


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: 2023-RELINQ-0000011

DATE: September 26, 2023

SUBJECT: Request for an Ordinance to relinquish a portion of the vacated throughfares easement as established in the Vacating Ordinance No. 230, Series of 1985. Located at 1590 North Grove 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 Kimley-Horn and Associates, Inc., dated June 14, 2023 on behalf of UDR 1590 Grove 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 Torres, District 3; CPD: DS Project Coordinator; RTD; and CDOT all of whom have indicated no objection to the proposed easement relinquishment.

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 areas:

INSERT PARCEL DESCRIPTION 2023-RELINQ-0000011-001 HERE

A vicinity map of the subject easement area and a copy of the document creating the easement are 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
Phone: 720-865-3003

DONE 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: September 26, 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: 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 vacated throughfares easement as established in the Vacating Ordinance No. 230, Series of 1985. Located at 1590 North Grove Street.

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: Jessica.Eusebio@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 vacated throughfares easement as established in the Vacating Ordinance No. 230, Series of 1985. Located at 1590 North Grove Street.

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

7. City Council District: Councilperson Torres, District 3

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

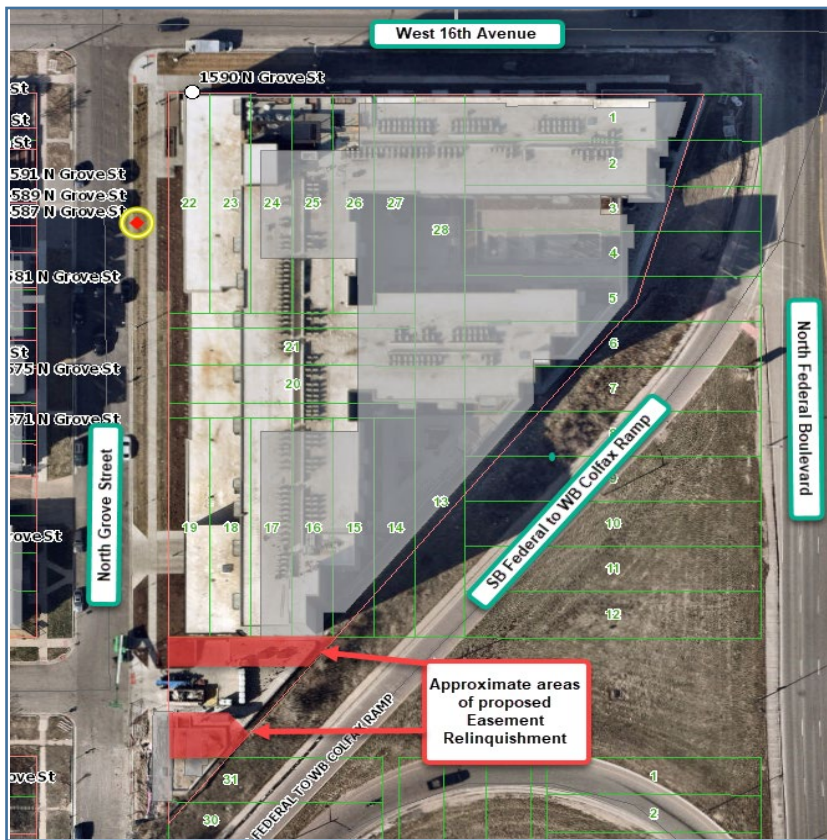
Project Title: 2023-RELINQ-0000011 - 1590 Grove Street

Property Owner: UDR 1590 Grove LLC

Description of Proposed Project: Applicant is proposing to relinquish a portion of the easement as established in Vacating Ordinance No. 230, Series of 1985. Located at 1590 North Grove Street.

Background: There will be a 25' portion of the easement that will remain in order to protect the existing storm sewer. The applicant is seeking to relinquish these portions of the easement to remove encumbrances resulting from the project construction.

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
Phone: 720-865-3003

EXHIBIT A

LAND DESCRIPTION

TWO PARCELS IN THAT PARCEL OF LAND VACATED BY ORDINANCE NO. 230 SERIES OF 1985 IN THE RECORDS OF THE CITY AND COUNTY OF DENVER, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1:

BEGINNING AT THE SOUTHWEST CORNER OF BLOCK 25, LE FEVRE'S SUBDIVISION OF THE WEST 1/2 OF BLOCK 25, CHELTENHAM HEIGHTS;
 THENCE ALONG THE SOUTH LINE OF SAID BLOCK 25 N89°42'37"E, A DISTANCE OF 101.34 FEET TO A POINT ON THE EAST LINE OF THAT PARCEL OF LAND VACATED BY ORDINANCE NO. 230 SERIES OF 1985;
 THENCE DEPARTING SAID SOUTH LINE AND ALONG SAID EAST LINE S38°51'49"W, A DISTANCE OF 32.25 FEET;
 THENCE DEPARTING SAID EAST LINE S89°42'37"W, A DISTANCE OF 80.96 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF GROVE STREET;
 THENCE ALONG SAID EAST RIGHT-OF-WAY LINE OF GROVE STREET N00°20'03"W, A DISTANCE OF 25.01 FEET TO THE POINT OF BEGINNING.

PARCEL 1 CONTAINS 2,279 SQUARE FEET OR 0.052 ACRES, MORE OR LESS.

PARCEL 2:

COMMENCING AT THE SOUTHWEST CORNER OF BLOCK 25, LE FEVRE'S SUBDIVISION OF THE WEST 1/2 OF BLOCK 25, CHELTENHAM HEIGHTS, SAID POINT BEING A POINT ON THE EAST RIGHT-OF-WAY LINE OF GROVE STREET;
 THENCE ALONG SAID EAST RIGHT-OF-WAY LINE S00°20'03"E, A DISTANCE OF 50.01 FEET TO THE POINT OF BEGINNING;
 THENCE DEPARTING SAID EAST RIGHT-OF-WAY LINE N89°42'37"E, A DISTANCE OF 36.71 FEET;
 THENCE S57°09'06"E, A DISTANCE OF 18.61 FEET TO A POINT ON THE EAST LINE OF THAT PARCEL OF LAND VACATED BY ORDINANCE NO. 230 SERIES OF 1985;
 THENCE ALONG SAID EAST LINE S38°51'49"W, A DISTANCE OF 25.55 FEET TO A POINT ON THE NORTH LINE OF THE RESUBDIVISION OF BLOCK 36, CHELTENHAM HEIGHTS;
 THENCE DEPARTING SAID EAST LINE AND ALONG SAID NORTH LINE S89°42'37"W, A DISTANCE OF 36.14 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF GROVE STREET;
 THENCE ALONG SAID EAST RIGHT-OF-WAY LINE N00°20'03"W, A DISTANCE OF 29.99 FEET TO THE POINT OF BEGINNING.

PARCEL 2 CONTAINS 1,329 SQUARE FEET OR 0.031 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE 19' RANGE LINE IN GROVE STREET BETWEEN WEST CONEJOS PLACE AND WEST 16TH AVENUE AS BEARING N00°20'03"W FOR A DISTANCE OF 442.23 FEET AS MONUMENTED AT THE SOUTH END BY A FOUND 3-1/4" ALUMINUM CAP STAMPED "30832" IN RANGE BOX AND AT THE NORTH END BY A FOUND AXLE IN A RANGE BOX.

I, DARREN R. WOLTERSTORFF, BEING A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THIS EXHIBIT WAS PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE, IS IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE, IS ACCURATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, AND IS NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

 DARREN R. WOLTERSTORFF, PLS 38281
 FOR AND ON BEHALF OF KIMLEY-HORN AND ASSOCIATES, INC.

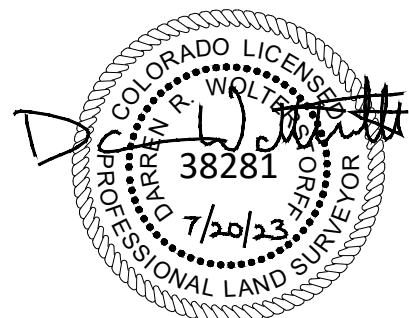
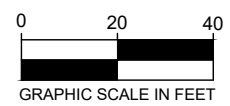
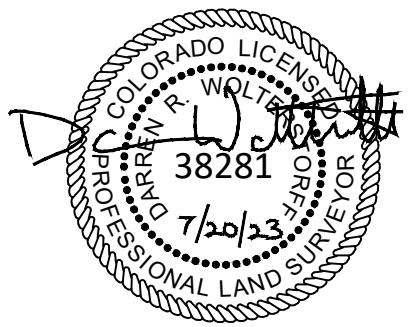
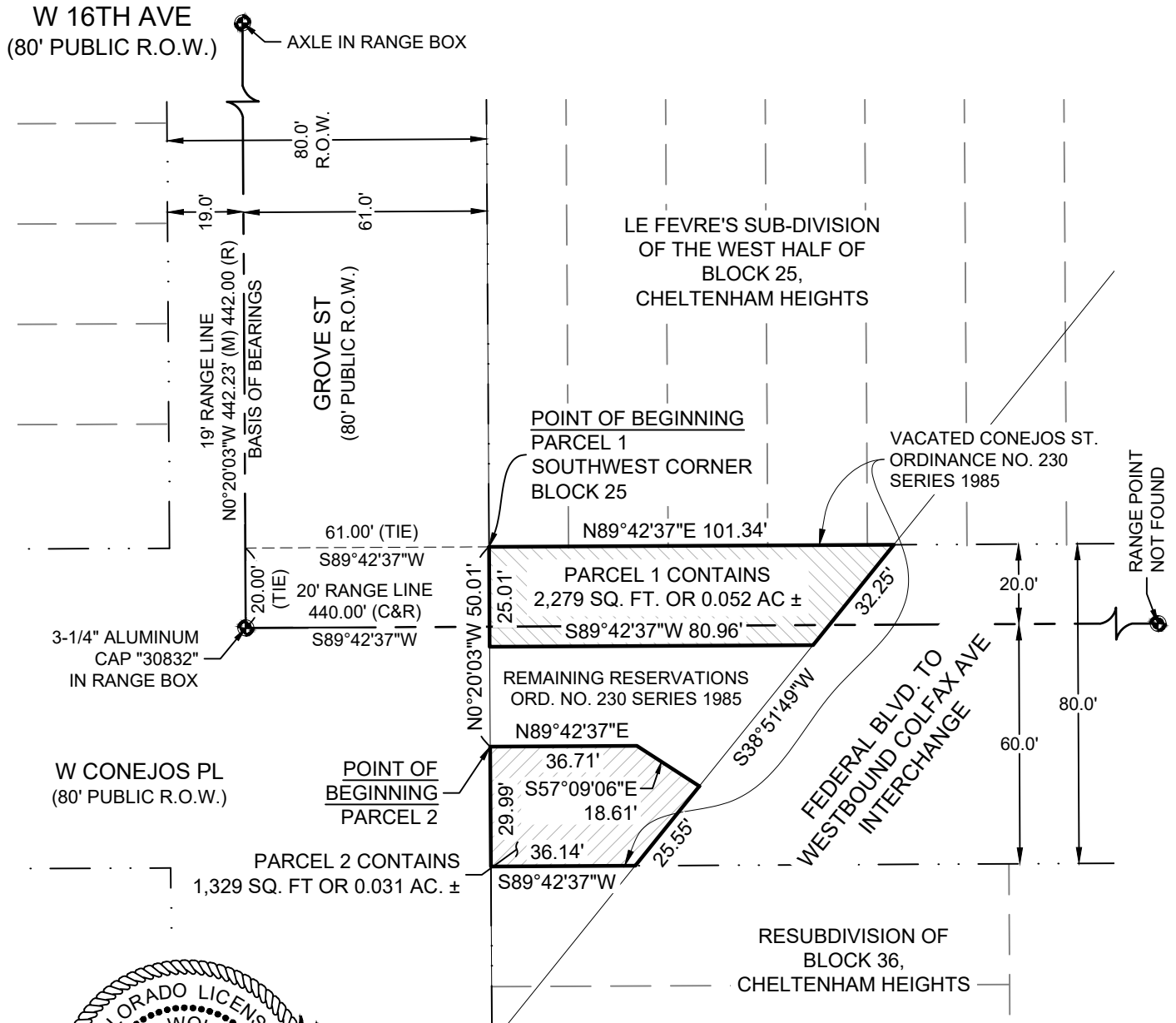


EXHIBIT A

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 32,
TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
CITY AND COUNTY OF DENVER, STATE OF COLORADO



NOTES:

1. ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

2. THIS DOCUMENT IS NOT A LAND SURVEY PLAT OR AN IMPROVEMENT SURVEY PLAT AND DOES NOT REPRESENT A MONUMENTED LAND SURVEY. IT IS INTENDED TO DEPICT THE ATTACHED PARCEL DESCRIPTION ONLY.

Kimley»Horn

6200 S SYRACUSE WAY, STE 300
GREENWOOD VILLAGE, CO 80111

Tel. No. (303) 228-2300
www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	PTM	DRW	Jul. 2023	096713000	2 OF 2