

## 575 E 20th Ave

02/23/2022

**Master ID:** 2020-PROJMSTR-0000639      **Project Type:** ROW Relinquishment  
**Review ID:** 2021-RELINQ-0000023      **Review Phase:**  
**Location:**      **Review End Date:** 10/06/2021

Any denials listed below must be rectified in writing to this office before project approval is granted.

Reviewing Agency: Asset Management Review      Review Status: Approved

Reviewers Name: Katherine Rinehart  
Reviewers Email: [Katherine.Rinehart@denvergov.org](mailto:Katherine.Rinehart@denvergov.org)

Status Date: 09/15/2021  
Status: Approved  
Comments:

Reviewing Agency: City Forester Review      Review Status: Approved

Reviewers Name: Nick Evers  
Reviewers Email: [Nick.Evers@denvergov.org](mailto:Nick.Evers@denvergov.org)

Status Date: 10/06/2021  
Status: Approved  
Comments: Approved. ROW not apart of relinquishment.

Reviewing Agency: Comcast Referral      Review Status: Approved - No Response

Status Date: 10/07/2021  
Status: Approved - No Response  
Comments:

Reviewing Agency: Denver Water Referral      Review Status: Approved

Status Date: 10/07/2021  
Status: Approved  
Comments: PWPRS Project Number: 2021-RELINQ-0000023 - 575 E 20th Ave  
Reviewing Agency/Company: Denver Water  
Reviewers Name: Gina Begly  
Reviewers Phone: 303-628-6219  
Reviewers Email: [gina.begly@denverwater.org](mailto:gina.begly@denverwater.org)  
Approval Status: Approved

Comments:

Reviewing Agency: Survey Review      Review Status: Approved

Reviewers Name: Jon Spirk  
Reviewers Email: [Jon.Spirk@denvergov.org](mailto:Jon.Spirk@denvergov.org)

Status Date: 02/23/2022  
Status: Approved  
Comments: PWPRS Project Number: 2021-RELINQ-0000023 - 575 E 20th Ave

# Comment Report

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02/23/2022

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**Location:**      **Review End Date:** 10/06/2021

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Reviewing Agency/Company: DOTI/ROWS/Survey  
Reviewers Name: JOHN CLARKE  
Reviewers Phone: 3036253253  
Reviewers Email: john.clarke@denvergov.org  
Approval Status: Approved

Comments:

Status Date: 10/06/2021  
Status: Denied  
Comments: Survey comments can be found in the REDLINES folder.

Reviewing Agency: Case Manager Review/Finalize      Review Status: Comments Compiled

Reviewers Name: Devin Price  
Reviewers Email: Devin.Price@denvergov.org

Status Date: 10/07/2021  
Status: Comments Compiled  
Comments:

Status Date: 09/22/2021  
Status: Confirmation of Payment  
Comments:

Reviewing Agency: Denver Fire Department Review      Review Status: Approved

Reviewers Name: Richard Tenorio  
Reviewers Email: Richard.Tenorio@denvergov.org

Status Date: 10/07/2021  
Status: Approved  
Comments: PWPRS Project Number: 2021-RELINQ-0000023 - 575 E 20th Ave  
Reviewing Agency/Company: Denver Fire Dept. / Fire Prevention Division  
Reviewers Name: Rich Tenorio  
Reviewers Phone: 720.633.3222  
Reviewers Email: richard.tenorio@denvergov.org  
Approval Status: Approved

Comments:  
Denver Fire Dept. Approved - RT

Status Date: 10/01/2021  
Status: Approved  
Comments: Denver Fire Dept. Approved - RT

Reviewing Agency: Landmark Review      Review Status: Approved - No Response

Reviewers Name: Becca Dierschow  
Reviewers Email: Becca.Dierschow@denvergov.org

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Status Date: 10/07/2021  
Status: Approved - No Response  
Comments:

Reviewing Agency: Metro Wastewater Referral      Review Status: Approved - No Response

Status Date: 10/07/2021  
Status: Approved - No Response  
Comments:

Reviewing Agency: Office of Emergency Management Referral      Review Status: Approved - No Response

Status Date: 10/07/2021  
Status: Approved - No Response  
Comments:

Reviewing Agency: Office of Emergency Management Referral      Review Status: Approved - No Response

Status Date: 10/07/2021  
Status: Approved - No Response  
Comments:

Reviewing Agency: Parks and Recreation Review      Review Status: Approved

Reviewers Name: Greg Neitzke  
Reviewers Email: Greg.Neitzke@denvergov.org

Status Date: 09/20/2021  
Status: Approved  
Comments:

Reviewing Agency: Construction Engineering Review      Review Status: Approved

Reviewers Name: Joe Saejiw  
Reviewers Email: joe.saejiw@denvergov.org

Status Date: 10/03/2021  
Status: Approved  
Comments:

Reviewing Agency: Policy and Planning Review      Review Status: Approved - No Response

Reviewers Name: Emily Gloeckner  
Reviewers Email: Emily.Gloeckner@denvergov.org

Status Date: 10/07/2021  
Status: Approved - No Response  
Comments:

Reviewing Agency: TES Sign and Stripe Review      Review Status: Approved - No Response

# Comment Report

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Any denials listed below must be rectified in writing to this office before project approval is granted.

**Reviewers Name:** Brittany Price  
**Reviewers Email:** Brittany.Price@denvergov.org

**Status Date:** 10/07/2021  
**Status:** Approved - No Response  
**Comments:**

**Reviewing Agency:** CenturyLink Referral      **Review Status:** Approved - No Response

**Status Date:** 10/07/2021  
**Status:** Approved - No Response  
**Comments:**

**Reviewing Agency:** Xcel Referral      **Review Status:** Approved

**Status Date:** 01/06/2022  
**Status:** Approved  
**Comments:** PWPRS Project Number: 2021-RELINQ-0000023 - 575 E 20th Ave  
Reviewing Agency/Company: Public Service Company of Colorado dba Xcel Energy  
Reviewers Name: Donna George  
Reviewers Phone: 13035713306  
Reviewers Email: donna.l.george@xcelenergy.com  
Approval Status: Approved

**Comments:**

**Status Date:** 10/07/2021  
**Status:** Denied  
**Comments:** PWPRS Project Number: 2021-RELINQ-0000023 - 575 E 20th Ave  
Reviewing Agency/Company: Public Service Company of Colorado (PSCo) dba Xcel Energy  
Reviewers Name: Donna George  
Reviewers Phone: 13035713306  
Reviewers Email: donna.l.george@xcelenergy.com  
Approval Status: Denied

**Comments:**

Please be aware PSCo owns and operates existing natural gas distribution facilities in this area, and requests that this pipeline is shown on the plans in relation to the non-exclusive easement area being relinquished.  
Thank you.

**Reviewing Agency:** City Councilperson and Aides Referral      **Review Status:** Approved - No Response

**Status Date:** 10/07/2021  
**Status:** Approved - No Response  
**Comments:**

**Reviewing Agency:** DS Project Coordinator Review      **Review Status:** Approved - No Response

# Comment Report

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Any denials listed below must be rectified in writing to this office before project approval is granted.

**Reviewers Name:** Sarah Kaplan  
**Reviewers Email:** Sarah.Kaplan@denvergov.org

**Status Date:** 10/07/2021  
**Status:** Approved - No Response  
**Comments:**

**Reviewing Agency:** DES Transportation Review      **Review Status:** Approved

**Reviewers Name:** Mindy Decker  
**Reviewers Email:** Mindy.Decker@denvergov.org  
**Status Date:** 10/07/2021  
**Status:** Approved  
**Comments:** PWPRS Project Number: 2021-RELINQ-0000023 - 575 E 20th Ave  
Reviewing Agency/Company: City & County of Denver/DOTI DES  
Reviewers Name: Mindy Decker  
Reviewers Phone: 7208653216  
Reviewers Email: mindy.decker@denvergov.org  
Approval Status: Approved

**Comments:**

**Status Date:** 10/06/2021  
**Status:** Approved  
**Comments:** PWPRS Project Number: 2021-RELINQ-0000023 - 575 E 20th Ave  
Reviewing Agency/Company: City & County of Denver/DOTI DES  
Reviewers Name: Mindy Decker  
Reviewers Phone: 7208653216  
Reviewers Email: mindy.decker@denvergov.org  
Approval Status: Approved

**Comments:**

**Reviewing Agency:** DES Wastewater Review      **Review Status:** Approved

**Reviewers Name:** Danny Harris  
**Reviewers Email:** danny.harris@denvergov.org

**Status Date:** 10/06/2021  
**Status:** Approved  
**Comments:**

**Reviewing Agency:** RTD Referral      **Review Status:** Approved

**Status Date:** 10/07/2021  
**Status:** Approved  
**Comments:** PWPRS Project Number: 2021-RELINQ-0000023 - 575 E 20th Ave  
Reviewing Agency/Company: RTD  
Reviewers Name: Clayton Scott Woodruff

# Comment Report

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**Location:**      **Review End Date:** 10/06/2021

Any denials listed below must be rectified in writing to this office before project approval is granted.

Reviewers Phone: 3032992943  
Reviewers Email: clayton.woodruff@rtd-denver.com  
Approval Status: Approved

Comments:

Reviewing Agency: CDOT Referral      Review Status: Approved - No Response

Status Date: 10/07/2021  
Status: Approved - No Response  
Comments:



## Easement Relinquishment Submittal Checklist

**Any submittal not meeting all minimum checklist criteria herein shall be rejected as incomplete.**

Easement Relinquishment submittal documents will include the following:

- Application (Page 2&3 of this document) - Must be signed by owner, or a vested party
- Original holding document of the easement - eg. Ordinance, PNEE, Subdivision plan, etc.:
  - Must include the Clerk and Recorder's Book and Page, and/or Recordation Number.
- A Legal Description and Exhibits are required if you are relinquishing a portion of the easement as held in the original document. The Legal Description and Exhibit of the easement(s) to be relinquished, must be prepared by a Professional Land Surveyor (PLS), licensed in the State of Colorado:
  - PDF format (**must be PLS signed and stamped**) **and**
  - Word format (Does not need to be PLS signed and stamped)
- Site Plan - accurately engineered drawings to include:
  - Numerical and Bar Scale (Scale not to exceed 1:40)
  - North arrow
  - Legend
  - Vicinity map, if necessary
  - Plan set date and revision number (if applicable)
  - Call out the location of the easement proposed to be relinquished and hatch area**
  - Call out the location if new easement will be conveyed** (if applicable)
  - Property lines
  - Right-of-Way width
  - Edge of Pavement and/or Curb and Gutter
  - Sidewalks
  - Trees and landscaping in the ROW
  - Nearby driveways and alleys
  - Street names
  - Aerial imagery is allowed, but does not replace the required Engineered drawings**

### FEES:

Must be paid immediately after project is logged in and a project number is provided by your Coordinator along with the project invoice.

Initial Processing Fee = \$1,000.00 (Non-Refundable)

Legal Description Review Fee = \$300.00 (Non-Refundable)

Ordinance Fee = \$300.00 (Non-Refundable)

I hereby attest that all above information has been incorporated into our plan submittal.

NAVA UPTOWN LLC / Opus Development Company, L.L.C.

08.31.21

Owner/Vested Party/Applicant Signature

Date





# APPLICATION EASEMENT RELINQUISHMENT

Please complete this application to apply for an ordinance to relinquish easements held by the City in the Public Right of Way. Please reference [Rules and Regulations for Easement Relinquishments](#) for more details on the relinquishment process. Please type or print. If necessary attach additional sheets to fully answer any of the following sections. Submit the complete application electronically to: [DOTI.ER@denvergov.org](mailto:DOTI.ER@denvergov.org).

DATE: 9/7/2021

PROJECT NAME: 20th and Penn Multi-Family

IS THIS PROJECT ASSOCIATED WITH A SITE DEVELOPMENT REVIEW? Yes  No

If you checked 'Yes' above, provide Project Master, Site Plan and/or Concept Development project numbers:

2020-PROJMSTR-0000639, 2021-SDP-0000283, \_\_\_\_\_

ADDRESS (approx.) OF EASEMENT: 575 E. 20th Avenue; Denver, CO 80205

**APPLICANT:**

Name: Joe Swensson  
Company (if applicable): Opus Development Company, L.L.C. Title: Senior Manager  
Real Estate Development  
Address: 950 17th Street, Suite 1500; Denver, CO 80202  
Telephone number: (303) 515-8810 Email address: joe.swensson@opus-group.com

PROPERTY OWNER (where the easement is located):  Check if the same as Applicant

Company: NAVA UPTOWN LLC  
Owner Contact: Brian Levitt  
Address: 1601 Wewatta Street, Suite 828; Denver, CO 80202  
Telephone Number: (303) 809-8887 Email address: bl@navareal.com

**ORIGINAL HOLDING DOCUMENT THE EASEMENT IS HELD IN:**

Title of document: Permanent Non-Exclusive Easement  
Clerk & Recorder Recordation Number: 2009167987  
Ordinance Number (if applicable): Unknown

**PORTION OF EASEMENT IF BEING RELINQUISHED:**

- Easement in its entirety
- A portion of the easement (as described in the legal description)







DOTI | Right-of-Way Services
Engineering and Regulatory
Office 201 W. Colfax Avenue, Dept. 507
Denver, CO 80202 P: 720-865-3003
DOTI.ER@denvergov.org

APPLICATION
EASEMENT RELINQUISHMENT

QUANTITY OF EASEMENTS TO BE RELINQUISHED: 1

Easement Groupings if submitting with multiple easements: N/A

DESCRIBE THE CURRENT STATE OF THE EASEMENT(S):

In the space below, please describe what the easement was granted for, if it is a partial relinquishment or being relinquished in it's entirety and any addition background information

The easement was granted as a wastewater permanent non-exclusive easement for the storm sewer improvements associated with the "Park Ave 5B" project that was completed by the Denver Housing Authority in 2009/2010. The easement was dedicated across the entire parcel of land situated in Lot 1, Block 2 of Park Avenue South Filing No. 1, but an undeveloped portion of this parcel has since been sold for development and the existing PNEE needs to be relinquished for the portion of the parcel that was sold. A new wastewater permanent non-exclusive easement for the storm sewer improvements associated with the new development (20th and Penn Multi-Family 2020PM0000639/2021-SDP-0000283) will be dedicated so that a permanent non-exclusive easement exists for the new development, but under the correct ownership entity (Opus Development Company, L.L.C.) instead of a previous owner (Denver Housing Authority).

EXISTING UTILITIES:

If there are existing utilities in the easement, please explain how these utilities will be accommodated and whether they will be removed or relocated.

If there are no existing utilities in the easement to the best of your knowledge, please state NO Utilities or N/A

There are existing storm sewer utilities within the overall parcel that the original permanent non-exclusive easement that currently exists, and these existing storm sewer utilities are to remain and be covered under the portion of the permanent non-exclusive easement that is to not be relinquished. No existing storm sewer utilities occur within the permanent non-exclusive easement portion that is to be relinquished, but new storm sewer improvements will occur within this portion of the parcel that is being developed and will be covered by a new permanent non-exclusive easement that is granted through the correct ownership entity (Opus Development Company, L.L.C.).

EXPLANATION OF WHY THE EASEMENT RELINQUISHMENT IS BEING REQUESTED:

Please explain why the easement needs to be relinquished.

The easement was dedicated across the entire parcel of land situated in Lot 1, Block 2 of Park Avenue South Filing No. 1 back in 2009/2010 when the entire parcel was owned by the Denver Housing Authority, but an undeveloped portion of this parcel has since been sold by the Denver Housing Authority for development and the existing PNEE needs to be relinquished for the portion of the parcel that was sold. A new wastewater permanent non-exclusive easement for the storm sewer improvements associated with the new development (20th and Penn Multi-Family 2020PM0000639/2021-SDP-0000283) will be dedicated so that a permanent non-exclusive easement exists for the new development, but under the correct ownership entity (Opus Development Company, L.L.C.) instead of a previous owner (Denver Housing Authority).

I/WE HEREBY CERTIFY THAT I/WE ARE THE OWNER(S) OF THE REAL PROPERTY WHICH IS THE SUBJECT OF THIS APPLICATION AND THAT THE FOREGOING INFORMATION ON THIS APPLICATION IS TRUE AND COMPLETE.

NAVA UPTOWN LLC / Opus Development Company, L.L.C.

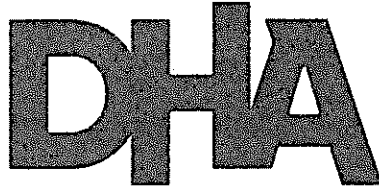
(Owner/Vested Party Signature)

[Handwritten Signature]

08.31.21

DATE





September 7, 2021

DOTI Engineering Regulatory  
City and County of Denver  
201 W. Colfax Avenue, Department 507  
Denver, CO 80202

Re: Support of Permanent Non-Exclusive Easement Partial Relinquishment

Dear DOTI Engineering Regulatory,

The Denver Housing Authority acknowledges and supports the request to relinquish a portion of the permanent non-exclusive easement (PNEE) that was executed by the Denver Housing Authority on December 9th, 2009 and recorded under reception number 2009167987 with the City and County of Denver's Office of the Clerk and Recorder on December 30th, 2009.

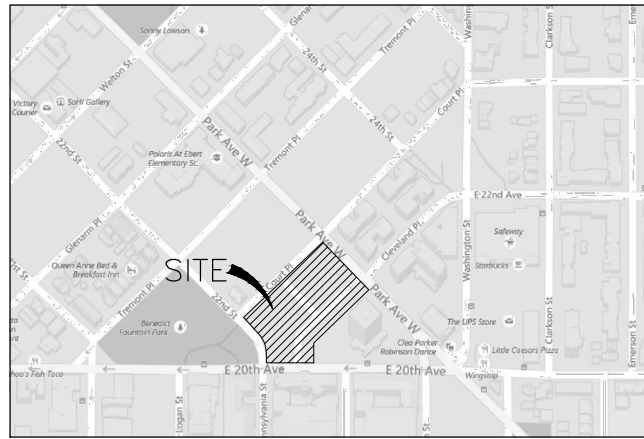
The PNEE partial relinquishment would occur for the smaller parcel that was identified as "Future Phase 2" on the recorded Park Ave 5B Site Development Plan (SDP) documents that has since been sold by the Denver Housing Authority and therefore the PNEE is no longer needed to cover this parcel that was sold since the new ownership entity will be required to provide their own PNEE that covers their new development. All existing wastewater infrastructure that was covered under the original executed and recorded PNEE by the Denver Housing Authority will remain within the limits of the "Phase 1" parcel from the recorded SDP and the existing PNEE will remain for this parcel after relinquishment of the smaller parcel that was sold occurs.

Sincerely,


A handwritten signature in black ink, appearing to read "Ryan Robin", is written over a faint, larger version of the same signature.

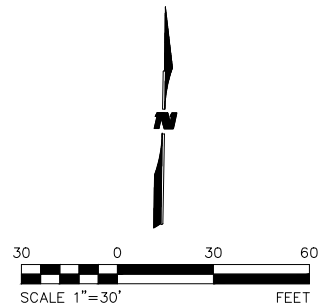
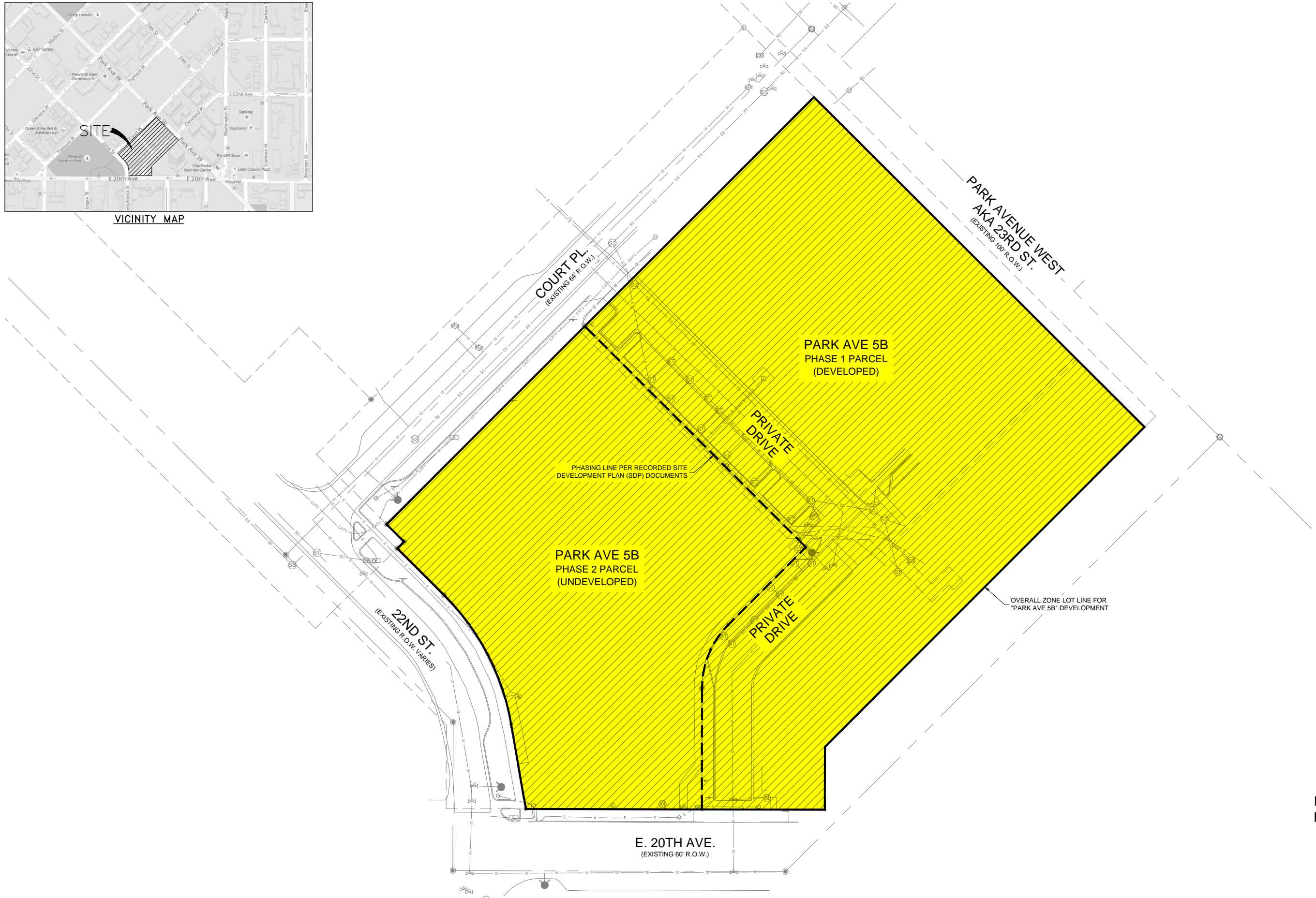
Ryan Robin  
Chief Real Estate Investment Officer  
Housing Authority of the City and County of Denver, Colorado

Attachments: Park Ave 5B Site Development Plan – Site Plan (3 of 12)  
Park Ave 5B Site Development Plan – Grading & Utility Plan (4 of 12)



VICINITY MAP

 WASTEWATER PERMANENT  
NON-EXCLUSIVE EASEMENT  
(REC. NO. 2009167987)



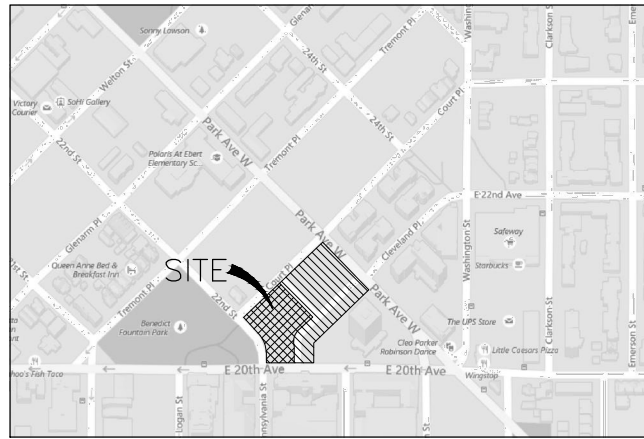
**20TH & PENN MULTI-FAMILY  
(2020PM0000639)**

PERMANENT NON-EXCLUSIVE  
EASEMENT RELINQUISHMENT

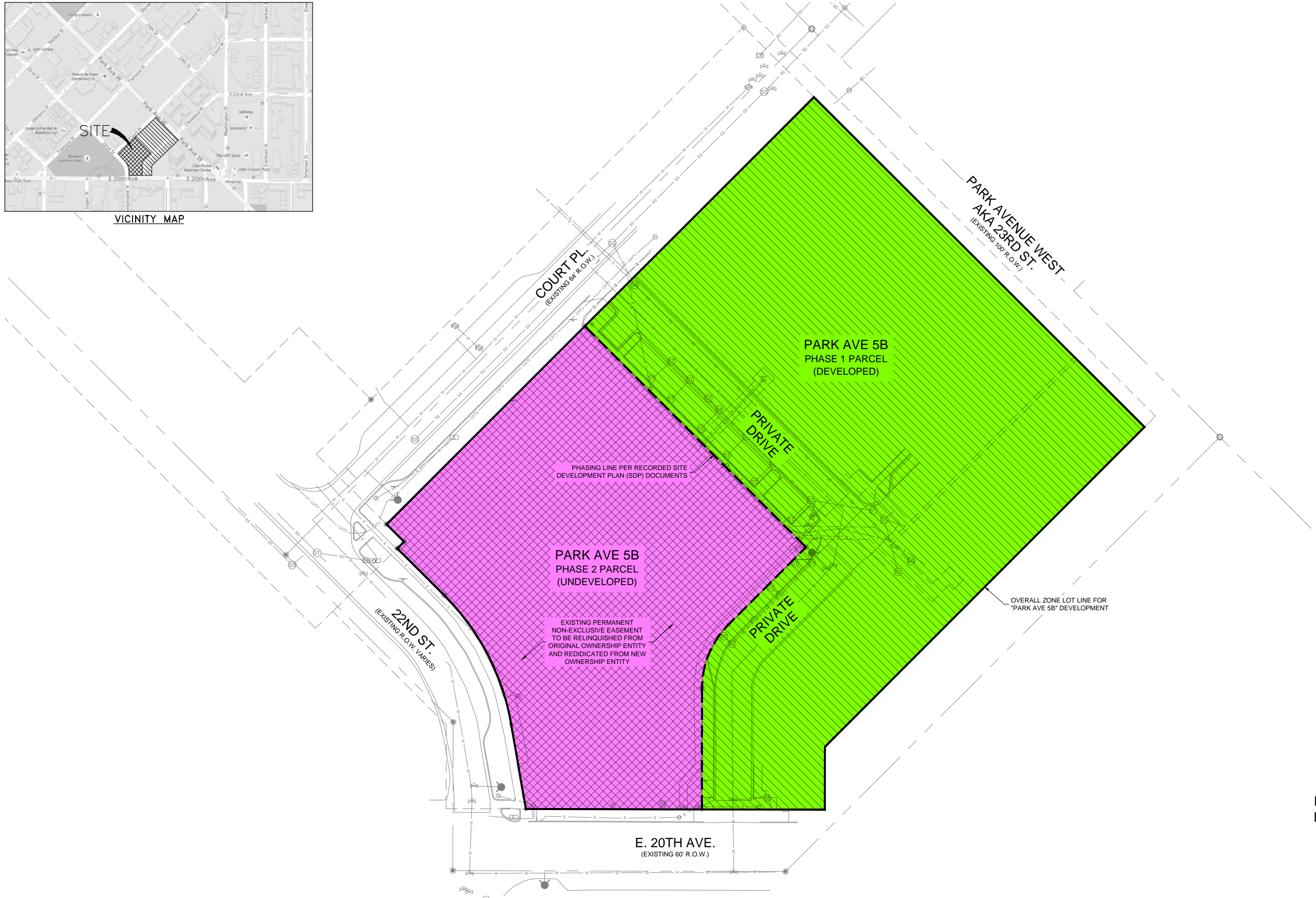
EXISTING PNEE EXHIBIT

9/7/2021

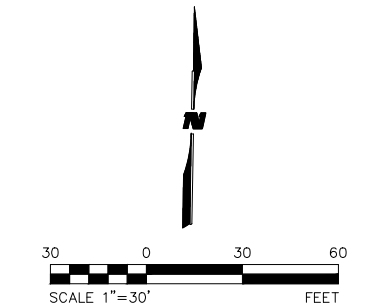
**WILSON  
& COMPANY**



VICINITY MAP



-  WASTEWATER PERMANENT NON-EXCLUSIVE EASEMENT (REC. NO. 2009167987) TO REMAIN
-  WASTEWATER PERMANENT NON-EXCLUSIVE EASEMENT (REC. NO. 2009167987) TO BE RELINQUISHED



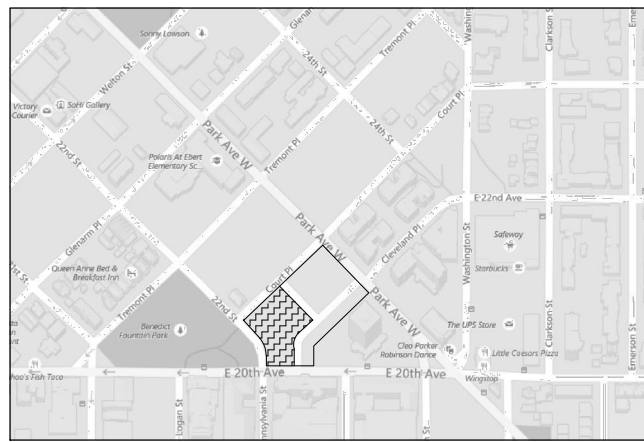
**20TH & PENN MULTI-FAMILY  
(2020PM0000639)**

PERMANENT NON-EXCLUSIVE  
EASEMENT RELINQUISHMENT

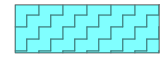
PNEE TO REMAIN EXHIBIT

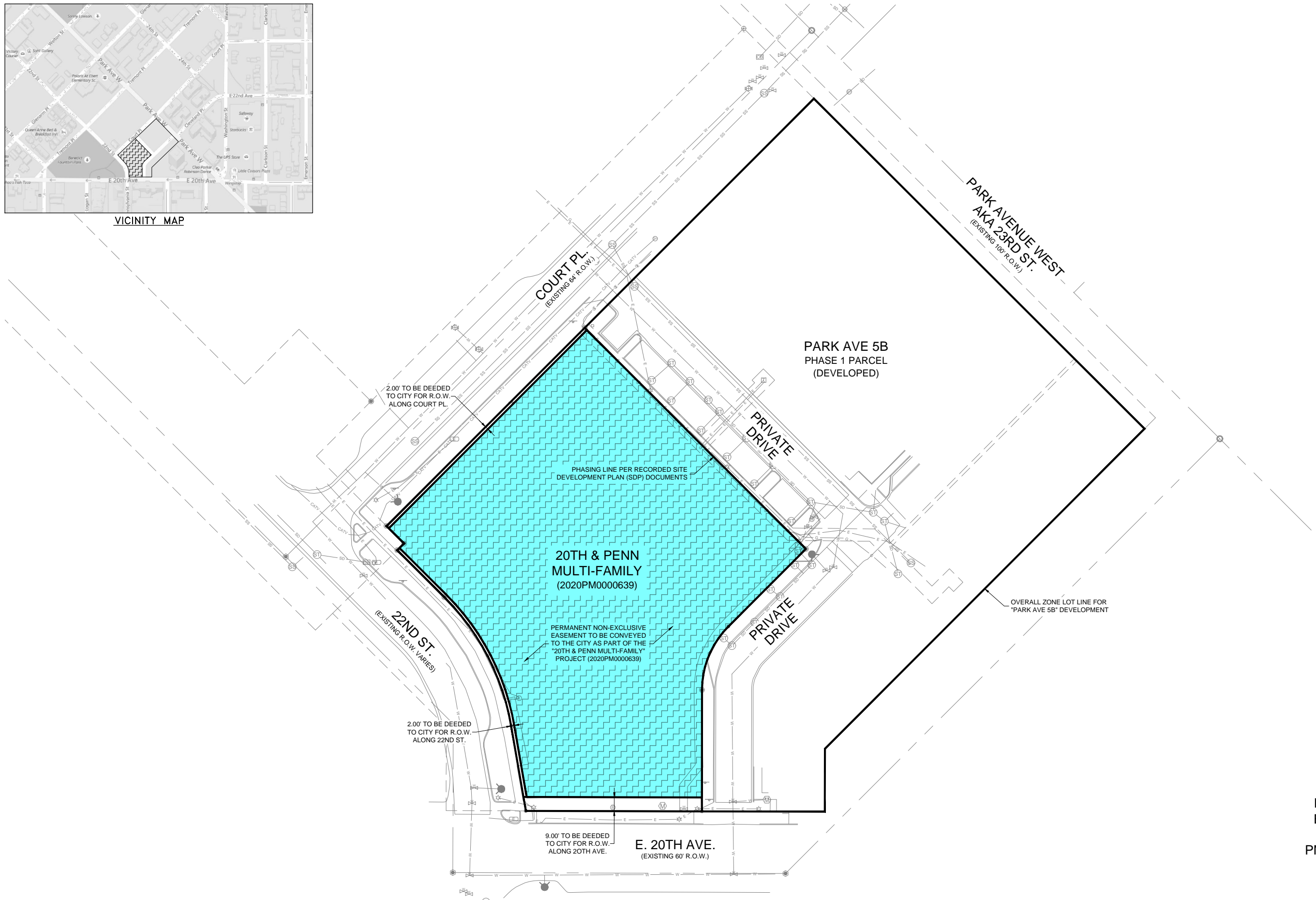
9/7/2021

**WILSON  
& COMPANY**



VICINITY MAP

 WASTEWATER PERMANENT NON-EXCLUSIVE EASEMENT TO BE CONVEYED TO CITY



2.00' TO BE DEEDED TO CITY FOR R.O.W. ALONG COURT PL.

COURT PL.  
(EXISTING 64' R.O.W.)

PARK AVE 5B  
PHASE 1 PARCEL  
(DEVELOPED)

PARK AVENUE WEST  
AKA 23RD ST.  
(EXISTING 100' R.O.W.)

20TH & PENN  
MULTI-FAMILY  
(2020PM0000639)

PERMANENT NON-EXCLUSIVE  
EASEMENT TO BE CONVEYED  
TO THE CITY AS PART OF THE  
"20TH & PENN MULTI-FAMILY"  
PROJECT (2020PM0000639)

PRIVATE  
DRIVE

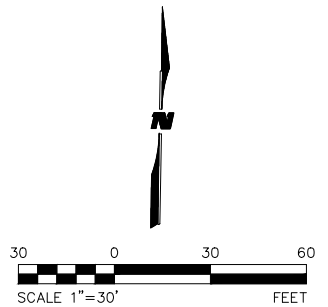
OVERALL ZONE LOT LINE FOR  
"PARK AVE 5B" DEVELOPMENT

22ND ST.  
(EXISTING R.O.W. VARIES)

2.00' TO BE DEEDED TO CITY FOR R.O.W. ALONG 22ND ST.

PRIVATE  
DRIVE

9.00' TO BE DEEDED TO CITY FOR R.O.W. ALONG 20TH AVE.  
E. 20TH AVE.  
(EXISTING 60' R.O.W.)



**20TH & PENN MULTI-FAMILY  
(2020PM0000639)**

PERMANENT NON-EXCLUSIVE  
EASEMENT RELINQUISHMENT

PNEE TO BE CONVEYED EXHIBIT

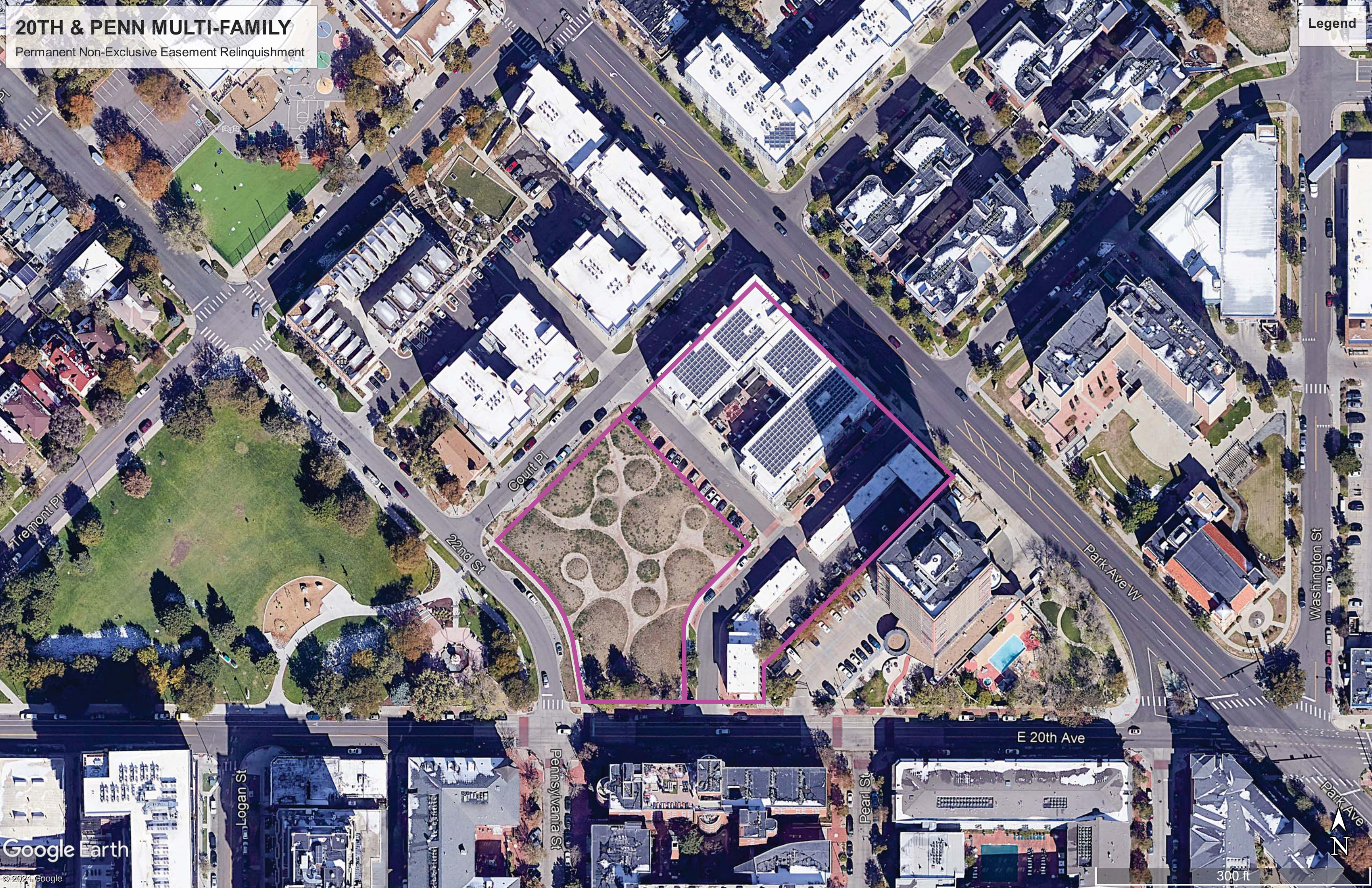
9/7/2021

**WILSON  
& COMPANY**

# 20TH & PENN MULTI-FAMILY

Permanent Non-Exclusive Easement Relinquishment

Legend



Google Earth

© 2021 Google



300 ft