

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-0000020

DATE: September 17, 2020

SUBJECT: Request for an Ordinance to relinquish the sanitary easement in its entirety as established in the Permanent Non-exclusive Easement with Recordation No. 2018015884. Located at 3631 – 3645 Delgany 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 Otten Johnson c/o Cory Rutz, dated June 16, 2020 on behalf of Delgany, LLC c/o Schnitzer West, LLC c/o Kyle Flippen 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-0000020-001 HERE

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

MB: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
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 by **12:00pm on Monday**. Contact him with questions.

Date of Request: September 17, 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.)

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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 sanitary easement in its entirety as established in the Permanent Non-exclusive Easement with Recordation No. 2018015884. Located at 3631 – 3645 Delgany Street.

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

7. City Council District: Councilwoman CdeBaca, District 9

8. **For all contracts, fill out and submit accompanying Key Contract Terms worksheet**

Key Contract Terms

Type of Contract: (e.g. Professional Services > \$500K; IGA/Grant Agreement, Sale or Lease of Real Property):

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____

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> <i>(A)</i>	<i>Additional Funds</i> <i>(B)</i>	<i>Total Contract Amount</i> <i>(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-0000020 - 3615 Delgany St Relinquishment

Property Owner: Delgany, LLC c/o Schnitzer West, LLC c/o Kyle Flippen

Description of Proposed Project: Request for an Ordinance to relinquish the sanitary easement in its entirety as established in the Permanent Non-exclusive Easement with Recordation No. 2018015884. Located at 3631 – 3645 Delgany Street.

Background: Previously, the facilities were never constructed within the property and neither the City nor the owner have plans to construct facilities at a later date.

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/dot
Phone: 720-865-3003

EXHIBIT "A"

LAND DESCRIPTION

SHEET 1 OF 2

A PARCEL OF LAND BEING LOTS 40, 41 AND 42, BLOCK 17, FIRST ADDITION TO IRONTON, TOGETHER WITH THE EASTERLY 1/2 OF THE VACATED ALLEY ADJACENT THERETO AS VACATED BY ORDINANCE NO. 584 SERIES OF 1991 RECORDED AUGUST 08, 1991 UNDER RECEPTION NO. 75551, CITY AND COUNTY OF DENVER, STATE OF COLORADO AND SITUATED IN THE SOUTHEAST 1/4 OF SECTION 22 AND THE SOUTHWEST 1/4 OF SECTION 23, TOWNSHIP 3 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 36TH STREET AND DELGANY STREET BEING A 2" ALUMINUM CAP "PLS 37929" IN RANGE BOX FROM WHENCE A RANGE POINT IN THE INTERSECTION OF 36TH STREET AND CHESTNUT PLACE BEING A 2" ALUMINUM CAP "PLS 39926" IN RANGE BOX BEARS NORTH 45°25'55" WEST A DISTANCE OF 345.81 FEET WITH ALL BEARINGS HEREIN RELATIVE THERETO.

THENCE NORTH 26°16'27" EAST A DISTANCE OF 63.72 FEET TO THE SOUTH CORNER OF SAID BLOCK 17;

THENCE NORTH 44°34'01" EAST ALONG THE SOUTHEASTERLY LINE OF SAID BLOCK 17 A DISTANCE OF 174.93 FEET TO THE SOUTH CORNER OF SAID LOT 40 AND THE POINT OF BEGINNING;

THENCE NORTH 45°25'55" WEST ALONG THE SOUTHWESTERLY EXTENDED LINE OF SAID LOT 40, A DISTANCE OF 132.97 FEET;

THENCE NORTH 44°32'51" EAST A DISTANCE OF 74.97 FEET TO THE NORTHEASTERLY EXTENDED LINE OF SAID LOT 42;

THENCE SOUTH 45°25'55" EAST ALONG THE NORTHEASTERLY EXTENDED LINE OF SAID LOT 42, A DISTANCE OF 132.99 FEET TO THE EAST CORNER OF SAID LOT 42;

THENCE SOUTH 44°34'01" WEST ALONG THE SOUTHEASTERLY LINE OF SAID BLOCK 17 A DISTANCE OF 74.97 FEET TO THE POINT OF BEGINNING.

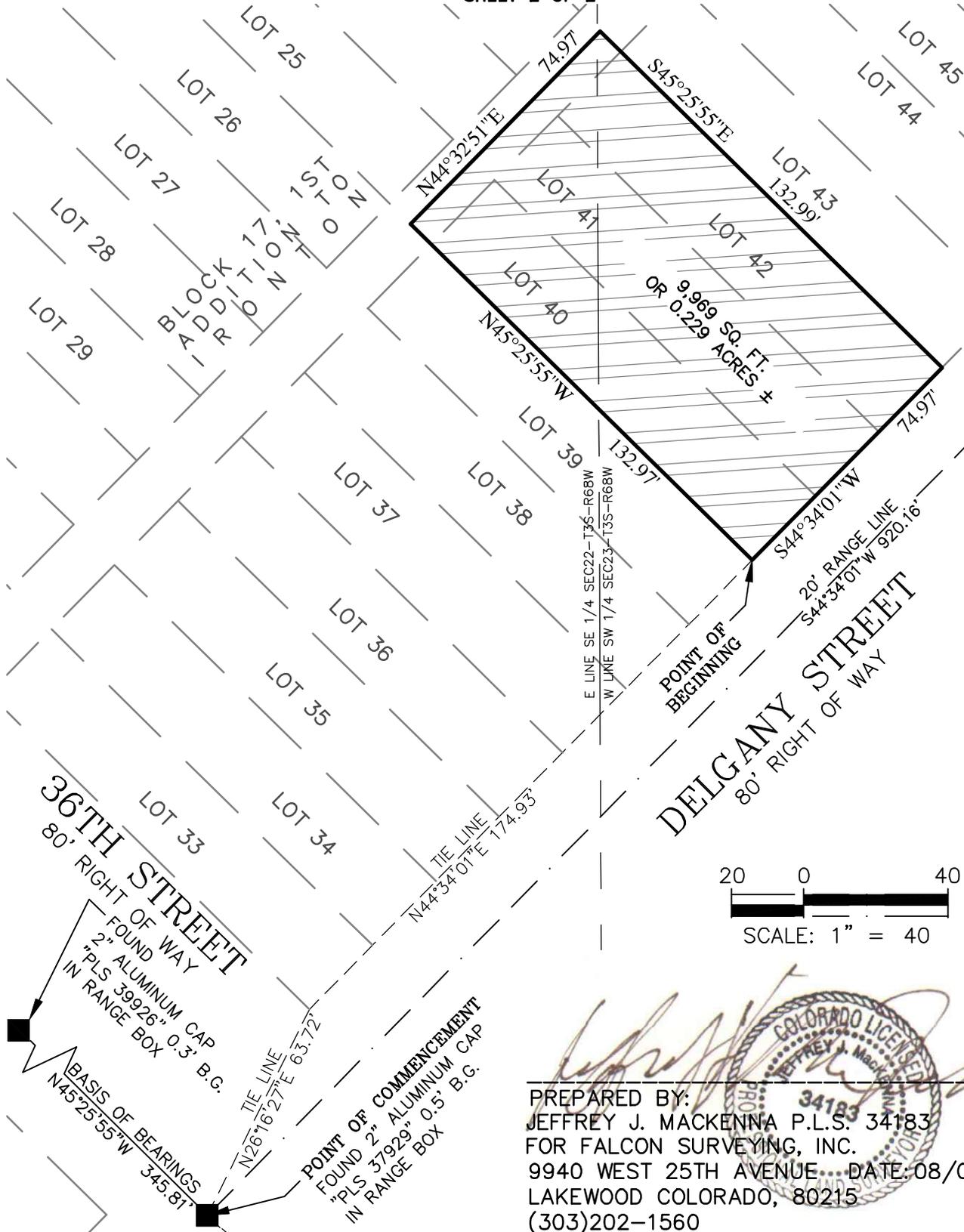
CONTAINING: 9,969 SQUARE FEET, 0.229 ACRES OF LAND, MORE OR LESS.


 PREPARED BY: JEFFREY J. MACKENNA P.L.S. 34183 DATE: 08/03/2020
 FOR FALCON SURVEYING, INC.
 9940 WEST 25TH AVENUE
 LAKEWOOD COLORADO, 80215
 (303)202-1560

EXHIBIT "A"

SITUATED IN THE SE 1/4 SEC 22 & SW 1/4 SEC 23, T3S, 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.