


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-0000001

DATE: May 24, 2021

SUBJECT: Request for an Ordinance to relinquish a portion of the (2) 10-foot utility easement(s) as established in the Denver Gateway Center Filing No. 5 with Recordation No. 2019153485. Located at 6153 North Ceylon 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 January 5, 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 a portion of the (2) 10-foot utility easement(s) in the following described area(s):

INSERT PARCEL DESCRIPTION 2021-RELINQ-0000001-001 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: May 24, 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 (2) 10-foot utility easement(s) as established in the Denver Gateway Center Filing No. 5 with Recordation No. 2019153485. Located at 6153 North Ceylon 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 (2) 10-foot utility easement(s) as established in the Denver Gateway Center Filing No. 5 with Recordation No. 2019153485. Located at 6153 North Ceylon 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****

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 (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: 2021-RELINQ-0000001 - Denver Gateway Center Filing No. 5 Relinquishment

Property Owner: Progressive Land Company c/o Chris Mussleman

Description of Proposed Project: Request for an Ordinance to relinquish a portion of the (2) 10-foot utility easement(s) as established in the Denver Gateway Center Filing No. 5 with Recordation No. 2019153485. Located at 6153 North Ceylon 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

A PORTION OF THE 10' UTILITY EASEMENT DEDICATED BY DENVER GATEWAY CENTER FILING NO. 5, RECORDED AT RECEPTION NUMBER 2019153485 AT THE CITY AND COUNTY OF DENVER CLERK AND RECORDER, BEING IN A PORTION OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, SAID PARCEL BEING 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";

PARCEL 1:

COMMENCING AT THE SAID CENTER CORNER OF SECTION 10;

THENCE NORTH 47°17'52" WEST, A DISTANCE OF 1169.39 FEET TO A POINT ON THE WESTERN RIGHT-OF-WAY LINE OF N. CEYLON STREET, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF DENVER GATEWAY CENTER FILING NO. 5, LOT 1 BLOCK 2;

THENCE NORTH 44°37'11" WEST, A DISTANCE OF 14.02 FEET, TO A POINT BEING ON SAID 10' UTILITY EASEMENT, BEING 10' NORTH AND WEST OF THE SOUTHEAST CORNER OF SAID LOT 1, SAID POINT BEING THE **TRUE POINT OF BEGINNING PARCEL 1;**

THENCE SOUTH 00°08'08" EAST, A DISTANCE OF 5.00 FEET;

THENCE SOUTH 89°51'52" WEST, A DISTANCE OF 519.88 FEET;

THENCE NORTH 24°21'41" WEST, A DISTANCE OF 5.48 FEET, TO A POINT BEING THE ANGLE POINT OF SAID 10' UTILITY EASEMENT DEDICATED BY DENVER GATEWAY CENTER FILING NO. 5

THENCE ALONG SAID 10' UTILITY EASEMENT NORTH 89°51'52" EAST, A DISTANCE OF 522.13 FEET TO THE **POINT OF BEGINNING OF PARCEL 1;**

CONTAINING 2,605 SQ.FT. OR 0.060 ACRES MORE OR LESS.

TOGETHER WITH

EXHIBIT A

PARCEL 2:

COMMENCING AT THE SAID CENTER CORNER OF SECTION 10;

THENCE NORTH 33°42'07" WEST, A DISTANCE OF 1568.67 FEET, TO A POINT ON SAID 10' UTILITY EASEMENT, BEING 10' SOUTH AND WEST OF THE NORTHEAST CORNER OF SAID LOT 1, SAID POINT BEING THE TRUE **POINT OF BEGINNING PARCEL 2;**

THENCE ALONG SAID 10' UTILITY EASEMENT SOUTH 89°17'25" WEST, A DISTANCE OF 566.41 FEET, TO A POINT BEING ON SAID 10' UTILITY EASEMENT, BEING 10' SOUTH AND EAST OF THE NORTHWEST CORNER OF SAID LOT 1;

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

THENCE NORTH 89°17'25" EAST, A DISTANCE OF 566.40 FEET;

THENCE SOUTH 00°08'08" EAST, A DISTANCE OF 5.00 FEET TO THE **POINT OF BEGINNING PARCEL 2;**

CONTAINING 2,832 SQ.FT. OR 0.065 ACRES MORE OR LESS.

PREPARED BY:

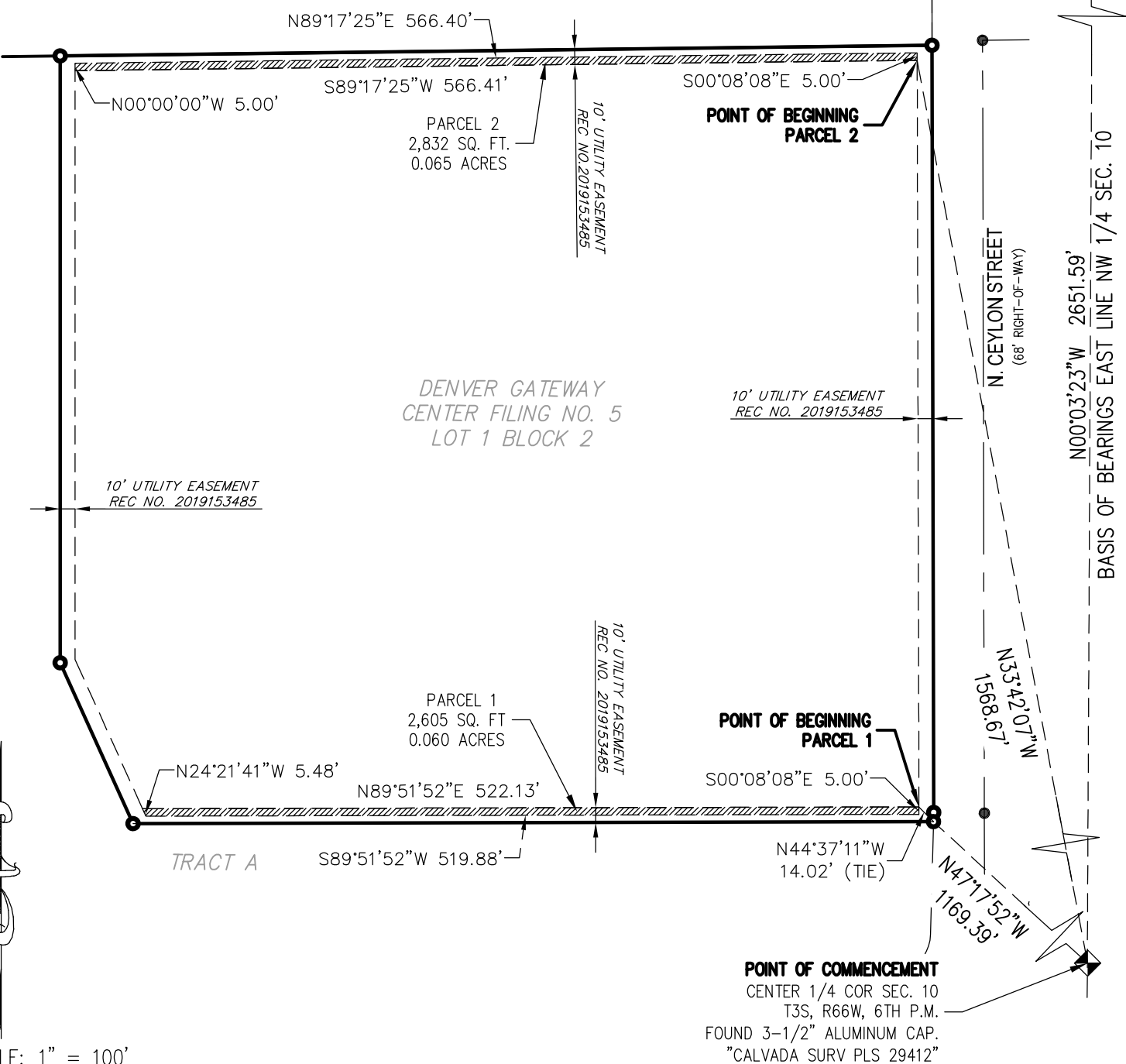
BRIAN S. SOCIA, PLS
FOR AND BEHALF OF
BOWMAN CONSULTING GROUP, LTD.
1526 COLE BLVD, SUITE 100
LAKEWOOD, CO 80401

EXHIBIT A

SITUATED IN THE NORTHWEST QUARTER OF SECTION 10, T3S, R66W, 6TH P.M.
CITY AND COUNTY OF DENVER, STATE OF COLORADO

UNPLATTED
64TH & TOWER LLC

NORTH 1/4 COR SEC. 10
T3S, R66W, 6TH P.M.
FOUND 3-1/2" ALUMINUM CAP.
"CALVADA SURV PLS 29412"



SCALE: 1" = 100'

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.

SEC 10, T3S, R66W 6TH P.M. DENVER COUNTY COLORADO	EXHIBIT A			SHEET 3 OF 3	Bowman CONSULTING 1526 Cole Blvd., Suite 100, Lakewood, Colorado 80401 Phone: (303) 801-2900 www.bowmanconsulting.com
	BY: BTG	CHK: BSS	DATE: 04/14/2020		
	BCG PROJECT NO: 090594				