

STAFF MEMO

DATE OF COUNCIL MEETING: APRIL 8, 2019 / AGENDA ITEM NO. 18

APRIL 22, 2019 / AGENDA ITEM NO. 13

To: Mayor and City Council

From: Kit Newland, Department Director, 303-987-7822

Subject: **WATERLINE EASEMENT IN HODGSON PARK**

This ordinance was approved on 1st Reading by a vote of 10 ayes 0 nays.

SUMMARY STATEMENT: The Bear Creek Water and Sanitation District (“District”) desires to install a water main in an existing easement across Hodgson Park. The District and Community Resources Department (“CR”) would like to preserve mature trees that have grown in the existing easement and therefore it is recommended that we reroute the easement and pipe to avoid removing the trees. This realignment requires a modification to the existing easement and a vacation of the portion of the existing easement where the trees have grown. It is recommended that City Council approve this easement modification so that we can avoid removal of healthy, mature trees.

BACKGROUND INFORMATION: The existing easement was conveyed to the District in 2005 at Reception No. 2005011364 of the records of the Jefferson County Clerk and Recorder. The 3,798 square feet of the existing easement will be released by the District and the City will be granting a new easement of 2,664 square feet.

FINANCIAL IMPACTS: There are no costs to the City associated with this modification.

STAFF RECOMMENDATIONS: The Community Resources staff recommend that City Council approve this modification.

ALTERNATIVES: The only option that is available if this easement is not granted, is to remove several well established trees. The neighbor who benefits directly from the shade and cover of these trees agrees that the easement modification is the best option.

PUBLIC OUTREACH: Community Resources staff have contacted all the neighbors who would be affected by this proposed modification and they are all in agreement with making the adjustment.

NEXT STEPS: The next steps will be for the District to record the new easement and the easement vacation with Jefferson County. Following that, the construction plans will be completed by the District, and approved by the City for the new water line. Finally, construction will be completed by the District.

ATTACHMENTS: Ordinance O-2019-18
Map

Attachments include the recommended Ordinance to grant new easement and accept the vacation of unneeded easement (including legal descriptions Attachments A & B),.

REVIEWED BY: Kathleen E. Hodgson, City Manager
Benjamin B. Goldstein, Deputy City Manager
Timothy P. Cox, City Attorney