

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2013

COUNCIL BILL NO. CB13-0682
COMMITTEE OF REFERENCE:
Land Use, Transportation, and Infrastructure

A BILL

For an ordinance approving a Parking Agreement For Art Hotel And Broadway Office Building, a Temporary Construction License Agreement For Construction Staging And Temporary Closures and an Air Rights, Mechanical Equipment, Foundations And Columns, And Pedestrian Access Permanent Easement, all relating to the Denver Cultural Center Parking Garage and the adjacent hotel/office project at 1201 Broadway.

WHEREAS, the City owns certain land around the Denver Cultural Parking Garage (“Garage”), which Garage is generally located between 12th Avenue and 13th Avenue on Broadway; and

WHEREAS, the City also owns certain parking spaces in the Denver Cultural Center Parking Garage; and

WHEREAS, CPX Broadway Developers, LLC (“CPX”) is developing a hotel/office project at 1201 Broadway; and

WHEREAS, the City and CPX desire the City to grant CPX an Air Rights, Mechanical Equipment, Foundation And Columns, And Pedestrian Access Permanent Easement for the benefit of the project; and

WHEREAS, the City and CPX desire to enter into a Temporary License Agreement For Construction Staging And Temporary Closures for construction of the project; and

WHEREAS, the City and CPX desire to enter into a Parking Agreement For Art Hotel And Broadway Office Building, which Parking Agreement includes an option to CPX to buy certain parking spaces and to long-term lease other parking spaces in the Garage.

NOW THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:

Section 1. The proposed Parking Agreement For Art Hotel And Broadway Office Building between the City and County of Denver and CPX Broadway Developers, LLC, in the words and figures contained and set forth in that form of Parking Agreement available in the office and on the web page of City Council, and filed in the office of the City Clerk on October 14, 2013, under City Clerk’s Filing No. 2013-1028 is hereby approved.

Section 2. The proposed Temporary Construction License Agreement For Construction

1 Staging And Temporary Closures between the City and County of Denver and CPX Broadway
2 Developers, LLC, in the words and figures contained and set forth in that form of Temporary
3 Construction License Agreement For Construction Staging And Temporary Closures available in
4 the office and on the web page of City Council, and filed in the office of the City Clerk on October
5 14, 2013, under City Clerk's Filing No. 2013-1028-A is hereby approved.

6 **Section 3.** The proposed Air Rights, Mechanical Equipment, Foundation And Columns,
7 And Pedestrian Access Permanent Easement granted by the City and County of Denver to CPX
8 Broadway Developers, LLC, in the words and figures contained and set forth in that form of Air
9 Rights, Mechanical Equipment, Foundation And Columns, And Pedestrian Access Permanent
10 Easement available in the office and on the web page of City Council, and filed in the office of the
11 City Clerk on October 14, 2013, under City Clerk's Filing No. 2013-1028-B is hereby approved.

12 COMMITTEE APPROVAL DATE: _____, 2013

13 MAYOR-COUNCIL DATE: _____, 2013

14 PASSED BY THE COUNCIL: _____, 2013

15 _____ - PRESIDENT

16 APPROVED: _____ - MAYOR _____, 2013

17 ATTEST: _____ - CLERK AND RECORDER,
18 EX-OFFICIO CLERK OF THE
19 CITY AND COUNTY OF DENVER

20 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____, 2013; _____, 2013

21 PREPARED BY: Karen A. Aviles, Assistant City Attorney DATE: _____, 2013

22 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
23 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
24 ordinance. The proposed ordinance is submitted to the City Council for approval pursuant to §
25 3.2.6 of the Charter.

26 Douglas J. Friednash, City Attorney for the City and County of Denver

27 BY: _____, Assistant City Attorney DATE: _____, 2013