



Department of Public Works
Engineering Regulatory & Analytics
201 W. Colfax Avenue, Dept. 507
Denver, CO 80202
720-865-3001
www.denvergov.org/survey

REQUEST FOR ORDINANCE TO RELINQUISH EASEMENT

TO: Caroline Martin, City Attorney's Office

FROM: Matt Bryner
Director, Public Works Right of Way Services

PROJECT NO: 2018-RELINQ-0000020

DATE: March 11, 2019

SUBJECT: Request for an Ordinance to relinquish the 20' utility easement, in its entirety, as established in Vacating Ordinance No. 134, Series of 1931, Councilman's Bill No. 151 at 1900 W 32nd Ave and 1729 Erie St.

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

This office has investigated the request of Infinity Communities, LLC c/o Denise Swift, dated November 29, 2018 on behalf of LoHi Garden, LLC for the relinquishment of said easements.

This matter has been checked by this office and has been coordinated with Asset Management; Comcast; the City Councilperson Espinoza; CPD: Planning Services; Historic Preservation/Landmark; Denver Water; Denver Fire Department; City Forestry; Parks and Recreation; Engineering, Regulatory, and Analytics Transportation and Wastewater; Public Works: Construction Engineering; Public Works – Policy and Planning; Metro Wastewater Reclamation District; Survey; CenturyLink; and Xcel Energy, all of whom have returned our questionnaires indicating their agreement.

As a result of the 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 easements in the following described area(s):

INSERT PARCEL DESCRIPTION 2018-RELINQ-0000020-001 HERE

A map of the area and a copy of the document creating the easement are attached.

MB:kr

cc:

City Councilperson Espinoza & 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
Public Works, Manager's Office – Alba Castro
Public Works, Legislative Services – Jason Gallardo
Public Works, Survey – Paul Rogalla

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: March 11, 2019

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.)

Infinity Communities, LLC c/o Denise Swift on behalf of LoHi Garden, LLC requests for an Ordinance to relinquish the 20' utility easement, in its entirety, as established in Vacating Ordinance No. 134, Series of 1931, Councilman's Bill No. 151 at 1900 W 32nd Ave and 1729 Erie St.

3. Requesting Agency: Public Works, 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: Katie Ragland	Name: Jason Gallardo
Email: Katie.Ragland@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 the 20' utility easement, in its entirety, as established in Vacating Ordinance No. 134, Series of 1931, Councilman's Bill No. 151 at 1900 W 32nd Ave and 1729 Erie St.

6. City Attorney assigned to this request (if applicable): Bradley Beck

7. City Council District: City Councilman Espinoza of District 1

8. **For all contracts, fill out and submit accompanying Key Contract Terms worksheet**

N/A

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: 2018-RELINQ-0000020 1900 W 32nd Ave and 1729 Erie St

Owner name: LoHi Garden, LLC

Description of Proposed Project: Request for an Ordinance to relinquish the 20' utility easement, in its entirety, as established in Vacating Ordinance No. 134, Series of 1931, Councilman's Bill No. 151 at 1900 W 32nd Ave and 1729 Erie St.

Explanation of why the public right-of-way must be utilized to accomplish the proposed project: Property improvements.

Background: N/A

Location Map:



EXHIBIT "A"

LEGAL DESCRIPTION

A 20-FOOT ALLEY VACATED BY ORDINANCE 134-1931; SITUATED IN THE SOUTHWEST 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:

BEGINNING AT THE NORTHEAST CORNER OF SAID VACATED 20-FOOT ALLEY;

THENCE SOUTHEASTERLY, ALONG THE NORTHEASTERLY LINE OF SAID VACATED 20-FOOT ALLEY, A DISTANCE OF 120.00 FEET TO THE SOUTHEAST CORNER OF SAID VACATED ALLEY;

THENCE SOUTHWESTERLY, ALONG THE SOUTHEASTERLY LINE OF SAID VACATED ALLEY, A DISTANCE OF 20.00 FEET TO THE SOUTHWESTER CORNER OF SAID VACATED ALLEY;

THENCE NORTHWESTERLY, ALONG THE SOUTHWEST LINE OF SAID OF SAID VACATED ALLEY, A DISTANCE OF 120.00 FEET TO THE NORTHWEST CORNER OF SAID VACATED ALLEY;

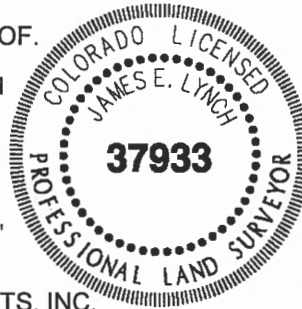
THENCE NORTHEASTERLY, ALONG THE NORTHWESTERLY LINE OF SAID VACATED ALLEY, A DISTANCE OF 20.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 0.055 ACRES, (2,400 SQUARE FEET), MORE OR LESS.

EXHIBIT ATTACHED AND MADE A PART HEREOF.

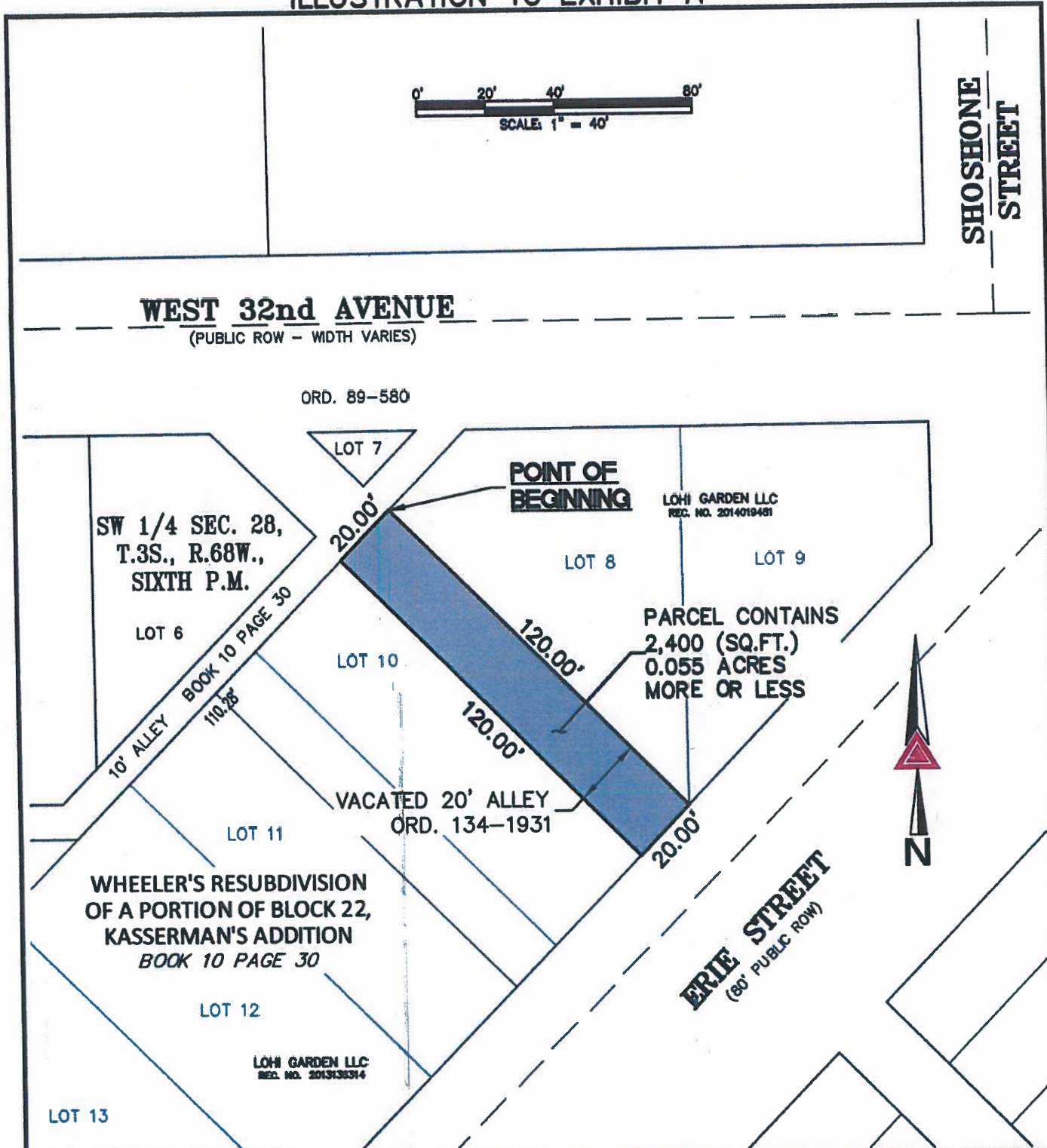
Digitally signed
by James E.
Lynch
Date:
2018.11.27
11:15:19 -07'00'

James
E. Lynch



JAMES E. LYNCH, PLS NO. 37933
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVE., SUITE 1, LITTLETON, CO 80122
303-713-1898

ILLUSTRATION TO EXHIBIT A



ORD. 89-580

SW 1/4 SEC. 28,
T.3S., R.68W.,
SIXTH P.M.

LOT 6

LOT 7

POINT OF
BEGINNING

LOHI GARDEN LLC
REC. NO. 2014019481

LOT 8

LOT 9

PARCEL CONTAINS
2,400 (SQ.FT.)
0.055 ACRES
MORE OR LESS

LOT 10

10' ALLEY
BOOK 10 PAGE 30

LOT 11

VACATED 20' ALLEY
ORD. 134-1931

WHEELER'S RESUBDIVISION
OF A PORTION OF BLOCK 22,
KASSERMAN'S ADDITION
BOOK 10 PAGE 30

LOT 12

LOHI GARDEN LLC
REC. NO. 2013138314

LOT 13

ERIE STREET
(80' PUBLIC ROW)



NOTE: THIS DRAWING DOES NOT REPRESENT A MONUMENTED LAND SURVEY AND IS ONLY INTENDED TO DEPICT THE ATTACHED LEGAL DESCRIPTION.

PATH: G:\45618-01\DWG\EXHIBIT A
DWG NAME: Exmt Relinquishment.DWG
DWG: JET CHK: JRW
DATE: 11/27/2018
SCALE: 1"=40'



300 East Mineral Ave,
Suite 1
Littleton, Colorado 80123
Phone: (303) 713-1938
Fax: (303) 713-1997
www.aztecconsultants.com

PARCEL EXHIBIT
SW1/4, SEC. 28, T3S, R68W, 6TH P.M.
DENVER, COLORADO

JOB NUMBER 45618-01

2 OF 2 SHEETS