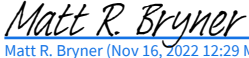


REQUEST FOR ORDINANCE TO RELINQUISH AN EASEMENT

TO: Ivone Avila-Ponce, City Attorney's Office

FROM: Matt R. Bryner, PE, Director, Right of Way Services 
Matt R. Bryner (Nov 16, 2022 12:29 MST)

PROJECT NO: 2022-RELINQ-0000023

DATE: 11/14/2022

SUBJECT: Request for an Ordinance to relinquish the easement in its entirety as established in the Ordinance No. 107, Series of 1985. Located at 3300 Blake Street.

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

This office has investigated the request of Harris Kocher Smith, dated October 12, 2022 on behalf of CP VII Blake, 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: Development 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).

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

MB:bw

cc: City Councilperson & Aides
City Council Staff – Luke Palmisano
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

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: November 14, 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 the easement in its entirety as established in the Ordinance No. 107, Series of 1985. Located at 3300 Blake Street.

3. Requesting Agency: DOTI: Right of Way Services; 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: Brianne White	Name: Jason Gallardo
Email: Brianne.white@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 the easement in its entirety as established in the Ordinance No. 107, Series of 1985. Located at 3300 Blake Street.

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

7. City Council District: Council Person 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: 2022-RELINQ-0000023 - 3300 Blake Street Relinquishment

Property Owner: CP VII Blake, LLC c/o Jeff Panek

Description of Proposed Project: Request for an Ordinance to relinquish the easement in its entirety as established in the Ordinance No. 107, Series of 1985. Located at 3300 Blake Street. The applicant is proposing to develop the property.

Background: The easement was originally reserved to accommodate telephone lines that were either never put in place or are no longer in place.

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/doti
Phone: 720-865-3003

1-3

BY AUTHORITY

ORDINANCE NO. 107
SERIES OF 1985

COUNCIL BILL NO. 96
COMMITTEE OF REFERENCE:
PUBLIC WORKS

A B I L L

FOR AN ORDINANCE VACATING A CERTAIN PART OF THE SYSTEM OF THOROUGHFARES OF THE MUNICIPALITY: I.E., VACATING OF PORTION OF 33RD STREET LYING BETWEEN BLAKE STREET AND WALNUT STREET, SUBJECT TO CERTAIN RESERVATIONS.

WHEREAS, the Manager of Public Works of the City and County of Denver has found and determined that the public use, convenience and necessity no longer require that certain portion of that certain street in the system of thoroughfares of the municipality hereinafter described and, subject to approval by ordinance, has vacated the same with the reservations hereinafter set forth;

NOW, THEREFORE,

BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:

Section 1. That the action of the Manager of Public Works in vacating the following described portion of that certain street in the City and County of Denver and State of Colorado, to wit:

The northeasterly 4.73 feet of 33rd Street lying between the southeasterly line of Blake Street and the westerly line of Lot 16, Block 3, H. Witter's Addition to Denver, Colorado.

be and the same is hereby approved and the described portion of that certain street is hereby vacated and declared vacated;

PROVIDED, HOWEVER, said vacation shall be subject to the following conditions and reservations:

That easements be and are hereby retained to protect the utilities in the vacated street which utilities include telephone lines.

4150 3 .00

2-3

PASSED BY The Council March 4, 1985

Cathy Reynolds - President

APPROVED John S. Hynette ACTING MAYOR March 5 1985

ATTEST: [Signature] - Clerk and Recorder,
Ex-Officio Clerk of the
City and County of Denver

PUBLISHED IN The Daily Journal Feb. 22, 1985 Mar. 8, 1985

I have made the findings and determinations as set forth in the above and foregoing draft or form of a proposed Bill for an Ordinance, and subject to approval by Ordinance, have vacated and do hereby vacate the described street, subject to certain reservations, and request the Council of the City and County of Denver to approve such vacation, subject to certain reservations, by the enactment of an appropriate ordinance. I approve said draft or form of a proposed Bill for an Ordinance and recommend the introduction and passage thereof.

PREPARED By: Robert M. Kelly, Ass't. City Attorney, Feb. 12, 1985

REVIEWED By: Patricia Wells City Attorney 2/13 1985

SPONSORED By Council Member(s): _____ 1985



086465

03-8-85 PM 12:10

DENVER COUNTY
COUNTY CLERK
FELICIA MUFFIC

Ordinance No. 107 Series 19 85
Councilman's Bill No. 96

Meeting Date 2-19, 19 85
Read in full to the Board of Councilmen and
referred to the Committee on
Public Works

Committee report adopted and bill ordered
published.

Meeting Date 2-19, 19 85

Read by title and passed.

Meeting Date 3-4, 19 85

14 FEB 85 10:41