

REQUEST FOR ORDINANCE TO RELINQUISH EASEMENT

TO: Caroline Martin, City Attorney's Office

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

PROJECT NO: 2019-RELINQ-0000010

DATE: January 13, 2020

SUBJECT: Request for an Ordinance to relinquish **one of the** easements, **in its entirety** established in the Vacation Ordinance No. **102**, Series of **1923**. Located at 4290 Brighton Blvd.

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

This office has investigated the request of Brownstein Hyatt Farber Schreck, dated November 11, 2019 on behalf of HCD RiNo Owner, 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 2019-RELINQ-0000010-01 HERE

A map of the area and a copy of the document creating the easement 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
- Public Works, Manager's Office – Alba Castro
- Public Works, Legislative Services – Jason Gallardo
- Public Works, Survey – Paul Rogalla

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: **January 13, 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: 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.)

Brownstein Hyatt Farber Schreck on behalf of HCD RiNo Owner, LLC request for an ordinance to relinquish one of the easements, in its entirety, as established in Ordinance No. 102, series of 1923. Located at 4290 N. Brighton Blvd.

3. Requesting Agency: Public Works 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 one of the easements, in its entirety, as established in Ordinance No. 102, series of 1923. Located at 4290 N. Brighton Blvd.

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

7. City Council District: CdeBaca, Council 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: 2019-RELINQ-0000010 4290 Brighton Blvd

Owner name: HCD RiNo Owner, LLC

Description of Proposed Project: Request for an ordinance to relinquish one of the easements, in its entirety, as established in Ordinance No. 102, series of 1923. Located at 4290 N. Brighton Blvd.

Explanation of why the public right-of-way must be utilized to accomplish the proposed project:
Redevelopment

Background: N/A

Location Map: Continued on next page.



EXHIBIT "A"

SHEET 1 OF 2

2019-RELINQ-0000010-001

LAND DESCRIPTION:

A PARCEL OF LAND LOCATED IN THE SOUTHEAST $\frac{1}{4}$ OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., BEING THE VACATED ALLEY (VACATED BY ORDINANCE NO. 102 SERIES 1923 IN BOOK 5999 AT PAGE 23 OF THE CITY AND COUNTY OF DENVER RECORDS) LOCATED IN BLOCK 14, ST. VINCENT'S ADDITION, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A CITY AND COUNTY OF DENVER RANGE POINT BEING A 2.5" DIAMETER ALLOY CAP STAMPED PLS 29425 IN A CITY AND COUNTY OF DENVER SURVEY RANGE BOX LOCATED IN BRIGHTON BOULEVARD AT THE INTERSECTION OF BRIGHTON BOULEVARD AND VACATED 43RD STREET; THENCE S38°41'41"E, 186.15 FEET TO THE MOST NORTHERLY CORNER OF SAID VACATED ALLEY BEING THE TRUE POINT OF BEGINNING; THENCE S44°48'31"E ALONG THE NORTHEASTERLY LINE OF SAID VACATED ALLEY, 16.00 FEET TO THE MOST EASTERLY CORNER OF SAID VACATED ALLEY; THENCE S44°58'33"W ALONG THE SOUTHEASTERLY LINE OF SAID VACATED ALLEY, 133.88 FEET TO THE MOST SOUTHERLY CORNER OF SAID VACATED ALLEY; THENCE N44°47'52"W ALONG THE SOUTHWESTERLY LINE OF SAID VACATED ALLEY, 16.00 FEET TO THE MOST WESTERLY CORNER OF SAID VACATED ALLEY; THENCE N44°58'33"E ALONG THE NORTHWESTERLY LINE OF SAID VACATED ALLEY, 133.87 FEET TO THE TRUE POINT OF BEGINNING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

THE ABOVE DESCRIBED PARCEL CONTAINS 2,142 SQUARE FEET OR 0.0492 ACRES MORE OR LESS.

BASIS OF BEARINGS: AN ASSUMED BEARING OF S44°58'33"W BEING A 20' RANGE LINE LOCATED IN BRIGHTON BOULEVARD BETWEEN TWO FOUND RANGE POINT MONUMENTS 1400.03 FEET APART. BOTH MONUMENTS BEING A 2.5" DIAMETER ALLOY CAP STAMPED PLS 29425 IN SURVEY RANGE BOXES; ONE AT THE INTERSECTION OF BRIGHTON BOULEVARD AND 40TH STREET AND THE OTHER AT THE INTERSECTION OF BRIGHTON BOULEVARD AND 43RD STREET.

DAMIEN CAIN PLS 38284
FOR AND ON BEHALF OF
39 NORTH ENGINEERING AND SURVEYING LLC
4495 HALE PARKWAY
SUITE 302
DENVER, CO 80220

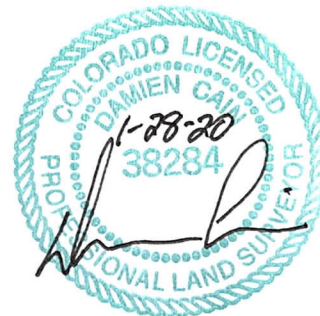


EXHIBIT "A"

SHEET 2 OF 2

RANGE POINT
FOUND 2.5" DIA. ALLOY
CAP STAMPED PLS 29425
IN SURVEY RANGE BOX
POINT OF BEGINNING

PLATTED 20' RANGE LINE
1400.03' A.M. (1400.00' REC.)
N44°58'33"E
BASIS OF BEARINGS

BRIGHTON BOULEVARD
R.O.W. VARIES

15' R.O.W. DEDICATION
REC. NO. 2016118077
(ORD NO. 2016
SERIES 0598)

VACATED ALLEY
ORD. 102
SERIES 1923
BK 5999 PG 23

RANGE POINT
FOUND 2.5" DIA. ALLOY
CAP STAMPED PLS 29425
IN SURVEY RANGE BOX



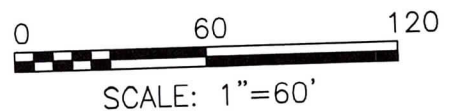
43RD STREET
80' R.O.W.
VACATED

80.00' VACATED
43RD STREET
ORD. 102
SERIES 1923
BK 5999 PG 23

TRUE POINT
OF BEGINNING

**BLOCK 14,
ST. VINCENT'S
ADDITION**

LINE TABLE		
LINE	LENGTH	BEARING
L1	16.00'	S44°48'31"E
L2	16.00'	N44°47'52"W



SHEET 2 OF 2

NOTE: THIS IS NOT A MONUMENTED LAND SURVEY