



Legislation Text

File #: Res 2022-85, **Version:** 1

A RESOLUTION VACATING AN EASEMENT AT APPROXIMATELY 7001 COLORADO BOULEVARD

Summary and Background Information:

Prospect LLC has requested the vacation of an easement on the property at 7001 Colorado Boulevard. The easement is noted on a Land Survey Plat, created by D.R.A. Surveying, Inc. and dated March 27, 2000, as an unrecorded permanent easement granted to the City of Commerce City. The easement is also referenced in the Final Rule and Order for an eminent domain proceeding related to improvements for E. 70th Avenue at Colorado Boulevard, which was filed in District Court on May 10, 2017.

Extensive research into the nature of the easement, by City staff and legal counsel for the previous property owner, occurred both during the litigation process for the eminent domain action and for preparation for this request. Staff across several departments: City Attorney's Office, City Clerk's Office, the Community Development Department, the Parks, Recreation, and Golf Department, and the Public Works Department, spent approximately 40 hours locating a copy of and identifying the purpose of, the easement. The information available has produced no evidence of the original purpose of or ongoing or future need for the easement and has demonstrated no desire to maintain an interest in the easement property.

Staff Responsible (Department Head): Jim Tolbert, Community Development Director

Staff Member Presenting: Anita Riley, City Planner

Financial Impact: N/A

Funding Source: N/A

Staff Recommendation: Approval of the vacation of the easement

Suggested Motion: I move that the City Council approve Resolution 2022-85 allowing for the vacation of an easement at 7001 Colorado Boulevard