


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: 2021-RELINQ-0000004

DATE: June 17, 2021

SUBJECT: Request for an Ordinance to relinquish a portion of the 10-foot utility easement established in the Denver Gateway Center Filing No. 5 Recordation No. 2019153485. Located at 62nd Avenue, North Ceylon Street, and North Dunkirk 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 Lokal Communities, LLC c/o Tommy Pucciano, dated February 19, 2021 on behalf of Progressive Land Company c/o Chris Mussleman for the relinquishment of the subject easement(s).

This matter has been coordinated with City Councilperson Gilmore, District 11; 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 2021-RELINQ-0000004-001 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

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: June 17, 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 a portion of the 10-foot utility easement established in the Denver Gateway Center Filing No. 5 Recordation No. 2019153485. Located at 62nd Avenue, North Ceylon Street, and North Dunkirk Street.

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 a portion of the 10-foot utility easement established in the Denver Gateway Center Filing No. 5 Recordation No. 2019153485. Located at 62nd Avenue, North Ceylon Street, and North Dunkirk Street.

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

7. City Council District: Councilperson Gilmore, District 11

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> <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: 2021-RELINQ-0000004 - Denver Gateway Center Filing No. 5 East Relinquishment

Property Owner: Progressive Land Company c/o Chris Mussleman

Description of Proposed Project: Request for an Ordinance to relinquish a portion of the 10-foot utility easement established in the Denver Gateway Center Filing No. 5 Recordation No. 2019153485. Located at 62nd Avenue, North Ceylon Street, and North Dunkirk Street.

Background: Applicant is requesting the relinquishment of the easements to accommodate development of the parcel according to the approved concept plan.

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/dotj
Phone: 720-865-3003

EXHIBIT A

LAND DESCRIPTION

A PORTION OF THAT 10' UTILITY EASEMENT ACROSS LOT 1, BLOCK 1, AS SHOWN ON THE PLAT OF DENVER GATEWAY CENTER FILING NO. 5, RECORDED AT RECEPTION NO. 2019153485, SITUATED IN THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: BEARINGS ARE BASED UPON THE EAST LINE OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, ASSUMED TO BEAR NORTH 00°03'23" WEST, WITH ALL BEARINGS HEREIN RELATIVE THERETO, AS MONUMENTED AT THE CENTER QUARTER CORNER AND THE NORTH QUARTER CORNER BY A 3-1/2" ALUMINUM CAP STAMPED "CALVADA SURVPLS 29412";

COMMENCING AT THE SAID CENTER QUARTER CORNER OF SECTION 10;

THENCE NORTH 00°03'23" WEST ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 10, A DISTANCE OF 634.19 FEET;

THENCE SOUTH 89°56'37" WEST, A DISTANCE OF 42.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1;

THENCE NORTH 00°03'23" WEST ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 5.10 FEET, SAID POINT ALSO BEING THE TRUE **POINT OF BEGINNING**;

THENCE NORTH 78°52'26" WEST A DISTANCE OF 752.25 FEET;

THENCE NORTH 01°47'07" WEST A DISTANCE OF 5.13 FEET TO A POINT BEING THE SOUTH WEST ANGLE POINT OF SAID 10' UTILITY EASEMENT DEDICATED BY DENVER GATEWAY CENTER FILING NO. 5;

THENCE ALONG SAID 10' UTILITY EASEMENT SOUTH 78°52'26" EAST A DISTANCE OF 742.21 FEET TO A POINT BEING THE SOUTH EAST ANGLE POINT OF SAID 10' UTILITY EASEMENT DEDICATED BY DENVER GATEWAY CENTER FILING NO. 5;

THENCE ALONG SAID 10' UTILITY EASEMENT NORTH 00°03'23" WEST A DISTANCE OF 637.73 FEET TO A POINT BEING THE NORTH EAST ANGLE POINT OF SAID 10' UTILITY EASEMENT DEDICATED BY DENVER GATEWAY CENTER FILING NO. 5;

THENCE ALONG SAID 10' UTILITY EASEMENT SOUTH 89°17'25" WEST A DISTANCE OF 729.13 FEET TO A POINT BEING THE NORTH WEST ANGLE POINT OF SAID 10' UTILITY EASEMENT DEDICATED BY DENVER GATEWAY CENTER FILING NO. 5;

EXHIBIT A

LAND DESCRIPTION (CONT.)

THENCE NORTH 00°08'08" WEST A DISTANCE OF 5.00 FEET;

THENCE NORTH 89°17'25" EAST, A DISTANCE OF 364.83 FEET;

THENCE NORTH 00°42'35" WEST A DISTANCE OF 5.00 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 1;

THENCE NORTH 89°17'25" EAST ALONG THE NORTH LINE OF SAID LOT 1 A DISTANCE OF 374.37 FEET TO THE NORTH EAST CORNER OF LOT 1;

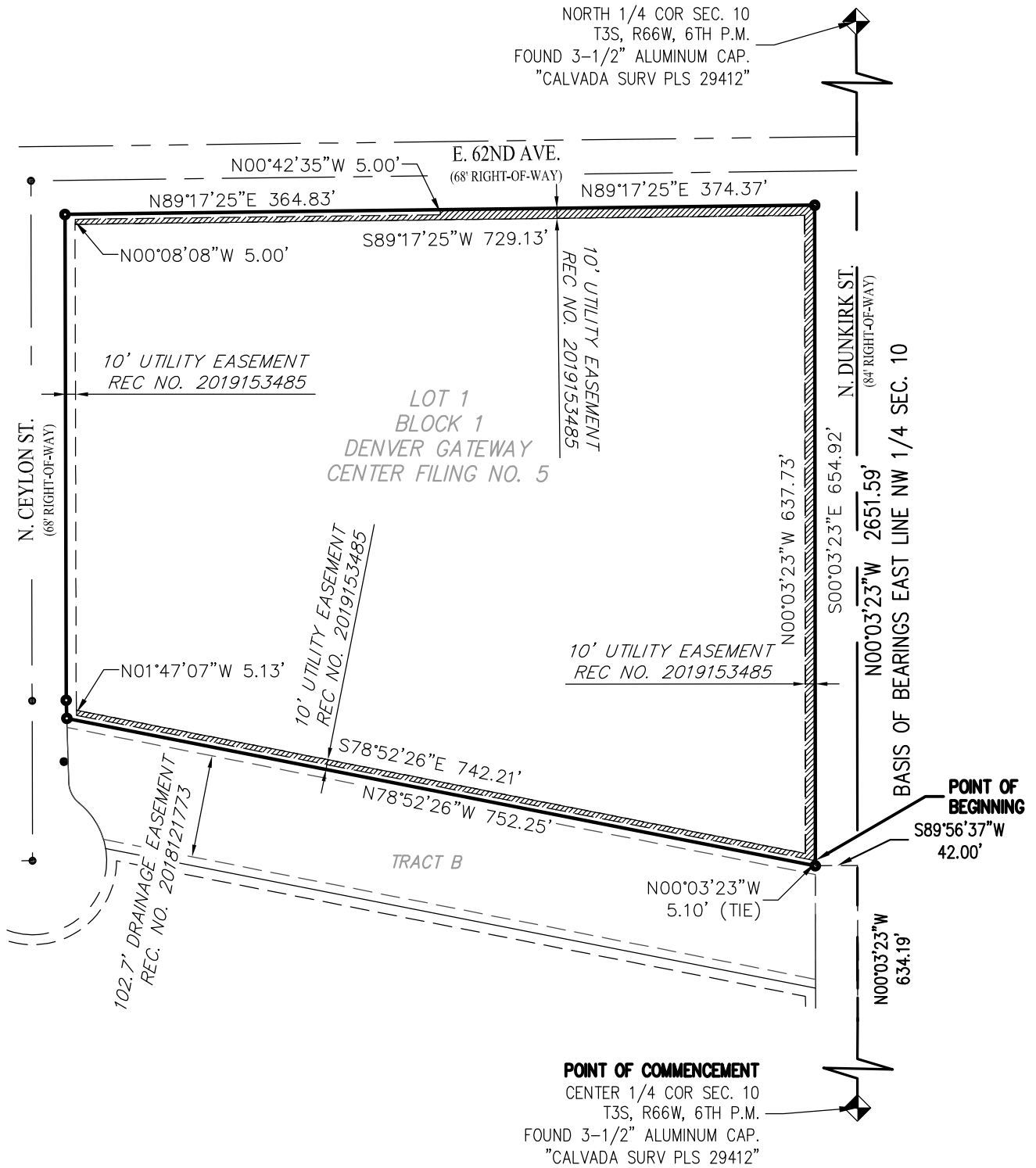
THENCE SOUTH 00°03'23" EAST ALONG THE EAST LINE OF SAID LOT 1 A DISTANCE OF 654.92 FEET TO THE POINT OF BEGINNING;

CONTAINING A TOTAL OF 15,717 SQ. FT. OR 0.361 ACRES MORE OR LESS.

PREPARED BY:

BRIAN S. SOCIA, PLS
FOR AND BEHALF OF
BOWMAN CONSULTING GROUP, LTD.
1526 COLE BLVD, SUITE 100
LAKEWOOD, CO 80401

EXHIBIT A



SCALE: 1" = 150'

NOTE:
THIS DRAWING IS MEANT TO DEPICT THE ATTACHED PARCEL
DESCRIPTION AND IS FOR INFORMATIONAL PURPOSES ONLY.
IT DOES NOT REPRESENT A MONUMENTED LAND SURVEY.

PARCEL CONTAINS 15,717 SQ. FT OR 0.361 ACRES MORE OR LESS.

SEC 10, T3S, R66W
6TH P.M.
DENVER COUNTY
COLORADO

EXHIBIT A

BY: BTG CHK: BSS DATE: 05/13/2021

BCG PROJECT NO: 090594

SHEET
3
OF
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1526 Cole Blvd., Suite 100, Lakewood, Colorado 80401
Phone: (303) 801-2900
www.bowmanconsulting.com

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