


## REQUEST FOR ORDINANCE TO RELINQUISH AN EASEMENT

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

**FROM:** Glen Blackburn, PE, Director, Right of Way Services 

**PROJECT NO:** 2024-RELINQ-0000004

**DATE:** May 16, 2024

**SUBJECT:** Request for an Ordinance to relinquish a portion of the easement established in the Easement and Indemnity Agreement, Recordation No. 9900187774, 1999. Located at 4602 South Syracuse 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 Angela Hygh, dated February 22, 2024 on behalf of East Union Avenue Owner, LLC for the relinquishment of the subject easement.

This matter has been coordinated with Asset Management; City Forester; Comcast; Denver Water; DOTI ROWS Survey; Denver Fire Department; Historic Preservation/Landmark; Metro Water Recovery; Emergency Management; Parks & Recreation; DOTI ROWS Construction Engineering; DOTI Policy and Planning; DOTI Sign & Stripe; CenturyLink; Xcel Energy; City Councilperson Romero Campbell, District 4; CPD DS Project Coordinator; DOTI ROWS DES Transportation and Wastewater; DOTI ROWS ERA Transportation and Wastewater; RTD; and CDOT, all of whom have indicated no objection to the proposed easement relinquishment.

As a result of these 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 easement in the following described area:

### INSERT PARCEL DESCRIPTION 2024-RELINQ-0000004-001 HERE

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

GB:je

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 – Nicholas Williams  
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/rowplanreview](http://www.denvergov.org/rowplanreview)  
Phone: (720) 865-3003

# ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor's Legislative Team  
at [MileHighOrdinance@DenverGov.org](mailto:MileHighOrdinance@DenverGov.org) by 9 a.m. Friday. Contact the Mayor's Legislative team with questions

Date of Request: May 16, 2024

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.)

Approves the request from East Union Avenue Owner, LLC, for an Ordinance to relinquish a portion of the easement established in the Easement and Indemnity Agreement, Recordation No. 9900187774, 1999. Located at 4602 South Syracuse Street.

## 3. Requesting Agency: Department of Transportation & Infrastructure, Right-of-Way Services, Engineering & Regulatory

## 4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution (e.g., subject matter expert)	Contact person for council members or mayor-council
Name: Jessica Eusebio	Name: Nicholas Williams
Email: <a href="mailto:Jessica.Eusebio@denvergov.org">Jessica.Eusebio@denvergov.org</a>	Email: <a href="mailto:Nicholas.Williams@denvergov.org">Nicholas.Williams@denvergov.org</a>

## 5. General description or background of proposed request. Attach executive summary if more space needed:

Request for an Ordinance to relinquish a portion of the easement established in the Easement and Indemnity Agreement, Recordation No. 9900187774, 1999. Located at 4602 South Syracuse Street.

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

## 7. City Council District: Councilperson Romero Campbell, District 4

## 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 (including any dba's):

Contract control number (legacy and new):

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?

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*To be completed by Mayor's Legislative Team:*

Resolution/Bill Number: \_\_\_\_\_

Date Entered: \_\_\_\_\_

## EASEMENT RELINQUISHMENT EXECUTIVE SUMMARY

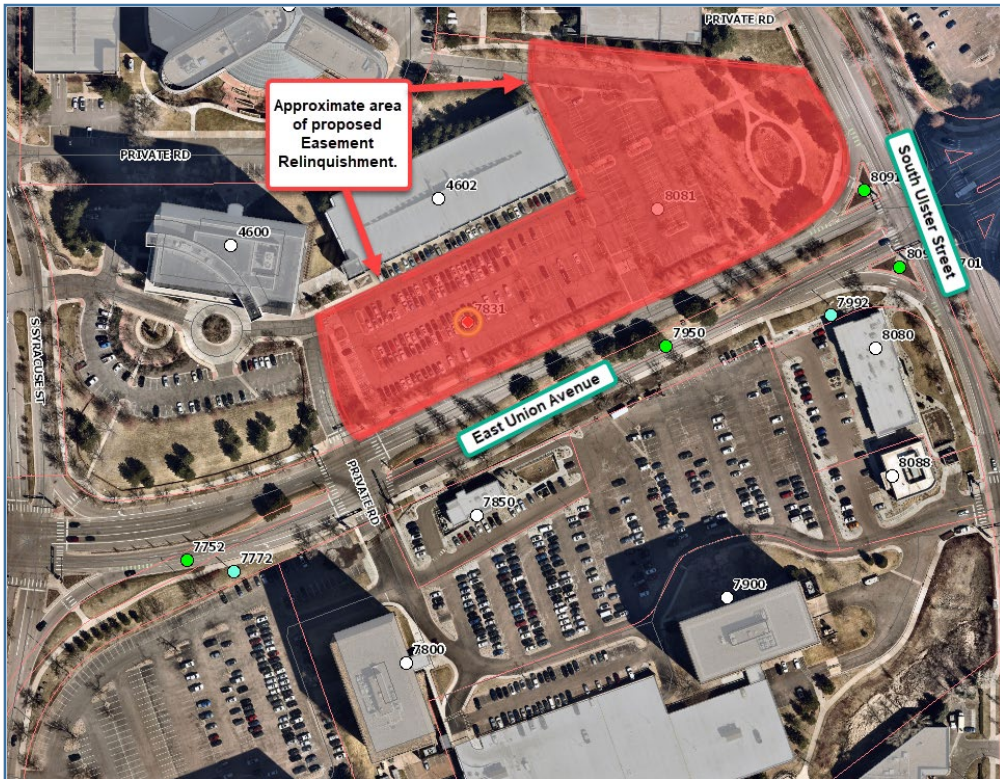
**Application Title:** 2024-RELINQ-0000004 - 4602 S. Syracuse St and 7831 E. Union Ave

**Property Owner:** East Union Avenue Owner, LLC

**Description of Proposed Easement Relinquishment:** Proposing to relinquish a portion of the easement established in the Easement and Indemnity Agreement, Recordation No. 9900187774, 1999. Located at 4602 South Syracuse Street.

**Project Background:** The applicant is seeking to relinquish a portion of the easement to allow for development of the area. There are new Permanent Non-Exclusive Easements (PNEE) in place for the utilities that are still located in the area.

### 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/rowplanreview](http://www.denvergov.org/rowplanreview)  
Phone: (720) 865-3003

EXHIBIT A  
"PROPERTY"  
LAND DESCRIPTION  
PAGE 1 OF 2

2024-RELINQ-0000004-001

LAND DESCRIPTION

A PARCEL OF LAND LOCATED IN THE DENVER TECHNOLOGICAL CENTER IN THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 5 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 9; THENCE S60°11'36"E A DISTANCE OF 1,352.24 FEET TO THE SOUTHERLY LINE OF THE HYATT REGENCY; THENCE ALONG SAID SOUTHERLY LINE S89°45'35"E A DISTANCE OF 363.54 FEET TO A POINT OF CURVATURE; THENCE CONTINUING ALONG SAID SOUTHERLY LINE, 358.99 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 244.00 FEET, A CENTRAL ANGLE OF 84°17'54", AND A CHORD WHICH BEARS N48°05'28"E A DISTANCE OF 327.48 FEET; THENCE DEPARTING SAID SOUTHERLY LINE, S84°03'30"E A DISTANCE OF 137.44 TO THE POINT OF BEGINNING; THENCE CONTINUING S84°03'30"E A DISTANCE OF 396.95 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF SOUTH ULSTER STREET; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) CONSECUTIVE COURSES: 1) 42.82 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 1567.02 FEET, A CENTRAL ANGLE OF 01°33'56" AND A CHORD WHICH BEARS S25°57'28"E A DISTANCE OF 42.82 FEET; 2) THENCE S25°10'30"E A DISTANCE OF 49.71 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SOUTH UNION STREET PARKWAY AS RECORDED IN BOOK 29 AT PAGE 56; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) CONSECUTIVE COURSES: 1) 159.44 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO RIGHT HAVING A RADIUS OF 101.50 FEET; A CENTRAL ANGLE OF 90°00'00" AND A CHORD WHICH BEARS S19°49'30"W A DISTANCE OF 143.54 FEET; 2) THENCE S64°49'30"W A DISTANCE OF 715.96 FEET; THENCE 11.42 FEET ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 24.50 FEET, A CENTRAL ANGLE OF 26°42'52" AND A CHORD WHICH BEARS N48°50'45"W A DISTANCE OF 11.32 FEET; THENCE N25°11'32"W A DISTANCE OF 19.80 FEET TO A POINT OF CURVATURE; THENCE 27.24 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 110.00 FEET, A CENTRAL ANGLE OF 14°11'18" AND A CHORD WHICH BEARS N18°05'52"W A DISTANCE OF 27.17 FEET; THENCE N11°00'13"W A DISTANCE OF 119.50 FEET; THENCE N64°49'30"E A DISTANCE OF 418.83 FEET; THENCE N25°10'30"W A DISTANCE OF 176.21 FEET; THENCE N05°56'30"E A DISTANCE OF 58.35 FEET TO THE POINT OF BEGINNING.

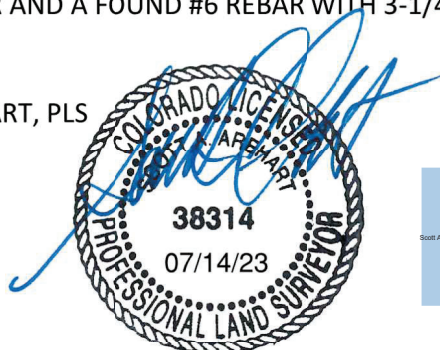
PARCEL CONTAINS 4.268 ACRES OR 185,934 SQUARE FEET MORE OR LESS.

ALL LINEAL DIMENSIONS ARE IN U.S. SURVEY FEET.

BASIS OF BEARINGS

BEARINGS ARE BASED ON THE EASTERLY LINE OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 5 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO ASSUMED TO BEAR N00°18'51"E AND BEING MONUMENTED BY A FOUND 3-1/4" ALUMINUM CAP IN RANGE BOX PLS #11544 AT THE SOUTH QUARTER CORNER AND A FOUND #6 REBAR WITH 3-1/4" ALUMINUM CAP PLS #22103 AT THE CENTER QUARTER CORNER.

PREPARED BY SCOTT A. AREHART, PLS  
FOR AND ON BEHALF OF  
MARTIN/MARTIN, INC.  
12499 WEST COLFAX AVENUE  
LAKEWOOD, CO 80215  
JULY 14, 2023  
JOB NO. 20.1344  
303-431-6100



# EXHIBIT A

"PROPERTY"  
ILLUSTRATION  
PAGE 2 OF 2

W1/4 SEC 9, T5S, R67W, 6TH P.M.  
ESTABLISHED FROM REFERENCE MONUMENTS  
FOUND 3-1/4" ALUM. CAP PLS #22103  
ON #6 REBAR 190' W.C.  
NORTH OF CORNER AND A  
FOUND 3-1/4" ALUM. CAP PLS #24673  
ON #6 REBAR 170' W.C.  
WEST OF CORNER  
(P.O.C. ZONE LOT 2)

C1/4 COR. SEC. 9,  
T5S, R67W, 6TH P.M.  
FOUND #6 REBAR W/  
3-1/4" ALUM. CAP  
0.3' BELOW GRADE PLS #22103

S60°11'36"E 1352.24'  
(THE LINE)

HYATT REGENCY  
(REC. #2021069344)  
Δ=84°17'55"  
R=244.00'  
L=358.99'  
CH=N48°05'29"E  
327.48'

TR REGENCY PLAZA LLC  
(REC. #2019124337)

Δ=1°33'56"  
R=1567.02'  
L=42.82'  
CH=S25°57'28"E  
42.82'

S84°03'30"E 137.44'  
P.O.B.  
ZONE LOT 2  
S84°03'30"E 396.95'

SOUTH ULSTER STREET  
(BK. 29, PG. 56)  
(BASIS OF BEARINGS) N00°18'51"E 2647.63'  
EASTERLY LINE SW1/4, SEC. 9, T5S, R67W, 6TH P.M.

S89°45'35"E 363.54'

ZONE LOT 1

N64°49'30"E 418.83'

ZONE LOT 2

N11°00'13"W 119.50'  
Δ=14°11'18"  
R=110.00'  
L=27.24'  
CH=N18°05'52"W  
27.17'

S64°49'30"W 715.96'  
EAST UNION AVENUE  
(BK. 29, PG. 56)

Δ=90°00'00"  
R=101.50'  
L=159.44'  
CH=S19°49'30"W  
143.54'

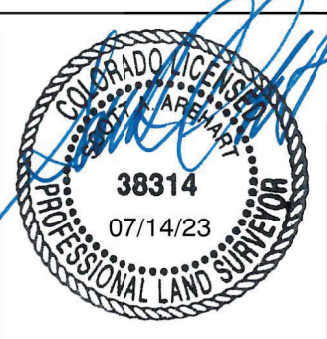
N25°11'32"W 19.80'

Δ=26°42'52"  
R=24.50'  
L=11.42'  
CH=N48°50'45"W  
11.32'

S1/4 COR. SEC. 9,  
T5S, R67W, 6TH P.M.  
FOUND 3-1/4" ALUM. CAP  
IN RANGE BOX PLS #11544



SCALE: 1"=200'  
ALL LINEAL  
DIMENSIONS ARE IN  
U.S. SURVEY FEET



P.O.C. = POINT OF COMMENCEMENT  
P.O.B. = POINT OF BEGINNING

JULY 14, 2023



12499 WEST COLFAX AVENUE, LAKEWOOD, COLORADO 80215  
MAIN 303.431.6100 MARTINMARTIN.COM

DRAWING LOCATION: G:\SURVEY\201344-4600 S. Syracuse Street\SURVEY\Exhibits\PNEE\PNEE - Exhibit A.dwg

THIS EXHIBIT DOES NOT REPRESENT A  
MONUMENTED LAND SURVEY. IT IS ONLY  
TO DEPICT THE ATTACHED DESCRIPTION.