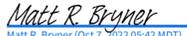


REQUEST FOR ORDINANCE TO RELINQUISH AN EASEMENT

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

FROM: Matt R. Bryner, PE, Director, Right of Way Services 
Matt R. Bryner (Oct 7, 2022 05:42 MDT)

PROJECT NO: 2022-RELINQ-0000019

DATE: September 15, 2022

SUBJECT: Request for an Ordinance to relinquish a portion of (2) two separate easements as established in Vacating Ordinance No. 580, Series of 1976 and in the Agreement, Recordation No. 1958049537. Located at 1300 Walnut 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 Harris Kocher Smith, c/o Ben Satterwhite, dated May 13, 2022 on behalf of Paradise Investment Properties, LLC for the relinquishment of the subject easement(s).

This matter has been coordinated with City Councilperson CdeBaca, District 9; Asset Management; Emergency Management; Community Planning & Development: Development 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; 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).

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

INSERT PARCEL DESCRIPTION 2022-RELINQ-0000019-001 HERE
INSERT PARCEL DESCRIPTION 2022-RELINQ-0000019-002 HERE

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 – 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 – 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 15, 2022

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 (2) two separate easements as established in Vacating Ordinance No. 580, Series of 1976 and in the Agreement, Recordation No. 1958049537. Located at 1300 Walnut Street.

3. Requesting Agency: Department of Transportation & Infrastructure, Engineering & 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 a portion of (2) two separate easements as established in Vacating Ordinance No. 580, Series of 1976 and in the Agreement, Recordation No. 1958049537. Located at 1300 Walnut Street.

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

7. City Council District: Councilperson CdeBaca, District 9

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: 2022-RELINQ-0000019 - Speer Blvd and Market St Residential Tower

Property Owner: Paradise Investment Properties, LLC

Description of Proposed Project: The applicant is seeking to relinquish a portion of (2) two separate easements so that they may redevelop this area.

Background: The portion of these easements that lie within the subject property are no longer useful to the public due to current alignments of street right of ways and utility grids.

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/dotj
Phone: 720-865-3003

EXHIBIT "A"
LEGAL DESCRIPTION

A parcel of land being a portion of the alley in Block 242 of West Denver vacated by Ordinance No. 580, Series of 1976, situated the East Half of Section 33, Township 3 South, Range 68 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado, more particularly described as follows:

COMMENCING at the West Corner of said Block 242, from whence the Range Point at the intersection of the 20' Range Lines in Market Street and 14th Street bears North 62°45'45" East, a distance of 419.86 feet;
Thence North 59°36'42" East along the North Line of said Block 242, a distance of 132.00 feet to the West Corner of said alley and the **POINT OF BEGINNING**;
Thence continuing North 59°36'42" East along the North Line of said Block 242 extended Northeasterly, a distance of 8.25 feet to the West Corner of the parcel of land opened to the system of thoroughfares by Ordinance No. 209, Series of 1990, described as being part of Market Street and said Block 242;
Thence North 76°09'33" East along the South Line of said parcel, a distance of 8.61 feet to the Northeast Line of said alley;
Thence South 30°32'07" East along said Northeast Line, a distance of 179.12 feet to the Northeasterly Right-of-way Line of Speer Boulevard as described in said Ordinance No. 209, Series of 1990;
Thence North 51°59'36" West along said Northeasterly, a distance of 45.10 feet to the Southwest Line of said alley;
Thence North 30°32'07" West along said Southwest Line, a distance of 139.64 feet to the **POINT OF BEGINNING**.

Said Parcel contains 2,640 square feet or 0.06 acres, more or less.

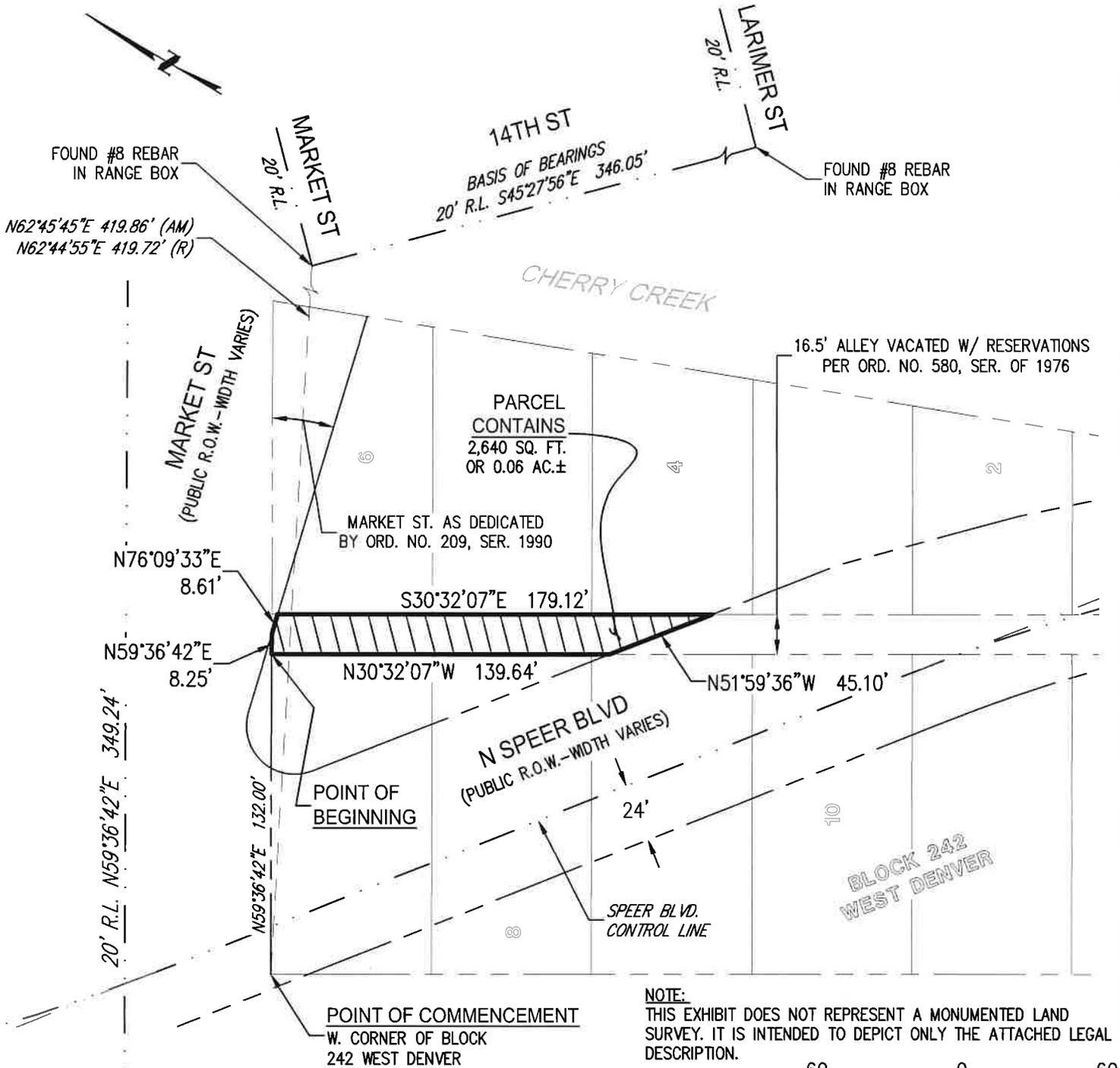
BASIS OF BEARINGS: Bearings are based on the 20-foot Range Line in 14th Street between Market Street and Larimer Street assumed to bear South 45°27'56" East; monumented by a #8 rebar in a range box at either end.

PREPARED BY: AARON MURPHY
PLS 38162
ON BEHALF OF: HARRIS KOCHER SMITH
1120 LINCOLN STREET, SUITE 1000
DENVER, CO 80203



EXHIBIT

SITUATED IN THE EAST 1/2 OF SECTION 33, TOWNSHIP 3 SOUTH,
RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO.



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

(AM) = AS-MEASURED DIMENSION
(R) = RECORD DIMENSION



SCALE: 1" = 60'

FILED IN: 2019 SURVEYING AND LAYOUT
BY: JEREMY FELDER

NO CHANGES ARE TO BE MADE TO THIS DRAWING WITHOUT WRITTEN PERMISSION OF HARRIS KOCHER SMITH.

ISSUE DATE: 8/8/2019	PROJECT #: 180609
DATE	REVISION COMMENTS

EXHIBIT

EASEMENT
RELINQUISHMENT

HKS HARRIS KOCHER SMITH
1120 Lincoln Street, Suite 1000
Denver, Colorado 80203
P: 303.623.6300 F: 303.623.6311
HarrisKocherSmith.com

CHK'D BY: AWM
DRAWN BY: TWG

SHEET NO.
1
OF 1

EXHIBIT "A"
LEGAL DESCRIPTION

A parcel of land being a portion of the Access Easement recorded in Book 8148 at Page 93 of the records of the Clerk and Recorder of The City and County of Denver, situated in the South Half of Lot 8, Block 242 of the Plat of West Denver, in the East Half of Section 33, Township 3 South, Range 68 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado, more particularly described as follows:

COMMENCING at the West Corner of said Block 242, from whence the Range Point at the intersection of the 20' Range Lines in Market Street and 14th Street bears North 62°45'45" East, a distance of 419.86 feet;

Thence South 79°56'05" East, a distance of 152.90 feet to the intersection of the North Line of the South Half of said Lot 8 with the Northeast Line of Speer Boulevard, and the **POINT OF BEGINNING**;

Thence North 59°36'26" East, a distance of 15.91 feet to the North Corner of the South Half of said Lot 8;

Thence along the perimeter of said Lot 8 the following two (2) courses:

- 1) South 30°32'07" East, a distance of 33.00 feet;
- 2) South 59°36'26" West, a distance of 2.93 feet to said Northeast Line of Speer Boulevard;

Thence North 51°59'36" West along said Northeast Line, a distance of 35.49 feet to the **POINT OF BEGINNING**.

Said Parcel contains 311 square feet or 0.01 acres, more or less.

BASIS OF BEARINGS: Bearings are based on the 20-foot Range Line in 14th Street between Market Street and Larimer Street assumed to bear South 45°27'56" East; monumented by a #8 rebar in a range box at either end.

PREPARED BY: AARON MURPHY
PLS 38162
ON BEHALF OF: HARRIS KOCHER SMITH
1120 LINCOLN STREET, SUITE 1000
DENVER, CO 80203



