



## Board Summary Report

**Date:** April 10, 2019  
**To:** Board of County Commissioners  
**Through:** Jan Yeckes, Planning Division Manager  
**From:** Molly Orkild-Larson, Senior Planner  
**Subject:** VAC19-002, Sky Ranch - Vacation of Easement

### **Request and Recommendation**

The property owner, PCY Holdings LLC, has submitted an application requesting to vacate an 8-foot wide utility easement on Lot 42 and Lot 47, Block 18 of the Sky Ranch Neighborhood B development. See attached exhibits. No objections were received from the referral agencies or public for these proposals. Staff is recommending approval.

### **Background**

In 2017 and 2018, Sky Ranch Neighborhood B Final Plat (P17-014) and Administrative Site Plan (ASP18-004) were approved, respectively. After the approval of the Administrative Site Plan, the applicant proposed to add a 30-foot easement for oil and gas pipelines along the north property line of this development. This proposal requires Lots 42 and 47 to be reconfigured and the 8-foot utility easements along the rear lot line for each lot be vacated.

The application is running concurrently an Administrative Replat (PAR18-003) and an Administrative Amendment to an Administrative Site Plan (AA18-017) to add the new oil and gas easement and reconfigure Lots 42 and 47. These easement vacations are proposed to facilitate the replat and administrative amendment, and should be completed before these applications are approved.

### **Links to Align Arapahoe**

If approved, these vacation requests may 'improve the County's economic environment' by making efficient use of land being vacated and by helping create desirable, attractive, and functional lots for the residential development and providing an easement for the oil and gas industry.

### **Discussion**

Per Section 14-702 Approval Standards of the Arapahoe County Land Development Code, a vacation shall be in accordance with adopted standards and criteria and may be approved upon the finding that:

- A. The vacation is in accordance with any original conditions of approval for a plat, preliminary development plan, final development plan, or other applicable document;
- B. The vacation is in keeping with the spirit and intent of the County Subdivision Regulations.

The County staff has determined the attached easement vacation documents meet the applicable technical requirements stated in Section 14-702 of the Arapahoe County Land Development Code.

External referral agencies and public raised no objections.

**Alternatives**

The Board of County Commissioners has three alternatives to approving this request, as follows:

- 1. Approve the vacations with conditions
- 2. Continue the vacations to a date certain
- 3. Deny the vacations

**Fiscal Impact**

This request may have some positive fiscal impact on the County depending upon the value of the development occurring on the property as a result of approval.

**Concurrence**

The Arapahoe County Public Works and Development Staff recommends approval of these vacations of easements.

**Reviewed By:**

Molly Orkild-Larson, Senior Planner  
Jason Reynolds, Current Planning Program Manager  
Jan Yeckes, Planning Division Manager  
Bryan Weimer, Director of Public Works and Development  
Todd Weaver, Budget Manager, Finance Department  
Bob Hill, Senior Assistant County Attorney



Public Works and Development  
6924 S Lima Street Centennial, Colorado 80112  
Phone: 720-874-6650 FAX 720-874-6611  
[www.arapahoegov.com](http://www.arapahoegov.com)

## PETITION FOR VACATION OF EASEMENT

FROM: PCY Holdings LLC (Pure Cycle Corporation)  
ADDRESS: 34501 E. Quincy Ave. Bldg 34, MB 10  
CITY/ZIP Watkins, CO 80137  
TELEPHONE: 303-292-3456  
TO: Arapahoe County  
RE: VACATION OF Two eight foot utility easements within Block 18 of Sky Ranch  
Subdivision, Filing No. 1

Case No. VAC19-002

In respect thereto the petitioners represent: landowners (PCY Holdings, LLC)

That they are owners of the following described property, all of which is located in the County of Arapahoe and State of Colorado, to wit:

Lot 42 and Lot 47, Block 18, Sky Ranch Subdivision Filing No. 1, as recorded at Reception Number D8071296 of the Arapahoe County Records

**Note: Show Book and Page Where Dedication Appears:**

2. That the portion of said easement here sought to be vacated was taken from the real property described in Paragraph 1, hereto.
3. That all or a portion of the easement sought to be vacated has now become useless to the property owners, the general public, the allowed users and the County of Arapahoe.
4. That the entire easement on the tract should be vacated except for: Not applicable



## EXHIBIT A

### LEGAL DESCRIPTION – SKY RANCH SUBDIVISION FILING NO. 1 8' UTILITY EASEMENT VACATIONS

TWO UTILITY EASEMENTS BEING 8.00 FEET IN WIDTH AS GRANTED BY THE PLAT OF SKY RANCH SUBDIVISION FILING NO. 1 RECORDED AT RECEPTION NO. D8071296 IN THE RECORDS OF THE ARAPAHOE COUNTY CLERK AND RECORDER, SAID UTILITY EASEMENTS BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

#### UTILITY EASEMENT A – LOT 42, BLOCK 18, SKY RANCH SUBDIVISION FILING NO. 1

COMMENCING AT THE CENTER QUARTER CORNER OF SAID SECTION 4 AND CONSIDERING THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 4, BEING MONUMENTED AS SHOWN ON THE ATTACHED EXHIBIT, TO BEAR SOUTH 00°21'59" EAST, 2640.68 FEET WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE SOUTH 88°44'02" EAST, A DISTANCE OF 1089.83 FEET TO A POINT BEING THE NORTHWESTERLY CORNER OF LOT 42, BLOCK 18, SAID SKY RANCH SUBDIVISION FILING NO. 1, SAID POINT BEING THE **POINT OF BEGINNING**;

THENCE NORTH 73°14'20" EAST ALONG THE NORTHERLY LINE OF SAID LOT 42, BLOCK 18, A DISTANCE OF 55.93 FEET TO A POINT BEING THE NORTHEASTERLY CORNER OF SAID LOT 42, BLOCK 18;

THENCE SOUTH 27°15'03" EAST ALONG THE EASTERLY LINE OF SAID LOT 42, BLOCK 18, A DISTANCE OF 8.14 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID 8.00 FOOT WIDE UTILITY EASEMENT;

THENCE SOUTH 73°14'20" WEST ALONG SAID SOUTHERLY EASEMENT LINE, A DISTANCE OF 55.93 FEET TO A POINT ON THE WESTERLY LINE OF SAID LOT 42, BLOCK 18;

THENCE NORTH 27°15'03" WEST ALONG SAID WESTERLY LINE, A DISTANCE OF 8.14 FEET TO THE **POINT OF BEGINNING**,

SAID UTILITY EASEMENT A CONTAINING A CALCULATED AREA OF 447 SQUARE FEET OR 0.010 ACRE, MORE OR LESS.

#### UTILITY EASEMENT B – LOT 47, BLOCK 18, SKY RANCH SUBDIVISION FILING NO. 1

COMMENCING AT THE CENTER QUARTER CORNER OF SAID SECTION 4 AND CONSIDERING THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 4, BEING MONUMENTED AS SHOWN ON THE ATTACHED EXHIBIT, TO BEAR SOUTH 00°21'59" EAST, 2640.68 FEET WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE SOUTH 89°44'28" EAST, A DISTANCE OF 2076.19 FEET TO A POINT BEING THE NORTHWESTERLY CORNER OF LOT 47, BLOCK 18, SAID SKY RANCH SUBDIVISION FILING NO. 1, SAID POINT BEING THE **POINT OF BEGINNING**;

THENCE NORTH 59°48'33" EAST ALONG THE NORTHERLY LINE OF SAID LOT 47, BLOCK 18, A DISTANCE OF 61.09 FEET TO A POINT BEING THE NORTHEASTERLY CORNER OF SAID LOT 47, BLOCK 18;

THENCE SOUTH 41°00'43" EAST ALONG THE EASTERLY LINE OF SAID LOT 47, BLOCK 18, A DISTANCE OF 8.14 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID 8.00 FOOT WIDE UTILITY EASEMENT;


THENCE SOUTH 59°48'33" WEST ALONG SAID SOUTHERLY EASEMENT LINE, A DISTANCE OF 61.09 FEET TO A POINT ON THE WESTERLY LINE OF SAID LOT 47, BLOCK 18;

THENCE NORTH 41°00'43" WEST ALONG SAID WESTERLY LINE OF SAID LOT 47, BLOCK 18, A DISTANCE OF 8.14 FEET TO THE **POINT OF BEGINNING**,

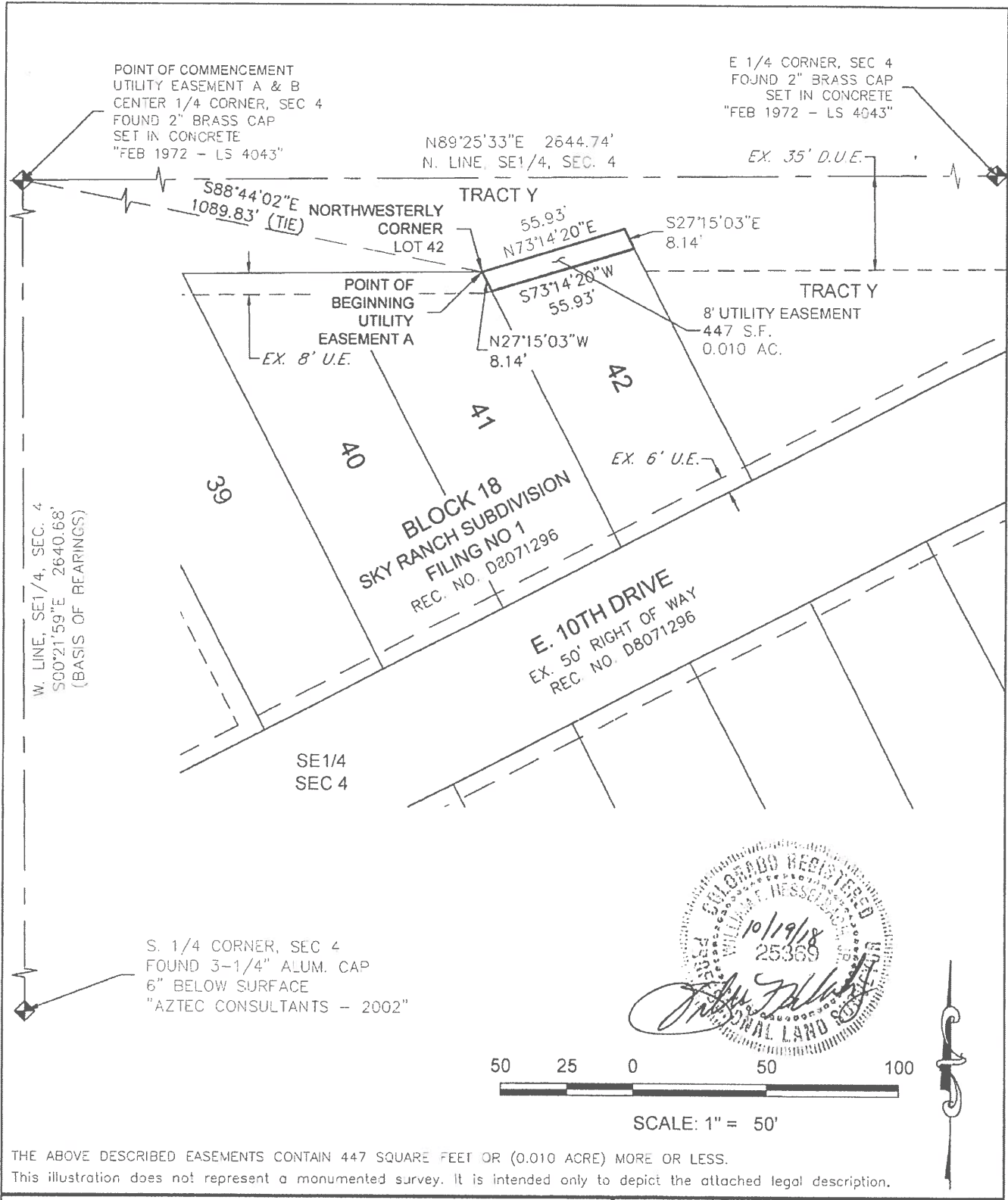
SAID UTILITY EASEMENT B CONTAINING A CALCULATED AREA OF 489 SQUARE FEET OR 0.011 ACRE, MORE OR LESS.

THE LINEAL UNIT USED IN THE PREPARATION OF THIS LEGAL DESCRIPTION IS THE U.S. SURVEY FOOT AS DEFINED BY THE UNITED STATES DEPARTMENT OF COMMERCE, NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.

I, WILLIAM F. HESSELBACH, JR., A SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION AND ATTACHED EXHIBIT WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND CHECKING.

  
WILLIAM F. HESSELBACH, JR., P.L.S. 25369  
FOR AND ON BEHALF OF  
CVL CONSULTANTS OF COLORADO, INC.  
10333 E. DRY CREEK ROAD, SUITE 240  
ENGLEWOOD, CO 80112





THE ABOVE DESCRIBED EASEMENTS CONTAIN 447 SQUARE FEET OR (0.010 ACRE) MORE OR LESS.  
This illustration does not represent a monumented survey. It is intended only to depict the attached legal description.

**SKY RANCH SUBDIVISION FILING NO. 1**

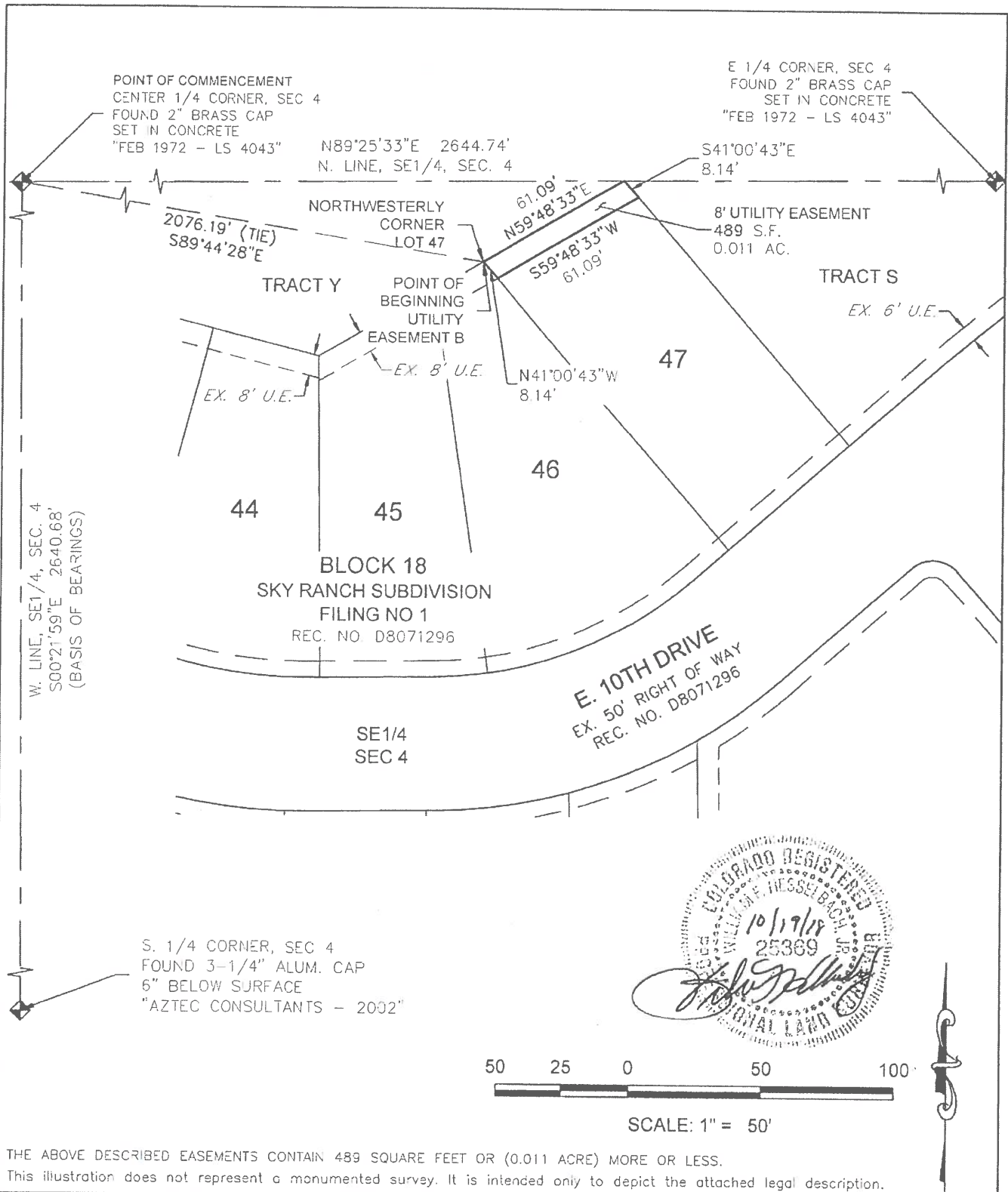
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**LOT 42 - 8' UTILITY EASEMENT A**



10333 E. Dry Creek Rd.  
Suite 240  
Englewood, CO 80111  
Tel: (720) 482-9526  
Fax: (720) 482-9546

DATE: OCTOBER 17, 2018



SKY RANCH SUBDIVISION FILING NO. 1

LOT 47 - 8' UTILITY EASEMENT B



10333 E. Dry Creek Rd.  
Suite 240  
Englewood, CO 80111  
Tel: (720) 482-9526  
Fax: (720) 482-9546

DATE: OCTOBER 17, 2018



**RESOLUTION NO.** \_\_\_\_\_ It was moved by Commissioner \_\_\_\_\_ and duly seconded by Commissioner \_\_\_\_\_ to adopt the following Resolution:

WHEREAS, PCY Holdings, LLC, is the owner of Lot 42 and Lot 47, Block 18, Sky Ranch Subdivision, real property located within unincorporated Arapahoe County that is subject to and burdened by the following described utility easements, to wit:

TWO UTILITY EASEMENTS BEING 8.00 FEET IN WIDTH AS GRANTED BY THE PLAT OF SKY RANCH SUBDIVISION FILING NO. 1 RECORDED AT RECEPTION NO. D8071296 IN THE RECORDS OF THE ARAPAHOE COUNTY CLERK AND RECORDER, SAID UTILITY EASEMENTS BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPLE MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

UTILITY EASEMENT A – LOT 42, BLOCK 18, SKY RANCH SUBDIVISION FILING NO. 1

COMMENCING AT THE CENTER QUARTER CORNER OF SAID SECTION 4 AND CONSIDERING THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 4, BEING MONUMENTED AS SHOWN ON THE ATTACHED EXHIBIT, TO BEAR SOUTH 00°21'59" EAST, 2640.68 FEET WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE SOUTH 88°44'02" EAST, A DISTANCE OF 1089.83 FEET TO A POINT BEING THE NORTHWESTERLY CORNER OF LOT 42, BLOCK 18, SAID SKY RANCH SUBDIVISION FILING NO. 1, SAID POINT BEING THE POINT OF BEGINNING;

THENCE NORTH 73°14'20" EAST ALONG THE NORTHERLY LINE OF SAID LOT 42 BLOCK 18, A DISTANCE OF 55.93 FEET TO A POINT BEING THE NORTHEASTERLY CORNER OF SAID LOT 42, BLOCK 18;

THENCE SOUTH 27°15'03" EAST ALONG THE EASTERLY LINE OF SAID LOT 42, BLOCK 18, A DISTANCE OF 8.14 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID 8.00 FOOT WIDE UTILITY EASEMENT;

THENCE SOUTH 73°14'20" WEST ALONG SAID SOUTHERLY EASEMENT LINE, A DISTANCE OF 55.93 FEET TO A POINT ON THE WESTERLY LINE OF SAID LOT 42, BLOCK 18;

THENCE NORTH 27°15'03" WEST ALONG SAID WESTERLY LINE, A DISTANCE OF 8.14 FEET TO THE POINT OF BEGINNING,

SAID UTILITY EASEMENT A CONTAINING A CALCULATED AREA OF 447 SQUARE FEET OR 0.010 ACRE, MORE OR LESS.

UTILITY EASEMENT B – LOT 47, BLOCK 18, SKY RANCH SUBDIVISION FILING NO. 1

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THENCE NORTH 59°48'33" EAST ALONG THE NORTHERLY LINE OF SAID LOT 47, BLOCK 18, A DISTANCE OF 61.09 FEET TO A POINT BEING THE NORTHEASTERLY CORNER OF SAID LOT 47, BLOCK 18;

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THE LINEAL UNIT USED IN THE PREPARATION OF THIS LEGAL DESCRIPTION IS THE U.S. SURVEY FOOT AS DEFINED BY THE UNITED STATES DEPARTMENT OF COMMERCE, NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.

has petitioned the Board of County Commissioners of Arapahoe County, in Case No. VAC19-002, for vacation of the above described Utility Easements; and

WHEREAS, it appears that the above described Easement(s) sought to be vacated lay entirely within the County of Arapahoe and that said Easements do not constitute the boundary line of any city or town and unincorporated Arapahoe County within Arapahoe County; and

WHEREAS, it appears that there are no rights of way or easements presently in use across the same which need be reserved except as hereinafter delineated.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County as follows:

1. That the following described Easement(s) situate in the unincorporated portion of Arapahoe County and State of Colorado, are hereby vacated, to-wit:

TWO UTILITY EASEMENTS BEING 8.00 FEET IN WIDTH AS GRANTED BY THE PLAT OF SKY RANCH SUBDIVISION FILING NO. 1 RECORDED AT RECEPTION NO. D8071296 IN THE RECORDS OF THE ARAPAHOE COUNTY CLERK AND RECORDER, SAID UTILITY EASEMENTS BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPLE MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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UTILITY EASEMENT B – LOT 47, BLOCK 18, SKY RANCH SUBDIVISION FILING NO. 1

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2. That the Arapahoe County Clerk and Recorder is hereby directed to send a certified copy of this vacation resolution to the Planning Division of the Department of Public Works and Development for recording.
3. That the Board of County Commissioners hereby directs that a copy of this resolution be delivered to the Arapahoe County Assessor and the Support Services Division of the Public Works and Development Department for appropriate action as required.

The vote was:

Commissioner Baker, \_\_\_; Commissioner Conti, \_\_\_; Commissioner Holen, \_\_\_; Commissioner Jackson, \_\_\_; Commissioner Sharpe, \_\_\_.

The Chair declared the motion carried and so ordered.