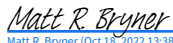


REQUEST FOR ORDINANCE TO RELINQUISH AN EASEMENT

TO: Ivone Avila-Ponce, City Attorney's Office

FROM: Matt R. Bryner, PE, Director, Right of Way Services 
Matt R. Bryner (Oct 18, 2022 13:38 MDT)

PROJECT NO: 2022-RELINQ-0000016

DATE: **September 27, 2022**

SUBJECT: Request for an Ordinance to relinquish (3) three separate easements, (2) two in their entirety, and (1) one partially.
Easement 1 – The Covenant, Reception No. 1985084670, to be relinquished in its entirety.
Easement 2 – The Easement, as reserved in Vacating Ordinance No. 30, Series of 1943, to be relinquished in its entirety.
Easement 3 – The Easement, as reserved in Vacating Ordinance No 38, Series of 1946, to be partially relinquished.
Located at 4400 North Fox Street.

It is requested that the above subject item be placed on the next available Mayor Council Agenda.

This office has investigated the request of Vita Fox North LP, dated June 28, 2022 on behalf of Vita Fox North LP for the relinquishment of the subject easement(s).

This matter has been coordinated with City Councilperson CdeBaca, District 9; Asset Management; Emergency Management; Community Planning & Development: Development Services; Historic Preservation/Landmark; Denver Water; Denver Fire Department; City Forester; Parks and Recreation; DOTI: DES Transportation & Wastewater, Construction Engineering, Policy and Planning, TES Signing and Striping, Survey; Colorado Department of Transportation; Regional Transportation District; Comcast; Metro Wastewater Reclamation District; CenturyLink; and Xcel Energy, all of whom have indicated no objection to the proposed easement relinquishment(s).

As a result of these investigations, it has been determined that there is no objection to relinquishing the subject easement(s).

Therefore, you are requested to initiate Council action to relinquish the easement(s) in the following described area(s):

INSERT PARCEL DESCRIPTION 2022-RELINQ-0000016-001 HERE

A vicinity map of the subject easement area(s) and a copy of the document(s) creating the easement(s) are attached.

MB:je



DENVER
THE MILE HIGH CITY

cc: City Councilperson & Aides
City Council Staff – Luke Palmisano
Department of Law – Bradley Beck
Department of Law – Deanne Durfee
Department of Law – Maureen McGuire
Department of Law – Martin Plate
DOTI, Manager’s Office – Alba Castro
DOTI, Legislative Services – Jason Gallardo
DOTI, Survey – Paul Rogalla

City and County of Denver Department of Transportation & Infrastructure
Right-of-Way Services | Engineering & Regulatory
201 W Colfax Ave, Dept 507 | Denver, CO 80202
www.denvergov.org/doti
Phone: 720-865-3003

311 | POCKETGOV.COM | DENVERGOV.ORG | DENVER 8 TV

ORDINANCE/RESOLUTION REQUEST

Please email requests to Jason Gallardo
at Jason.Gallardo@denvergov.org by **12:00pm on Monday**. Contact him with questions.

Date of Request: September 27, 2022

Please mark one: **Bill Request** or **Resolution Request**

1. Type of Request:

- Contract/Grant Agreement** **Intergovernmental Agreement (IGA)** **Rezoning/Text Amendment**
- Dedication/Vacation** **Appropriation/Supplemental** **DRMC Change**
- Other: Easement Relinquishment**

2. Title: (Start with *approves, amends, dedicates*, etc., include name of company or contractor and indicate the type of request: grant acceptance, contract execution, contract amendment, municipal code change, supplemental request, etc.)

Request for an Ordinance to relinquish (3) three separate easements, (2) two in their entirety, and (1) one partially.
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 Located at 4400 North Fox Street.

3. Requesting Agency: Department of Transportation & Infrastructure, Engineering & Regulatory

4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution	Contact person to present item at Mayor-Council and Council
Name: Jessica Eusebio	Name: Jason Gallardo
Email: Jessica.Eusebio@denvergov.org	Email: Jason.Gallardo@denvergov.org

5. General description or background of proposed request. Attach executive summary if more space needed:

Request for an Ordinance to relinquish (3) three separate easements, (2) two in their entirety, and (1) one partially.
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 Located at 4400 North Fox Street.

6. City Attorney assigned to this request (if applicable): Martin Plate

7. City Council District: Councilperson CdeBaca, District 9

8. **For all contracts, fill out and submit accompanying Key Contract Terms worksheet**

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____

Key Contract Terms

Type of Contract: (e.g. Professional Services > \$500K; IGA/Grant Agreement, Sale or Lease of Real Property):

Vendor/Contractor Name:

Contract control number:

Location:

Is this a new contract? Yes No Is this an Amendment? Yes No If yes, how many? _____

Contract Term/Duration (for amended contracts, include existing term dates and amended dates):

Contract Amount (indicate existing amount, amended amount and new contract total):

<i>Current Contract Amount</i> (A)	<i>Additional Funds</i> (B)	<i>Total Contract Amount</i> (A+B)
<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>

Scope of work:

Was this contractor selected by competitive process?

If not, why not?

Has this contractor provided these services to the City before? Yes No

Source of funds:

Is this contract subject to: W/MBE DBE SBE XO101 ACDBE N/A

WBE/MBE/DBE commitments (construction, design, Airport concession contracts):

Who are the subcontractors to this contract?

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____

EASEMENT RELINQUISHMENT EXECUTIVE SUMMARY

Project Title: 2022-RELINQ-0000016 - Fox Park Subdivision Relinquishment 4400 N Fox St

Property Owner: Vita Fox North LP

Description of Proposed Project: The applicant is seeking to relinquish (3) easements, (2) two in their entirety, and (1) one partially so that they may redevelop this area.

Background: The utilities and/or facilities that were located within these easements have been removed and/or relocated; therefore, the easements are no longer necessary.

Location Map: Continued on next page.



City and County of Denver Department of Transportation & Infrastructure
Right-of-Way Services / Engineering & Regulatory
201 W Colfax Ave, Dept 507 | Denver, CO 80202
www.denvergov.org/dot
Phone: 720-865-3003

EXHIBIT A
LEGAL DESCRIPTION

A PARCEL OF LAND SITUATED IN THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING ALL OF THAT UTILITY EASEMENT DESCRIBED IN ORDINANCE NO. 38, SERIES 1946 RECORDED APRIL 20, 1946 IN BOOK A-28, PAGE 467 IN THE OFFICIAL RECORDS OF THE CLERK AND RECORDER'S OFFICE, SAID COUNTY AND STATE, LYING WITHIN THAT CERTAIN PARCEL OF LAND DESCRIBED IN THE SPECIAL WARRANTY DEED RECORDED AUGUST 21, 2019 AT RECEPTION NO. 2019112556, IN SAID OFFICIAL RECORDS.

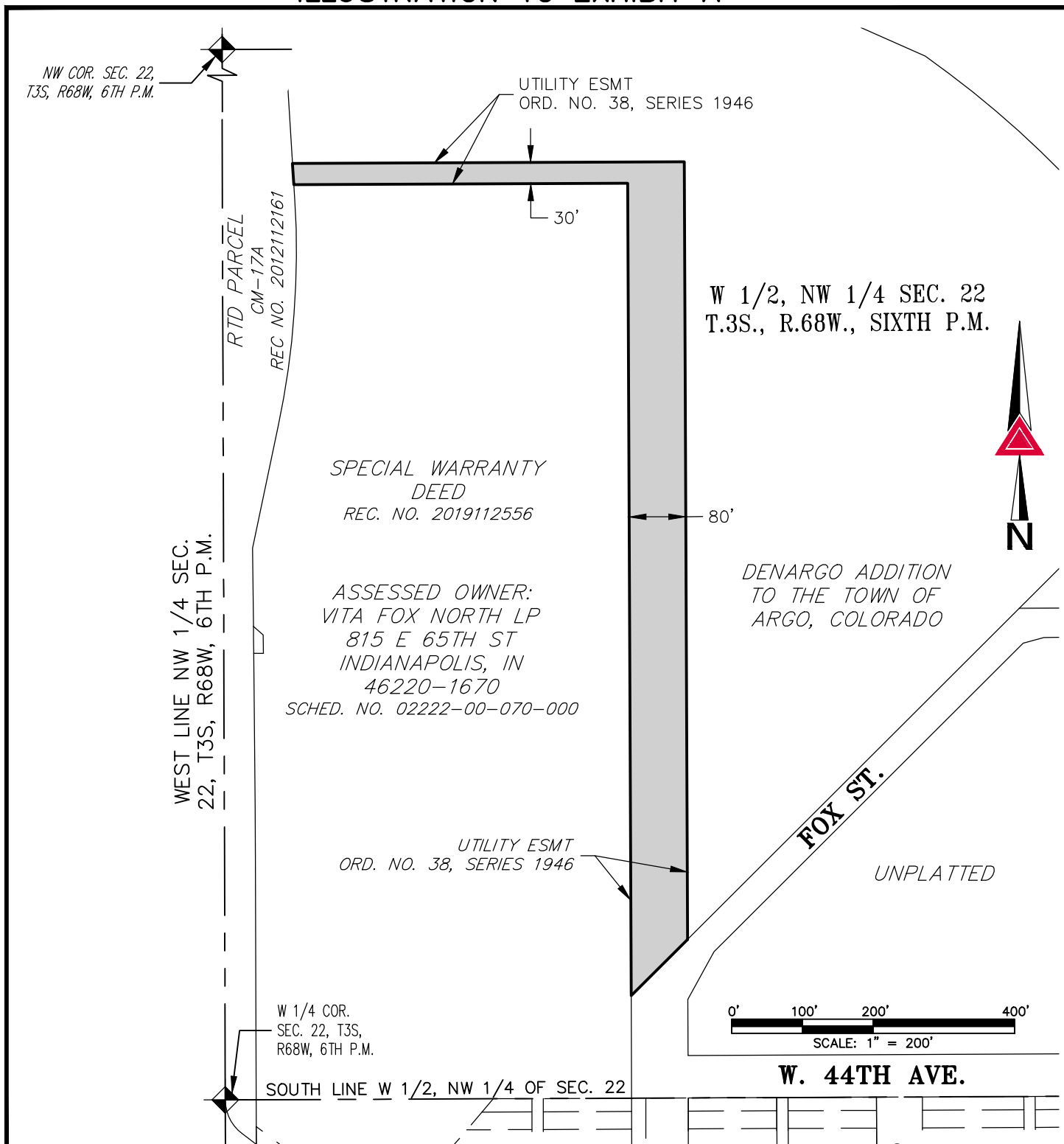
CONTAINING AN AREA OF 2.417 ACRES, (105,271 SQUARE FEET), MORE OR LESS.

ILLUSTRATION ATTACHED AND MADE A PART HEREOF.

KARL D. SZYSZKOSKI, PLS 38691
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVENUE, SUITE 1
LITTLETON, CO 80122



ILLUSTRATION TO EXHIBIT A



NOTE: THIS ILLUSTRATION DOES NOT REPRESENT A MONUMENTED LAND SURVEY AND IS ONLY INTENDED TO DEPICT THE ATTACHED LEGAL DESCRIPTION.

PATH: _____
 DWG NAME: 2022-05-27-Utility Ease Vacation
 DWG: HAS _____ CHK: KDS _____
 DATE: 05/31/2022
 SCALE: 1" = 200'

Q:\156420-01 - 4400 Fox Street\Dwg\EXHIBITS

AZTEC
CONSULTANTS, INC.

300 East Mineral Ave,
Suite 1
Littleton, Colorado 80122
Phone: (303)713-1898
Fax: (303)713-1897
www.aztecconsultants.com

UTILITY EASEMENT VACATION

W 1/2 NW 1/4 SEC. 22, T3S, R68W, 6TH P.M.
CITY AND COUNTY OF DENVER, COLORADO

JOB NUMBER 156420-01
2 OF 2 SHEETS