

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: 2021-RELINQ-0000011

DATE: July 22, 2021

SUBJECT: Request for an Ordinance to relinquish the Permanent Stormwater, Permanent Public Access, Permanent Right-of-Way Area, and permanent Non-Exclusive Easement (PNEE) for wastewater easements in their entirety as established in the Easement Agreement, Recordation No. **2021090422**. Located at 2720 South Federal Boulevard.

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

This office has investigated the request of Sustainable Design Build, c/o Mike McCarty, dated June 29, 2021 on behalf of CO Investment, LLC for the relinquishment of the subject easement(s).

This matter has been coordinated with the City and County of Denver, Division of Real Estate, and found these were recorded in error.

As a result, it has been determined that these easements must be relinquished.

Therefore, you are requested to initiate Council action to relinquish the easement(s) as described in Recordation No. 2021090422

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

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
DOF, Division of Real Estate – David Edwards

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: July 22, 2021

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 Permanent Stormwater, Permanent Public Access, Permanent Right-of-Way Area, and permanent Non-Exclusive Easement (PNEE) for wastewater easements in their entirety as established in the Easement Agreement, Recordation No. **2021090422**. Located at 2720 South Federal Boulevard.

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: 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 the Permanent Stormwater, Permanent Public Access, Permanent Right-of-Way Area, and permanent Non-Exclusive Easement (PNEE) for wastewater easements in their entirety as established in the Easement Agreement, Recordation No. **2021090422**. Located at 2720 South Federal Boulevard.

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

7. City Council District: Councilperson Clark, District 7

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 (A)</i>	<i>Additional Funds (B)</i>	<i>Total Contract Amount (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

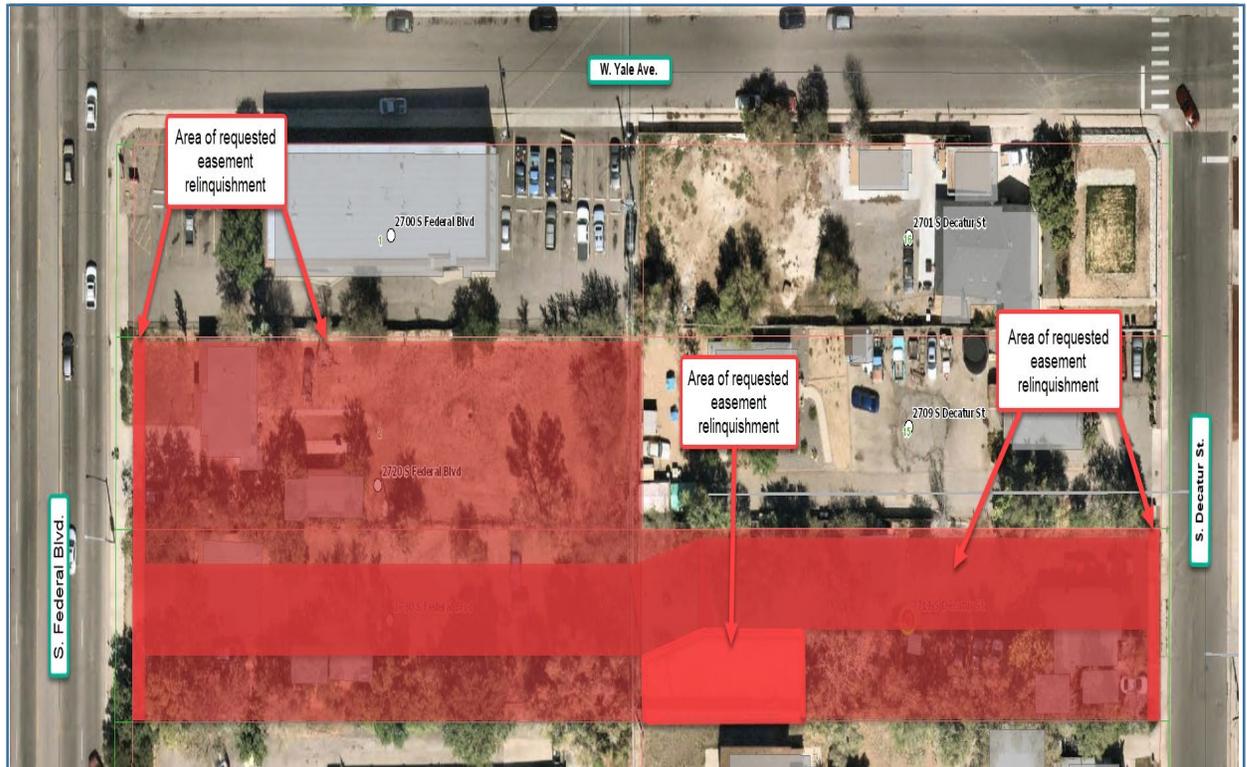
Project Title: 2021-RELINQ-0000011 - 2720-2730 S Federal Blvd and 2711 S Decatur St

Property Owner: CO Investment, LLC

Description of Proposed Project: Requesting that the Permanent Easement for Stormwater, Permanent Easement for Public Access, Permanent Easement for Right-of-Way Area, and Permanent Non-Exclusive easement for wastewater, in their entirety, as established in Recordation No. 2021090422, as they were recorded in error.

Background: The City provided the standard easement and dedication documents to the Grantor. The Grantor had prepared easement documentation other than the provided/approved easement language. The Grantor signed and recorded these documents without the City's approval. Additionally, the easement for the public right-of-way area needs to be a Special Warranty Deed for right-of-way. The Grantor has agreed to sign the City provided and approved documents to correct this error.

Location Map: Continued on next page.



City and County of Denver Department of Transportation & Infrastructure
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