

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-0000016

DATE: October 1, 2021

SUBJECT: Request for an Ordinance to relinquish a portion of the easements reserved in the Vacating Ordinance 207 Series of 1960, located at 2099 Chestnut Place.

It is requested that the above subject item be placed on the next available Mayor Council Agenda.

This office has investigated the request of JR Engineering, LLC. c/o James Fitzmorris, dated July 14, 2021 on behalf of 1917 Chestnut Place LLC c/o Lorraine Spargo 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):

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: October 1, 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 easements reserved in the Vacating Ordinance 207 Series of 1960, located at 2099 Chestnut Place.

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 easements reserved in the Vacating Ordinance 207 Series of 1960, located at 2099 Chestnut Place.

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

7. City Council District: Councilperson CdeBaca, District 9

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?

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____

EASEMENT RELINQUISHMENT EXECUTIVE SUMMARY

Project Title: 2021-RELINQ-0000016 - 2099 Chestnut Pl

Property Owner: 1917 Chestnut Place, LLC, c/o Lorraine Spargo

Description of Proposed Project: Request for an Ordinance to relinquish a portion of the easements reserved in the Vacating Ordinance 207 Series of 1960, located at 2099 Chestnut Place.

Background: This easement is being requested to be relinquished for the development of a multi-unit dwelling complex.

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/doti
Phone: 720-865-3003



2099 CHESTNUT PLACE

PROPERTY DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF THAT PROPERTY DESCRIBED IN THE ORDINANCE RECORDED IN BOOK 8549 AT PAGE 361 IN THE RECORDS OF THE DENVER COUNTY CLERK AND RECORDER, LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 28, 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:

BASIS OF BEARINGS: THE NORTHERLY LINE OF W. 29TH AVENUE, MONUMENTED BY A NAIL AND SHINER STAMPED "LS 36062" AT THE WEST END AND A NAIL AND SHINER ILLEGIBLE AT THE EAST END. SAID LINE BEING ASSUMED TO BEAR S89°56'31"E.

COMMENCING AT THE RANGE POINT AT THE INTERSECTION OF W. 29TH AVENUE AND INCA STREET, BEING MONUMENTED BY A #6 REBAR WITH NO CAP, IN A RANGE BOX;

THENCE S10°26'48"W A DISTANCE OF 41.01 FEET, TO THE NORTHEASTERLY CORNER OF THAT PROPERTY DESCRIBED IN ORDINANCE NO. 207-1960 RECORDED IN BOOK 8549 AT PAGE 361 IN THE RECORDS OF THE DENVER COUNTY CLERK AND RECORDER, SAID POINT ALSO BEING THE POINT OF BEGINNING;

THENCE ON THE EASTERLY LINE OF SAID ORDINANCE, S00°03'29"W A DISTANCE OF 20.00 FEET, TO THE SOUTHEASTERLY CORNER OF SAID ORDINANCE;

THENCE ON THE SOUTHERLY LINE OF SAID ORDINANCE, N89°56'31"W A DISTANCE OF 101.79 FEET, TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF 20TH STREET;

THENCE ON SAID RIGHT-OF-WAY LINE, N45°10'45"W A DISTANCE OF 28.40 FEET, TO THE NORTHWEST CORNER OF SAID ORDINANCE;

THENCE ON THE NORTHERLY LINE OF SAID ORDINANCE, S89°56'31"E A DISTANCE OF 121.96 FEET, TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 2237 SQUARE FEET OR 0.0514 ACRES.

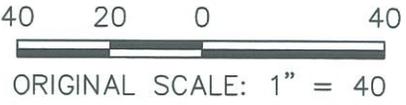
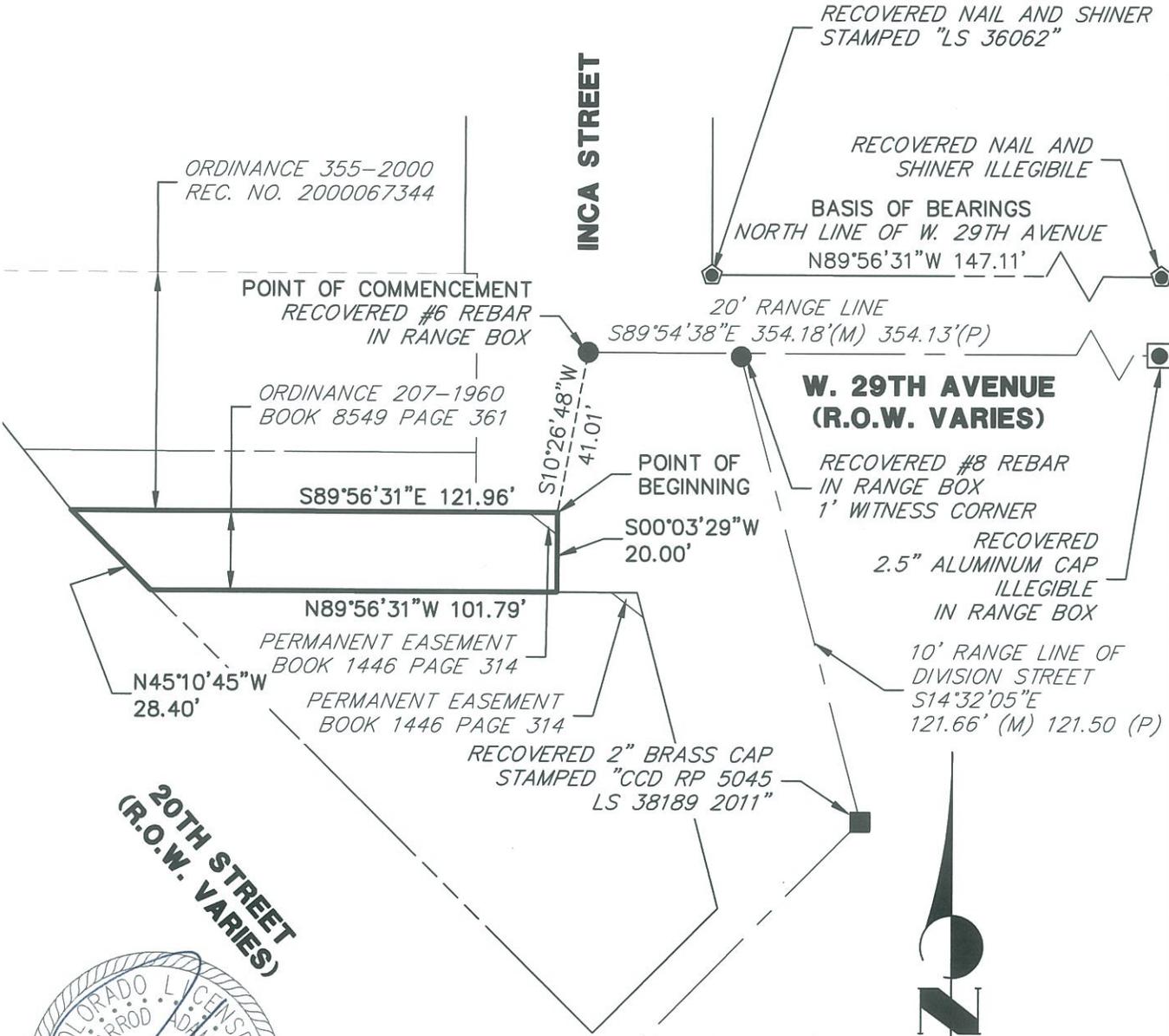
PROPERTY DESCRIPTION STATEMENT

I, JARROD ADAMS, A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE ABOVE PROPERTY DESCRIPTION AND ATTACHED EXHIBIT WERE PREPARED UNDER MY RESPONSIBLE CHARGE, AND ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF, ARE CORRECT.

JARROD ADAMS, PROFESSIONAL LAND SURVEYOR
COLORADO NO. 38252
FOR AND ON BEHALF OF JR ENGINEERING, LLC



EXHIBIT



NOTE: THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED SURVEY. IT IS INTENDED ONLY TO DEPICT THE ATTACHED PROPERTY DESCRIPTION.

VACATION EXHIBIT
2099 CHESTNUT PLACE
PROJECT NO.: 15914.00
DATE: 09/15/2021

