



Department of Public Works
Engineering Regulatory & Analytics
201 W. Colfax Avenue, Dept. 507
Denver, CO 80202
720-865-3001
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-0000012

DATE: June 21, 2018

SUBJECT: Request for an Ordinance to relinquish one (1) portion of the easements conveyed in the Permanent Easement document recorded on March 3, 2015 with Reception No. 2015026592, located at South Broadway from Arizona Ave. to Kentucky Ave. The portion to relinquish from the Permanent Easement with Reception No. 2015026592 is PE-118B.

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

This office has investigated the request of Bill Silberstein, dated May 12, 2017 on behalf of Broadway Station Partners, LLC c/o Lisa Ingle 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-0000012-001 HERE

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

MB:bp

cc:
City Councilperson & Aides
City Council Staff – Zach Rothmier
Department of Law – Brad Beck
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 the Angela Casias

at angela.casias@DenverGov.org by **12:00pm on Monday**. Contact the her with questions

Date of Request: June 21, 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.)

Request for an Ordinance to relinquish one (1) portion of the easements conveyed in the Permanent Easement document recorded on March 3, 2015 with Reception No. 2015026592, located at South Broadway from Arizona Ave. to Kentucky Ave. The portion to relinquish from the Permanent Easement with Reception No. 2015026592 is PE-118B.

3. Requesting Agency: PW Right of Way Services; 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: Brittany.Pirtle@denvergov.org	Email: Sarah.Stanek@denvergov.org

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

Request for an Ordinance to relinquish one (1) portion of the easements conveyed in the Permanent Easement document recorded on March 3, 2015 with Reception No. 2015026592, located at South Broadway from Arizona Ave. to Kentucky Ave. The portion to relinquish from the Permanent Easement with Reception No. 2015026592 is PE-118B.

6. City Attorney assigned to this request (if applicable): Adam Hernandez

7. City Council District: District 7, 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?

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____

EASEMENT RELINQUISHMENT EXECUTIVE SUMMARY

Project Title: 2017-RELINQ-0000012, Broadway Station at S Broadway - Arizona Ave to Kentucky Ave

Owner name: Broadway Station Partners, LLC c/o Lisa Ingle

Description of Proposed Project: Request for an Ordinance to relinquish one (1) portion of the easements conveyed in the Permanent Easement document recorded on March 3, 2015 with Reception No. 2015026592, located at South Broadway from Arizona Ave. to Kentucky Ave. The portion to relinquish from the Permanent Easement with Reception No. 2015026592 is PE-118B.

Explanation of why the public right-of-way must be utilized to accomplish the proposed project: The customer is developing the property in conjunction with the development of adjoining Broadway Station.

Background: The proposed development of adjoining Broadway Station has not started and the utility plan for the property has changed, making portion PE-118B of the Permanent Easement document with Reception No. 2015026592 no longer needed.

Location Map:



CITY AND COUNTY OF DENVER
STATE OF COLORADO
PERMANENT EASEMENT ACQUISITION
CITY AND COUNTY OF DENVER PROJECT CE-93007

EXHIBIT "A"
PE-118B
NOVEMBER 27, 2012

A Permanent Easement No. PE-118B of the City and County of Denver, State of Colorado, Project Number CE-93007, containing 668 square feet or 0.015 acre, more or less, within a parcel of land as described as "PARCEL 2I" by Deed at Reception No. 2009115337, records of the City and County of Denver, State of Colorado, in the Southwest Quarter of Section 15, Township 4 South, Range 68 West, of the Sixth Principal Meridian, City and County of Denver, Colorado, said temporary easement being more particularly described as follows:

Bearings are based upon the east line of said Southwest Quarter of Section 15, as monumented by a stone with a notch in a range box at the north end and monumented by a 3.25-inch brass cap stamped "Greiner Eng, 1/4, 15/22, LS 19611, 1986" at the south end, said east line is assumed to bear North 00°44'35" West;

Commencing at the southeast corner of said parcel of land described as "PARCEL 2I", also being the intersection of the westerly right-of-way line of South Broadway (width varies) and the northerly right-of-way line of Mississippi Avenue (width varies), whence said 3.25-inch brass cap bears South 51°35'20" East a distance of 64.48 feet;

Thence North 00°44'35" West along the east line of said parcel of land described as "PARCEL 2I" a distance of 100.01 feet;

Thence departing said east line the following ten (10) courses:

- 1) North 89°55'53" West a distance of 3.00 feet;
- 2) North 00°44'35" West a distance of 189.48 feet to a point of tangency;
- 3) 143.30 feet along the arc of a curve to the left, having a radius of 1432.00 feet, through a central angle of 5°44'01", to a point of tangency;
- 4) North 06°28'36" West a distance of 110.00 feet to a point of tangency;
- 5) 51.88 feet along the arc of a curve to the right, having a radius of 3367.50 feet, through a central angle of 0°52'58", to a point of non-tangency;
- 6) South 89°41'57" West a distance of 2.15 feet;
- 7) North 05°32'41" West a distance of 8.11 feet;
- 8) North 45°18'03" West a distance of 33.72 feet;
- 9) South 89°41'57" West a distance of 19.44 feet to the **Point of Beginning**;

Thence the following four (4) courses:

- 1) South 00°18'03" East a distance of 33.42 feet;
- 2) South 89°53'44" West a distance of 20.00 feet;
- 3) North 00°18'03" West a distance of 33.35 feet;
- 4) North 89°41'57" East a distance of 20.00 feet to the **Point of Beginning**;

The above described Permanent Easement contains 668 square feet or 0.015 acre, more or less.

Exhibit attached and by this reference made a part hereof.

The purpose of the permanent easement described above is for utilities and their appurtenances.

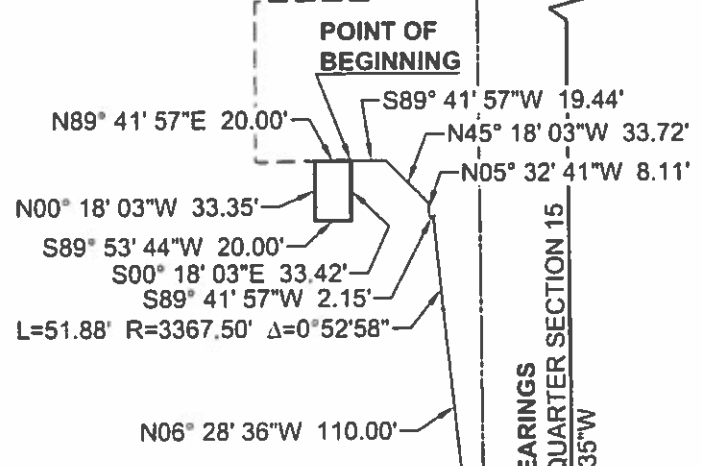
I, Lyle G. Bissegger, a Professional Land Surveyor in the State of Colorado, do hereby state that the above legal description and attached exhibit were prepared under my responsible charge, and on the basis of my knowledge, information and belief are correct.

For and on behalf of Nolte Associates, Inc.



Lyle G. Bissegger, PLS 38038
8000 South Chester Street, Suite 200
Centennial, CO 80112

CENTER QUARTER CORNER
 SEC. 15, T.4S., R.68W., 6TH P.M.
 STONE WITH NOTCH IN A RANGE BOX



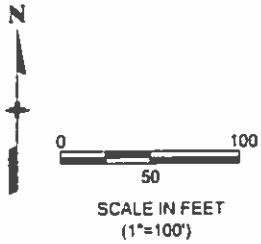
NOTE: Records are per City and County of Denver records unless noted otherwise.

This exhibit does not represent a monumented survey. It is intended only to depict the attached description.

Parcel contains: 668 square feet or 0.015 acre, more or less.

REC. NO. 2009115337

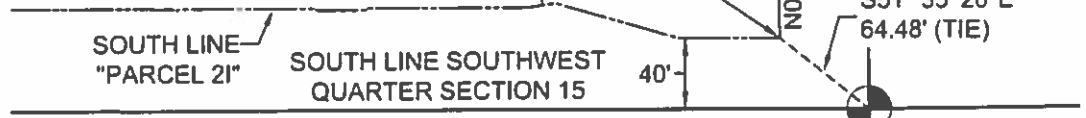
SECTION 15
 T.4S., R.68W.
 6TH P.M.



DENVER
 THE MILE HIGH CITY

MISSISSIPPI AVENUE
 (R.O.W. VARIES)

POINT OF COMMENCEMENT



QUARTER CORNER COMMON TO
 SEC. 15 AND 22, T.4S., R.68W., 6TH P.M.
 3.25-INCH BRASS CAP STAMPED
 "GREINER ENG, 1/4, 15/22, LS 19611, 1986"
 IN A MONUMENT BOX

SECTION 22
 T.4S., R.68W.
 6TH P.M.



8000 S Chester Street Suite 200 Centennial, CO 80112
 303.220.6400 TEL 303.220.9001 FAX WWW.NV5.COM

EXHIBIT FOR LEGAL DESCRIPTION
 CE-93007 BROADWAY FROM ARIZONA TO EXPOSITION & I-25
 PE-118B

Prepared for: City and County of Denver

Date submitted: xx/xx/2012

PAGE NUMBER
3
 OF 3 PAGES
 JOB NUMBER
 DVB0383

2010-0165-WR