


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-0000009

DATE: August 5, 2021

SUBJECT: Request for an Ordinance to relinquish a portion of the sewer easement as established in the Amended Covenant and Drainage/Sewer Easement with Rec. No. 2003199713 and a portion of the 10ft utility easement as established in the East Range Crossings Filing No. 1 with Rec. No. 2017166158. Located at approximately 18905 East 59th 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 CVL a Westwood Team c/o Melinda Lundquist, dated April 7, 2021 on behalf of Robinson Williams Partners, LLC. c/o Andrew Robinson 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-0000009-001 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: August 5, 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 sewer easement as established in the Amended Covenant and Drainage/Sewer Easement with Rec. No. 2003199713 and a portion of the 10ft utility easement as established in the East Range Crossings Filing No. 1 with Rec. No. 2017166158. Located at approximately 18905 East 59th Avenue.

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 sewer easement as established in the Amended Covenant and Drainage/Sewer Easement with Rec. No. 2003199713 and a portion of the 10ft utility easement as established in the East Range Crossings Filing No. 1 with Rec. No. 2017166158. Located at approximately 18905 East 59th Avenue.

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

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: 2021-RELINQ-0000009 - Landings at Gateway 18905 E 59th Ave Relinquishment

Property Owner: Robinson Williams Partners, LLC

Description of Proposed Project: Request for an Ordinance to relinquish a portion of the sewer easement as established in the Amended Covenant and Drainage/Sewer Easement with Rec. No. 2003199713 and a portion of the 10ft utility easement as established in the East Range Crossings Filing No. 1 with Rec. No. 2017166158. Located at approximately 18905 East 59th Avenue.

Background: Applicant is requesting the easements to be relinquished to develop the area. Both easements are no longer necessary with the new site design. The drainage using the drainage and sewer easement is routed to a new public street, Biscay Street, and is no longer needed. The utility easement does not have any existing utilities and any new dry utilities will be located in a different easement.

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**LAND DESCRIPTION**

A PORTION OF THE DRAINAGE/SEWER EASEMENT DEDICATED AT RECEPTION NO. 2003199713 AND AN UTILITY EASEMENT DEDICATED BY EAST RANGE CROSSINGS FILING NO. 1, RECORDED AT RECEPTION NO. 2017166158, SITUATED IN THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN IN THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEARINGS ARE BASED ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 10, BEING MONUMENTED BY A FOUND NO. 6 REBAR WITH A 3-1/4 INCH DIAMETER ALUMINUM CAP IN A RANGE BOX STAMPED "CAL VADA SURVEYING T3S R66W C ¼ 10 2006 LS 29412" IN A RANGE BOX, WHENCE THE WEST QUARTER CORNER OF SAID SECTION 10, BEING MONUMENTED BY A FOUND NO. 6 REBAR WITH A 3-1/4 INCH DIAMETER ALUMINUM CAP IN A RANGE BOX STAMPED "JR ENG T3S R66W ¼ S9/S10 2016 LS 38252" IN A RANGE BOX IS ASSUMED TO BEAR SOUTH 89°00'40" WEST, A DISTANCE OF 2652.08 FEET, WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

PARCEL 1:

COMMENCING AT THE CENTER QUARTER CORNER OF SAID SECTION 10;

THENCE SOUTH 61°48'48" WEST, A DISTANCE OF 1596.80 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF 59TH AVENUE BEING THE **POINT OF BEGINNING**;

THENCE ALONG THE SAID SOUTHERLY RIGHT OF WAY NORTH 89°00'41" EAST, A DISTANCE OF 11.08 FEET, TO A POINT OF CURVATURE;

THENCE CONTINUING ALONG THE SAID SOUTHERLY RIGHT OF WAY LINE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 20.00 FEET, A CENTRAL ANGLE OF 90°13'47", AN ARC LENGTH OF 31.50 FEET, THE CHORD OF WHICH BEARS SOUTH 45°52'26" EAST, A DISTANCE OF 28.34 FEET, TO A POINT OF TANGENCY, BEING ON THE WESTERLY RIGHT OF WAY LINE OF BISCAY STREET;

THENCE ALONG THE SAID WESTERLY RIGHT OF WAY LINE SOUTH 00°45'32" EAST, A DISTANCE OF 118.00 FEET, TO THE SOUTHEAST CORNER OF BLOCK 4, LOT 1 EAST RANGE CROSSINGS FILING NO. 1 RECORDED AT RECEPTION NUMBER 2017166158, DENVER COUNTY CLERK AND RECORDER;

THENCE ALONG THE SOUTHERLY LINE OF SAID BLOCK 4, LOT 1 SOUTH 89°14'28" WEST, A DISTANCE OF 31.16 FEET;

THENCE NORTH 00°45'31" WEST, A DISTANCE OF 137.96 FEET TO THE **POINT OF BEGINNING**.

PARCEL 1 CONTAINS A CALCULATED AREA OF 4,214 SQUARE FEET OR 0.097 ACRE, MORE OR LESS.



TOGETHER WITH:

PARCEL 2:

COMMENCING AT THE CENTER QUARTER CORNER OF SAID SECTION 10;

THENCE SOUTH 87°25'46" WEST, A DISTANCE OF 1376.84 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF 60TH AVENUE BEING THE **POINT OF BEGINNING**;

THENCE SOUTH 00°45'32" EAST, A DISTANCE OF 619.85 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF 59TH AVENUE;

THENCE SOUTH 89°00'41" WEST, A DISTANCE OF 10.00 FEET, TO THE SOUTHWEST CORNER OF BLOCK 1, LOT 2 EAST RANGE CROSSINGS FILING NO. 1 RECORDED AT RECEPTION NUMBER 2017166158, DENVER COUNTY CLERK AND RECORDER;

THENCE NORTH 00°45'32" WEST, A DISTANCE OF 619.85 FEET, ALONG THE WESTERLY LINE OF SAID LOT 2 TO THE NORTHWEST CORNER OF SAID LOT 2;

THENCE NORTH 89°00'40" EAST, A DISTANCE OF 10.00 FEET, ALONG THE NORTHERLY LINE OF SAID LOT 2, TO THE **POINT OF BEGINNING**.

PARCEL 2 CONTAINS A CALCULATED AREA OF 6,198 SQUARE FEET OR 0.142 ACRE, MORE OR LESS.

I, KEVIN J. KUCHARCZYK, A SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION AND ATTACHED EXHIBIT WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND CHECKING.

KEVIN J. KUCHARCZYK, P.L.S. 34591
FOR AND ON BEHALF OF
CVL CONSULTANTS OF COLORADO, INC.
10333 E. DRY CREEK ROAD, SUITE 240
ENGLEWOOD, CO 80112



EXHIBIT A

W1/4 COR. SEC. 10
FOUND NO. 6 REBAR WITH
3-1/4" ALUMINUM CAP
IN RANGE BOX
"LS 38252"

POINT OF COMMENCEMENT
CEN. 1/4 COR. SEC 10
FOUND NO. 6 REBAR WITH
3-1/4" ALUMINUM CAP
IN RANGE BOX
"LS 29412"

NORTH LINE, SW1/4, SEC. 10
S89°00'40"W 2652.08'
(BASIS OF BEARINGS)

EAST RANGE CROSSINGS
FILING NO. 1
REC. NO. 2017166158

TRACT B

SW 1/4
SEC. 10

S61°48'48"W
1596.80' (TIE)

LOT 2,
BLOCK 1

59TH AVE.

DRAINAGE/SEWER EASEMENT
REC. NO. 2002225098
REC. NO. 2003199713

POINT OF
BEGINNING

N89°00'41"E
11.08'

L=31.50' R=20.00' Δ=90°13'47"
CHB=S45°52'26"E CH=28.34'

LOT 1,
BLOCK 4

N00°45'31"W
137.96'

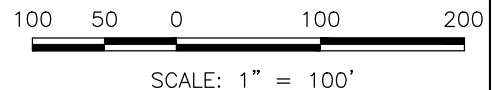
PARCEL 1
4,214 S.F.
0.097 AC.

S00°45'32"E
118.00'

LOT 1,
BLOCK 3

S89°14'28"W
31.16'

BISCAY ST.



This illustration does not represent a monumented survey. It is intended only to depict the attached legal description.

SW1/4 SECTION 10
T3S, R66W, 6TH P.M.
PARCEL 1 ILLUSTRATION



10333 E. Dry Creek Rd.
Suite 240
Englewood, CO 80111
Tel: (720) 482-9526
Fax: (720) 482-9546

EXHIBIT A

W1/4 COR. SEC. 10
FOUND NO. 6 REBAR WITH
3-1/4" ALUMINUM CAP
IN RANGE BOX
"LS 38252"

POINT OF COMMENCEMENT
CEN. 1/4 COR. SEC 10
FOUND NO. 6 REBAR WITH
3-1/4" ALUMINUM CAP
IN RANGE BOX
"LS 29412"

NORTH LINE, SW1/4, SEC. 10
S89°00'40"W 2652.08'
(BASIS OF BEARINGS)

N89°00'40"E
10.00'

60TH AVE.

S87°25'46"W
1376.84'(TIE)

POINT OF BEGINNING

SW 1/4
SEC. 10

PARCEL 2
6,198 S.F.
0.142 AC.

LOT 2,
BLOCK 1

TRACT B

EAST RANGE CROSSINGS
FILING NO. 1
REC. NO. 2017166158

DRAINAGE/SEWER EASEMENT
REC. NO. 2002225098
REC. NO. 2003199713



ARGONNE STREET
EX. 78' R.O.W.

N00°45'32"W 619.85'
S00°45'32"E 619.85'

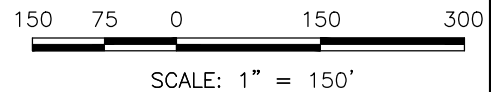
S89°00'41"W
10.00'

59TH AVE.

LOT 1,
BLOCK 4

BISCAY ST.

LOT 1,
BLOCK 3



This illustration does not represent a monumented survey. It is intended only to depict the attached legal description.

SW1/4 SECTION 10
T3S, R66W, 6TH P.M.
PARCEL 2 ILLUSTRATION



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