


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-0000014

DATE: September 10, 2021

SUBJECT: Request for an Ordinance to relinquish the sanitary sewer Covenant in its entirety established in Book 9742, Page 643. Located at 2150 South Monaco Street Parkway.

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

This office has investigated the request of FDG Monaco Associates, LLC, dated June 29, 2021 on behalf of FDG Monaco Associates, LLC c/o Kristen Link for the relinquishment of the subject easement(s).

This matter has been coordinated with City Councilperson Black, District 4; Asset Management; Emergency Management; Community Planning & Development: Planning 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: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

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: September 10, 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.)

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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 sanitary sewer Covenant in its entirety established in Book 9742, Page 643. Located at 2150 South Monaco Street Parkway.

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

7. City Council District: City Councilperson Black, 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:

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-0000014 - Monaco and Evans Kmart Redevelopment - 2150 S Monaco

Property Owner: FDG Monaco Associates, LLC

Description of Proposed Project: The covenant that allowed for a single sanitary sewer connection to be placed at 2150 South Monaco Street Parkway needs to be relinquished in order for the property to be redeveloped into a subdivision.

Background: The existing sanitary sewer will be abandoned in place and new sewer lines will be relocated and redesigned as part of the redevelopment of this property.

Location Map: Continued on next page.



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/dotj
Phone: 720-865-3003

C O V E N A N T

THIS COVENANT, made and entered into by COOGAN & WALTERS, a general partnership, the record title owner of the real property described below, hereinafter referred to as the Owner.

W I T N E S S E T H

WHEREAS, Coogan & Walters, a general partnership, is the owner of certain real property described below, upon which is to be constructed one building unit; and

WHEREAS, the owner has requested permission from the City and County of Denver to make a single sanitary sewer connection to the described property, rather than individual connections; and

WHEREAS, the City is willing to permit such single sanitary sewer connection, upon condition that the owner make, execute and record this Covenant;

NOW THEREFORE, in consideration of the granting by the City and County of Denver of a permit for a single sanitary sewer connection serving one building unit located on the real property described below, the owner covenants as follows:

1. That the real property covered by this Covenant is described as follows:

A parcel of land located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29, Township 4 South, Range 67 West of the 6th P.M., and more particularly described as follows:

Beginning at a point on the North line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$, said point being 1014.41 feet East of the Northwest corner of said SW $\frac{1}{4}$ NE $\frac{1}{4}$;
 thence Southerly and parallel to the West line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ 40.00 feet to the True Point of Beginning;
 thence continuing Southerly and parallel to the West line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ 636.00 feet to a point;
 thence Westerly and parallel to the North line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ 954.67 feet to a point on the East right of way line of South Monaco Parkway;
 thence on a right deflection angle of 90°54'51" and along said East right of way line 436.05 feet to a point;
 thence Easterly and parallel to the North line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ 200.00 feet to a point;
 thence Northerly and parallel to the West line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ 200.00 feet to a point that is 40.00 feet South of the North line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ and 748.04 feet Westerly of the True Point of Beginning;
 thence Easterly and parallel to the North line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ 748.04 feet to the True Point of Beginning;

City and County of Denver, State of Colorado.

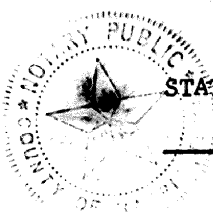
2. That the owner will construct and maintain the said sanitary sewer connection and lines serving the described property to the point of connection with the sanitary sewer line of the City and County of Denver.

3. That the owner will not sell, transfer, or convey the described real property except as a single unit, and this Covenant shall run with the land.

IN WITNESS WHEREOF, this instrument has been executed as of this 11th day of May, A.D. 1967.

COOGAN & WALTERS

By Roland Walters
General Partner



STATE OF Texas
COUNTY OF Harris } ss.

The foregoing instrument was acknowledged before me this 11th day of May, A.D. 1967, by Roland WALTERS, as a general partner of COOGAN & WALTERS, a general partnership.

WITNESS my hand and official seal.

My commission expires: June 1, 1967

Ray Kelso
Notary Public

APPROVED:

William G. ...
Manager of Public Works

Ed ...
City Engineer

George L. Smith
Deputy City Engineer for Waste Water Control

W. N. ...
Deputy City Attorney

JUN-8-67 77409

F. J. SERAFINI
CLERK AND RECORDER

RECORDED 19742 643

JUN 8 11 40 AM '67

STATE OF COLORADO
CITY & COUNTY
OF DENVER
FILED BY OFFICE ON

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