


## REQUEST FOR ORDINANCE TO RELINQUISH AN EASEMENT

**TO:** Ivone Avila-Ponce, City Attorney's Office

**FROM:** Glen Blackburn, PE, Director, Right of Way Services 

**PROJECT NO:** 2022-RELINQ-0000007

**DATE:** September 20, 2023

**SUBJECT:** Request for an Ordinance to relinquish a portion of the vacated alley easement, as established in the Vacating Ordinance No. 202, Series of 1956. Located at 5301 Leetsdale Drive.

**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, dated March 29, 2022 on behalf of Leetsdale-DEN, LLC for the relinquishment of the subject easement.

This matter has been coordinated with Asset Management; City Forester; Comcast; Denver Water; DOTI: Survey, Construction Engineering, Policy & Planning, TES Signing and Striping, DES Transportation & Wastewater; Denver Fire Department; Historic Preservation/Landmark; Metro Water Recovery; Emergency Management; Parks & Recreation; CenturyLink; Xcel Energy; City Councilperson Sawyer, District 5; CPD: DS Project Coordinator; RTD; and CDOT 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.

Therefore, you are requested to initiate Council action to relinquish the easement in the following described area:

### INSERT PARCEL DESCRIPTION 2022-RELINQ-0000007-001 HERE

A vicinity map of the subject easement area and a copy of the document creating the easement is attached.

GB:je

cc: City Councilperson & Aides  
City Council Staff – Luke Palmisano  
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](http://www.denvergov.org/doti)  
Phone: 720-865-3003

# ORDINANCE/RESOLUTION REQUEST

Please email requests to Jason Gallardo

at [Jason.Gallardo@denvergov.org](mailto:Jason.Gallardo@denvergov.org) by **12:00pm on Monday**. Contact him with questions.

Date of Request: September 20, 2023

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:

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 vacated alley easement, as established in the Vacating Ordinance No. 202, Series of 1956. Located at 5301 Leetsdale Drive.

3. **Requesting Agency:** Department of Transportation & Infrastructure, Right-of-Way Services, Engineering & Regulatory

## 4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution	Contact person to present item at Mayor-Council and Council
Name: Jessica Eusebio	Name: Jason Gallardo
Email: <a href="mailto:Jessica.Eusebio@denvergov.org">Jessica.Eusebio@denvergov.org</a>	Email: <a href="mailto:Jason.Gallardo@denvergov.org">Jason.Gallardo@denvergov.org</a>

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 vacated alley easement, as established in the Vacating Ordinance No. 202, Series of 1956. Located at 5301 Leetsdale Drive.

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

7. **City Council District:** Councilperson Sawyer, District 5

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?

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*To be completed by Mayor's Legislative Team:*

Resolution/Bill Number: \_\_\_\_\_

Date Entered: \_\_\_\_\_

# EASEMENT RELINQUISHMENT EXECUTIVE SUMMARY

**Project Title:** 2022-RELINQ-0000007 - 5301 Leetsdale Dr Partial Easement Relinquishment

**Property Owner:** Leetsdale-DEN, LLC c/o Jacob Shalley

**Description of Proposed Project:** Applicant is proposing to relinquish a portion of the easement held in Vacating Ordinance No. 202, Series of 1956. Located at 5301 Leetsdale Drive.

**Background:** The sanitary sewer main has been relocated to the portion of the easement that will remain. The applicant is redeveloping this area.

## 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/doti](http://www.denvergov.org/doti)  
Phone: 720-865-3003

**EXHIBIT A  
LAND DESCRIPTION**

A PARCEL OF LAND BEING A PORTION OF THAT ALLEY VACATED PER ORDINANCE NO. 202, SERIES OF 1956 IN BLOCK 15, SOUTH CAPITOL HILL, SITUATED IN THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE NORTHWEST CORNER OF LOT 44, SAID BLOCK 15;

THENCE SOUTH 00°08'09" WEST ALONG THE EAST LINE OF SAID ALLEY, A DISTANCE OF 379.56 FEET TO THE NORTH RIGHT-OF-WAY LINE OF LEETSDALE DRIVE;  
THENCE NORTH 76°29'37" WEST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 15.42 FEET TO THE WEST LINE OF SAID ALLEY;  
THENCE NORTH 00°08'09" EAST ALONG SAID WEST LINE, A DISTANCE OF 375.97 FEET TO THE NORTHEAST CORNER OF LOT 5, SAID BLOCK 15;  
THENCE SOUTH 89°57'14" EAST, A DISTANCE OF 15.00 FEET TO THE **POINT OF BEGINNING**.

SAID PARCEL CONTAINS 5,667 SQUARE FEET OR 0.13 ACRES, MORE OR LESS.

BASIS OF BEARINGS: BEARINGS ARE BASED ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, AS MONUMENTED AT THE NORTHEAST SIXTEENTH CORNER BY A 2.5" ALUMINUM CAP PLS 36062 AND AT THE NORTH SIXTEENTH CORNER WITH 3.25" ALUMINUM CAP PLS 33200, ASSUMED TO BEAR NORTH 90°00'00" EAST.

PREPARED BY: AARON MURPHY  
PLS 38162

ON BEHALF OF: HARRIS KOCHER SMITH  
1120 LINCOLN STREET, SUITE 1000  
DENVER, CO 80203  
303.623.6300

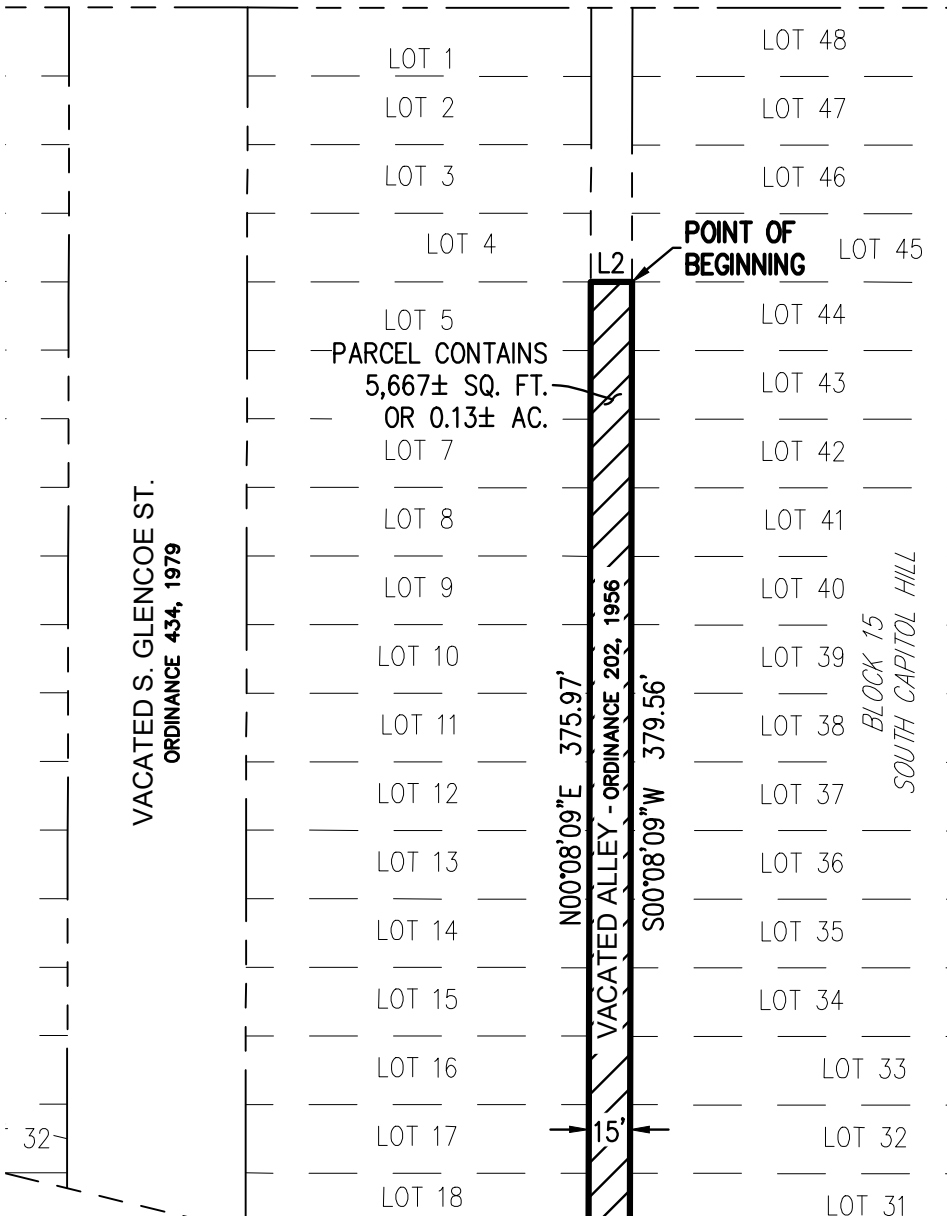


# ILLUSTRATION FOR EXHIBIT A

2022-RELINQ-000007-001

SITUATED IN THE NORTHEAST 1/4 OF SECTION 18, TOWNSHIP 4 SOUTH,  
RANGE 67 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO

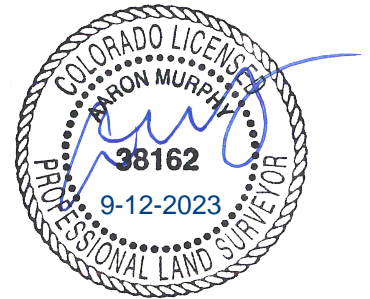
DAKOTA AVENUE



LINE TABLE		
LINE	BEARING	LENGTH
L1	N76°29'37"W	15.42'
L2	S89°57'14"E	15.00'

**NOTE:**

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



NORTH 1/16TH CORNER SECTION 18-17  
3.25" ALUM. CAP  
PLS 33200

Plotted: TUE 09/12/23 9:50:48A By: John Ennis Filepath: k:\200835\survey\esmt rway vaca.dwg Layout: alley vaca

NORTHEAST 1/16TH CORNER, SECTION 18  
2.5" ALUM. CAP  
PLS 36062

N72°20'17"E 513.34'  
(TIE)

**BASIS OF BEARINGS**  
S. LINE NE 1/4 NE 1/4 SECTION 18  
N90°00'00"E

ISSUE DATE: 3-18-2022		PROJECT #: 200835
DATE	REVISION COMMENTS	
1-26-2023	REVISE BOUNDARY	
9-11-2023	REVISE BOUNDARY	

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

ILLUSTRATION FOR  
EXHIBIT A

PROJECT #: 200835  
SHEET NUMBER

2

2 OF 2