

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-0000002

DATE: March 20, 2020

SUBJECT: Request for an Ordinance to relinquish two portions of the 10 foot easements as established in Denver Gateway Center Filing No. 5 subdivision plat recordation No. 201953485 located at East 60th Avenue.

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 Tim Sayler, dated September 16, 2019 on behalf of Lennar Multifamily Communities, LLC c/o Christopher Gillies 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; CPD: Planning Services; Historic Preservation/Landmark; Denver Water; Denver Fire Department; City Forestry; Parks and Recreation; Engineering, Regulatory, and Analytics Transportation and Wastewater; Public Works: Construction Engineering; Public Works – 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-0000002-001 HERE
INSERT PARCEL DESCRIPTION 2020-RELINQ-0000002-002 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
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: March 20, 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 two portions of the 10 foot easements as established in Denver Gateway Center Filing No. 5 subdivision plat recordation No. 201953485 located at East 60th Avenue.

3. Requesting Agency: Department of Transportation and Infrastructure

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 two portions of the 10 foot easements as established in Denver Gateway Center Filing No. 5 subdivision plat recordation No. 201953485 located at East 60th Avenue.

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

7. City Council District: City 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-0000002 Denver Gateway Center Easement at East 60th Avenue and Ceylon Street

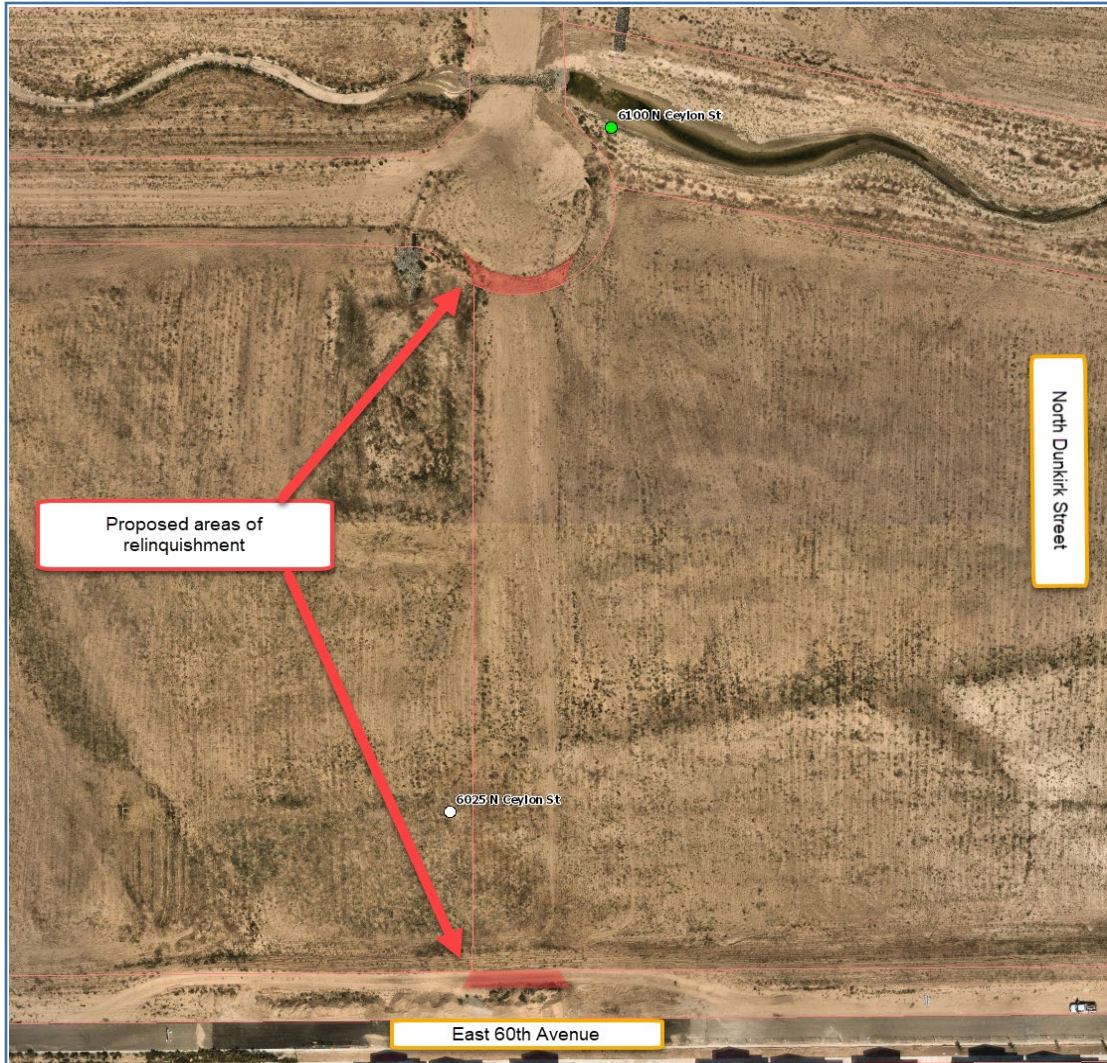
Owner name: Lennar Multifamily Communities, LLC c/o Christopher Gillies

Description of Proposed Project: Request for an Ordinance to relinquish two portions of the 10 foot easements as established in Denver Gateway Center Filing No. 5 subdivision plat recordation No. 201953485 located at East 60th Avenue.

Explanation of why the public right-of-way must be utilized to accomplish the proposed project: Redevelopment for multi-family housing, there are no existing utilities within these easements.

Background: N/A

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
Phone: 720-865-3003

EXHIBIT A

SITUATED IN THE NORTHWEST 1/4 OF SECTION 10, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE 6TH P.M.,
CITY AND COUNTY OF DENVER, STATE OF COLORADO

A PORTION OF THE 10' UTILITY EASEMENT DEDICATED BY 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, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEARINGS ARE BASED ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, AS SHOWN ON THE PLAT OF DENVER GATEWAY CENTER FILING NO. 5, AS MONUMENTED AT THE CENTER QUARTER CORNER BY A 3-1/2" ALUMINUM CAP STAMPED "CALVADA SURV PLS 29412" AND AT THE WEST QUARTER CORNER BY A 3-1/2" ALUMINUM CAP IN RANGE BOX STAMPED "JR ENGINEERING PLS 38252", AS BEARING SOUTH 89°19'07" WEST.

PARCEL 1:

COMMENCING AT THE CENTER QUARTER CORNER OF SAID SECTION 10;
THENCE NORTH 54°25'44" WEST, A DISTANCE 968.89 FEET TO A POINT ON THE SOUTH LINE OF SAID 10' UTILITY EASEMENT SAID POINT ALSO BEING A POINT OF NON-TANGENT CURVATURE AND THE **POINT OF BEGINNING**;

THENCE ALONG THE SAID SOUTH LINE AND THE ARC OF SAID CURVE TO THE RIGHT AN ARC LENGTH OF 75.67 FEET, SAID CURVE HAVING A RADIUS OF 84.00 FEET, A CENTRAL ANGLE OF 51°36'43", AND A CHORD WHICH BEARS SOUTH 89°51'55" WEST A CHORD DISTANCE OF 73.13 FEET TO A POINT OF NON-TANGENT CURVATURE;
THENCE ALONG THE ARC OF SAID CURVE TO THE LEFT AN ARC LENGTH OF 21.34 FEET, SAID CURVE HAVING A RADIUS OF 28.00 FEET, A CENTRAL ANGLE OF 43°39'54", AND A CHORD WHICH BEARS NORTH 29°11'26" WEST A CHORD DISTANCE OF 20.83 FEET TO A POINT OF NON-TANGENT CURVATURE ON THE NORTH LINE OF SAID EASEMENT;
THENCE ALONG SAID NORTH LINE AND THE ARC OF SAID CURVE TO THE LEFT AN ARC LENGTH OF 101.03 FEET, SAID CURVE HAVING A RADIUS OF 74.00 FEET, A CENTRAL ANGLE OF 78°13'24", AND A CHORD WHICH BEARS NORTH 89°51'55" EAST A CHORD DISTANCE OF 93.36 FEET TO A POINT OF NON-TANGENT CURVATURE;
THENCE ALONG THE ARC OF SAID CURVE TO THE LEFT AN ARC LENGTH OF 21.34 FEET, SAID CURVE HAVING A RADIUS OF 28.00 FEET, A CENTRAL ANGLE OF 43°39'54", AND A CHORD WHICH BEARS SOUTH 28°55'16" WEST A CHORD DISTANCE OF 20.83 FEET TO THE **POINT OF BEGINNING**.

SAID PARCEL CONTAINS 814 SQUARE FEET, MORE OR LESS.

TOGETHER WITH:

2020-RELINQ-000002-002

PARCEL 2:

COMMENCING AT THE CENTER QUARTER CORNER OF SAID SECTION 10;
THENCE NORTH 87°54'22" WEST, A DISTANCE OF 784.84 FEET TO A POINT ON THE SOUTH LINE OF SAID 10' UTILITY EASEMENT AND THE **POINT OF BEGINNING**;

THENCE SOUTH 89°19'07" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 77.94 FEET;
THENCE NORTH 25°43'02" EAST, A DISTANCE OF 11.16 FEET TO A POINT ON THE NORTH LINE OF SAID EASEMENT;
THENCE NORTH 89°19'07" EAST ALONG SAID NORTH LINE, A DISTANCE OF 68.03 FEET;
THENCE SOUTH 27°01'37" EAST, A DISTANCE OF 11.16 FEET TO THE **POINT OF BEGINNING**.

SAID PARCEL CONTAINS 730 SQUARE FEET, MORE OR LESS.

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:\180631\SURVEY\JOB1-RELINQ-NORTH-DWG LAYOUT DESCRIPTION
NO. SHEET: 1
PLOT FILE: MON 02/24/20 11:16:04P BY: TIM SALTER

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

ISSUE DATE:	PROJECT #:
05-20-2019	180631
DATE	REVISION COMMENTS
02-19-2020	GENERAL REVISIONS
02-24-2020	GENERAL REVISIONS

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: KDW
SHEET NO. 1 1 OF 3

EXHIBIT A

SITUATED IN THE NORTHWEST 1/4 OF SECTION 10, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE 6TH P.M.
CITY AND COUNTY OF DENVER, STATE OF COLORADO

DENVER GATEWAY CENTER
FILING NO. 5
BLOCK 1, LOT 2

FUTURE CEYLON ST.

DENVER GATEWAY CENTER
FILING NO. 5
BLOCK 1, LOT 2



PARCEL 2 CONTAINS
730 SQ. FT. OR
0.02 ACRES ±

N89°19'07"E 68.03'

N25°43'02"E 11.16'

S27°01'37"E 11.16'

S89°19'07"W 77.94'

POINT OF BEGINNING

N87°54'22"W
784.84'

10.0' UTILITY EASEMENT
PER DENVER GATEWAY
CENTER FILING NO. 5
REC. NO. 2019153485

60TH AVE.
(76' R.O.W.)

BASIS OF BEARINGS

S LINE OF NW 1/4 SEC. 10 S89°19'07"W

W 1/4 CORNER SEC. 10

POINT OF COMMENCEMENT
CENTER 1/4 CORNER SEC. 10



SCALE: 1" = 20'

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

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

FILEPATH: P:\180631\SURVEYS\1-RELINQ-ROW-SOUTHING LAYOUT ILLUSTRATION
NO. 002
PLOTFILE: MON 02/24/20 1:16:17P ETG: TIA SKALDE

DATE	REVISION COMMENTS
02-19-2020	GENERAL REVISIONS
02-24-2020	GENERAL REVISIONS

PROJECT #: 180631

ILLUSTRATION
PARCEL 2

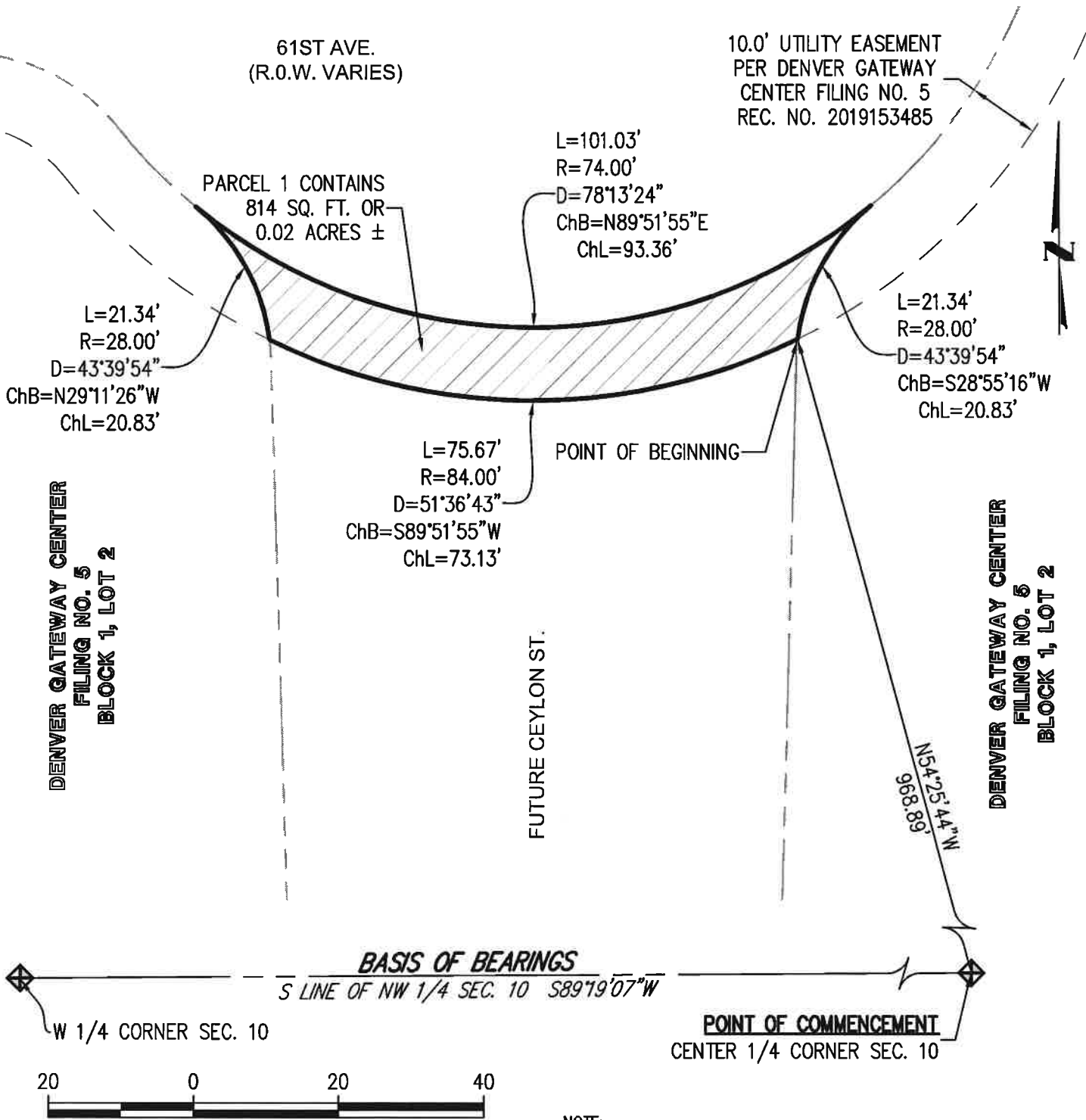
HKS HARRIS KOCHER SMITH
1120 Lincoln Street, Suite 1000
Denver, Colorado 80203
P: 303.623.6300 F: 303.623.6311
HarrisKocherSmith.com

CHKD BY: AWM
DRAWN BY: KDW

SHEET NO
3
3 OF 3

EXHIBIT A

SITUATED IN THE NORTHWEST 1/4 OF SECTION 10, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE 6TH P.M.,
CITY AND COUNTY OF DENVER, STATE OF COLORADO



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

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

FILEPATH: P:\180631\SURVEY\DMT-RLNG-R04-NORTHLENG LAYOUT ILLUSTRATION
PC FILED
PLOTTER: MON 02/24/20 11:15:48P BY: TIA SATLER

ISSUE DATE: 05-20-2019	PROJECT #: 180631
DATE	REVISION COMMENTS
02-19-2020	GENERAL REVISIONS
02-24-2020	GENERAL REVISIONS

ILLUSTRATION
PARCEL 1

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: KDW
SHEET NO. 2
2 OF 3