

BILL/ RESOLUTION REQUEST

- 1. Title:** Grants permanent easements and temporary license agreement related to the ART Hotel, which is to be located at 1201 Broadway in Council District 10.
- 2. Requesting Agency:** Department of Finance
- 3. Contact Person *with actual knowledge of proposed ordinance***
 - Name:**Jeffrey Steinberg
 - Phone:**720-865-7505
 - Email:**Jeffrey.steinberg@denvergov.org
- 4. Contact Person *with actual knowledge of proposed ordinance who will present the item at Mayor Council and who will be available for first and second reading, if necessary***
 - Name:**Jeffrey Steinberg
 - Phone:**720-865-7505
 - Email:**Jeffrey.steinberg@denvergov.org
- 5. Describe the proposed ordinance, including what the proposed ordinance is intended to accomplish, who's involved**
 - a. Scope of Work**

This ordinance would grant the developer of 1201 Broadway the following an exclusive permanent easements, non-exclusive permanence easements and temporary licenses in order to construct the project. Please find the following:

North and South Air Rights Easement: This would grant the Grantee (the developer of the project) exclusive air space easements for the purpose of allowing a portion of the project's building structure to occupy air space above land owned by the City and County of Denver.

Mechanical Equipment Pad Easement: This would grant the Grantee (the developer of the Project) and its Permittees, an exclusive easement for an area adjacent to the northern elevation of the Cultural Center Garage, for the purpose of locating and operating mechanical equipment that will serve the project.

Foundation/Column Easement: this would grant the Grantee (the developer of the project) and its Permittees, an exclusive easement on, over and across the a portion of land owned by the City and County of Denver for the purpose of accommodating the reconfiguration of foundation and column spacing for the Existing Garage entrance located on Broadway.

This ordinance would grant the developer of 1201 Broadway the following non-exclusive permanent easements:

Pedestrian Easement: This would grant the Grantee (the developer of the project) and its Permittees non-exclusive easements for pedestrian ingress and egress for access to the Existing Garage located on Broadway.

Mechanical Pad Access Easement. This would grant the Grantee (the developer of the project) and its Permittees a non-exclusive easement on, over, under and across the land that contains the Mechanical Equipment that services the project for the purpose of maintaining, replacing and repairing the mechanical equipment located in the Mechanical Pad Easement area.

This ordinance would grant the developer the following temporary licenses:

Temporary Construction Staging License. This temporary, exclusive license would allow the Grantee (the developer of the project) to use property owned by the City and County of Denver for the purpose of coordinating and staging the construction of the project improvements on the Benefited Property. The property is located adjacent to the project.

Temporary Closure License. This temporary, non-exclusive license would allow the developer to close certain drive lanes and pedestrian access to the existing parking garage entrance located on Broadway during construction of the project for the safety of the general public, guests and invitees of Grantor or the City the City and County of Denver.

b. Duration

Temporary Licenses would expire on 12/15/2015. The Permanent Easements would exist indefinitely.

c. Location

1201 Broadway

d. Affected Council District

10

e. Benefits

Allows the project to be built

f. Costs

n/a

6. Is there any controversy surrounding this ordinance, groups or individuals who may have concerns about it? Please explain.

No.

Bill Request Number: BR13-0682

Date: 10/1/2013