



Board Summary Report

File #: 22-717

Agenda Date: 12/6/2022

Agenda #: 5.r.

To: Board of County Commissioners

Through: Bryan Weimer, Director, Public Works and Development

Prepared By:

Joseph Boateng, PE, Engineer II, Engineering Services Division

Subject:

Conveyance of a Permanent Easement located near East Dry Creek Rd and South Detroit Street to SEMSWA

Purpose and Request:

The purpose of this report is to request approval of a resolution to convey to South East Metro Stormwater Authority (SEMSWA) a permanent drainage easement originally granted to County and to summarize the recommendation of the Engineering Services Division (ESD) for approving such conveyance by Quit Claim Deed. The easement now lies within the jurisdiction of the City of Centennial, and within "Public Outlot A" in Forest Park-Filing No. 3. The easement was dedicated to the County by the instrument, recorded in Book 7723 page 407 of the Arapahoe County records prior to the incorporation of the City.

The Specific actions requested of the Board are:

1. Approval of Quitclaim Deed to convey the easement to SEMSWA; and
2. Authorize the Chair of Board of County Commissioners to execute the Quitclaim Deed on behalf of the Board.

Background and Discussion: The easement is located at 2702 E Dry Creek and was originally in Unincorporated Arapahoe County and now is now within the boundaries of the City. The owner of the servient property is- South Metro Fire Rescue (SMFR), which have expressed a desires to have the easement vacated for purposes of expanding the adjacent fire station.

County Staff have met with the -City and SEMSWA to discuss said vacation request, the permitting process for the easement. As the City is the permitting lead agency for the SMFR fire station expansion project, and SEMSWA currently administers stormwater on behalf of the City with regards to the development review and ongoing maintenance, the City has requested the following:

- 1.) The County should convey the easement to SEMSWA directly, as the City would subsequently convey the easement to SEMSWA after conveyance from the county, and
- 2.) As the City is the permitting lead agency for the project, and as SEMSWA administers stormwater review and maintenance on behalf of the City, the decision as to any vacation, either full or partial, be coordinated between SEMSWA and the City after conveyance of the easement by the county to SEMSWA, and
- 3.) SEMSWA send written request of easement conveyance to the county to initiate the conveyance process by the County

Since the easement is within the City, and SEMSWA's jurisdiction, Engineering Services Division (ESD) recommends that the easement be conveyed to SEMSWA as they would be taking over ownership and maintenance of said easement. Any decision on vacating the drainage easement should be coordinated between SEMSWA and Centennial. SEMSWA has requested that the easement be conveyed to them and the easement be conveyed to them is willing to accept the conveyance.

Alternatives: The County could keep the easement and decide whether to vacate it or not, but SEMSWA is in a better position to make any decision on vacation of the easement.

Fiscal Impact: None

Alignment with Strategic Plan:

- Be fiscally sustainable
- Provide essential and mandated service
- Be community focused

Concurrence: The Quitclaim Deed was reviewed by the County Attorney's Office and the attached legal descriptions were reviewed by Mapping

Resolution: Attached is a copy of the draft resolution.