


## 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-0000008

**DATE:** September 22, 2023

**SUBJECT:** Request for an Ordinance to relinquish a portion of the vacated South Glencoe Street and South Grape Street Avenue easements between Leetsdale Drive and East Dakota Avenue established in the Vacating Ordinance No. 434, Series of 1979. 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 February 7, 2023 on behalf of Leetsdale-DEN, LLC for the relinquishment of the subject easements.

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 relinquishments.

As a result of these investigations, it has been determined that there is no objection to relinquishing the subject easements.

Therefore, you are requested to initiate Council action to relinquish the easements in the following described areas:

**INSERT PARCEL DESCRIPTION 2022-RELINQ-0000008-001 HERE**  
**INSERT PARCEL DESCRIPTION 2022-RELINQ-0000008-002 HERE**

A vicinity map of the subject easement areas and a copy of the documents creating the easements are attached.

GB:je



**DENVER**  
THE MILE HIGH CITY

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

**311 | [POCKETGOV.COM](http://POCKETGOV.COM) | [DENVERGOV.ORG](http://DENVERGOV.ORG) | DENVER 8 TV**

**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 22, 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 South Glencoe Street and South Grape Street Avenue easements between Leetsdale Drive and East Dakota Avenue established in the Vacating Ordinance No. 434, Series of 1979. 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 South Glencoe Street and South Grape Street Avenue easements between Leetsdale Drive and East Dakota Avenue established in the Vacating Ordinance No. 434, Series of 1979. 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><br>(A) | <i>Additional Funds</i><br>(B) | <i>Total Contract Amount</i><br>(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-0000008 - 5301 Leetsdale Dr Partial Easement Relinquishment Storm Drainage

**Property Owner:** Leetsdale-DEN, LLC

**Description of Proposed Project:** Request for an Ordinance to relinquish a portion of the vacated South Glencoe Street and South Grape Street Avenue easements between Leetsdale Drive and East Dakota Avenue established in the Vacating Ordinance No. 434, Series of 1979. Located at 5301 Leetsdale Drive.

**Background:** The utilities that were located within the proposed easement relinquishment areas have been rerouted or cut and capped. A portion of the easement located on vacated South Grape Street will remain to protect an existing storm main and gas main stub.

**Location Map:** 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/dot](http://www.denvergov.org/dot)  
Phone: 720-865-3003

**EXHIBIT A  
LAND DESCRIPTION**

A PARCEL OF LAND BEING A PORTION OF SOUTH GLENCOE STREET VACATED PER ORDINANCE 434, SERIES OF 1979 BETWEEN BLOCK 15 AND BLOCK 16, 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 5, SAID BLOCK 15;

THENCE SOUTH 00°06'13" WEST ALONG THE EAST LINE OF SAID VACATED SOUTH GLENCOE STREET, A DISTANCE OF 346.08 FEET TO THE NORTH RIGHT-OF-WAY LINE OF LEETSDALE DRIVE;

THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES

- 1) NORTH 76°29'37" WEST, A DISTANCE OF 33.41 FEET;
- 2) NORTH 00°06'13" EAST, A DISTANCE OF 18.04 FEET;
- 3) NORTH 76°30'31" WEST, A DISTANCE OF 33.41 FEET TO THE WEST LINE OF SAID VACATED SOUTH GLENCOE STREET;

THENCE NORTH 00°06'13" EAST ALONG SAID WEST LINE, A DISTANCE OF 312.49 FEET TO THE NORTHEAST CORNER OF LOT 44, SAID BLOCK 16;

THENCE SOUTH 89°57'14" EAST, A DISTANCE OF 65.00 FEET TO THE **POINT OF BEGINNING**.

SAID PARCEL CONTAINS 21,403 SQUARE FEET OR 0.49 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

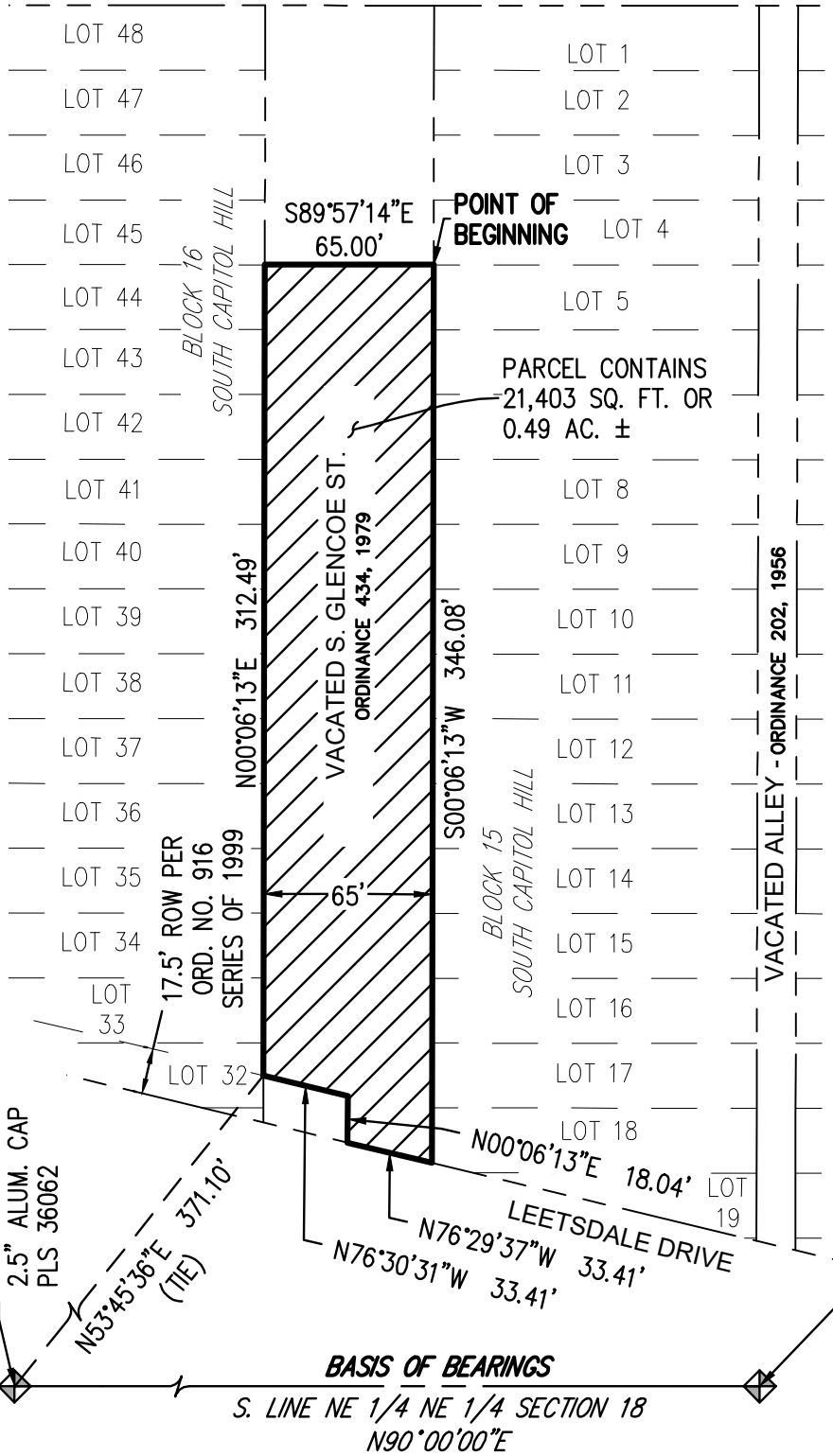
ON BEHALF OF: HARRIS KOCHER SMITH  
1120 LINCOLN STREET, SUITE 1000  
DENVER, CO 80203  
303.623.6300



# ILLUSTRATION FOR EXHIBIT A 2022-RELINQ-000008-001

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

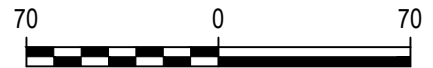


PARCEL CONTAINS  
21,403 SQ. FT. OR  
0.49 AC. ±



**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 9:56:32A By: John Emms Filepath: k:\200835\survey\esmt rway vaca.dwg Layout: glencoe vaca

|                       |                   |                   |  |
|-----------------------|-------------------|-------------------|--|
| ISSUE DATE: 1-26-2023 |                   | PROJECT #: 200835 |  |
| DATE                  | REVISION COMMENTS |                   |  |
| 9-11-2023             | REVISED 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



**EXHIBIT A  
LAND DESCRIPTION**

A PARCEL OF LAND BEING ALL OF SOUTH GRAPE STREET VACATED PER ORDINANCE 434, SERIES OF 1979 BETWEEN BLOCK 14 AND 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 SAID BLOCK 14;

THENCE SOUTH 00°09'42" WEST ALONG THE EAST LINE OF SAID VACATED SOUTH GRAPE STREET, A DISTANCE OF 524.99 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 66.80 FEET TO THE WEST LINE OF SAID VACATED SOUTH GRAPE STREET;

THENCE NORTH 00°09'42" EAST ALONG THE WEST LINE OF SAID VACATED SOUTH GRAPE STREET, A DISTANCE OF 509.42 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF DAKOTA AVENUE;

THENCE SOUTH 89°58'31" EAST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 65.00 FEET TO THE **POINT OF BEGINNING**.

SAID PARCEL CONTAINS 33,618 SQUARE FEET OR 0.77 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.

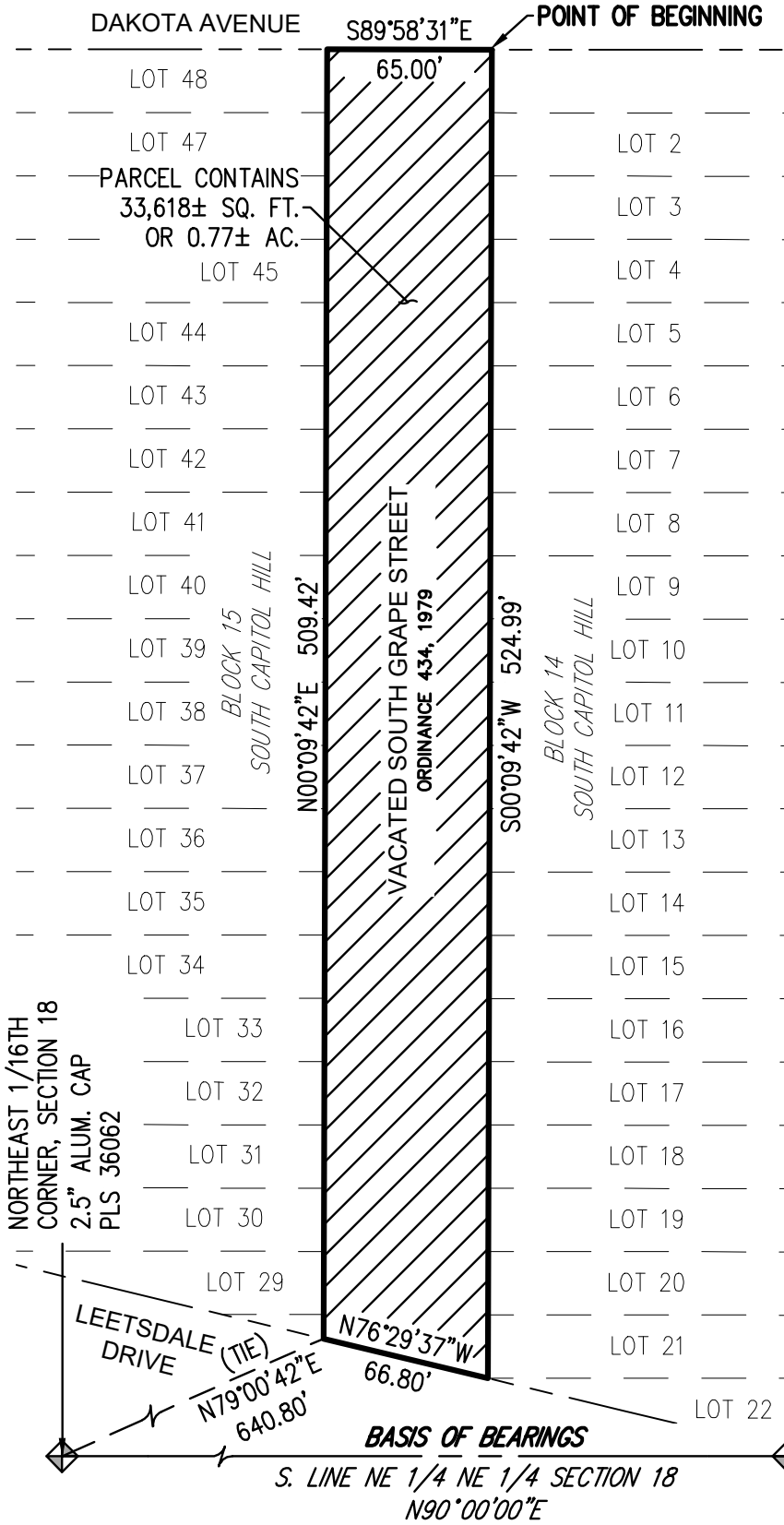
PREPARED BY: AARON MURPHY  
PLS 38162

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



# ILLUSTRATION FOR EXHIBIT A 2022-RELINQ-000008-0002

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



**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

|                       |                   |                   |  |
|-----------------------|-------------------|-------------------|--|
| ISSUE DATE: 3-18-2022 |                   | PROJECT #: 200835 |  |
| DATE                  | REVISION COMMENTS |                   |  |
| 9-11-2023             | REVISED BOUNDARY  |                   |  |
|                       |                   |                   |  |
|                       |                   |                   |  |

Plotted: TUE 09/12/23 9:53:47A By: John Ermis Filepath: k:\200835\survey\esmt rway vaca.dwg Layout: grape vaca

1120 Lincoln Street, Suite 1000  
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P: 303.623.6300 F: 303.623.6311  
HarrisKocherSmith.com

ILLUSTRATION FOR  
EXHIBIT A

PROJECT #: 200835  
SHEET NUMBER  
**2**  
2 OF 2

BY AUTHORITY

ORDINANCE NO. 434  
SERIES OF 1979

COUNCIL BILL NO. 457

INTRODUCED BY:

Schaitler, Santos, Monohue,  
Hackworth, Burke, Reynolds & Criden

A B I L L

FOR AN ORDINANCE VACATING CERTAIN PARTS OF THE SYSTEM OF THOROUGHFARES OF THE MUNICIPALITY; i.e., VACATING OF SOUTH GLENCOE STREET AND SOUTH GRAPE STREET BETWEEN LEETSDALE DRIVE AND DAKOTA AVENUE, SUBJECT TO CERTAIN RESERVATIONS.

WHEREAS, the Manager of Public Works of the City and County of Denver has found and determined that the public use, convenience and necessity no longer require those certain portions of those certain streets in the system of thoroughfares of the municipality hereinafter described, and, subject to approval by ordinance, has vacated the same with the reservations hereinafter set forth; now, therefore,

BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:

Section 1. That the action of the Manager of Public Works in vacating the following described portions of those certain streets in the City and County of Denver and State of Colorado, to-wit:

South Glencoe Street between Leetsdale Drive and Dakota Avenue.

Also

South Grape Street between Leetsdale Drive and Dakota Avenue.

be and the same is hereby approved and the described portions of those certain streets are hereby vacated and declared vacated, provided, however, said vacations shall be subject to the following conditions and reservations: That easements be and hereby are retained to protect the utilities in said vacated portions of South Glencoe Street and South Grape Street which utilities include gas lines and sewer lines.

PASSED by the Council September 4 1979  
Chris Caldwell - President  
 APPROVED: W. H. W. W. - Mayor September 5 1979  
 ATTEST: S. J. Foran - Clerk and Recorder,  
 Ex-Officio Clerk of the  
 City and County of Denver  
 PUBLISHED IN The Daily Journal Aug 31 1979 and Sept. 7 1979

I have made the findings and determinations set forth in the above and foregoing draft or form of a proposed Bill for an Ordinance, and, subject to approval by Ordinance, have vacated and do hereby vacate the described portions of those certain streets, subject to certain reservations, and request the Council of the City and County of Denver to approve such vacation, subject to certain reservations, by the enactment of an appropriate ordinance. I approve said draft or form of a proposed Bill for an Ordinance and recommend the introduction and passage thereof.

\_\_\_\_\_  
 Manager of Public Works

PREPARED BY: Max P. Zacc - City Attorney 5-22 1979  
W. H.



098850

1979 OCT -2 AM 9:50

2019 206

F. J. SERAFINI  
COUNTY CLERK  
DENVER COUNTY

2019 208

Ordinance No. 434 Series 19 79

Councilman's Bill No. 457

Meeting Date Aug 27, 19 79

Read in full to the Board of Councilmen and referred to the Committee on

Public Works

Committee report adopted and bill ordered published.

Meeting Date 8-27, 19 79

Read by title and passed.

Meeting Date Sept 4, 19 79

**CITY COUNCIL**  
CITY & COUNTY OF DENVER  
REGULAR SESSION

**AUG 23 1979**

AM  
7:58 AM  
A