

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-0000004

DATE: April 30, 2020

SUBJECT: Request for an Ordinance to relinquish a utility easement in its entirety located at 1401 Wynkoop Street that was originally reserved in the vacating Ordinance No. 20170153, Series of 2017.

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

This office has investigated the request of Matrix Design Group, Inc. c/o Patrick Chelin, dated January 21, 2020 on behalf of Unico Properties, LLC. c/o Julie Currier for the relinquishment of the subject easement.

This matter has been inspected and has been coordinated with Asset Management; Comcast; City Councilperson, Candi CdeBaca; Community Planning & Development - Planning Services; Historic Preservation/Landmark; Denver Water; Denver Fire Department; City Forestry; Parks and Recreation; DOTI - Construction Engineering, DES Transportation and Wastewater, Survey, Policy and Planning; Office of Emergency Management; Metro Wastewater Reclamation District; Regional Transportation District; Colorado Department of Transportation; CenturyLink; and Xcel Energy, all of whom have indicated their agreement.

As a result of the 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-0000004-001 HERE

A map of the easement area and a copy of Ordinance No. 20170153 creating the easement are attached for reference.

MB:je

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

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: **April 30, 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.)

Request for an Ordinance to relinquish a utility easement in its entirety located at 1401 Wynkoop Street that was originally reserved in the vacating Ordinance No. 20170153, Series of 2017.

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: 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 a utility easement in its entirety located at 1401 Wynkoop Street that was originally reserved in the vacating Ordinance No. 20170153, Series of 2017.

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

7. City Council District: Council District 9, Candi CdeBaca

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-0000004 14th and Wynkoop Mixed-Use

Owner name: Unico Properties, LLC. c/o Julie Carrier

Description of Proposed Project: Request to relinquish a utility easement in its entirety located at 1401 Wynkoop Street that was originally reserved in the vacating Ordinance No. 20170153, Series of 2017.

Explanation of why the easement relinquishment is needed: Applicant requests the proposed easement relinquishment indicating the relinquishment is needed to begin construction of their mixed-use development project.

Background: The easement area was originally reserved with the right-of-way vacation Ordinance No. 20170153, Series of 2017 for an existing City and County of Denver sanitary sewer pipe and an Xcel Energy electric line located in the subject area. The sanitary sewer pipe in the easement area has since been relocated. The electric line will be removed at time of construction as it will not be needed to service the property and Xcel Energy provided their approval of the proposed relinquishment.

The applicant's request for the relinquishment is attached for reference.

Location Map:



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/dotj
Phone: 720-865-3003

EXHIBIT A
14TH AND WYNKOOP – EASEMENT RELINQUISHMENT
LAND DESCRIPTION

A PERPETUAL NON—EXCLUSIVE EASEMENT RESERVED BY THE CITY AND COUNTY OF DENVER BY ORDINANCE 2017-0153, LOCATED IN THE NORTHEAST ONE-QUARTER OF SECTION 33, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO BEING THE 16.00 FOOT WIDE VACATED ALLEY ADJACENT TO LOTS 11 THROUGH 23 OF BLOCK 17 OF EAST DENVER, ACCORDING TO THE OFFICIAL MAP THEREOF RECORDED FEBRUARY 24, 1876 IN THE OFFICE OF THE CLERK AND RECORDER FOR THE CITY AND COUNTY OF DENVER IN BOOK 1 PAGE 14, SAID ALLEY VACATED BY SAID ORDINANCE 2017-0153, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE NORTHWESTERLY LINE OF LOTS 17 THROUGH 20 OF SAID BLOCK 17, TO BEAR NORTH 45°00'00" EAST, A DISTANCE OF 100.00 FEET BETWEEN A FOUND 2" ALUMINUM DISC WITH MAG NAIL, STAMPED "FLATIRONS SURVEYING LS 16406" AT THE MOST WESTERLY CORNER OF LOT 17 AND A FOUND 3/4" BRASS TAG, STAMPED "FSI 16406" AT A 2.0' OFFSET TO THE MOST NORTHERLY CORNER OF LOT 20, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

BEGINNING AT SAID WESTERLY MOST CORNER OF LOT 17;

THENCE NORTH 45°00'00" EAST, ALONG SAID NORTHWESTERLY LINE OF LOTS 17 THROUGH 20, A DISTANCE OF 100.00 FEET;

THENCE NORTH 45°00'00" WEST, A DISTANCE OF 16.00 FEET TO THE EASTERLY MOST CORNER OF LOT 13;

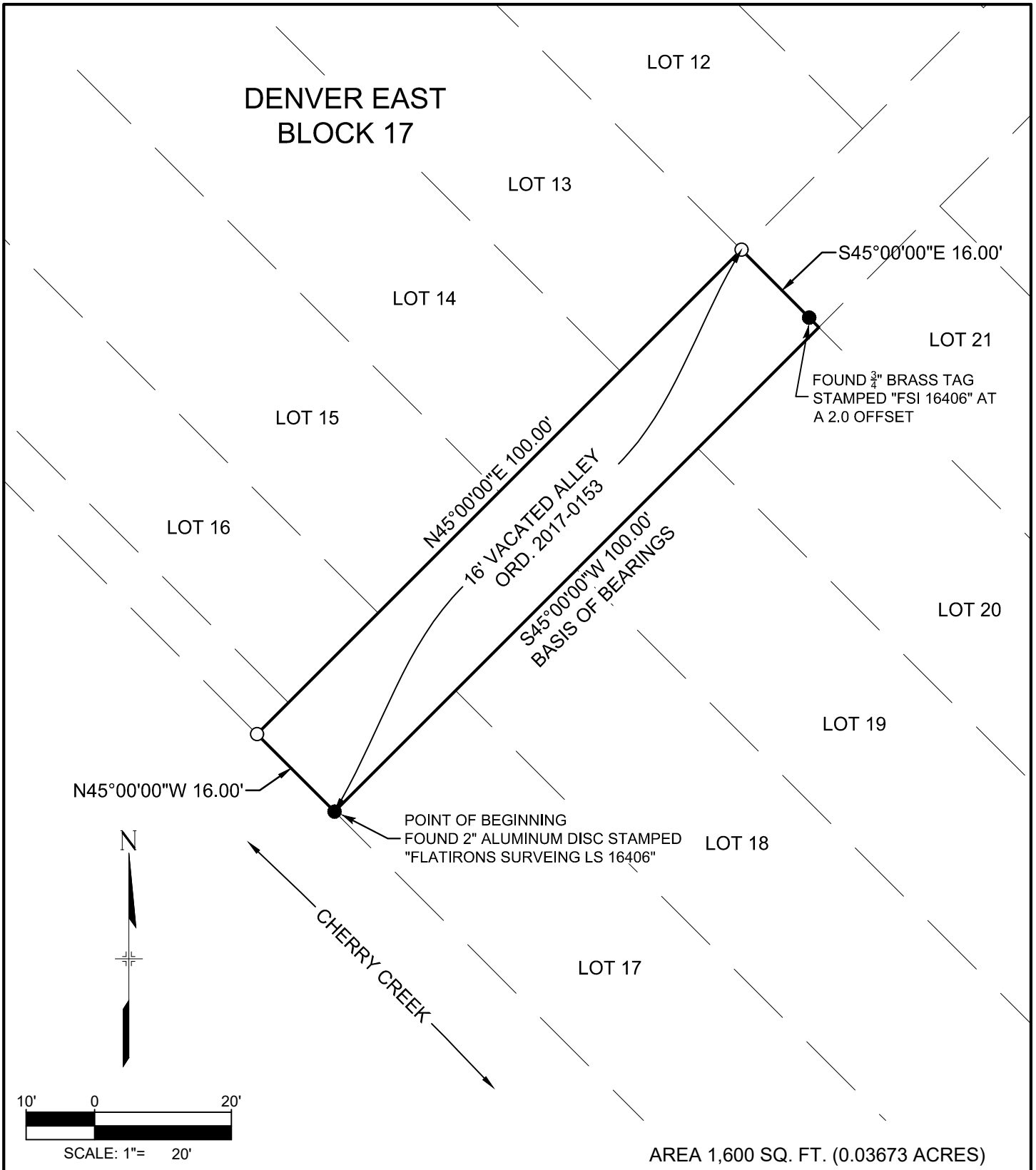
THENCE SOUTH 45°00'00" WEST, ALONG THE SOUTHEASTERLY LINE OF LOTS 13 THROUGH 16, A DISTANCE OF 100.00 FEET;

THENCE SOUTH 45°00'00" EAST, A DISTANCE OF 16.00 FEET TO THE **POINT OF BEGINNING**.

THE ABOVE DESCRIPTION CONTAINS A CALCULATED AREA OF 1,600 SQUARE FEET OR (0.03673 ACRES), MORE OR LESS, AND IS DEPICTED ON THE ATTACHED GRAPHICAL EXHIBIT FOR REFERENCE.



JEFFREY A. MILLER, PLS 38467
 FOR AND ON BEHALF OF MATRIX DESIGN GROUP, INC.
 1601 BLAKE STREET, SUITE 200
 DENVER, CO 80202
 PH. (303)572-0200



1601 Blake Street, Suite 200
Denver, CO 80202
Phone 303-572-0200
Fax 303-572-0202

14TH & WYNKOOP
EASEMENT RELINQUISHMENT

EXHIBIT

DRAWN BY:	JAM	DATE:	OCT. 10 2019	2 OF 2
CHECKED BY:	RLM	JN:	15.524.013	