


REQUEST FOR ORDINANCE TO RELINQUISH AN EASEMENT

TO: Caroline Martin, City Attorney's Office

FROM: Matt R. Bryner, PE, Director, Right of Way Services 
Matt R. Bryner (Feb 25, 2022 16:29 MST)

PROJECT NO: 2021-RELINQ-0000023

DATE: February 25, 2022

SUBJECT: Request for an Ordinance to relinquish a portion of the wastewater easement(s) established in the Permanent Non-exclusive Easement with Rec. No. 2009167987. Located at 575 East 20th Avenue.

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

This office has investigated the request of Joe Swensson c/o Opus Development Company, LLC., dated September 7, 2021 on behalf of Nava Uptown LLC. 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: Planning 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 2021-RELINQ-0000023-001 HERE

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

MB:dp



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

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: February 25, 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 a portion of the wastewater easement(s) established in the Permanent Non-exclusive Easement with Rec. No. 2009167987. Located at 575 East 20th Avenue.

3. **Requesting Agency:** Department of Transportation and Infrastructure; Engineering and Regulatory

4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution	Contact person to present item at Mayor-Council and Council
Name: Devin Price	Name: Jason Gallardo
Email: devin.price@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 a portion of the wastewater easement(s) established in the Permanent Non-exclusive Easement with Rec. No. 2009167987. Located at 575 East 20th Avenue.

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: 2021-RELINQ-0000023 - 575 E 20th Ave

Property Owner: Nava Uptown LLC.

Description of Proposed Project: Request for an Ordinance to relinquish a portion of the wastewater easement(s) established in the Permanent Non-exclusive Easement with Rec. No. 2009167987. Located at 575 East 20th Avenue.

Background: A new wastewater Permanent Non-exclusive Easement for the storm sewer improvements associated with the new development will be conveyed so that a permanent non-exclusive easement exists for the new development with the correct ownership entity.

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
LAND DESCRIPTION

A PARCEL OF LAND SITUATED IN THE NORTHEAST ONE-QUARTER OF SECTION 34, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., BEING A PORTION OF THE PNEE DESCRIBED IN RECEPTION NO. 2009167987, AND ALL OF PARCEL 5A, AS RECORDED DECEMBER 18, 2009 AT RECEPTION NO. 2009163554, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE WESTERLY MOST CORNER OF LOT 1, BLOCK 2, PARK AVENUE SOUTH FILING NO. 1, AS RECORDED OCTOBER 15, 2007 AT RECEPTION NO. 2007161040;

THENCE N45°00'31"E, 181.07 FEET;

THENCE S44°59'43"E, 201.96 FEET;

THENCE S44°59'23"W, 70.87 FEET TO A POINT OF CURVE CONCAVE SOUTHEASTERLY WITH A RADIUS OF 58.00 FEET, AND A LONG CHORD OF S22°31'21"W, 44.33 FEET;

THENCE SOUTHWESTERLY ALONG SAID CURVE, 45.49 FEET THROUGH A CENTRAL ANGLE OF 44°56'04";

THENCE S00°03'19"W, 78.39 FEET;

THENCE N89°51'05"W, 113.70 FEET;

THENCE N09°47'35"W, 55.65 FEET TO A POINT OF CURVE CONCAVE SOUTHWESTERLY, WITH A RADIUS OF 154.91 FEET, AND A LONG CHORD OF N27°24'51"W, 93.66 FEET;

THENCE NORTHWESTERLY ALONG SAID CURVE, 95.15 FEET THROUGH A CENTRAL ANGLE OF 35°11'32";

THENCE N45°01'48"W, 43.07 FEET;

THENCE N45°49'32"E, 6.13 FEET;

THENCE N45°08'58"W, 16.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 46,287 SQUARE FEET OR 1.063 ACRES, MORE OR LESS.

BASIS OF BEARINGS: BASIS OF BEARINGS: BEARINGS USED HEREIN ARE BASED ON THE NORTHWEST LOT LINE OF LOT 1 BLOCK 2 PARK AVENUE SOUTH FILING NO. 1

EXHIBIT A

REC. NO. 2007161040. BEING S44°59'43"E AS MEASURED USING THE CITY AND COUNTY OF DENVER CONTROL COORDINATES, AS MONUMENTED AT THE NORTHWESTERLY LOT CORNER BY FOUND NO.5 REBAR WITH PLASTIC CAP PLS 36062 AND AT THE NORTHEASTERLY LOT CORNER OF BY A FOUND NAIL AN WASHER PLS 36062.

LEGAL DESCRIPTION STATEMENT:

I, MICHAEL J. LINDQUIST, A LICENSED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE ABOVE LEGAL DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, AND ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF, IS CORRECT.



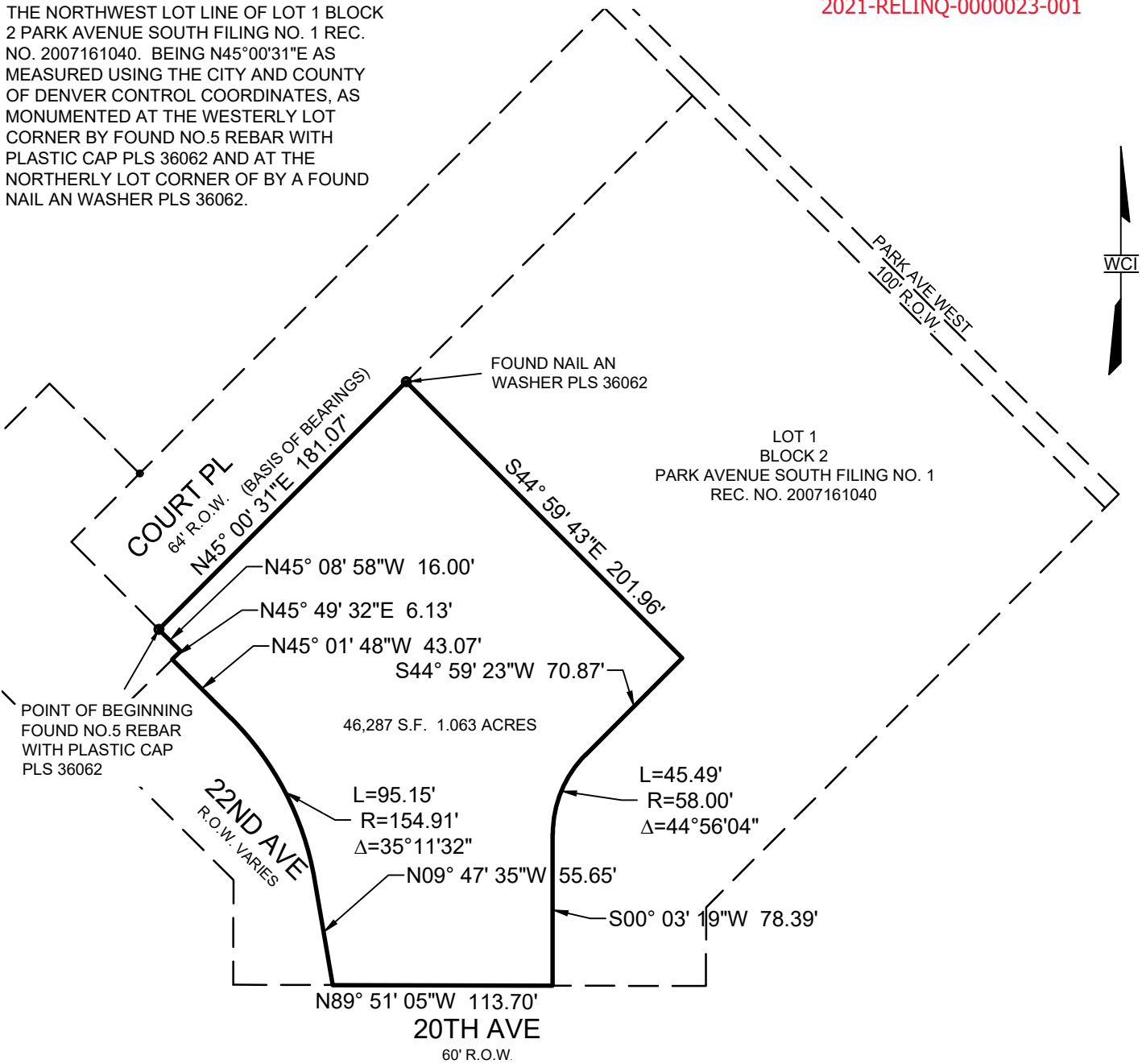
MICHAEL J. LINDQUIST, COLORADO PLS 38666
WILSON & COMPANY
990 S. BROADWAY, SUITE 220
DENVER, CO 80209

EXHIBIT A

NE1/4 OF SEC 34, T3S, R68W OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO

2021-RELINQ-000023-001

BASIS OF BEARINGS: BASIS OF BEARINGS:
 BEARINGS USED HEREIN ARE BASED ON
 THE NORTHWEST LOT LINE OF LOT 1 BLOCK
 2 PARK AVENUE SOUTH FILING NO. 1 REC.
 NO. 2007161040. BEING N45°00'31"E AS
 MEASURED USING THE CITY AND COUNTY
 OF DENVER CONTROL COORDINATES, AS
 MONUMENTED AT THE WESTERLY LOT
 CORNER BY FOUND NO.5 REBAR WITH
 PLASTIC CAP PLS 36062 AND AT THE
 NORTHERLY LOT CORNER OF BY A FOUND
 NAIL AN WASHER PLS 36062.



NOTE:
 THIS DRAWING IS MEANT TO DEPICT THE ATTACHED LEGAL DESCRIPTION AND IS
 FOR INFORMATIONAL PURPOSES ONLY. IT DOES NOT REPRESENT A
 MONUMENTED LAND SURVEY.

20-300-304

					SHT. NO: 3 OF 3		WILSON & COMPANY 1675 Broadway Suite 200 Denver, CO 80202 Phone: 303-297-2976 Fax: 303-297-2693	
					SCALE: 1" = 80'			
					DWN. BY: TJB		DATE: 9-7-2021	
					CHK. BY:			
					PROJ. MGR: DHO		9-7-2021	
					CLIENT APP:			
1	CITY COMMENTS	TJB	1/10	MJL				
NO.	REVISION-DESCRIPTION	BY	DATE	CHK'D	APP'D	LOT 1, BLOCK 2, PARK AVENUE SOUTH FILING NO. 1 CITY AND COUNTY OF DENVER STATE OF COLORADO		

M:\ISGR\20-300-304-002_Disciplines\Survey\Drawings\20-300-304-20th PENN ZONE LOT.dwg. Plotted on: Jan 10, 2022 - 9:01am. By: TJBriscoe