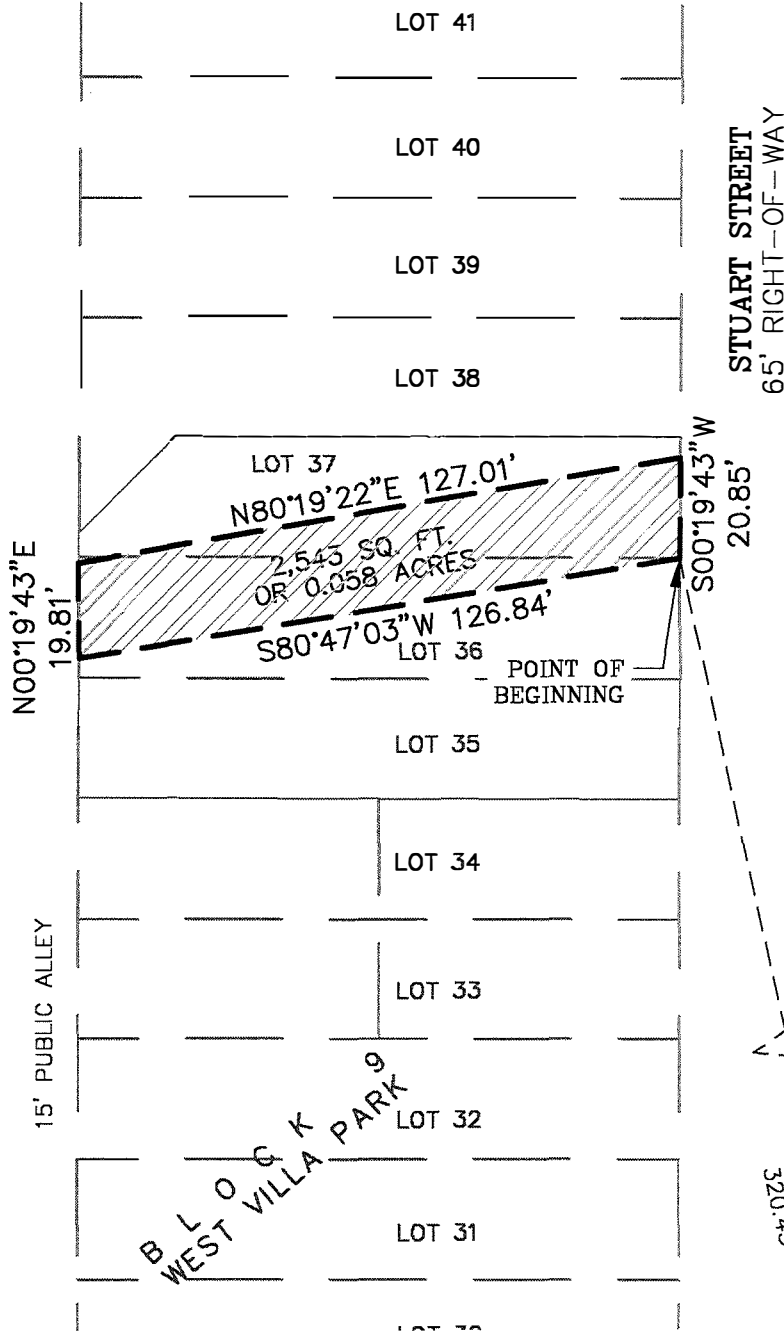
  
  
 PREPARED BY: JEFFREY J. MACKENNA P.L.S. 34183 DATE: 12/13/2021  
 FOR FALCON SURVEYING, INC.  
 9940 WEST 25TH AVENUE  
 LAKEWOOD COLORADO, 80215  
 (303)202-1560

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# EXHIBIT "A"

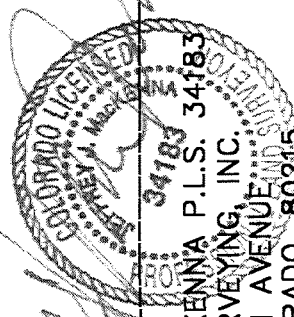
SITUATED IN THE NE 1/4, SECTION 6, T4S, R68W, OF THE 6TH P.M.  
CITY AND COUNTY OF DENVER, STATE OF COLORADO

SHEET 2 OF 2



THIS ILLUSTRATION DOES NOT REPRESENT A MONUMENTED SURVEY.  
IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION.

DATE: 12/13/2021

  
 PREPARED BY: **JEFFREY J. MACKENNA P.L.S. 34183**  
 FOR **FALCON SURVEYING, INC.**  
 9940 WEST 25TH AVENUE  
 LAKEWOOD COLORADO, 80215  
 (303)202-1560

FOUND AXLE 0.7'  
B.G. IN RANGE BOX

POINT OF COMMENCEMENT  
FOUND NO.5 REBAR 0.9'  
B.G. IN RANGE BOX