

REQUEST FOR ORDINANCE TO RELINQUISH AN EASEMENT

TO: Caroline Martin, City Attorney's Office

FROM: Matt R. Bryner, PE
Director, Right of Way Services

PROJECT NO: 2020-RELINQ-0000018

DATE: August 13, 2020

SUBJECT: Request for an Ordinance to relinquish the 409 square foot access and improvements easement in its entirety located at 5191 Yampa St. that was originally granted in the Permanent Easement document, Recordation No. 2020023588.

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

This office has investigated the request of City and County of Denver, dated June 17th, 2020 on behalf of First Creek Village Metropolitan District for the relinquishment of said easement.

This matter has been coordinated with Asset Management; Emergency Management; Comcast; City Councilperson Gilmore, District 11; Community Planning & Development: Planning Services; Historic Preservation/Landmark; Denver Water; Denver Fire Department; City Forestry; Parks and Recreation; DOTI: ER Transportation and Wastewater, DES Transportation and Wastewater, Construction Engineering, Policy and Planning, TES Signing and Striping, Survey; Metro Wastewater Reclamation District; Regional Transportation District; Colorado Department of Transportation; CenturyLink; and Xcel Energy, all of whom have indicated no objection to the proposed easement relinquishment.

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

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

INSERT PARCEL DESCRIPTION 2020-RELINQ-0000018-001 HERE

A map of the area and a copy of the document creating the easement are attached.

MB:bw



DENVER
THE MILE HIGH CITY

CC: City Councilperson & Aides
City Council Staff – Zach Rothmier
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

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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: August 13, 2020

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.)

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3. Requesting Agency:

4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution	Contact person to present item at Mayor-Council and Council
Name: Brianne White	Name: Jason Gallardo
Email: Brianne.white@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 409 square foot access and improvements easement in its entirety located at 5191 Yampa St. that was originally granted in the Permanent Easement document, Recordation No. 2020023588.

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

7. City Council District: City Councilperson Gilmore, District 11

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> <i>(A)</i>	<i>Additional Funds</i> <i>(B)</i>	<i>Total Contract Amount</i> <i>(A+B)</i>
<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

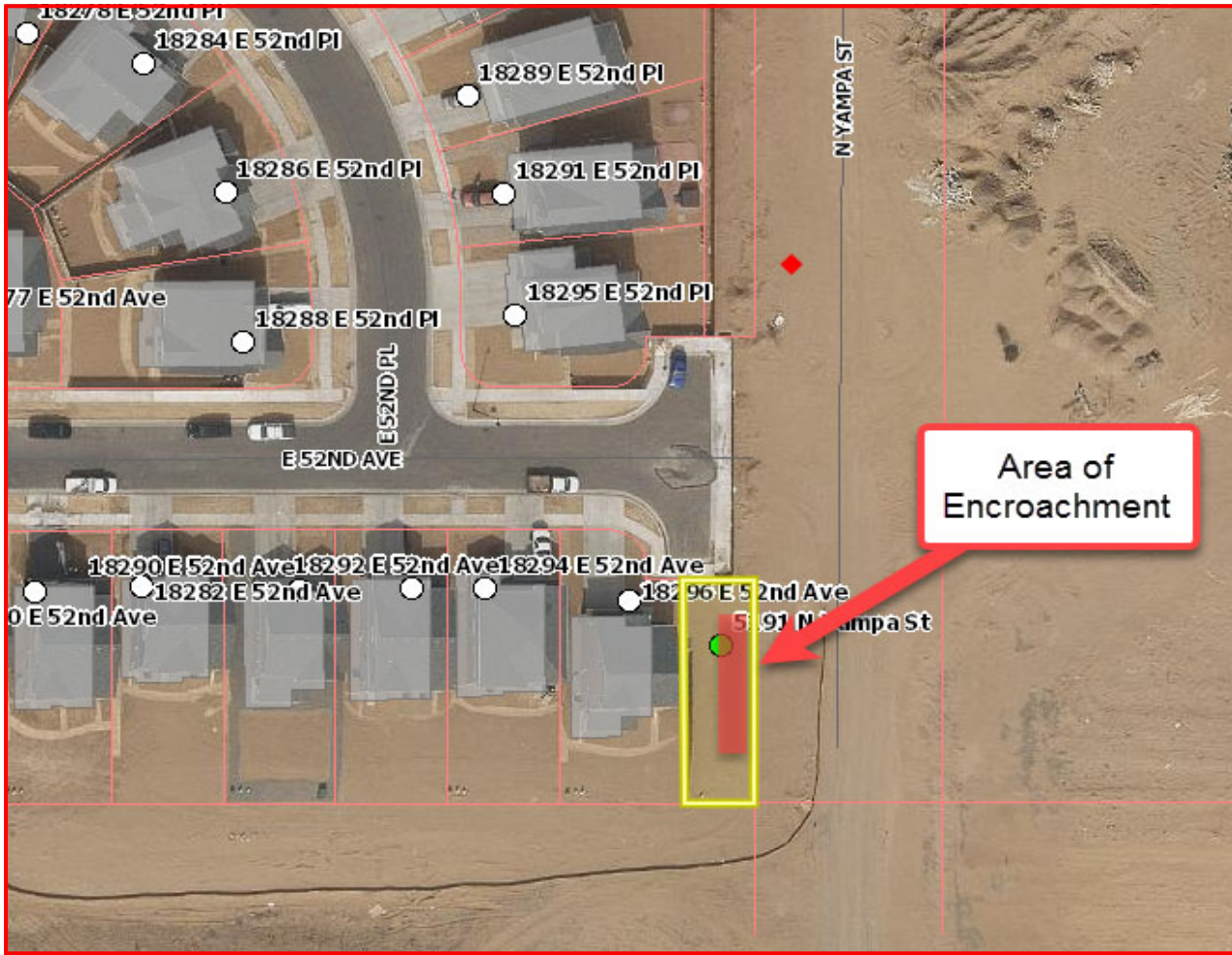
Project Title: 2020-RELINQ-0000018 - 5191 Yampa St.

Owner name: First Creek Village Metropolitan District

Description of Proposed Project: Request for an Ordinance to relinquish the 409 square foot access and improvements easement in its entirety located at 5191 Yampa St. that was originally granted in the Permanent Easement document, Recordation No. 2020023588.

Background: The City provided the standard easement document to First Creek Village Metropolitan District to grant an easement for the described area to the City. However, the Grantor altered the easement language, signed it and recorded it without the City's approval of the language. Additionally, the easement was signed and recorded prior to Grantor taking ownership (deed) of the property and was not authorized to grant the subject easement. Therefore, the City is requesting the easement be relinquished and, thereafter, requiring the property owner to grant a new easement for the same described area using the approved standard easement document.

Location Map: Continued on next page.



City and County of Denver Department of Transportation & Infrastructure
Right-of-Way Services / Engineering & Regulatory
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