

June 16, 2020

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VIA E-MAIL – DENVER.ROW@DENVERGOV.ORG

Public Works Plans Review Services
201 W. Colfax Ave., Department 507
Denver, Colorado 80202-5329

Re: Easement Relinquishment Request— 3615 Delgany

Greetings:

This firm represents Delgany, LLC, a Delaware limited liability company (“**Owner**”), in connection with certain development matters related to real property located at 3615 Delgany Street (the “**Property**”) in the City and County of Denver (the “**City**”). The Property is subject to that certain Permanent Non-Exclusive Easement dated November 29, 2017, and recorded in the real property records of the City at Reception No. 2018015884 (the “**Easement**”), which granted an easement over and across the land more particularly described in the Easement to the City for the purpose of maintaining, repairing and servicing certain then-contemplated privately owned wastewater and sanitary sewer facilities (the “**Facilities**”).

The Easement was originally required in connection with a prior, undeveloped site development plan for the Property, as referenced by Project Number 2017SSPR00000066. Since the date of the Easement, Owner has commenced the site development plan for an alternative site development plan (Project No. 2019PM0000077) that no longer has need of the Facilities contemplated by the Easement. Accordingly, no such Facilities have been ever constructed within the Property and further, neither the City nor Owner has any plans to construct such Facilities at a later date. Owner now desires that the City relinquish the Easement in connection with the new site development plan and related storm and sanitary improvements (Project Nos. 2019-SSPR-0000244 and 2019-SSPR-0000227).

In connection with Owner’s proposed development of the Property, we submit this request to relinquish the Easement Rights for the reasons set forth above. Submitted with this letter are the following:

- A site plan of Owner’s proposed redevelopment of the Property;
- A legal description and exhibit of the land area of the Easement to be relinquished, prepared by a Land Surveyor licensed in the State of Colorado; and
- A copy of the Easement.

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We understand that \$1,600.00 will be required to cover the fees for this request, as set forth in the Easement Relinquishment Entrance Requirements document prepared by the Department of Public Works, upon determination by the Manager of Public Works to proceed with the relinquishment of the Easement.

Please feel free to contact me or the Owner, at the address set forth below, with any questions or comments regarding this request.

Sincerely,



Cory M. Rutz
For the Firm

CMR
Enclosures

cc: Delgany, LLC
c/o Schnitzer West, LLC
Attn: Kyle Flippen
1050 17th Street, #1620
Denver, Colorado 80265
Email: kflippen@schnitzerwest.com
Phone: (303) 731-4610

3615 Delgany St Relinquishment

08/21/2020

Master ID: 2020-PROJMSTR-0000344 **Project Type:** ROW Relinquishment
Review ID: 2020-RELINQ-0000020 **Review Phase:**
Location: 3615 Delgany **Review End Date:** 07/21/2020

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

Reviewers Name: David Edwards
Reviewers Email: davidj.edwards@denvergov.org

Status Date: 07/22/2020
Status: Approved
Comments: PWPRS Project Number: 2020-RELINQ-0000020 - 3615 Delgany St
Reviewing Agency/Company: Asset Management DOF
Reviewers Name: David J Edwards
Reviewers Phone: 7209130889
Reviewers Email: davidj.edwards@denvergov.org
Approval Status: Approved

Comments:
Approved as per request and site plan of redevelopment

Status Date: 07/10/2020
Status: Approved
Comments:

Reviewing Agency: City Forester Review Review Status: Approved

Reviewers Name: Nick Evers
Reviewers Email: Nick.Evers@denvergov.org

Status Date: 07/21/2020
Status: Approved
Comments: Approved. No PRW tree conflict.

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

Status Date: 07/22/2020
Status: Approved - No Response
Comments:

Reviewing Agency: Denver Water Referral Review Status: Approved

Status Date: 07/22/2020
Status: Approved
Comments: PWPRS Project Number: 2020-RELINQ-0000020 - 3615 Delgany St
Reviewing Agency/Company: Denver Water
Reviewers Name: Gina Begly
Reviewers Phone: 303-628-6219
Reviewers Email: gina.begly@denverwater.org

Comment Report

3615 Delgany St Relinquishment

08/21/2020

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Review ID: 2020-RELINQ-0000020 **Review Phase:**
Location: 3615 Delgany **Review End Date:** 07/21/2020

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

Approval Status: Approved

Comments:

Reviewing Agency: Survey Review Review Status: Approved

Reviewers Name: Robert Castaneda
Reviewers Email: Robert.Castaneda@denvergov.org

Status Date: 08/21/2020
Status: Approved
Comments: PWPRS Project Number: 2020-RELINQ-0000020 - 3615 Delgany St
Reviewing Agency/Company: DOTI ROWS Survey
Reviewers Name: Scott Castaneda
Reviewers Phone: 720-913-4521
Reviewers Email: robert.castaneda@denvergov.org
Approval Status: Approved

Comments:
Exhibit and legal description were revised.

Status Date: 07/22/2020
Status: Denied
Comments: PWPRS Project Number: 2020-RELINQ-0000020 - 3615 Delgany St
Reviewing Agency/Company: DOTI ROWS Survey
Reviewers Name: Scott Castaneda
Reviewers Phone: 7209134521
Reviewers Email: robert.castaneda@denvergov.org
Approval Status: Denied

Comments:
Please see submitted redlines for additional comments.

Attachment: 2020-RELINQ-0000020 1st Submittal Survey Redlines.pdf

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

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

Status Date: 07/22/2020
Status: Comments Compiled
Comments:

Status Date: 06/30/2020
Status: Confirmation of Payment
Comments:

Reviewing Agency: Denver Fire Department Review Review Status: Approved

Comment Report

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08/21/2020

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Location: 3615 Delgany **Review End Date:** 07/21/2020

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

Reviewers Name: Rich Tenorio
Reviewers Email: Richard.tenorio@denvergov.org

Status Date: 07/22/2020
Status: Approved
Comments: PWPRS Project Number: 2020-RELINQ-0000020 - 3615 Delgany St
Reviewing Agency/Company: Denver Fire Department
Reviewers Name: Rich Tenorio
Reviewers Phone: 720.633.3222
Reviewers Email: richard.tenorio@denvergov.org
Approval Status: Approved

Comments:

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

Reviewers Name: Rebecca Dierschow
Reviewers Email: Becca.Dierschow@denvergov.org

Status Date: 07/22/2020
Status: Approved - No Response
Comments:

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

Status Date: 07/22/2020
Status: Approved - No Response
Comments:

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

Status Date: 07/22/2020
Status: Approved - No Response
Comments:

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

Status Date: 07/22/2020
Status: Approved - No Response
Comments:

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

Reviewers Name: Emily McKee
Reviewers Email: Emily.McKee@denvergov.org

Status Date: 07/09/2020
Status: Approved
Comments:

Comment Report

3615 Delgany St Relinquishment

08/21/2020

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Location: 3615 Delgany **Review End Date:** 07/21/2020

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

Reviewing Agency: Construction Engineering Review Review Status: Approved

Reviewers Name: Porames Saejiw
Reviewers Email: Joe.Saejiw@denvergov.org

Status Date: 07/17/2020
Status: Approved
Comments:

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

Reviewers Name: Emily Gloeckner
Reviewers Email: Emily.Gloeckner@denvergov.org

Status Date: 07/22/2020
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: 07/22/2020
Status: Approved - No Response
Comments:

Reviewing Agency: CenturyLink Referral Review Status: Approved w/Conditions

Status Date: 08/07/2020
Status: Approved w/Conditions
Comments: PWPRS Project Number: 2020-RELINQ-0000020 - 3615 Delgany St
Reviewing Agency/Company: CenturyLink
Reviewers Name: Stephanie Canary
Reviewers Phone: 3524258763
Reviewers Email: stephanie.canary@centurylink.com
Approval Status: Approved with conditions

Comments:
CenturyLink Engineer R.Davis has No Objection to the Easement Vacate. Standard CenturyLink advisories apply.

Attachment: Letter of No Objection Vacate P829820.pdf

Status Date: 07/22/2020
Status: Denied
Comments: PWPRS Project Number: 2020-RELINQ-0000020 - 3615 Delgany St
Reviewing Agency/Company: CenturyLink
Reviewers Name: Stephanie Canary
Reviewers Phone: 3524258763
Reviewers Email: stephanie.canary@centurylink.com
Approval Status: Denied

Comment Report

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08/21/2020

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Comments:

CenturyLink Engineer Robert Davis Objects to the Vacates. Centurylink currently has facilities on these properties that are being forced to underground on a temporary basis, without compensation. In addition to the forced relocate, a new easement for a future build would probably be needed.

Attachment: Letter of Objection P829820.pdf

Status Date: 07/22/2020
Status: Denied
Comments: PWPRS Project Number: 2020-RELINQ-0000020 - 3615 Delgany St
Reviewing Agency/Company: CenturyLink
Reviewers Name: Glady Zeilstra
Reviewers Phone: 480-560-0404
Reviewers Email: Glady.Zeilstra@CenturyLink.com
Approval Status: Denied

Comments:

Contact Glady.Zeilstra@CenturyLink.com

REDLINES uploaded to E-review webpage

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

Status Date: 07/22/2020
Status: Approved
Comments: PWPRS Project Number: 2020-RELINQ-0000020 - 3615 Delgany St
Reviewing Agency/Company: Public Service Company of Colorado (PSCo) dba Xcel Energy
Reviewers Name: Donna George
Reviewers Phone: 303-571-3306
Reviewers Email: donna.l.george@xcelenergy.com
Approval Status: Approved

Comments:

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

Status Date: 07/22/2020
Status: Approved - No Response
Comments:

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

Reviewers Name: Leah Dawson
Reviewers Email: Leah.Dawson@denvergov.org

Status Date: 07/22/2020
Status: Approved - No Response
Comments:

Reviewing Agency: DES Transportation Review **Review Status:** Approved

Comment Report

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08/21/2020

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Location: 3615 Delgany **Review End Date:** 07/21/2020

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

Reviewers Name: Mindy Decker
Reviewers Email: Mindy.Decker@denvergov.org

Status Date: 07/21/2020
Status: Approved
Comments: PWPRS Project Number: 2020-RELINQ-0000020 - 3615 Delgany St
Reviewing Agency/Company: DOTI/Development Engineering Services-Transportation
Reviewers Name: Mindy Decker
Reviewers Phone: 720-865-3216
Reviewers Email: mindy.decker@denvergov.org
Approval Status: Approved

Comments:

Reviewing Agency: DES Wastewater Review Review Status: Approved

Reviewers Name: Kelsey Kijowski
Reviewers Email: Kelsey.Kijowski@denvergov.org

Status Date: 06/30/2020
Status: Approved
Comments: Relinquishment of this PNEE has been approved since it was for a prior development that did not move forward and therefore is no longer needed. This project ("The Current") has a new PNEE that will cover all of the new proposed, applicable facilities.

Reviewing Agency: ERA Transportation Review Review Status: Approved

Reviewers Name: Steven Forvilly
Reviewers Email: steven.forvilly@denvergov.org

Status Date: 08/07/2020
Status: Approved
Comments: PWPRS Project Number: 2020-RELINQ-0000020 - 3615 Delgany St
Reviewing Agency/Company: DOTI ER-TRANS
Reviewers Name: Steven Forvilly
Reviewers Phone: 720-913-4533
Reviewers Email: steven.forvilly@denvergov.org
Approval Status: Approved

Comments:

Status Date: 07/15/2020
Status: Approved w/Conditions
Comments: Please submit documentation that an easement will remain for the existing sanitary sewer and overhead utilities in the vacated alley.

Reviewing Agency: ERA Wastewater Review Review Status: Approved

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

Comment Report

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08/21/2020

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Status Date: 07/15/2020
Status: Approved
Comments:

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

Status Date: 07/22/2020
Status: Approved - No Response
Comments:

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

Status Date: 07/22/2020
Status: Approved - No Response
Comments: