


## 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:** 2020-RELINQ-0000023

**DATE:** September 28, 2020

**SUBJECT:** Request for an Ordinance to relinquish a portion of the Sanitary and Storm Sewer Easement of Tract A, as established in the Permanent Non-exclusive Easement with Recordation No. 2017098407. Located at South Market Place between South Broadway and South Bannock 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 Kimley-Horn c/o Dennis Sobeiski, dated June 8, 2020 on behalf of Denver Broadway Station, Ltd. c/o Daniel Campbell for the relinquishment of the subject easement(s).

This matter has been coordinated with City Councilperson Clark, District 7; Asset Management; Emergency Management; Community Planning & Development: Planning Services; Historic Preservation/Landmark; Denver Water; Denver Fire Department; City Forester; Parks and Recreation; DOTI: ER Transportation and Wastewater, DES Transportation & Wastewater, Construction Engineering, Policy and Planning, TES Signing and Striping, Survey; 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).

Therefore, you are requested to initiate Council action to relinquish the easement(s) in the following described area(s):

### INSERT PARCEL DESCRIPTION 2020-RELINQ-0000023-01 HERE

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

MB:dp



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

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## ORDINANCE/RESOLUTION REQUEST

Please email requests to Jason Gallardo

at [Jason.Gallardo@denvergov.org](mailto:Jason.Gallardo@denvergov.org) by **12:00pm on Monday**. Contact him with questions.

Date of Request: September 28, 2020

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 a portion of the Sanitary and Storm Sewer Easement of Tract A, as established in the Permanent Non-exclusive Easement with Recordation No. 2017098407. Located at South Market Place between South Broadway and South Bannock Street.

### 3. Requesting Agency: Department of Transportation and Infrastructure; 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: Devin Price	Name: Jason Gallardo
Email: <a href="mailto:devin.price@denvergov.org">devin.price@denvergov.org</a>	Email: <a href="mailto:Jason.Gallardo@denvergov.org">Jason.Gallardo@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 Sanitary and Storm Sewer Easement of Tract A, as established in the Permanent Non-exclusive Easement with Recordation No. 2017098407. Located at South Market Place between South Broadway and South Bannock Street.

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

### 7. City Council District: Councilman 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?**

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

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

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

## **EASEMENT RELINQUISHMENT EXECUTIVE SUMMARY**

**Project Title:** 2020-RELINQ-0000023 - Broadway Station Filing 2 Partial Relinquishment

**Property Owner:** Denver Broadway Station, Ltd. c/o Daniel Campbell

**Description of Proposed Project:** Request for an Ordinance to relinquish a portion of the Sanitary and Storm Sewer Easement of Tract A, as established in the Permanent Non-exclusive Easement with Recordation No. 2017098407. Located at South Market Place between South Broadway and South Bannock Street.

**Background:** There is an existing sanitary sewer main within this portion of Tract A and there is an SUDP concurrently under review to remove these facilities. These facilities are no longer needed to support the project.

**Location Map:** Continued on next page



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Right-of-Way Services / Engineering & Regulatory  
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# EXHIBIT "A"

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 4 SOUTH,  
RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN,  
CITY AND COUNTY OF DENVER, STATE OF COLORADO

SHEET 1 OF 2

## LAND DESCRIPTION

A PORTION OF TRACT A, BROADWAY STATION FILING NO. 1, RECORDED ON MAY 25, 2017 AT RECEPTION NO. 2017068642, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 15 TO BEAR NORTH 00°44'36" WEST, A DISTANCE OF 2647.73 FEET BETWEEN A FOUND 3.25" BRASS CAP STAMPED "JF SATO & ASSOC. T4S R68W 1/4 S15 S22 2017 PLS 37056 2017" IN RANGE BOX AT THE SOUTH QUARTER CORNER OF SECTION 15 AND A FOUND STONE WITH DIVOT IN RANGE BOX AT THE CENTER QUARTER CORNER OF SECTION 15, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT SAID SOUTH QUARTER CORNER OF SECTION 15; THENCE NORTH 17°20'21" WEST, A DISTANCE OF 790.41 FEET TO THE SOUTHWESTERLY CORNER OF LOT 2, BLOCK 2, BROADWAY STATION FILING NO. 1 AND THE POINT OF BEGINNING;  
THENCE SOUTH 89°41'57" WEST, A DISTANCE OF 60.00 FEET TO A POINT ON THE EASTERLY LINE OF LOT 1, BLOCK 3, BROADWAY STATION FILING NO. 1; THENCE ALONG SAID EASTERLY LINE, NORTH 00°02'50" WEST, A DISTANCE OF 310.39 FEET TO THE NORTHEASTERLY CORNER OF SAID LOT 1, BLOCK 3; THENCE NORTH 89°57'10" EAST, A DISTANCE OF 60.00 FEET TO A POINT ON THE WESTERLY LINE OF SAID LOT 2, BLOCK 2; THENCE ALONG SAID WESTERLY LINE, SOUTH 00°02'50" EAST, A DISTANCE OF 310.12 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 18,615 SQ. FT. OR 0.43 ACRES, MORE OR LESS.

I, JOHN B. GUYTON, A LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY STATE FOR AND ON BEHALF OF FLATIRONS, INC., THAT THIS PARCEL DESCRIPTION AND ATTACHED EXHIBIT, BEING MADE A PART THEREOF, WERE PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE AT THE REQUEST OF THE CLIENT AND IS NOT INTENDED TO REPRESENT A MONUMENTED LAND SURVEY OR SUBDIVIDE LAND IN VIOLATION OF STATE STATUTE.

JOHN B. GUYTON  
COLORADO P.L.S. #16406  
CHAIRMAN/CEO, FLATIRONS, INC.



JOB NUMBER: 19-72,024  
DRAWN BY: M. LUND  
DATE: SEPTEMBER 10, 2020

THIS IS NOT A "LAND SURVEY PLAT" OR "IMPROVEMENT SURVEY PLAT" AND THIS EXHIBIT IS NOT INTENDED FOR PURPOSES OF TRANSFER OF TITLE OR SUBDIVISIONS OF LAND. RECORD INFORMATION SHOWN HEREON IS BASED ON INFORMATION PROVIDED BY CLIENT.

**Flatirons, Inc.**  
Land Surveying Services



4501 LOGAN ST.  
DENVER, CO 80216  
PH: (303) 936-6997  
FAX: (303) 923-3180

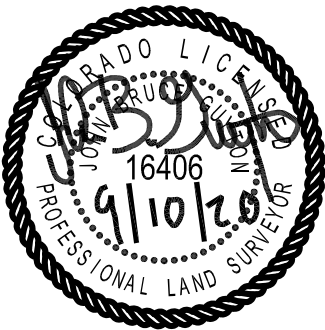
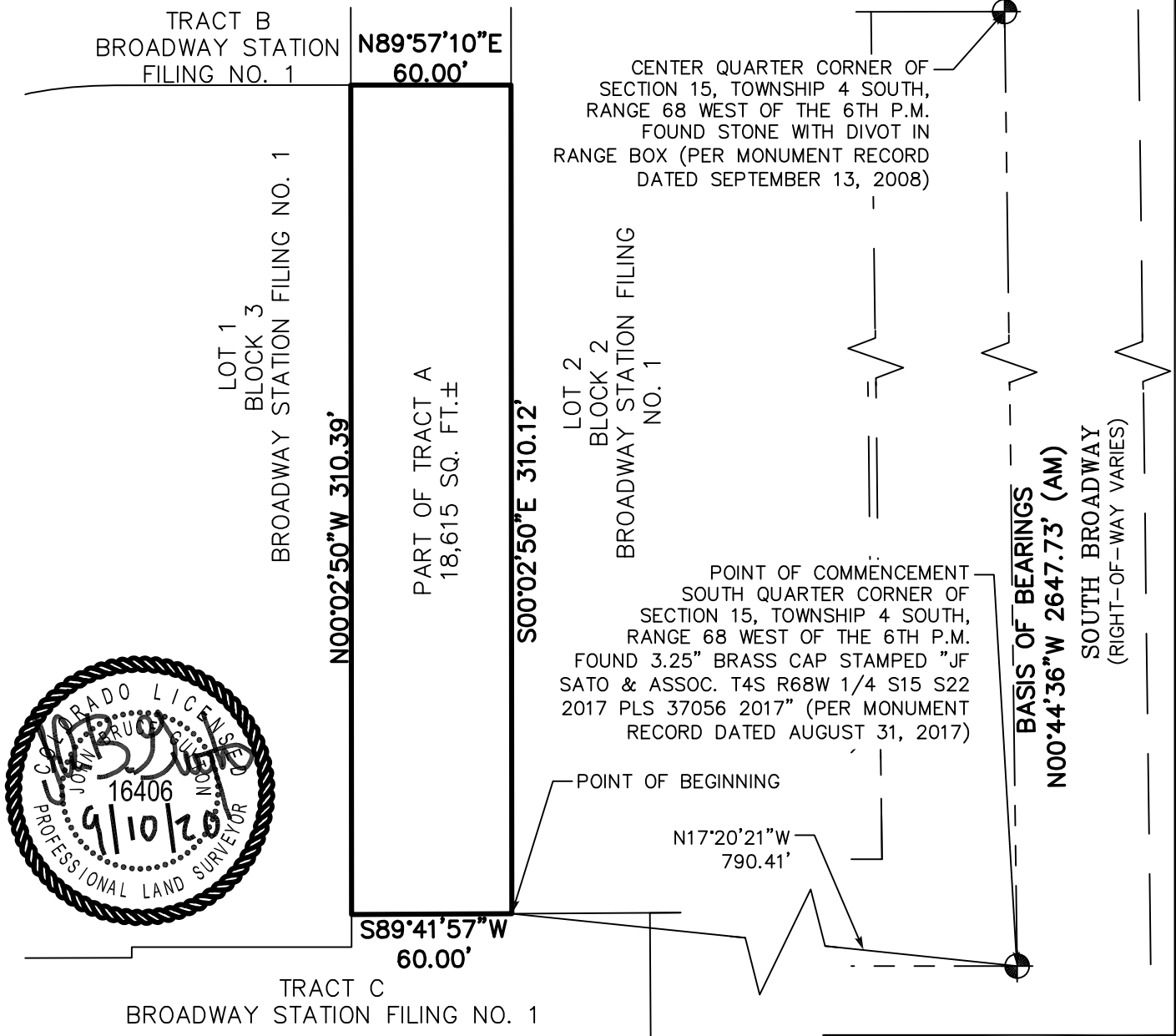
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SHEET 2 OF 2



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