



**Department of Public Works**  
Engineering Regulatory & Analytics  
201 W. Colfax Avenue, Dept. 507  
Denver, CO 80202  
720-865-3001  
[www.denvergov.org/survey](http://www.denvergov.org/survey)

## **REQUEST FOR ORDINANCE TO RELINQUISH EASEMENT**

**TO:** Caroline Martin, City Attorney's Office

**FROM:** Matt Bryner  
Acting Director, Public Works Right of Way Services

**PROJECT NO:** 2017-RELINQ-0000021

**DATE:** July 5, 2019

**SUBJECT:** Request for an Ordinance to relinquish the easement, in its entirety, established in Vacating Ordinance No. 20170391, Series of 2017. Located near W 4<sup>th</sup> Ave. and Kalamath St.

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

This office has investigated the request of Nicholas Sutcliffe, dated September 5, 2017 on behalf of 337 Kalamath Partners LLC for the relinquishment of said easements.

This matter has been checked by this office and has been coordinated with Asset Management; Comcast; the City Councilperson; CPD: Planning Services; Historic Preservation/Landmark; Denver Water; Denver Fire Department; City Forestry; Parks and Recreation; Engineering, Regulatory, and Analytics Transportation and Wastewater; Public Works: Construction Engineering; Public Works – Policy and Planning; Metro Wastewater Reclamation District; Survey; CenturyLink; and Xcel Energy, all of whom have returned our questionnaires indicating their agreement.

As a result of the 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 easements in the following described area(s):

### **INSERT PARCEL DESCRIPTION 2017-RELINQ-0000021-001 HERE**

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

MB:bp

cc:  
City Councilperson & Aides – Councilman Jolon Clark,  
District 7  
City Council Staff – Zach Rothmier  
Department of Law – Brent Eisen  
Department of Law – Deanne Durfee  
Public Works, Manager's Office – Alba Castro  
Public Works, Legislative Services – Sarah Stanek  
Public Works, Survey – Paul Rogalla

**ORDINANCE/RESOLUTION REQUEST**

Please email requests to Sarah Stanek

at [Sarah.Stanek@DenverGov.org](mailto:Sarah.Stanek@DenverGov.org) by **12:00pm on Monday**. Contact her with questions.

Date of Request: July 5, 2018

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.)

Denver Design Build, LLC c/o Jeff Gates requests for an Ordinance to relinquish the easement, in its entirety, established in Vacating Ordinance No. 20170391, Series of 2017. Located near W 4<sup>th</sup> Ave. and Kalamath St.

**3. Requesting Agency:** Public Works; Engineering, Regulatory & Analytics

**4. Contact Person:**

Contact person with knowledge of proposed ordinance/resolution	Contact person to present item at Mayor-Council and Council
Name: Brittany Pirtle	Name: Sarah Stanek
Email: <a href="mailto:Brittany.Pirtle@denvergov.org">Brittany.Pirtle@denvergov.org</a>	Email: <a href="mailto:Sarah.Stanek@denvergov.org">Sarah.Stanek@denvergov.org</a>

**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, established in Vacating Ordinance No. 20170391, Series of 2017. Located near W 4<sup>th</sup> Ave. and Kalamath St.

**6. City Attorney assigned to this request (if applicable):** Brent Eisen

**7. City Council District:** District 7, Councilman Jolon Clark

**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?

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

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

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

# EASEMENT RELINQUISHMENT EXECUTIVE SUMMARY

**Project Title:** 2017-RELINQ-0000021, 1098 W. 4th Ave - formerly 337 Kalamath

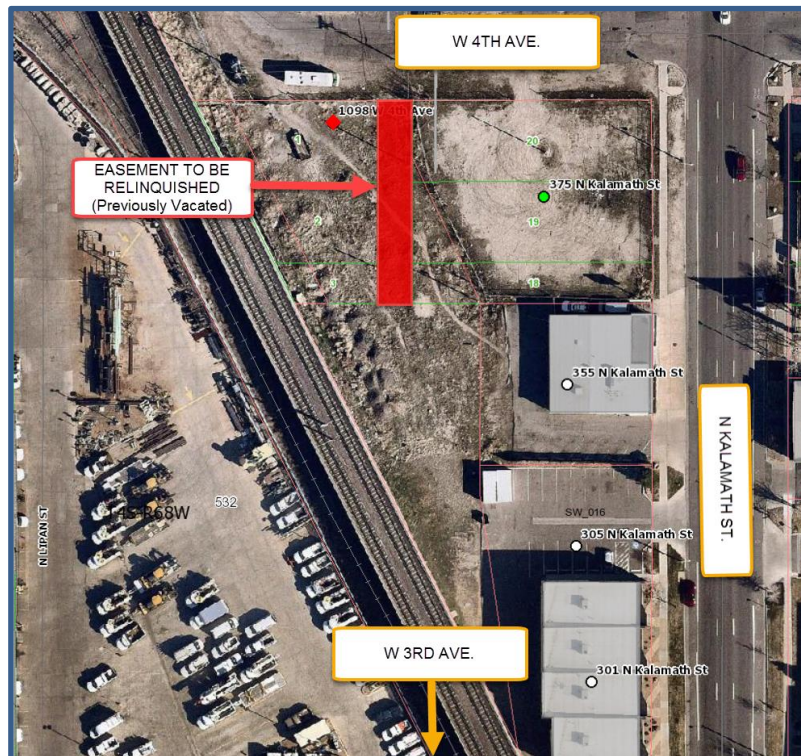
**Owner name:** 337 Kalamath Partners LLC

**Description of Proposed Project:** Request for an Ordinance to relinquish the easement, in its entirety, established in Vacating Ordinance No. 20170391, Series of 2017. Located near W 4<sup>th</sup> Ave. and Kalamath St.

**Explanation of why the public right-of-way must be utilized to accomplish the proposed project:** Owner is pursuing development of an office building.

**Background:** A buried sanitation line will be relocated at the direction of the Wastewater Management Division. The owner also worked with Xcel Energy to establish an easement for the overhead powerlines which will remain; it was recorded on 7/21/2017 with Recordation No. 2017095391.

## Location Map:



# EXHIBIT "A" LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 9, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO BEING THE 20 FOOT WIDE ALLEY WITHIN BLOCK 12 OF SUMNER'S ADDITION TO DENVER FILED FOR RECORD MAY 21, 1872 DULY RECORDED IN ARAPAHOE COUNTY BOOK OF PLATS, PAGE 35.

S:\JOBS\2016\161002\DWG\EXHIBIT\161002\_ALLEY-EXHIBIT.dwg

PREPARED BY:   
JEFFREY J. MACKENNA P.L.S. 34183 DATE: 01/10/2017  
FOR FALCON SURVEYING, INC.



# ILLUSTRATION FOR EXHIBIT

SITUATED IN THE NE 1/4, SECTION 9, T4S, R68W, OF THE 6TH P.M.  
CITY AND COUNTY OF DENVER, STATE OF COLORADO

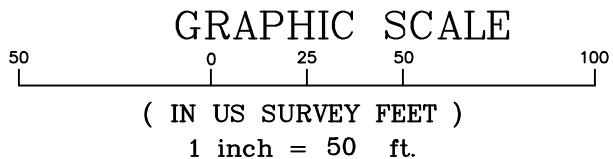
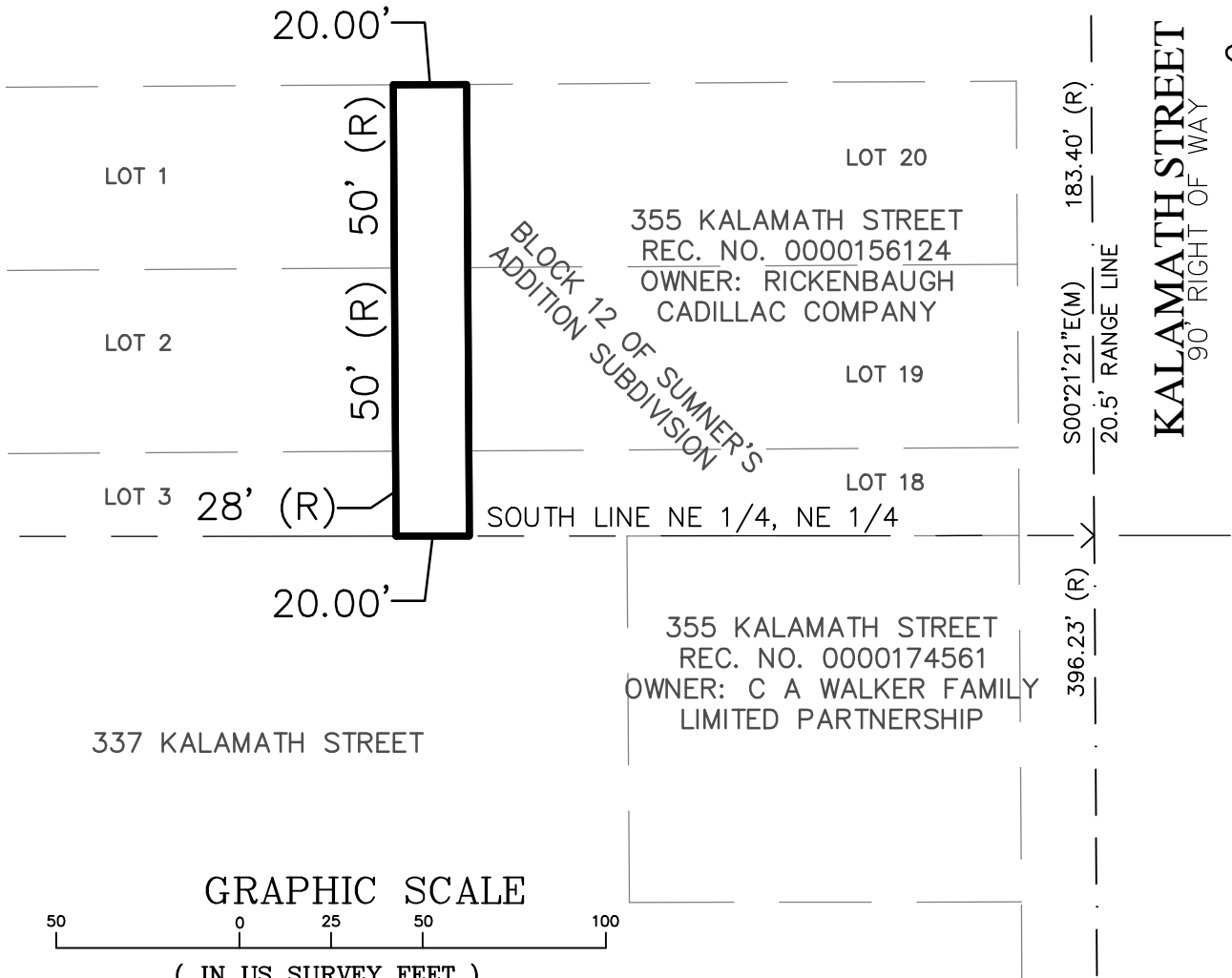
BLOCK 5 OF SUMNER'S  
ADDITION SUBDIVISION  
424 LIPAN STREET  
REC. NO. 2014129410  
OWNER: BADA KONASANA  
LLC

BLOCK 5 OF SUMNER'S  
ADDITION SUBDIVISION  
401 KALAMATH STREET  
REC. NO. 0000011675  
OWNER: ROCKY MOUNTAIN JOE INC

20' RANGE LINE  
N00°21'05"W(M)  
580.50'(R)

20.5' RANGE LINE      360'(R)      N89°39'21"E(M)

**WEST 4TH AVENUE**  
80' RIGHT OF WAY



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