


**PUBLIC WORKS DEPARTMENT
MEMORANDUM #2012 – 19**

DATE: April 9, 2012
TO: Honorable Mayor Joyce Downing and City Council Members
FROM: William A. Simmons, City Manager
David H. Willett, Director of Public Works 
SUBJECT: CR – 39; West 112th Right-of-Way Easement

BACKGROUND

The West 112th Avenue Widening project included adding one additional EB lane between the western City limit to Pecos Street. In order to complete this widening it was necessary for several utilities namely Xcel, Qwest, and Comcast to relocate their facilities further to the south and outside of the existing platted street Right-of-Way (ROW). The additional ROW required for the utilities is situated on the city of Northglenn owned property along the frontage of the Water Treatment Plant and the Northwest Open Space.

By franchise agreement, certain utilities like Xcel and Comcast are obligated to relocate at the utility's expense if required by roadway improvements. Qwest is similarly required to relocate such facilities based on a state-wide franchise agreement. If the utilities are not inside the platted Right of Way or an easement, the City cannot require the utilities to relocate at the utilities' expense. City staff has contracted with R.W. Bayer & Associates, to establish/survey a Right of Way boundary that would encompass the relocated utilities. For Council reference attached are the following Exhibits – Legal Description and Survey, and Aerial Photograph/ROW easement.

BUDGET/TIME IMPLICATIONS

Approval of this Resolution will allow staff to record the Right of Way modifications with the County.

RECOMMENDATION

Staff recommends approval of this proposed Resolution.

STAFF REFERENCE

David H. Willett, P.E., Director of Public Works
Joliette Woodson, P.E., Transportation Engineer

dwillett@northglenn.org or 303.450.8783
jwoodson@northglenn.org or 303.450.8835

Attachments:

Exhibit A – Legal Description and Survey
Exhibit B – Aerial photograph/ROW easement

SPONSORED BY: MAYOR DOWNING

COUNCILMAN'S RESOLUTION

RESOLUTION NO.

No. CR-39
Series of 2012

Series of 2012

A RESOLUTION DEDICATING A PORTION OF CITY-OWNED PROPERTY AS STREET RIGHT-OF-WAY FOR THE W. 112TH AVENUE WIDENING PROJECT

WHEREAS, the W. 112th Avenue Widening Project included the addition of one eastbound lane between the western City boundary and Pecos Street; and

WHEREAS, the widening of the roadway required utilities to relocate their facilities on City owned property; and

WHEREAS, the dedication of a portion of City owned property as additional right-of-way is necessary for the relocation of utilities for the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. The dedication of City-owned property to street right-of-way as set forth in the legal description attached hereto as Exhibit A and illustrated on the attached map labeled Exhibit B is hereby approved by the City Council of the City of Northglenn, Colorado.

DATED at Northglenn, Colorado this ____ day of _____, 2012.

JOYCE DOWNING
Mayor

ATTEST:

JOHANNA SMALL, CMC
City Clerk

APPROVED AS TO FORM:

COREY Y. HOFFMANN
City Attorney

EXHIBIT A

LEGAL DESCRIPTION: PUBLIC RIGHT-OF-WAY EASEMENT

THAT PART OF THE NORTHWEST ONE-QUARTER OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF NORTHGLENN, COUNTY OF ADAMS, STATE OF COLORADO, DESCRIBED AS: BEGINNING AT THE NORTHWEST CORNER OF SAID NORTHWEST ONE-QUARTER; THENCE N89°20'32"E ALONG THE NORTH LINE OF SAID NORTHWEST ONE-QUARTER, A DISTANCE OF 2644.53 FEET TO THE NORTHEAST CORNER OF SAID NORTHWEST ONE-QUARTER; THENCE S00°18'25"E ALONG THE EAST LINE OF SAID NORTHWEST ONE-QUARTER, A DISTANCE OF 414.86 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF WEST 111TH WAY AS PLATTED IN PARK VISTA SUBDIVISION, RECORDED IN FILE 17, MAP 169, ADAMS COUNTY RECORDS; THENCE S89°41'34"W A DISTANCE OF 25.00 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT, THE DELTA OF SAID CURVE IS 166°37'57", THE RADIUS OF SAID CURVE IS 50.00 FEET; THENCE CHORD OF SAID CURVE BEARS N06°59'27"W, 99.32 FEET; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 145.41 FEET TO THE END OF SAID CURVE AND THE BEGINNING OF A REVERSE CURVE TO THE LEFT, THE DELTA OF SAID CURVE IS 76°44'29", THE RADIUS OF SAID CURVE IS 15.00 FEET; THENCE CHORD OF SAID CURVE BEARS N38°03'51"E, 18.62 FEET; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 20.09 FEET TO THE END OF SAID CURVE AND TO A LINE 25.00 FEET WEST OF THE EAST LINE OF SAID NORTHWEST ONE-QUARTER; THENCE N00°18'25"W PARALLEL WITH SAID EAST LINE, A DISTANCE OF 231.46; THENCE N77°32'53"W A DISTANCE OF 44.09 FEET TO A LINE 60.00 FEET SOUTH OF THE NORTH LINE OF SAID NORTHWEST ONE-QUARTER; THENCE S89°20'32"W PARALLEL WITH SAID NORTH LINE, A DISTANCE OF 1462.51 FEET; THENCE S00°39'28"E A DISTANCE OF 33.00 FEET; THENCE S89°20'32"W PARALLEL WITH THE NORTH LINE OF SAID NORTHWEST ONE-QUARTER, A DISTANCE OF 609.15 FEET; THENCE N00°39'28"W A DISTANCE OF 38.00 FEET TO A LINE 55.00 FEET SOUTH OF THE NORTH LINE OF SAID NORTHWEST ONE-QUARTER; THENCE S89°54'35"W A DISTANCE OF 504.81 FEET TO THE WEST LINE OF SAID NORTHWEST ONE-QUARTER; THENCE N00°20'04"W ALONG SAID WEST LINE, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING. CONTAINS 188,030 SQUARE FEET OR 4.317 ACRES MORE OR LESS.

BASIS FOR BEARINGS:

THE NORTH LINE OF THE NORTHWEST ONE-QUARTER (THE N.W. COR. IS A 3-1/4" ALUMINUM CAP, ILLEGIBLE, IN RANGE BOX AND THE N.E. COR. IS A 3-1/4" ALUMINUM CAP, ILLEGIBLE, IN RANGE BOX) OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF NORTHGLENN, COUNTY OF ADAMS, STATE OF COLORADO, IS ASSUMED TO BEAR N89°20'32"E.

PREPARED BY:

RAYMOND W. BAYER, P.L.S. 6973
R.W. BAYER & ASSOCIATES, INC.
2090 E. 104TH AVE. S-200
THORNTON, CO 80233
(303) 452-4433



SCALE: 1"=200'
LEGEND

• DENOTES: SET #5 REBAR & PLASTIC CAP, BAYER - P. L. S. 6973

— x — DENOTES: FENCE LINE

----- DENOTES: PERIMETER OF THE OSCAR ARNOLD NATURE AREA

LEGAL DESCRIPTION: PUBLIC RIGHT-OF-WAY EASEMENT

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NOTICE:

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 LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATED OF THE CERTIFICATION SHOWN HEREON.

THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY R.W. BAYER & ASSOCIATES, INC. OF THE PROPERTY SHOWN AND DESCRIBED HEREON TO DETERMINE OWNERSHIP OF THIS TRACT OF LAND, COMPATIBILITY OF THIS DESCRIPTION WITH THOSE OF ADJACENT TRACTS OF LAND OR RIGHTS-OF-WAY, EASEMENTS OR ENCUMBRANCES OF RECORD AFFECTING THIS TRACT OF LAND.

THE LINEAL UNITS USED AND SHOWN HEREON IS U S SURVEY FOOT

NO STATEMENT IS MADE CONCERNING SUBSURFACE CONDITIONS OR THE EXISTENCE OF OVERHEAD OR UNDERGROUND CONTAINERS OR FACILITIES (INCLUDING UTILITIES) WHICH MAY AFFECT THE DEVELOPMENT OF THIS TRACT. THERE MAY BE UNDERGROUND UTILITIES, LOCATED ON OR ADJACENT TO THIS PARCEL THAT ARE NOT SHOWN ON THIS SURVEY.

CERTIFICATE OF SURVEY:

I HEREBY CERTIFY THAT THE SURVEY SHOWN HEREON WAS MADE BY ME OR UNDER MY DIRECTION AND IS ACCURATELY SHOWN TO THE BEST OF MY KNOWLEDGE AND BELIEF.

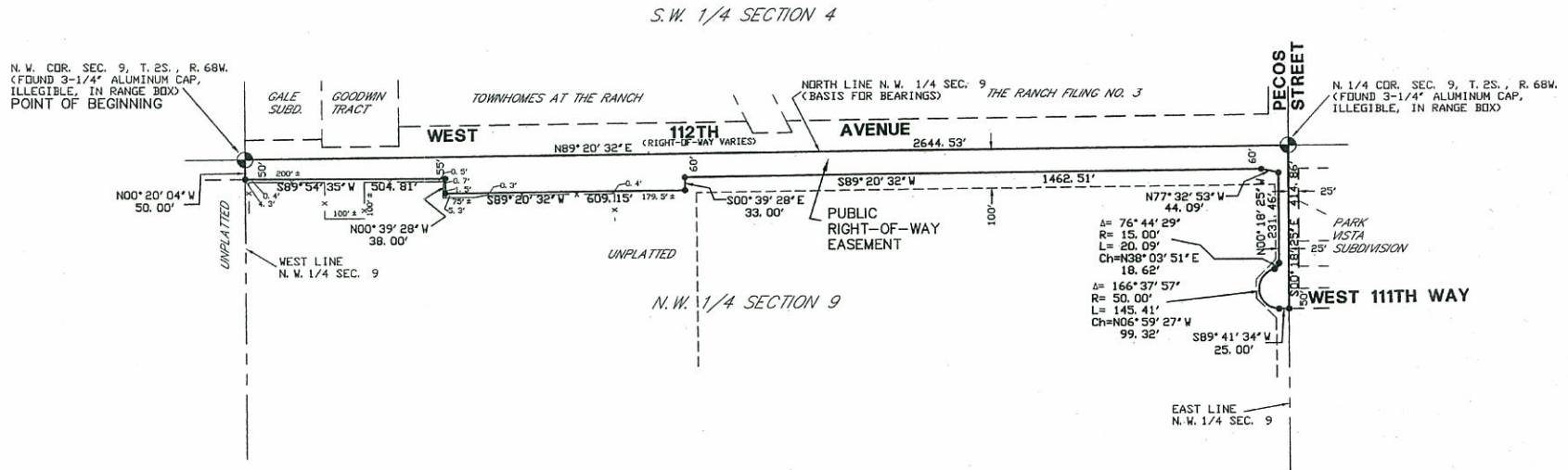


Raymond W. Bayer
RAYMOND W. BAYER, REGISTRATION NO. 6973, WITHIN THE STATE OF COLORADO DATE: Feb 14, 2012

COUNTY SURVEYOR'S CERTIFICATE:

DEPOSITED THIS _____ DAY OF _____ 20____ AT _____, IN BOOK _____ OF THE COUNTY SURVEYOR'S LAND SURVEY PLATS / RIGHTS OF WAY SURVEYS AT PAGE _____, RECEPTION NO. _____ THIS LAND SURVEY PLAT COMPLIES WITH SECTION 38-51-106, COLORADO REVISED STATUTES.

COUNTY SURVEYOR



R.W. BAYER & ASSOCIATES, INC.
2090 EAST 104TH AVENUE, SUITE 200
THORNTON, COLORADO 80233-4316
(303) 452-4433 FAX: (303) 452-4515

REVISIONS: CAD FILE: NG11154/NG11154.DWG

RIGHT-OF-WAY SURVEY
PART OF THE NORTHWEST ONE-QUARTER OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF NORTHGLEN, COUNTY OF ADAMS, STATE OF COLORADO.

SCALE: 1"=200'	DATE: FEB. 10, 2012	DRW BY: G.A.B.	CKD BY: R.B.	PROJ NO: 11-154
BOOK: 667	PAGE: 17	FILE NO: 9-27-58L	SHEET NO: 1 OF 1	



EXHIBIT B

SHEET
1 OF 1

WEST 112TH AVE IMPROVEMENTS

ROW EXHIBIT

FULL SIZE

**BID DOCUMENTS
NOT FOR
CONSTRUCTION**



11701 Community Center Drive
Northglenn, Colorado 80233-5061

Phone: 303.450.8326
Fax: 303.450.8708

SCALE: N/A

PROJECT #00-0000
PROJECT ENGINEER:XXX
DRAWN BY:XXX