

APPLICATION SUBMITTAL CHECKLIST

FOR CITY & COUNTY OF DENVER EASEMENT RELINQUISHMENT

Any Easement Relinquishment Application submittal not meeting all minimum checklist criteria herein shall be rejected as incomplete. Download and fill-out this checklist and submit along with the Application and supporting documentation to DOTI.ER@denvergov.org.

1. Easement Relinquishment Application

Easement Relinquishment Application completed and signed by property owner or a vested party

2. Copy of Easements to be Relinquished

Original holding document(s) of easement(s) to be relinquished, e.g. Ordinance, PNEE, Subdivision plat, etc.
 Clerk and Recorder's Book and Page and/or Recordation Number(s)

3. Land Descriptions (*select one*)

Not applicable for Easements relinquished in their entirety
 Land description(s) prepared by a Professional Land Surveyor licensed in the State of Colorado for the portion of easement to be relinquished prepared in accordance with [DOTI Survey Land Description Requirements](#)
 PDF format stamped and signed by Professional Land Surveyor
 Text only in Microsoft Word format

4. Site Plan

ACCURATELY, LABELED ENGINEERED DRAWINGS TO INCLUDE THE FOLLOWING:

Numerical and Bar Scale (scale no smaller than 1:40)
 North Arrow
 Legend
 Plan date and revision number, if applicable
 Easement in its entirety
 Portion of easement to be relinquished
 Newly proposed easements to be granted, if applicable
 Property lines,
 Right-of-way lines
 Label property addresses and street names
 Existing improvements within easement
 Proposed improvements in easement relinquishment area
 All existing, abandoned, and relocated utilities
 Aerial imagery can be used, but does not replace the required accurately engineered drawings

5. Fees

EASEMENT RELINQUISHMENT FEES MUST BE PAID IMMEDIATELY AFTER ER PROVIDES AN INVOICE

Initial Processing Fee = \$1,000.00 (non-refundable)
Survey Land Description Review Fee = \$500 (non-refundable)
Ordinance Fee = \$300 (non-refundable)

Property Owner or Authorized Application Representative:

By signing below, I certify that all above information has been incorporated in our application submittal.

| | | | |
|-------------|---------------------------------------|----------|-----------------------|
| SIGNATURE: | <u>Eric Chamberlin</u> | DATE: | <u>2/22/2024</u> |
| PRINT NAME: | <u>Eric Chamberlin</u> | PHONE: | <u>303.515.8818</u> |
| EMAIL: | <u>Eric.Chamberlin@opus-group.com</u> | COMPANY: | <u>The Opus Group</u> |

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/ROWPlanReview
DOTI.ER@denvergov.org
(720) 865-3003



APPLICATION

FOR CITY & COUNTY OF DENVER EASEMENT RELINQUISHMENT

To apply for an Ordinance to Relinquish an Easement held by the City and County of Denver, complete this application and submit together with the Submittal Checklist and required application materials in accordance with the [Easement Relinquishment Application Requirements](#) to DOTI.ER@denvergov.org. Please type or print clearly. If necessary, attach additional sheets to fully answer any of the following sections. Incomplete applications packages will not be accepted. Questions on this application or this process can be sent to DOTI.ER@denvergov.org.

PROPERTY OWNER:

Company Name: East Union Avenue Owner, LLC
Contact Name: Eric Chamberlin
Property Address: 4602 S Syracuse St., Denver, CO 80237; 7831 Union Ave., Denver, CO 80237
Billing Address: 950 17th Street, Suite 1500, Denver, CO 80202
Phone: 303.515.8818 Email: eric.chamberlin@opus-group.com

PRIMARY CONTACT: Check if the same as Adjacent Property Owner

Company Name: Brownstein Hyatt Farber Schreck, LLP
Contact Name: Angela Hygh
Address: 675 15th St., Suite 2900, Denver, CO 80202
Phone: 303.223.1143 Email: ahygh@bhfs.com

PROJECT INFORMATION:

Project Name: DTC Multi-Family
Address of Property Containing Easement: 4602 S Syracuse St., Denver, CO 80237; 7831 Union Ave., Denver, CO 80237

Is this project associated with a LAND DEVELOPMENT REVIEW?

Yes No If 'Yes', provide Project Master, Concept or Site Development Plan Project Numbers:

2022-PM-0000137; 2022-SDP-0000200

REASON FOR EASEMENT RELINQUISHMENT:

Describe why you are requesting this relinquishment and why the easement(s) are no longer needed.

The easement provided for in the Easement and Indemnity Agreement dated October 26, 1999, and recorded on October 29, 1999, at Reception No. 990018777 (the "Original Easement"), covers two parcels of property, a commercial parcel (Zone Lot 1) (the "Commercial Parcel") and a residential parcel (Zone Lot 2) (the "Residential Parcel"). This Relinquishment Application is requesting the Original Easement be relinquished as it relates to just the Residential Parcel, due to the recently approved new DTC Multi-Family Planned Building Group (the "Site Plan") and Permanent Non-Exclusive Easement, dated August 9, 2023, and recorded September 7, 2023, at Reception No. 2023086213 ("PNEE"), which provide for easements that replace all easements required under the Original Easement.

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EASEMENT RELINQUISHMENT INFORMATION: Quantity of easements to be relinquished: 1

List all easements to be relinquished:

*Original holding document
that reserves or grants the easement:* *Portion of the easement to be relinquished:*

| No. | Clerk & Recorder Recordation No(s). | Ordinance No(s). if applicable | Relinquish in its Entirety: | Partially relinquish as described in attached land description(s): |
|-----|-------------------------------------|--------------------------------|------------------------------------|---|
| 1 | 9900187774 | N/A | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2 | | | <input type="checkbox"/> | <input type="checkbox"/> |
| 3 | | | <input type="checkbox"/> | <input type="checkbox"/> |
| 4 | | | <input type="checkbox"/> | <input type="checkbox"/> |
| 5 | | | <input type="checkbox"/> | <input type="checkbox"/> |

Describe the status of the Easement(s):

In the space below, describe each easement status. Include why the easement was originally granted and any additional relevant information

The Original Easement was granted for purposes of providing ingress and egress to the City on private streets, alleys and roadways, and to sewers and drainage facilities in connection with the approval of the original Hines – DTC Planned Development dated February 23, 1998 (the “Original PBG”). The Original PBG has recently been replaced with the approval of the Site Plan for the Residential Parcel. All access easements previously provided for under the Original Easement for the Residential Parcel have been granted to the City through the Site Plan and PNEE (which provides for the maintaining, repairing, and servicing of privately owned wastewater facilities, storm sewer, permanent aboveground water quality pond, and storm sewer outlet pipe). As such, all easements required by the City in connection with the Site Plan have been satisfied as it relates to the Residential Parcel, and the Original Easement is no longer necessary.

 Are there utilities are in the Easement(s)? Yes No

If yes, list each utility and identify utility owner, utility type, and size (e.g. CCD 8-inch Sanitary Sewer); whether it will be removed, relocated, or abandoned in-place; and, expected schedule.

The Original Easement provides for a blanket access easement over the entire property, including the Residential Parcel. Together, the Site Plan and PNEE provide the City with the same blanket access easement over the entire Residential Parcel to service any existing utilities in the Residential Parcel. To the extent there are existing utilities on the Residential Parcel, these will be accommodated as shown on the Site Plan.

APPLICANT SIGNATURE:

By signing below, I certify that I am the owner or vested party of the real property that is the subject of this Easement Relinquishment application and the information contained herein is accurate and complete:

| | | | |
|--------------------|---------------------------------------|-----------------|-----------------------|
| SIGNATURE: | <u>Eric Chamberlin</u> | DATE: | <u>2/22/2024</u> |
| PRINT NAME: | <u>Eric Chamberlin</u> | PHONE: | <u>303.515.8818</u> |
| EMAIL: | <u>Eric.Chamberlin@opus-group.com</u> | COMPANY: | <u>The Opus Group</u> |

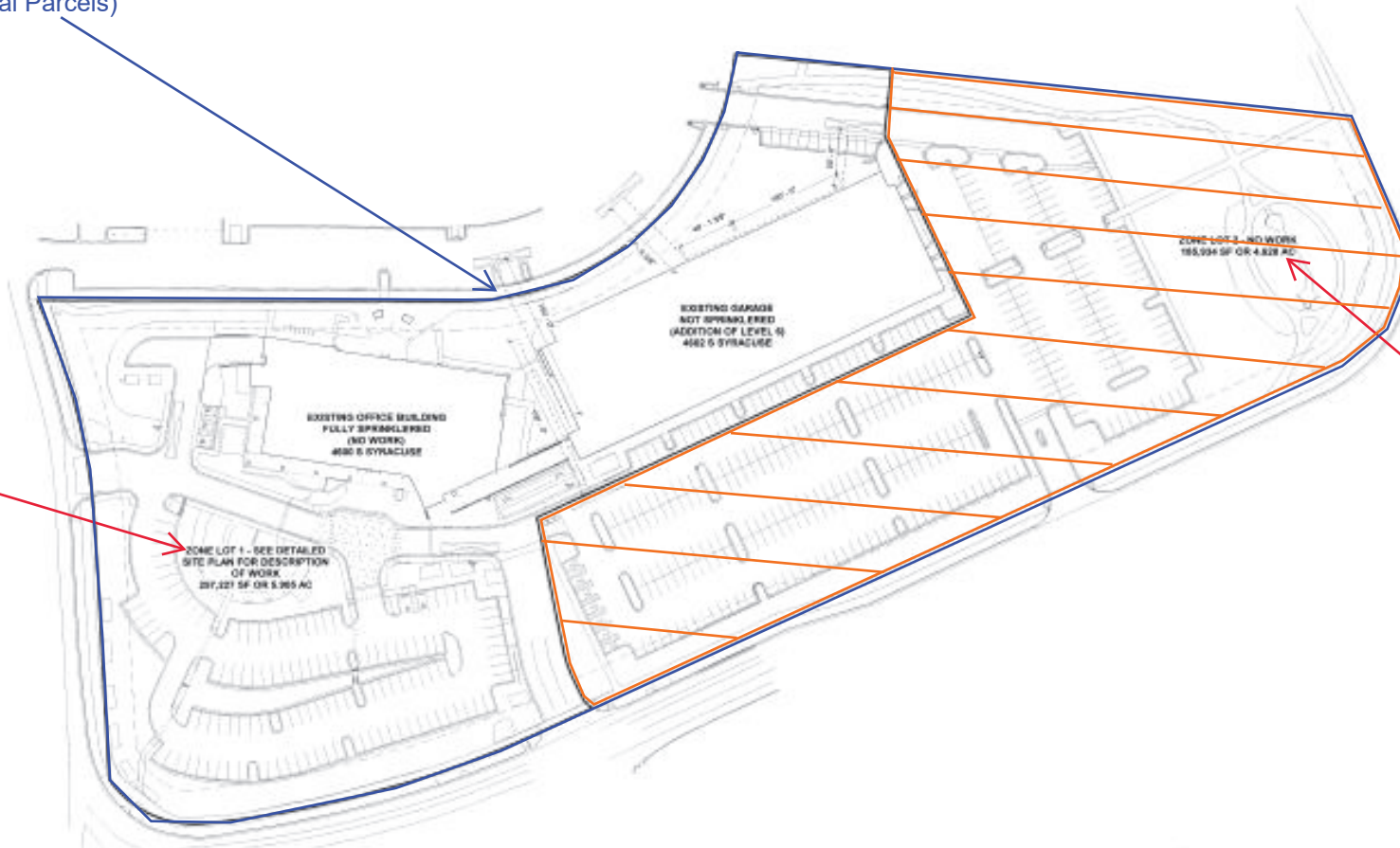
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Site Plan
Depiction of Original Easement Area (Commercial & Residential
Parcels) &
Original Easement Relinquishment Area (Residential Parcel)

In Blue: Original Easement Area (Commercial and Residential Parcels)

Commercial Parcel

In Orange: Portion of the Original Easement area to be relinquished (Residential Parcel)



FIRE PLAN LEGEND

| | |
|--|----------------------------|
| | EXISTING FIRE HYDRANT |
| | EXISTING FIRE HOSE CABINET |
| | FIRE APPARATUS |

SITE PLAN
 1" = 50'-0"



LAND DESCRIPTION - ZONE LOT 2

A PARCEL OF LAND LOCATED IN THE DENVER TECHNOLOGICAL CENTER IN THE SOUTHWEST 1/4 OF SECTION 9, TOWNSHIP 5 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 9; THENCE S60°11'36"E A DISTANCE OF 1,352.24 FEET TO THE SOUTHERLY LINE OF THE HYATT REGENCY; THENCE ALONG SAID SOUTHERLY LINE S89°45'35"E A DISTANCE OF 363.54 FEET TO A POINT OF CURVATURE; THENCE CONTINUING ALONG SAID SOUTHERLY LINE, 358.99 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 244.00 FEET; A CENTRAL ANGLE OF 84°17'54"; AND A CHORD WHICH BEARS N48°05'28"E A DISTANCE OF 327.48 FEET; THENCE DEPARTING SAID SOUTHERLY LINE S84°03'30"E A DISTANCE OF 157.44 TO THE POINT OF BEGINNING; THENCE CONTINUING S84°03'30"E A DISTANCE OF 396.96 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF SOUTH ULSTER STREET; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) CONSECUTIVE COURSES: 1) 42.82 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 1567.02 FEET, A CENTRAL ANGLE OF 01°33'56" AND A CHORD WHICH BEARS S25°57'28"E A DISTANCE OF 42.82 FEET; 2) THENCE S25°10'30"E A DISTANCE OF 49.71 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SOUTH UNION STREET PARKWAY AS RECORDED IN BOOK 29 AT PAGE 56; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) CONSECUTIVE COURSES: 1) 159.44 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO RIGHT HAVING A RADIUS OF 101.50 FEET; A CENTRAL ANGLE OF 90°00'00" AND A CHORD WHICH BEARS S19°49'30"W A DISTANCE OF 143.54 FEET; 2) THENCE S64°49'30"W A DISTANCE OF 715.96 FEET; THENCE N11°42'52" AND A CHORD WHICH BEARS N48°50'45"W A DISTANCE OF 11.32 FEET; THENCE N25°11'32"W A DISTANCE OF 19.80 FEET TO A POINT OF CURVATURE; THENCE 27.24 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 110.00 FEET, A CENTRAL ANGLE OF 14°11'18" AND A CHORD WHICH BEARS N18°05'52"W A DISTANCE OF 27.17 FEET; THENCE N11°00'13"W A DISTANCE OF 119.50 FEET; THENCE N64°49'30"E A DISTANCE OF 418.83 FEET; THENCE N25°10'30"W A DISTANCE OF 176.21 FEET; THENCE N05°56'30"E A DISTANCE OF 59.35 FEET TO THE POINT OF BEGINNING. PARCEL CONTAINS 185,934 SQUARE FEET (4.268 ACRES) MORE OR LESS

BASIS OF BEARINGS

BEARINGS ARE BASED ON THE SOUTHEASTERLY LINE OF DENVER TECH CENTER EAST, WHICH IS SITUATED SOUTH AND WEST OF SOUTH ULSTER STREET PARKWAY, NORTHWEST OF UNION AVENUE PARKWAY AND EAST OF INTERSTATE HIGHWAY 25 (I-25), AND IS THE NORTHERLY RIGHT-OF-WAY LINE OF UNION AVENUE PARKWAY, AS RECORDED IN BOOK 29 AT PAGE 56, WHICH HAS A BEARING OF S64°49'30"W BEING MONUMENTED BY A FOUND NAIL AND DISK PLS # 23899 ON THE WESTERLY END AND A FOUND # 4 REBAR W/ CAP PLS # 23899 ON THE EASTERLY END.

BENCHMARK

ELEVATIONS ARE BASED ON THE CITY AND COUNTY OF DENVER BENCHMARK NO. 345, A C/D BRASS CAP AT THE SOUTHWEST CORNER ON THE TOP OF CURB AT THE INTERSECTION OF UNION AVE. AND YOSEMITE ST. ELEVATION = 5646.95 (NAVD 1988)

SITE BENCHMARK

ELEVATIONS ARE BASED ON THE SITE BENCHMARK BEING A FOUND # 4 REBAR W/ CAP PLS # 23899 LOCATED ON THE EAST SIDE OF S. SYRACUSE STREET ON THE NORTHERLY PROPERTY PC NORTH OF UNION AVE. ELEVATION = 5645.54 (NAVD 1988)

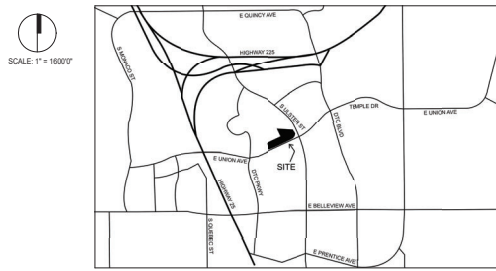
Table with columns for ZONING, PROPOSED USE, GENERAL ZONE LOT INFORMATION, NUMBER OF DWELLING UNITS, UNIT BREAKDOWN, FAR PER ZONING DEFINITION, BUILDING HEIGHT PER ZONING DEFINITION, BULK PLANE, SITE COVERAGE, OPEN SPACE PER DWELLING UNIT, BUILDING SETBACK, PARKING AND LOADING, DWELLING, MULTIPLE UNIT, STANDARD (INCLUDED IN TOTAL), COMPACT (INCLUDED IN TOTAL), ACCESSIBLE (INCLUDED IN TOTAL), EV (EV INSTALLED / EVISE READY / EV CAPABLE), EV ACCESSIBLE INSTALLED STALLS, TOTAL PARKING SPACES, RESIDENTIAL BICYCLE PARKING PER 59-582(E), RESIDENTIAL LOADING.

1) ANY SETBACKS SHOWN OR LISTED IN THIS SET ARE AS PRESCRIBED IN THE DENVER TECHNOLOGICAL CENTER ARCHITECTURAL CONTROL COMMITTEE DESIGN CRITERIA AND SUBMITTAL PROCEDURES, UNDER DESIGN CRITERIA, ARTICLE 1, SITE PLANNING, SECTION 3, SUBPART C, PAGE 7. 2) COVERAGES LISTED ARE AS PRESCRIBED IN THE DENVER TECHNOLOGICAL CENTER ARCHITECTURAL CONTROL COMMITTEE DESIGN CRITERIA AND SUBMITTAL PROCEDURES, UNDER DESIGN CRITERIA, ARTICLE 1, SITE PLANNING, SECTION D, SITE COVERAGES, PAGE 7. 3) GREEN SPACE PROVIDED TO COMPLY WITH GBO REQUIREMENTS ARE ABOVE AND BEYOND THE ZONING REQUIRED OPEN SPACE PER DWELLING UNIT. GBO REQUIRED GREEN SPACE MEETS ALL REQUIREMENTS PER GBO R-RS SECTION 4.02

DTC Multi-Family PLANNED BUILDING GROUP

A PARCEL OF LAND LOCATED IN THE DENVER TECHNOLOGICAL CENTER IN THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 5 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO LOCATED AT: 7831 E UNION AVE

VICINITY MAP



SHEET LIST

Table with columns SHEET # and SHEET NAME. Lists sheets 1 through 14, including cover sheets, utility and grading plans, landscape plans, building elevations, and architectural site plans.

GENERAL NOTES

- 1. THE PBG WAS REVIEWED UNDER THE FORMER CHAPTER 59 ZONING CODE ADOPTED MARCH 26, 2010. 2. FENCES, WALLS SIGNS, AND ACCESSORY STRUCTURES ARE SUBJECT TO SEPARATE REVIEWS AND PERMITS. 3. ANGLES NOT SHOWN ARE EITHER 90 DEGREES OR A SUPPLEMENT OF THE ANGLE INDICATED. 4. WHERE PRIVATE ROADWAYS SERVE AS REQUIRED FIRE LANES OR FIRE APPARATUS ACCESS ROADS, "FIRE LANE" SIGNAGE NEEDS TO BE POSTED AS REQUIRED BY DENVER FIRE CODE SECTION 503.3. FIRE LANE DESIGNATIONS AND SIGNAGE LOCATIONS NEEDS TO BE SHOWN ON THE SITE PLAN. PRIVATE ROADWAYS SERVING AS FIRE LANES NEED TO BE CONSTRUCTED IN ACCORDANCE WITH AN APPROVED DOTI ROADWAY SECTION PER DENVER FIRE CODE SECTION 503.2.1. 5. AN ACCESS EASEMENT FOR EMERGENCY SERVICES IS HEREBY GRANTED ON AND ACROSS ALL AREAS FOR POLICE, FIRE, MEDICAL AND OTHER EMERGENCY VEHICLES AND FOR THE PROVISION OF EMERGENCY SERVICES. 6. ACCESSIBLE PARKING SPACES MUST BE IDENTIFIED BY SIGNS AND ON PAVEMENT SURFACES WITH THE INTERNATIONAL SYMBOL OF ACCESSIBILITY (ISA). 7. APPROVAL FOR THIS PLAN DOES NOT CONSTITUTE OR IMPLY COMPLIANCE WITH ADA REQUIREMENTS. 8. SITE(S) SHALL BE LANDSCAPED PRIOR TO ISSUANCE OR A FINAL CERTIFICATE OF OCCUPANCY (CO) DURING GROWING SEASON OF APRIL 1ST TO OCTOBER 1ST, AT ALL OTHER TIMES THE INDIVIDUAL SITES SHALL BE LANDSCAPED WITHIN 45 (FORTY-FIVE) DAYS OF THE START OF THE FOLLOWING GROWING SEASON. 9. ALL LANDSCAPE AREAS SHALL BE IRRIGATED WITH UNDERGROUND AUTOMATIC IRRIGATION SYSTEM, TREES, SHRUBS, AND DECORATIVE GRASSES WILL BE IRRIGATED BY A SEPARATE ZONE FROM SOD/GRASS; THIS INCLUDES TREES PLANTED IN SOD/GRASS AREA. THE IRRIGATION SYSTEM IS TO HAVE A RAIN SENSOR SHUTOFF INSTALLED. 10. RESPONSIBILITY FOR THE MAINTENANCE OF THE COMMONLY OWNED LAND AND STORM WATER DETENTION FACILITY CONSTRUCTED AS PART OF THIS DEVELOPMENT WILL BE THAT OF THE HOME OWNERS ASSOCIATION/PROPERTY OWNER OF PARCELS. 11. THIS PROJECT IS UTILIZING DGBO COMPLIANCE OPTION A: THIS SITE PROVIDES AT LEAST 10% OF THE BUILDING GFA AS GREEN SPACE ON SITE. 12. APPROVAL OF THIS PLANNED BUILDING GROUP CONSTITUTES A ZONE LOT AMENDMENT TO SPLIT ONE ZONE LOT INTO TWO ZONE LOTS AS DETAILED ON THE ZONE LOT EXHIBIT SHEET, REFERENCE PLAM NUMBER 2022-ZLAM-000029. 13. DEVELOPMENT RESULTING FROM THIS PLANNED BUILDING GROUP IS SUBJECT TO THE TRANSPORTATION DEMAND MANAGEMENT (TDM) ORDINANCE NO. 20210342 AND ADOPTED RULES AND REGULATIONS, THE APPROVED TDM PLAN, AND ANY MODIFICATIONS TO THE PLAN, ARE ON FILE WITH THE DEPARTMENT OF TRANSPORTATION AND INFRASTRUCTURE, TRAN FILE # 2022-TRAN-0000284. 14. APPROVAL OF THIS PLANNED BUILDING GROUP CONSTITUTES A SHARED PARKING AGREEMENT BETWEEN THIS PROPERTY AND PROPERTY LOCATED AT 4600 S. SYRACUSE, A COPY OF THE AGREEMENT HAS BEEN RECORDED IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDERS OFFICE AT RECEPTION NUMBER 2022050147. 15. THIS PROJECT IS LOCATED WITHIN THE GOLDSMITH METROPOLITAN DISTRICT AND THE SOUTHEAST PUBLIC IMPROVEMENT METROPOLITAN DISTRICT (PARCEL 2) "THE DISTRICT". THIS DISTRICT MAY INCLUDE, BUT IS NOT LIMITED TO, STREETS/SCAPE AGEMENTS SUCH AS TREES, TREE GATES, IRRIGATION, PEDESTRIAN LIGHTS, ELECTRIC POWER SUPPLY, SIDEWALK, PAVERS, PLANTERS, WALLS, BENCHES, AND TRASH RECEPTACLES. ANY DAMAGE TO THE STREETS/SCAPE AMENITIES OF THIS DISTRICT, INCLUDING UTILITIES, AS A RESULT OF THE CONSTRUCTION OF THIS PROJECT SHALL BE REPAIRED AND/OR REPLACED BY THE CONTRACTOR AT THEIR COST. DISTRICT UTILITIES MAY EXIST IN THIS PROPERTY'S STREET FRONTAGE. THE UTILITY NOTIFICATION CENTER OF COLORADO OR PRIVATE UTILTY/SCAPE COMPANIES MAY BE UNABLE TO IDENTIFY OR LOCATE UTILITIES. THESE UTILITIES ARE TYPICALLY IRRIGATION OR ELECTRIC LINES.

This is the access easement provided for in the new Site Plan that replaces the access easement in the Original Easement for the Residential Parcel

OWNER'S SIGNATURE

I (WE), THE UNDERSIGNED, SHALL COMPLY WITH ALL REGULATIONS CONTAINED IN THE FORMER CHAPTER 59 OF THE REVISED MUNICIPAL CODE OF THE CITY AND COUNTY OF DENVER. THE FOLLOWING SIGNATURES CONSTITUTE ALL OWNERS AND HOLDERS OF DEEDS OF TRUST FOR LAND AND STRUCTURES INCLUDED IN THIS PLAN.

EAST UNION AVENUE OWNER, LLC

BY D. KERRY NICKERSON DATE

STATE OF COLORADO CITY AND COUNTY OF DENVER THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS DAY OF A.D. 20 BY

WITNESS MY HAND AND OFFICIAL SEAL

MY COMMISSION EXPIRES

NOTARY PUBLIC

ADDRESS

SURVEYOR'S CERTIFICATION

I, RICHARD A. NOBBE, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SURVEY FOR DTC MULTI-FAMILY PLANNED BUILDING GROUP WAS MADE UNDER MY SUPERVISION AND THE ACCOMPANYING PLAN ACCURATELY AND PROPERLY SHOWS SAID SURVEY.

RICHARD A. NOBBE, PLS PLS #23899 FOR AND ON BEHALF OF: MARTIN/MARTIN INC.

APPROVALS

APPROVED BY ZONING ADMINISTRATOR DATE

APPROVED BY FOR THE MANAGER OF COMMUNITY PLANNING AND DEVELOPMENT DATE

AN APPROVED PLANNED BUILDING GROUP SHALL EXPIRE AFTER 18 MONTHS FROM THE DATE OF APPROVAL IF AN APPROVED ZONING PERMIT AND BUILDING PERMIT (AS APPLICABLE) HAVE NOT BEEN OBTAINED AND IF CONSTRUCTION, (AS APPLICABLE) HAS NOT STARTED.

CLERK AND RECORD'S CERTIFICATE

STATE OF COLORADO

CITY AND COUNTY OF DENVER

I HEREBY, CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN MY OFFICE AT O'CLOCK M., 20, AND DULY RECORDED UNDER RECEPTION #

CLERK AND RECORDER, EX-OFFICIO CLERK OF THE CITY AND COUNTY OF DENVER

BY

DEPUTY CLERK AND RECORDER FEE



Cover Sheet

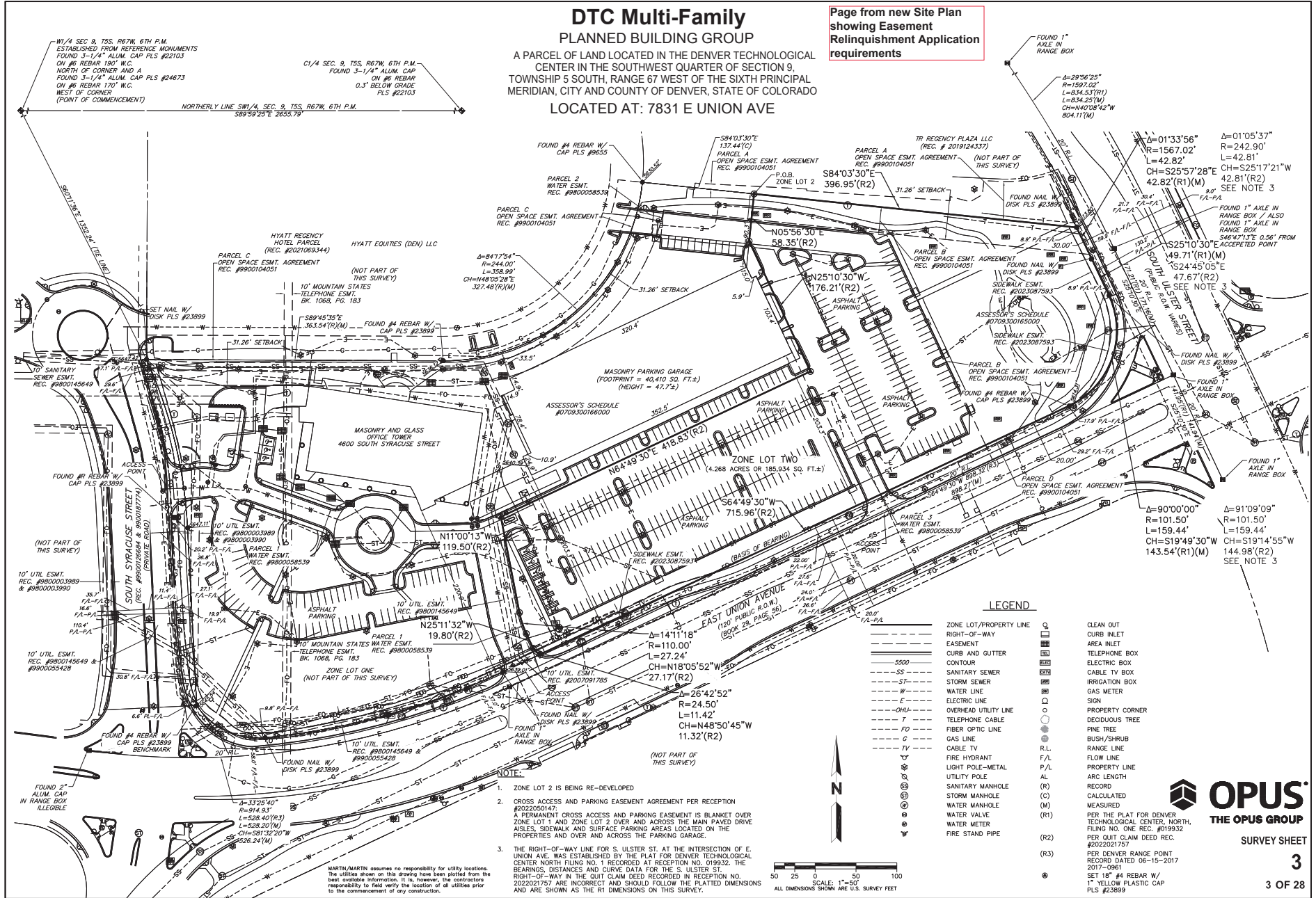
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1 OF 28

DTC Multi-Family PLANNED BUILDING GROUP

A PARCEL OF LAND LOCATED IN THE DENVER TECHNOLOGICAL CENTER IN THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 5 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO
LOCATED AT: 7831 E UNION AVE

Page from new Site Plan
showing Easement
Relinquishment Application
requirements

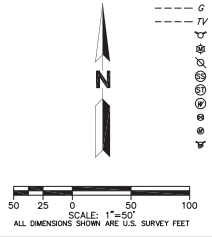


LEGEND

| | | | |
|-----|------------------------|---|---|
| --- | ZONE LOT/PROPERTY LINE | □ | CLEAN OUT |
| --- | RIGHT-OF-WAY | □ | CURB INLET |
| --- | EASEMENT | □ | AREA INLET |
| --- | CURB AND GUTTER | □ | TELEPHONE BOX |
| --- | CONTOUR | □ | ELECTRIC BOX |
| --- | 5500 | □ | CABLE TV BOX |
| --- | SANITARY SEWER | □ | SEWER MANHOLE |
| --- | STORM SEWER | □ | IRRIGATION BOX |
| --- | WATER LINE | □ | GAS METER |
| --- | ELECTRIC LINE | □ | SIGN |
| --- | OVERHEAD UTILITY LINE | □ | PROPERTY CORNER |
| --- | TELEPHONE CABLE | □ | DECIDUOUS TREE |
| --- | FIBER OPTIC LINE | □ | PINE TREE |
| --- | WATER MANHOLE | □ | BUSH/SHRUB |
| --- | GAS LINE | □ | RANGE LINE |
| --- | CABLE TV | □ | FLOW LINE |
| --- | FIRE HYDRANT | □ | PROPERTY LINE |
| --- | LIGHT POLE-METAL | □ | RECORD |
| --- | UTILITY POLE | □ | MEASURED |
| --- | SANITARY MANHOLE | □ | PER THE PLAN FOR DENVER TECHNOLOGICAL CENTER, NORTH, FILING NO. ONE, REC. #019932 |
| --- | STORM MANHOLE | □ | PER QUIT CLAIM DEED REC. #202201757 |
| --- | WATER MANHOLE | □ | PER DENVER RANGE POINT RECORD DATED 06-15-2017 2017-0961 |
| --- | WATER VALVE | □ | SET 16" #4 REBAR W/ YELLOW PLASTIC CAP PLS #23899 |
| --- | WATER METER | □ | |
| --- | FIRE STAND PIPE | □ | |

- NOTE:
1. ZONE LOT 2 IS BEING RE-DEVELOPED
 2. CROSS ACCESS AND PARKING EASEMENT AGREEMENT PER RECEPTION #2022050147:
A PERMANENT CROSS ACCESS AND PARKING EASEMENT IS BLANKET OVER ZONE LOT 1 AND ZONE LOT 2 OVER AND ACROSS THE MAIN PAVED DRIVE AISLES, SIDEWALK AND SURFACE PARKING AREAS LOCATED ON THE PROPERTIES AND OVER AND ACROSS THE PARKING GARAGE.
 3. THE RIGHT-OF-WAY LINE FOR S. ULSTER ST. AT THE INTERSECTION OF E. UNION AVE. WAS ESTABLISHED BY THE PLAT FOR DENVER TECHNOLOGICAL CENTER NORTH FILING NO. 1 RECORDED AT RECEPTION NO. 019932. THE BEARINGS, DISTANCES AND CURVE DATA FOR THE S. ULSTER ST. RIGHT-OF-WAY IN THE QUIT CLAIM DEED RECORDED IN RECEPTION NO. 202201757 ARE INCORRECT AND SHOULD FOLLOW THE PLATTED DIMENSIONS AND ARE SHOWN AS THE R1 DIMENSIONS ON THIS SURVEY.

MARTIN/MARTIN assumes no responsibility for utility locations. The utilities shown on this drawing have been plotted from the best available information. It is, however, the contractor's responsibility to field verify the location of all utilities prior to the commencement of any construction.



OPUS
THE OPUS GROUP

SURVEY SHEET
3
OF 28

This is the Original Easement to be relinquished as it applies to the Residential Parcel.

Original Easement is a blanket easement that covers the entire Commercial Parcel and Residential Parcel (collectively defined in the Original Easement as the "Development")

1.9
99-936

EASEMENT AND INDEMNITY AGREEMENT

THIS AGREEMENT, made and entered into this 26th day of October, 1999, by and between the CITY AND COUNTY OF DENVER, a municipal corporation of the State of Colorado, hereinafter referred to as the "City", Party of the First Part, and DENVER HINES DEVELOPMENT, LLC, a Delaware limited liability company, hereinafter referred to as "Owner(s)", Party of the Second Part.

WITNESSETH:

WHEREAS, the Owner(s) is about to develop, under a Planned Development premises situated in the City and County of Denver, State of Colorado, which property is to be known as 4600 South Syracuse, is referred to herein as the "Development", and is more particularly described as set out on Exhibit "A" attached hereto, and by reference made a part hereof; and

WHEREAS, the Owner(s) will cause to be recorded a Planned Development Plan pertaining to a Planned Development constructed within the Development, which Planned Development Plan will show thereon private streets, drives, alleys, roadways, sewers and drainage facilities and otherwise conform to Standards approved by the City Development Review Committee; and

WHEREAS, J.D. Edwards & Company, a Delaware corporation ("Edwards") owns certain real property in the City upon which will be constructed a private street to be known as Syracuse Street, which property is more particularly described in Exhibit "B" attached hereto, and by reference made a part hereof, as (the "Syracuse Street Access"); and

WHEREAS, the said Syracuse Street Access will be utilized to provide access to the Development and to other property of Edwards unrelated to this Agreement; and

WHEREAS, Owner(s) is charged with the maintenance of the common areas and private streets, drives, alleys, roadways, sewers, and drainage facilities within the Development; and

WHEREAS, the City is a municipal corporation within which the Development is located and which currently provides emergency and other municipal services to premises within the City using the public streets; and

WHEREAS, the streets, drives, alleys and roadways within the Development are private roadways; and

WHEREAS, Owner(s) is desirous of providing ingress and egress to the City on such private streets, drives, alleys and roadways, and to such sewers and drainage facilities, to enable the City to provide emergency and other municipal services in, to, and over the Development;

WHEREAS, by a separate Easement and Indemnity Agreement executed between the City and Edwards, Edwards has granted to the City and to Owner(s) an easement to utilize the Syracuse Street Access to provide emergency and other municipal services in, to, and over the Syracuse Street Access and to the Development;

NOW, THEREFORE, in consideration of the premises and in consideration of the Owner(s) receiving the benefits of emergency and other municipal services from the City, the Parties hereto agree as follows:

SECTION ONE. CONVEYANCE OF EASEMENT.

1. The Owner(s) hereby grants and conveys a non-exclusive easement to the City, for ingress and egress over all private streets, drives, alleys or roadways shown on the Development, above referred to, for the purposes of providing in such areas public safety and other normal and usual municipal services to the citizens of the City and County of Denver, together with any and all rights-of-ways; easements or rights of ingress and egress, necessary or convenient to the City to accomplish such purposes, PROVIDED, HOWEVER, that in non-dedicated streets, drives, alleys, roadways or other public ways and places existing within the Development, the City shall not be obligated or expected to perform any construction, re-construction, maintenance, repair, cleaning, snow removal, street lighting, traffic control or regulation or any other services on such private streets, drives, alleys or roadways or property of the Development which it does not or cannot perform on any other private street, drive, alley, roadway or other property within the City and County of Denver.

2. It is the desire of the Owner(s) that the City use these private streets, drives, alleys or roadways to provide emergency and other municipal services within the Development for so long as the City provides such services generally in the City. The Owner(s) recognize that access to the Development by the City for the performance of such services is subject to the said Entry Road easements.

3. The term Owner(s) as used herein shall be deemed to include the heirs, successors, and assigns of the original Owner(s). All duties and liabilities of the Owner(s) hereunder shall be joint and several as among such original owner(s), and their heirs, successors, and assigns; provided that if an occurrence giving rise to a claim hereunder is proven to be proximately caused by a defined action or omission by Owner(s), its agents, servants or employees which occurred during a specific period of time only those Owner(s) holding fee title to the Development or any portion thereof during such specific period of time shall be jointly and severally liable hereunder.

SECTION TWO. CONSTRUCTION AND MAINTENANCE.

4. It shall be the duty of the Owner(s) to construct, reconstruct, repair and maintain all private streets, drives, alleys or roadways within the Development in such condition so as to be usable by the City for provision of services as set out herein.

5. If, in the sole opinion of the City, the private streets, drives, alleys or roadways are not properly maintained or are closed, blocked, or vacated, the City shall give notice to the Owner(s) and if repairs or corrections are not made within the time designated in such notice, the City is authorized to, and will make or have made repairs or corrections and will charge and collect the cost thereof from the Owner(s).

6. The Owner(s) shall in no way consider or hold the City or its personnel guilty of a trespass in the performance of any of the municipal services, duties or responsibilities referred to herein.

7. The Owner(s) shall neither (a) alter the Development nor (b) close, block or vacate the streets, drives, alleys or roadways in the Development so that as a result of (a) or (b) the provision of the above-stated services to the Development is rendered impossible or materially impaired.

8. The Owner(s) shall comply with all operating rules, regulations and engineering standards of the Denver Board of Water Commissioners as the same shall exist from time to time.

9. No combustible construction shall start in the Development until fire hydrants sufficient in number and location as determined by the Denver Fire Department have been installed and other fire protection facilities have been installed all in accordance with the provisions of the Uniform Fire Code and Uniform Building Code as adopted by the City and County of Denver.

10. The Owner(s) shall pay for and be responsible for all costs of installation and maintenance of sanitary sewers, sanitary sewer detention facilities, if required, storm sewers and storm drainage control facilities within the Development as determined necessary by and according to the specifications of the Department of Public Works of the City and County of Denver. While the City assumes no obligation for the maintenance or operation of such sewers, in the event of a malfunction of such sewers or drainage facilities and the failure of the Owner(s) to correct the malfunction in a reasonable time the Owner(s) authorizes the City to make or have made the correction or repair and to charge and collect the cost thereof from the Owner(s).

SECTION THREE. INDEMNITY AGREEMENT.

11. The Owner(s) agree to: defend, indemnify, and save harmless the City, its officers, agents and employees against any and all claims, liabilities, actions, causes of action, or legal or equitable proceedings for damage to property or injuries to or death of any person or persons which may result from City presence or operations at the Development, provided, however that the Owner(s) need not indemnify or save harmless the City, its officers, agents, and employees from damages as aforesaid proximately resulting from the sole negligence of the City's officers, agents, and employees. By all claims for damages this Agreement specifically includes, but is not limited to:

(A) Any street, drive, alley or roadway deterioration or damage on the Development.

(B) Any structural damage to buildings located on the Development caused by City vehicle weight or size, by vibrations generated by City vehicles, or by any other cause not specifically described.

(C) Any damage to utilities such as water pipes, sewer pipes, gas pipes, electrical power lines, and other communication lines, conduits, or cables.

(D) Any damage to landscaping including but not limited to shrubbery, trees and lawn.

(E) Any bodily injury to any person except a City employee, which is caused directly or indirectly by City presence or operations at the Development, or by delay, or complication or prevention of provision of such operations due to closure, blocking, vacation, or disrepair of the private streets, drives, alleys or roadways referred to herein.

12. The Owner(s) further agrees jointly and severally to reimburse the City for any bodily injury to City personnel, or damages to City property caused by a defective or dangerous condition of the Development.

SECTION FOUR. DISPUTES.

13. Disputes between the City and any Owner(s) regarding any aspect of this Easement and Indemnity Agreement including but not limited to breach or default of the Agreement shall be resolved by administrative hearing pursuant to D.R.M.C. Chapter 56-106.

SECTION FIVE. NO DISCRIMINATION IN EMPLOYMENT; NO THIRD PARTY BENEFICIARIES.

14. In connection with the performance of work under this Agreement, the Owner(s) agrees not to refuse to hire, discharge, promote or demote, or to discriminate in matters of compensation against any person otherwise qualified, solely because of race, color, religion, national origin, gender, age, military status, sexual orientation, marital status, or physical or mental disability; and further agrees to insert the foregoing provision in all subcontracts hereunder.

15. It is expressly understood and agreed that enforcement of the terms and conditions of this Agreement, and all rights of action relating to such enforcement, shall be strictly reserved to the City and the Owner(s), and nothing contained in this Agreement shall give or allow any such claim or right of action by any other or third person on such Agreement, including but not limited to subcontractors, subconsultants, and suppliers. It is the express intention of the City and the Owner(s) that any person other than the City or the Owner(s) receiving services or benefits under

this Agreement shall be deemed to be an incidental beneficiary only.

SECTION SIX. EASEMENT AND INDEMNITY AGREEMENT TO RUN WITH LAND.

16. The grant of easement and the covenants and duties contained herein shall run with the land and shall be binding upon, jointly and severally, and shall inure to the benefit of, the parties hereto, their heirs, successors, or assigns, and the Owner(s) agrees that upon sale of any portion of the Development a copy of this Easement and Indemnity Agreement will be given to the purchaser.

17. The Owner(s) agrees to the terms of this Agreement and gives evidence of its voluntary agreement by having the individual(s) below sign their name(s) to the Agreement. The person or persons signing and executing this Agreement on behalf of the Owner(s) do hereby warrant and guarantee that he/she or they have been fully authorized by the Owner(s) to execute this Agreement on behalf of the Owner(s) and to validly and legally bind the Owner(s) to all the terms, performances, provisions and conditions herein set forth.

18. THIS AGREEMENT shall become effective upon its execution by the parties hereto. The Owner(s) shall provide satisfactory evidence to the City of recordation of the Agreement with the Clerk and Recorder of the City and County of Denver.

19. THIS AGREEMENT shall be binding upon any and all heirs, successors, assignees, or transferees of the Parties hereto and shall be considered a covenant running with the land.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the day and year first above written.

ATTEST: ^{DEPUTY CITY CLERK}
Rosalie Vincent
ROSEMARY E. RODRIGUEZ, Clerk
and Recorder, Ex-Officio Clerk of the
City and County of Denver



CITY AND COUNTY OF DENVER
By: *Walter S. White*
MAYOR

APPROVED AS TO FORM:

DANIEL E. MUSE, Attorney for the
City and County of Denver
By: *[Signature]*
Assistant City Attorney

RECOMMENDED AND APPROVED:
By: *[Signature]*
Manager of Public Works

REGISTERED AND COUNTERSIGNED:
By: *[Signature]*
Auditor
Contract Control No. XC8Y080

PARTY OF THE FIRST PART
"CITY"

EASEMENT AND INDEMNITY AGREEMENT
Denver Hines Development, L.L.C.

DENVER HINES DEVELOPMENT, L.L.C.
IRS No. 76-0571125

ATTEST:

By: Tom Owens

Title: Manager

Date

⁴ PARTY OF THE SECOND PART

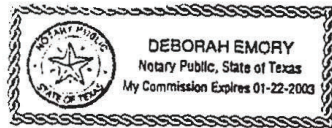
"OWNER(S)"

Texas
STATE OF COLORADO)
CITY AND)ss.
COUNTY OF DENVER)
Harris

The foregoing instrument was acknowledged before me this 3rd day of September 1999 by Tom Owens as Manager of DENVER HINES DEVELOPMENT, L.L.C. (if by natural person or persons, insert name or names; if by person acting in representative or official capacity or as attorney in fact, insert name of person as executor, attorney in fact, or other capacity or description; if by officer of corporation, insert the name of such officer or officers as the president or other officers of such corporation, naming it). If acknowledgment is taken by a notary public, the date of expiration of his commission shall also appear on the certificate.

Witness my hand and official seal.

My commission expires: 01-22-03.



Deborah Emory
Notary Public
c/o Hines Houston, TX
Address



EXHIBIT B

LEGAL DESCRIPTION OF HINES PROPERTY

A PARCEL OF LAND BEING LOCATED IN THE DENVER TECHNOLOGICAL CENTER IN THE SOUTHWEST ¼ OF SECTION 9, TOWNSHIP 5 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS. COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 9; THENCE S60°11'36"E, 1,352.24 FEET TO THE SOUTHERLY LINE OF THE HYATT REGENCY HOTEL PARCEL AND THE TRUE POINT OF BEGINNING; THENCE ALONG SAID SOUTHERLY LINE S89°45'35"E, 363.54 FEET TO A POINT OF CURVATURE; THENCE 358.99 FEET ALONG SAID SOUTHERLY LINE BEING A CURVE TO THE LEFT HAVING A RADIUS OF 244.00 FEET, A CENTRAL ANGLE OF 84°17'55" AND A CHORD WHICH BEARS N48°05'29"E, 327.48 FEET; THENCE LEAVING SAID SOUTHERLY LINE S84°03'30"E, 534.39 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF SOUTH ULSTER STREET PARKWAY; THENCE ALONG SAID RIGHT-OF-WAY LINE 42.81 FEET ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 2,242.90 FEET, A CENTRAL ANGLE OF 01°05'37", AND A CHORD WHICH BEARS S25°17'21"E, 42.81 FEET TO A POINT OF TANGENCY; THENCE CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE S25°45'05"E, 49.71 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF UNION AVENUE PARKWAY (BOOK 29, PAGE 56) AND A POINT OF CURVATURE; THENCE ALONG SAID UNION AVENUE PARKWAY THE FOLLOWING FOUR (4) CONSECUTIVE COURSES: 1) THENCE 159.44 FEET ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 101.50 FEET, A CENTRAL ANGLE OF 90°00'00", AND A CHORD WHICH BEARS S19°49'30"W, 143.54 FEET TO A POINT OF TANGENCY; 2) THENCE S64°49'30"W, 766.84 FEET TO A POINT OF CURVATURE; 3) THENCE 303.12 FEET ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 894.93 FEET, A CENTRAL ANGLE OF 19°24'24", AND A CHORD WHICH BEARS S74°31'42"W, 301.68 TO A POINT OF COMPOUND CURVATURE; 4) THENCE 97.34 FEET ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 90.00 FEET, A CENTRAL ANGLE OF 61°58'06", AND A CHORD WHICH BEARS N64°47'03"W, 92.66 FEET; THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE N02°57'19"W, 218.02 FEET TO A POINT OF CURVATURE; THENCE 213.35 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 570.00 FEET, A CENTRAL ANGLE OF 21°26'46", AND A CHORD WHICH BEARS N13°40'42"W, 212.11 FEET TO SAID SOUTHERLY LINE OF HYATT REGENCY HOTEL AND THE TRUE POINT OF BEGINNING. CONTAINING 10.173 ACRES MORE OR LESS.

BASIS OF BEARING:

ASSUMED ALONG THE SCUTHEASTERLY LINE OF DENVER TECH CENTER EAST, WHICH IS SITUATED SOUTH AND WEST OF SOUTH ULSTER STREET PARKWAY, NORTHWEST OF UNION AVENUE PARKWAY, AND EAST OF INTERSTATE HIGHWAY I-25, AND BEING THE NORTHERLY RIGHT-OF-WAY LINE OF UNION AVENUE PARKWAY, BOOK 29, PAGE 56, AS MONUMENTED BY A PIN AND CAP PLS 9655 BEING THE EASTERLY CORNER OF PARCEL 1, RECEPTION NO. 92-0071136 AND A PIN AND CAP PLS 23899, BEARING N64°49'30"W, 766.84 FEET.

PREPARED BY SCOTT T. CONLEY
AND REVIEWED BY RICHARD A. NOBBE, P.L.S.
FOR AND ON BEHALF OF
MARTIN/MARTIN, INC.
4251 KIPLING STREET
WHEAT RIDGE, COLORADO 80033
303-431-6100
OCTOBER 28, 1998
REV. OCTOBER 11, 1999



W:LEGS/LEGS99/HINESEX-B



EXHIBIT A-2
SYRACUSE ACCESS ROAD

A PARCEL OF LAND BEING LOCATED IN THE DENVER TECHNOLOGICAL CENTER IN THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 5 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

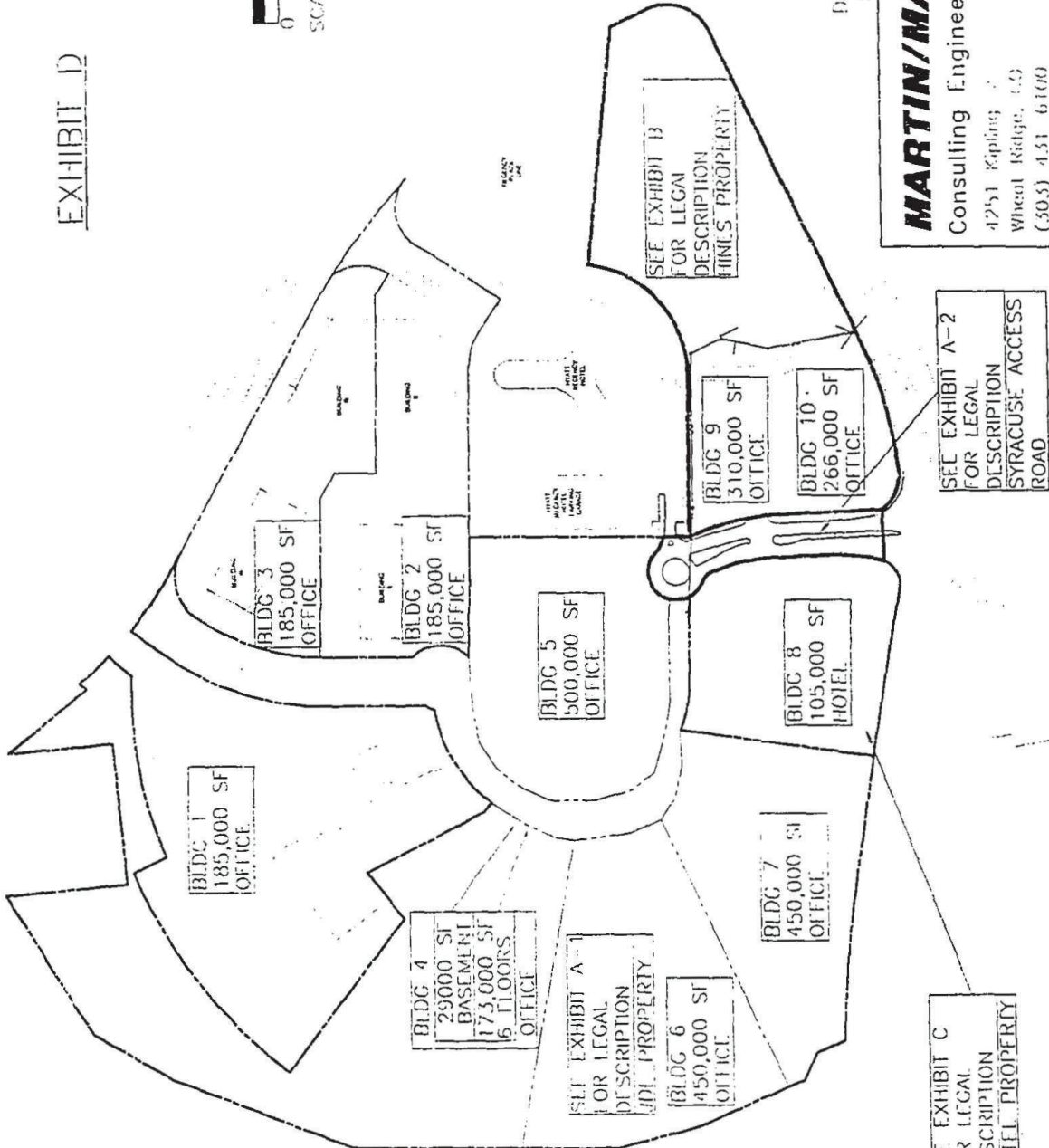
BEGINNING AT THE SOUTHWESTERLY CORNER OF THE HYATT REGENCY PARCEL (RECEPTION NO. 086484); THENCE ALONG THE WESTERLY LINE OF THE HINES PARCEL (RECEPTION NO. 9800003993) 213.35 FEET BEING A CURVE TO THE RIGHT HAVING A RADIUS OF 570.00 FEET, A CENTRAL ANGLE OF 21°26'46", AND A CHORD WHICH BEARS S13°40'42"E, 212.11 FEET TO A POINT OF TANGENCY; THENCE CONTINUING ALONG SAID WESTERLY LINE S02°57'19"E, 218.02 FEET; THENCE LEAVING SAID WESTERLY LINE S87°15'05"W, 114.52 FEET TO A POINT ON THE EASTERLY LINE OF THE J.D. EDWARDS PROPOSED HOTEL PARCEL; THENCE ALONG SAID J.D. EDWARDS PROPOSED HOTEL PARCEL THE FOLLOWING SIX (6) CONSECUTIVE COURSES: 1) THENCE 5.96 FEET ALONG A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 18.50 FEET, A CENTRAL ANGLE OF 18°28'22", AND A CHORD WHICH BEARS N22°39'57"E, 5.94 FEET TO A POINT OF COMPOUND CURVATURE; 2) THENCE 127.07 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 408.22 FEET, A CENTRAL ANGLE OF 17°50'06", AND A CHORD WHICH BEARS N04°30'43"E, 126.56 FEET TO A POINT OF TANGENCY; 3) THENCE N02°57'19"W, 116.26 FEET TO A POINT OF CURVATURE; 4) THENCE 135.97 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 373.50 FEET, A CENTRAL ANGLE OF 20°51'27", AND A CHORD WHICH BEARS N13°23'02"W, 135.22 FEET TO A POINT OF COMPOUND CURVATURE; 5) THENCE 33.43 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 43.50 FEET, A CENTRAL ANGLE OF 44°02'14", AND A CHORD WHICH BEARS N45°49'52"W, 32.62 FEET TO A POINT OF REVERSE CURVATURE; 6) THENCE 42.50 FEET ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 61.50 FEET, A CENTRAL ANGLE OF 39°35'42", AND A CHORD WHICH BEARS N48°03'08"W, 41.66 FEET TO THE NORTHEASTERLY CORNER OF SAID PROPOSED HOTEL PARCEL AND SOUTHEAST CORNER OF THE J.D. EDWARDS PARCEL RECEPTION NO. 9800045112; THENCE ALONG SAID J.D. EDWARDS PARCEL LINE 170.07 FEET BEING A CURVE TO THE RIGHT HAVING A RADIUS OF 61.50 FEET, A CENTRAL ANGLE OF 158°26'38", AND A CHORD WHICH BEARS N50°58'02"E, 120.83 FEET TO A POINT OF REVERSE CURVATURE; THENCE 44.05 FEET ALONG SAID PARCEL LINE BEING A CURVE TO THE LEFT HAVING A RADIUS OF 98.50 FEET, A CENTRAL ANGLE OF 25°37'28", AND A CHORD WHICH BEARS S62°37'22"E, 43.89 FEET TO SAID HYATT REGENCY PARCEL LINE; THENCE LEAVING SAID J.D. EDWARDS PARCEL LINE AND ALONG THE WEST LINE OF SAID HYATT REGENCY PARCEL BEING A NON-TANGENT LINE S00°14'25"W, 56.56 FEET TO THE TRUE POINT OF BEGINNING. SAID PARCEL CONTAINS 53,028 SQUARE FEET (1.2173 ACRES), MORE OR LESS.

BASIS OF BEARINGS: THE NORTHERLY RIGHT-OF-WAY LINE OF UNION AVENUE PARKWAY, BOOK 29, PAGE 56, AS MONUMENTED BY A PIN AND CAP PLS 9655 BEING THE EASTERLY CORNER OF PARCEL 1, RECEPTION NUMBER 92-0071136 AND A PIN AND CAP PLS 23899, IS ASSUMED TO BEAR S64 49'30"W, 766.84 FEET.

PREPARED BY CHRIS S. STRAWN
AND REVIEWED BY RICHARD A. NOBBE, P.L.S.
FOR AND ON BEHALF OF
MARTIN/MARTIN, INC.
4251 KIPLING STREET
WHEAT RIDGE, COLORADO 80033
303-431-6100
JUNE 3, 1998



EXHIBIT D



DEC 14, 1998
NOV. 06, 1998

MARTIN/MARTIN

Consulting Engineers

4251 Kipling St.
Wheat Ridge, CO
(303) 431-6100

SEE EXHIBIT A-2
FOR LEGAL
DESCRIPTION
SYRACUSE ACCESS
ROAD

SEE EXHIBIT C
FOR LEGAL
DESCRIPTION
HOTEL PROPERTY

SEE EXHIBIT B
FOR LEGAL
DESCRIPTION
TIMES PROPERTY

4602 S. Syracuse St and 7831 E. Union Ave

04/26/2024

Master ID: 2022-PROJMSTR-0000137 **Project Type:** ROW Relinquishment
Review ID: 2024-RELINQ-0000004 **Review Phase:**
Location: 4602 South Syracuse Street **Review End Date:** 03/29/2024

Any denials listed below must be rectified in writing to this office before project approval is granted.

Reviewing Agency: Asset Management Review Review Status: Approved - No Response

Reviewers Name: Nicholas Boschert
Reviewers Email: Nicholas.Boschert@denvergov.org

Status Date: 03/27/2024
Status: Approved - No Response
Comments:

Reviewing Agency: City Forester Review Review Status: Approved

Reviewers Name: Eric Huetig
Reviewers Email: Eric.Huetig@denvergov.org

Status Date: 03/27/2024
Status: Approved
Comments:

Reviewing Agency: Comcast Referral Review Status: Approved - No Response

Status Date: 04/01/2024
Status: Approved - No Response
Comments:

Reviewing Agency: Denver Water Referral Review Status: Approved

Status Date: 04/01/2024
Status: Approved
Comments: PWPRS Project Number: 2024-RELINQ-0000004 - Relinquishment 4602 South Syracuse Street
Reviewing Agency/Company: Denver Water
Reviewers Name: Gina Begly
Reviewers Phone: 303-628-6219
Reviewers Email: gina.begly@denverwater.org
Approval Status: Approved

Comments:

Reviewing Agency: Survey Review Review Status: Approved

Reviewers Name: Brian Pfohl
Reviewers Email: Brian.Pfohl@denvergov.org

Status Date: 04/26/2024
Status: Approved
Comments: PWPRS Project Number: 2024-RELINQ-0000004 - Relinquishment 4602 South Syracuse Street

Comment Report

4602 S. Syracuse St and 7831 E. Union Ave

04/26/2024

Master ID: 2022-PROJMSTR-0000137 **Project Type:** ROW Relinquishment
Review ID: 2024-RELINQ-0000004 **Review Phase:**
Location: 4602 South Syracuse Street **Review End Date:** 03/29/2024

Any denials listed below must be rectified in writing to this office before project approval is granted.

Reviewing Agency/Company: DOTI-ROWS Survey
Reviewers Name: Brian Pfohl
Reviewers Phone: 630.202.6564
Reviewers Email: brian.pfohl@denvergov.org
Approval Status: Approved

Comments:

Status Date: 03/26/2024
Status: Denied
Comments: Comments in project folder

Reviewing Agency: Case Manager Review/Finalize Review Status: Comments Compiled

Reviewers Name: Vanessa West
Reviewers Email: Vanessa.West@denvergov.org

Status Date: 04/01/2024
Status: Comments Compiled
Comments:

Status Date: 03/13/2024
Status: Confirmation of Payment
Comments:

Reviewing Agency: Denver Fire Department Review Review Status: Approved

Reviewers Name: Brian Dimock
Reviewers Email: Brian.Dimock@denvergov.org

Status Date: 03/21/2024
Status: Approved
Comments:

Reviewing Agency: Landmark Review Review Status: Approved - No Response

Status Date: 03/07/2024
Status: Approved - No Response
Comments:

Reviewing Agency: Metro Wastewater Referral Review Status: Approved - No Response

Status Date: 04/01/2024
Status: Approved - No Response
Comments:

Reviewing Agency: Office of Emergency Management Referral Review Status: Approved - No Response

Status Date: 04/01/2024
2024-RELINQ-0000004

Comment Report

4602 S. Syracuse St and 7831 E. Union Ave

04/26/2024

Master ID: 2022-PROJMSTR-0000137 **Project Type:** ROW Relinquishment
Review ID: 2024-RELINQ-0000004 **Review Phase:**
Location: 4602 South Syracuse Street **Review End Date:** 03/29/2024

Any denials listed below must be rectified in writing to this office before project approval is granted.

Status: Approved - No Response
Comments:

Reviewing Agency: Parks and Recreation Review **Review Status:** Approved

Reviewers Name: Jennifer Cervera
Reviewers Email: Jennifer.Cervera@denvergov.org

Status Date: 03/21/2024
Status: Approved
Comments:

Reviewing Agency: Construction Engineering Review **Review Status:** Approved

Reviewers Name: Kim Blair
Reviewers Email: Kim.Blair@denvergov.org

Status Date: 03/27/2024
Status: Approved
Comments: NO OBJECTION.

Reviewing Agency: Policy and Planning Review **Review Status:** Approved - No Response

Status Date: 04/01/2024
Status: Approved - No Response
Comments:

Reviewing Agency: TES Sign and Stripe Review **Review Status:** Approved - No Response

Reviewers Name: Brittany Price
Reviewers Email: Brittany.Price@denvergov.org

Status Date: 04/01/2024
Status: Approved - No Response
Comments:

Reviewing Agency: CenturyLink Referral **Review Status:** Approved - No Response

Status Date: 04/01/2024
Status: Approved - No Response
Comments:

Reviewing Agency: Xcel Referral **Review Status:** Approved

Status Date: 04/03/2024
Status: Approved
Comments: PWPRS Project Number: 2024-RELINQ-0000004 - Relinquishment 4602 South Syracuse Street
Reviewing Agency/Company: Public Service Company of Colorado (PSCo) dba Xcel Energy

Comment Report

4602 S. Syracuse St and 7831 E. Union Ave

04/26/2024

Master ID: 2022-PROJMSTR-0000137 **Project Type:** ROW Relinquishment
Review ID: 2024-RELINQ-0000004 **Review Phase:**
Location: 4602 South Syracuse Street **Review End Date:** 03/29/2024

Any denials listed below must be rectified in writing to this office before project approval is granted.

Reviewers Name: Donna George
Reviewers Phone: 3035713306
Reviewers Email: Donna.L.George@xcelenergy.com
Approval Status: Approved

Comments:
Considering this is a stormwater/sewer easement

Status Date: 04/01/2024
Status: Approved - No Response
Comments:

Reviewing Agency: City Councilperson and Aides Referral Review Status: Approved - No Response

Status Date: 04/01/2024
Status: Approved - No Response
Comments:

Reviewing Agency: DS Project Coordinator Review Review Status: Approved - No Response

Reviewers Name: James Larsen
Reviewers Email: James.Larsen@denvergov.org

Status Date: 03/07/2024
Status: Approved - No Response
Comments:

Reviewing Agency: DES Transportation Review Review Status: Approved

Reviewers Name: Melissa Woods
Reviewers Email: Melissa.Woods@denvergov.org

Status Date: 03/27/2024
Status: Approved
Comments:

Reviewing Agency: DES Wastewater Review Review Status: Approved

Reviewers Name: Kenneth Armfield
Reviewers Email: ken.armfield@denvergov.org

Status Date: 03/29/2024
Status: Approved
Comments: No objection to this relinquishment by DES-Wastewater of the old EIA(s). The 2 parcels each have new PNEE's to cover DES-Wastewater concerns.

Reviewing Agency: ERA Transportation Review Review Status: Approved

Reviewers Name: Brent McMurtrie
Reviewers Email: Brent.McMurtrie@denvergov.org

Comment Report

4602 S. Syracuse St and 7831 E. Union Ave

04/26/2024

Master ID: 2022-PROJMSTR-0000137 **Project Type:** ROW Relinquishment
Review ID: 2024-RELINQ-0000004 **Review Phase:**
Location: 4602 South Syracuse Street **Review End Date:** 03/29/2024

Any denials listed below must be rectified in writing to this office before project approval is granted.

Status Date: 03/29/2024
Status: Approved
Comments: New PNEE appears to cover needs still, for City easement needs. Old easement okay to be relinquished.

Reviewing Agency: ERA Wastewater Review **Review Status:** Approved

Reviewers Name: Mike Sasarak
Reviewers Email: Mike.Sasarak@denvergov.org

Status Date: 03/28/2024
Status: Approved
Comments:

Reviewing Agency: RTD Referral **Review Status:** Approved

Status Date: 04/01/2024
Status: Approved
Comments: PWPRS Project Number: 2024-RELINQ-0000004 - Relinquishment 4602 South Syracuse Street
Reviewing Agency/Company: RTD
Reviewers Name: clayton s woodruff
Reviewers Phone: 303-299-2943
Reviewers Email: Clayton.woodruff@rtd-denver.com
Approval Status: Approved

Comments:
The RTD engineering review has no exceptions to this project at this time.
This review is for Design concepts and to identify any necessary improvements to RTD stops and property affected by the design. This review of the plans does not eliminate the need to acquire, and/or go through the acquisition process of any agreements, easements or permits that may be required by the RTD for any work on or around our facilities and property.

Reviewing Agency: CDOT Referral **Review Status:** Approved

Status Date: 04/01/2024
Status: Approved
Comments: PWPRS Project Number: 2024-RELINQ-0000004 - Relinquishment 4602 South Syracuse Street
Reviewing Agency/Company: CDOT
Reviewers Name: Eric B Vossenkemper
Reviewers Phone: 3037579921
Reviewers Email: eric.vossenkemper@state.co.us
Approval Status: Approved

Comments:
Does not affect CDOT on-system ROW. Proposed effort is approved as the location does not affect CDOT ROW.