

## 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.

Signed by: Allan Wilson  
Date: 2024-04-09 14:55:38  
Owner/Vested Party/Applicant Signature Date



# APPLICATION EASEMENT RELINQUISHMENT

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

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: 04/09/24

PROJECT NAME: DU STEM Horizons

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:

2023-PM-0000365, 2023-PM-0000365, 2023-PM-0000365

ADDRESS (approx.) OF EASEMENT: 2135 E. Wesley Avenue

## APPLICANT:

Name: Rob Frankenberger, PE  
Company (if applicable): Martin/Martin, Inc. Title: Associate  
Address: 12499 West Colfax Avenue, Lakewood, Colorado 80215  
Telephone number: 303-431-6100 Email address: rfrankenberger@martinmartin.com

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

Company: University of Denver  
Owner Contact: Eric Seagren  
Address: 2400 South Race Street, Denver, CO 80208  
Telephone Number: 303-871-3174 Email address: eric.seagren@du.edu

## ORIGINAL HOLDING DOCUMENT THE EASEMENT IS HELD IN:

Title of document: Council Bill No. 90  
Clerk & Recorder Recordation Number: 9700018576  
Ordinance Number (if applicable): Ordinance No. 110 Series of 1997

## PORION OF EASEMENT IF BEING RELINQUISHED:

☐ Easement in  
it's entirety

☒ A portion of the easement  
(as described in the legal description)



**APPLICATION  
EASEMENT RELINQUISHMENT**

**QUANTITY OF EASEMENTS TO BE RELINQUISHED:** 2

**Easement Groupings if submitting with multiple easements:** 1

**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 its entirety and any additional background information

The right-of-way over Block 42 Alley and S. Gaylord St from Iliff Ave to Wesley Ave was previously vacated. Easement was retained over vacated right-of-way for utility purposes. The utility easement reservations north of requested relinquishment in this application have been previously vacated. This partial relinquishment request will complete the vacation of the utility easement reservations within all portions of Block 42 Alley and S. Gaylord St from Iliff Ave to Wesley Ave. DU owns both sides of the requested relinquishment areas.

**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

Alley: The University of Denver is proposing to locate a new building over the vacated alley, and relocate any existing utilities within the easement reservation. Per 2024-SSPR-022, existing sanitary sewer will be relocated. The new limits of the public sanitary sewer will terminate at the existing manhole within East Wesley Avenue. The remaining private sanitary sewer to the north of E. Wesley Avenue right-of-way will be re-routed as shown on the Utility Plan. Other existing electric and communications utilities will be relocated within around the east side of the proposed building.  
Gaylord: Denver Water has a separate easement over the existing water main on east side of building that will remain in place. All other existing utilities within the vacated South Gaylord Street right of way are private utility service lines for DU owned property. Consequently, the utility easement reservation is no longer needed.

**EXPLANATION OF WHY THE EASEMENT RELINQUISHMENT IS BEING REQUESTED:**

Please explain why the easement needs to be relinquished.

The University of Denver (DU) is proposing to locate a new building over the vacated alley easement reservation. DU is proposing to locate new plaza site improvements over the vacated South Gaylord Street.

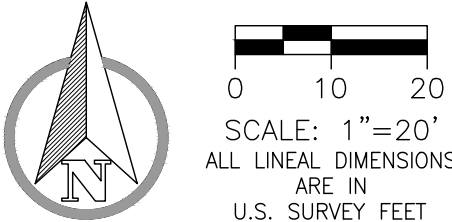
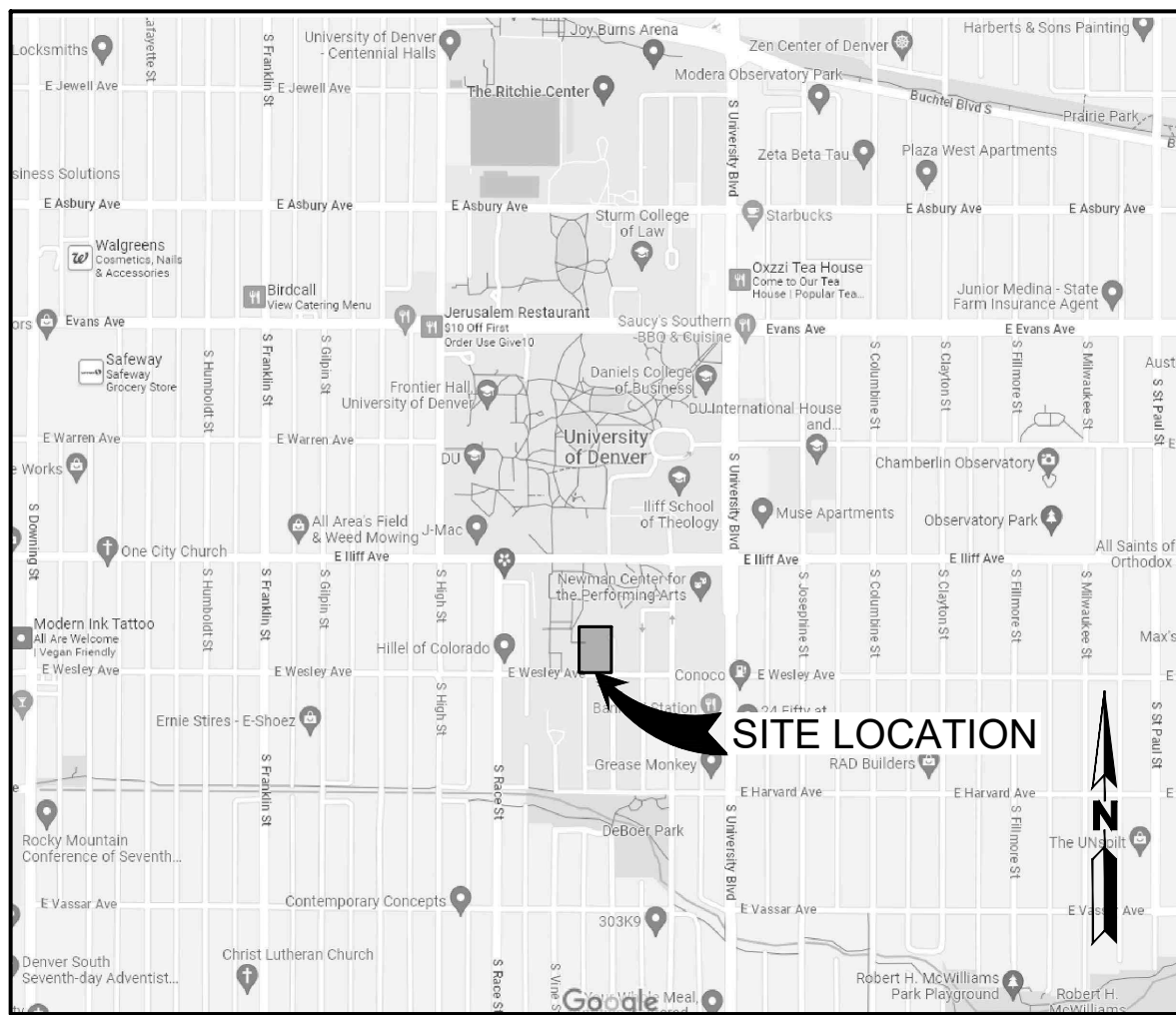
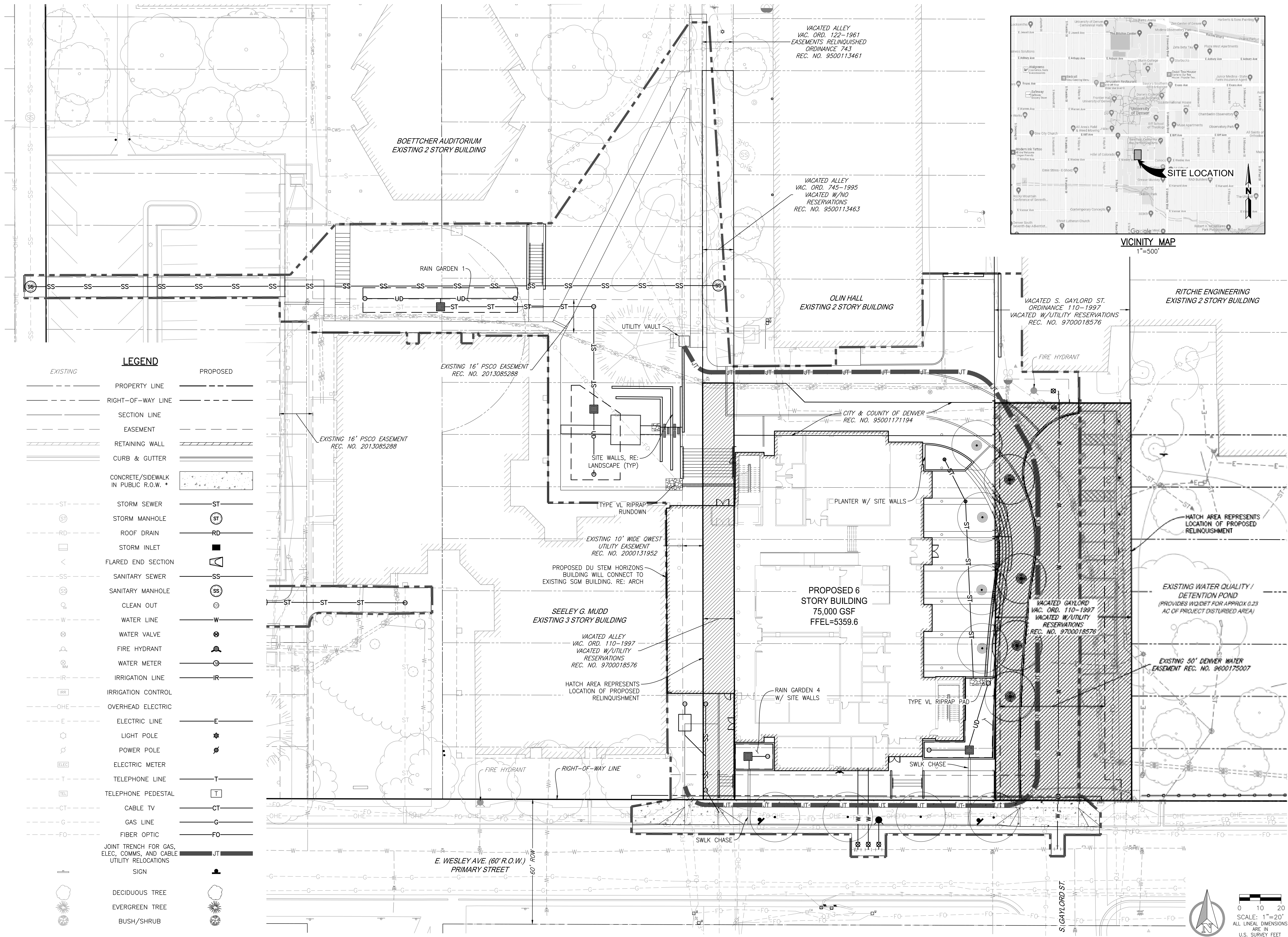
**I/WE HEREBY CERTIFY THAT I/WE ARE THE OWNER(S) OF THE REAL PROPERTY WHICH IS THE SUBJECT OF THIS APPLICATION AND THAT THE FOREGOING INFORMATION ON THIS APPLICATION IS TRUE AND COMPLETE.**

Signed by: Allan Wilson  
(Owner/Vested Party Signature)   
Date: 2024-04-09 14:57:43

04/09/24  
DATE

## ATTACHMENT A

THE FOLLOWING PAGES CONTAIN THE SITE PLAN, SURVEY  
IMPROVEMENT PLAT, AND TOPO/UTILITY SURVEY TO  
GRAPHICALLY DEPICT THE EASEMENT RELATIVE TO EXISTING  
AND PROPOSED IMPROVEMENTS FOR INFORMATION



DU STEM Horizons

No.	Issue / Revision	Date	Name
1	AGENCY REVIEW	10/12/23	REF

Job Number	22.1122
Project Manager	R. FRANKENBERGER
Design By	R. FRANKENBERGER
Drawn By	D. BEHM
Principal In Charge	A. SCHLAPPE

Sheet Number:

SP 1

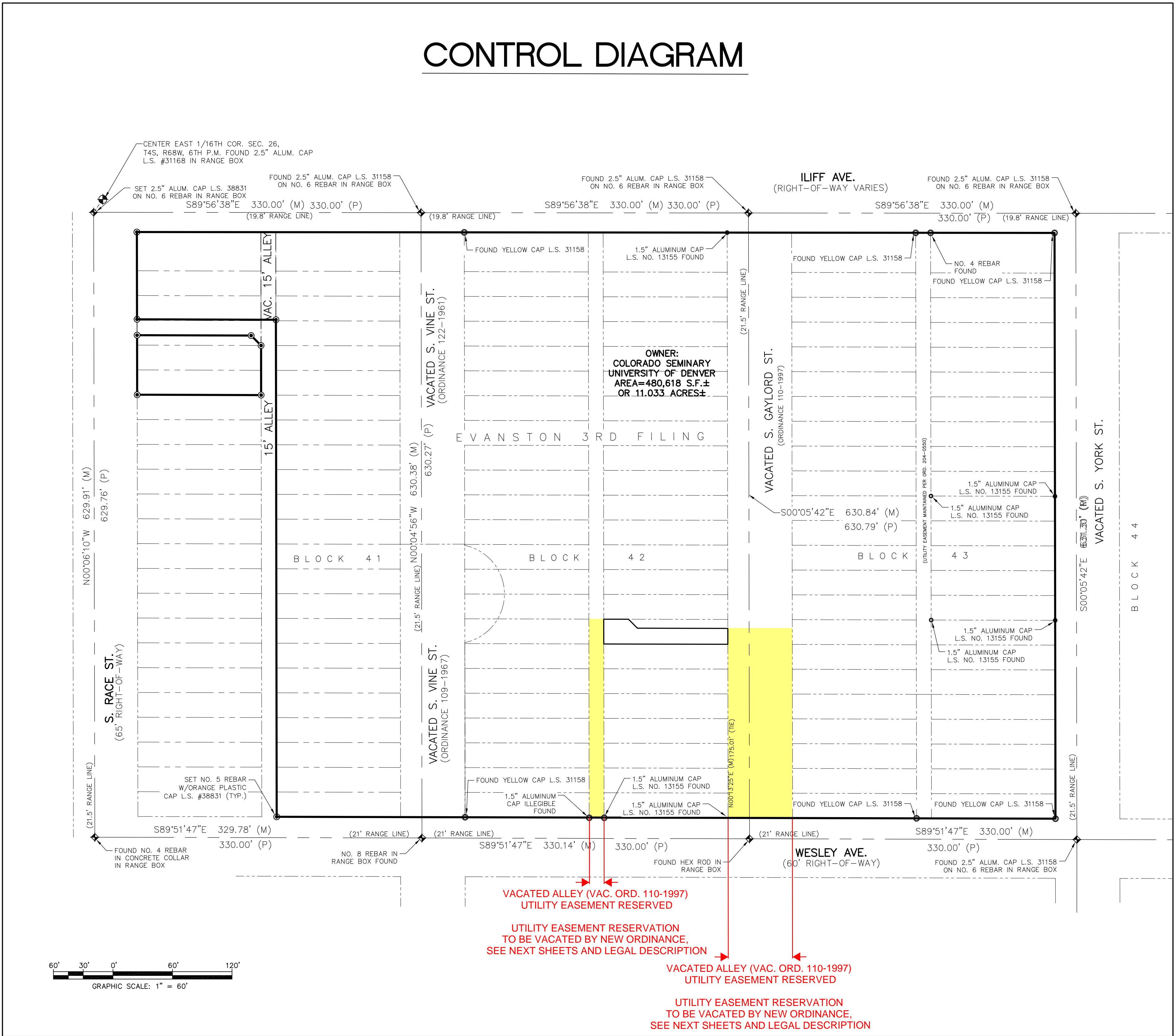
NOT FOR CONSTRUCTION

**MARTIN/MARTIN**  
CONSULTING ENGINEERS  
12495 WEST COLfax AVENUE, LAKEWOOD, COLORADO 80215  
MAIN 303.431.6100 MARTINMARTIN.COM



IMPROVEMENT SURVEY PLAT  
PART OF THE SE1/4 OF SECTION 26, T4S, R68W, 6TH P.M.  
CITY AND COUNTY OF DENVER, STATE OF COLORADO

CONTROL DIAGRAM



LEGAL DESCRIPTION

LOTS 1 THROUGH 6, EXCEPTING THEREFROM ORDINANCE 156-1961 & LOTS 24 THROUGH 46, BLOCK 41, ALL OF BLOCK 42, & ALL OF BLOCK 43, EVANSTON 3RD FILING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

TOGETHER WITH THE ALLEY IN BLOCK 42 PER VACATED ORDINANCE 110-1997 AND A VACATED PORTION OF ALLEY IN BLOCK 41 BETWEEN LOTS 1 THROUGH 3 AND LOTS 44 THROUGH 46, EVANSTON 3RD FILING IN CITY AND COUNTY OF DENVER, STATE OF COLORADO.

ALSO, TOGETHER WITH VACATED S. GAYLORD STREET PER ORDINANCE 110-1997 AND VACATED S. VINE STREET PER ORDINANCE 122-1961 & 109-1967, EVANSTON 3RD FILING IN CITY AND COUNTY OF DENVER, STATE OF COLORADO.

ALSO, TOGETHER WITH THE ALLEY IN BLOCK 43 PER VACATED ORDINANCE 550-2014 EVANSTON 3RD FILING IN CITY AND COUNTY OF DENVER, STATE OF COLORADO.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED LANDS FILED IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE AT AT RECEPTION NO. 9500117194, DATED 09/25/1995:

A PORTION OF LOT 31, BLOCK 42, EVANSTON THIRD FILING LOCATED IN THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 4 SOUTH, RANGE 68 WEST, 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

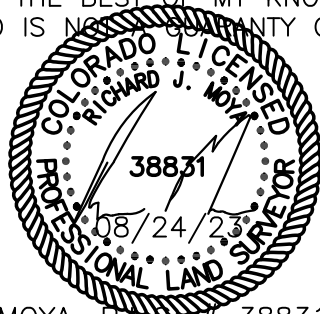
BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 31, THENCE N89°52'39"W ALONG THE SOUTHERLY LINE OF SAID LOT 31 A DISTANCE OF 125.08 FEET TO THE SOUTHWEST CORNER OF SAID LOT 31; THENCE N00°06'22"W ALONG THE EASTERLY LINE OF THE ALLEY IN SAID BLOCK 42 A DISTANCE OF 25.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 31; THENCE S89°52'39"E ALONG THE NORTHERLY LINE OF SAID LOT 31 A DISTANCE OF 25.00 FEET; THENCE S44°52'39"E A DISTANCE OF 12.73 FEET; THENCE S89°52'39"E ALONG A LINE BEING 9.00 FEET SOUTHERLY OF AND PARALLEL WITH THE NORTHERLY LINE OF SAID LOT 31, A DISTANCE OF 91.11 FEET TO THE NORTHEAST CORNER OF SAID LOT 31; THENCE S00°06'22"E ALONG THE EASTERLY LINE OF SAID LOT 31, A DISTANCE OF 16.00 FEET TO THE POINT OF BEGINNING.

NOTES

- 1.) THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY PRECISION SURVEY & MAPPING, INC. TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD.
- 2.) THE BASIS OF BEARINGS OF THIS SURVEY IS N89°51'47"W ALONG THE SOUTHERLY LINE OF BLOCKS 41 THROUGH 43, EVANSTON 3RD FILING AND IS MONUMENTED AS SHOWN HEREON.
- 3.) NOTICE: ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS AFTER THE DATE OF THE CERTIFICATION SHOWN HEREON.
- 4.) SAID PARCEL CONTAINS A GROSS LAND AREA OF 480,618 SQ.FT.± OR 11.033 ACRES±.

SURVEYOR'S CERTIFICATION

I, RICHARD J. MOYA, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS SURVEY HAS BEEN PERFORMED BY ME OR UNDER MY RESPONSIBLE CHARGE, IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE, IS IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE AND IS NOT GIVEN ANY GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED.



RICHARD J. MOYA, P.L.S. #38831  
FOR AND ON BEHALF OF PRECISION SURVEY & MAPPING, INC.

INDEXING STATEMENT

DEPOSITED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, AT \_\_\_\_\_, M., IN BOOK \_\_\_\_\_ OF THE COUNTY SURVEYOR'S LAND SURVEY/RIGHT-OF-WAY SURVEYS AT PAGE(S) \_\_\_\_\_, RECEPTION NUMBER \_\_\_\_\_

\_\_\_\_\_  
COUNTY SURVEYOR/DEPUTY COUNTY SURVEYOR

				9025 E. Kenyon Ave., Suite 150, Denver, CO 80237			
				Tel: (303) 753-9799			
NO.	DATE	DESCRIPTION	BY	DRAWN: R.M.	CHKD.: J.L.	JOB NO.: R13746	DATE OF FIELD WORK: MAY 2023
				ACAD FILE: R13746-DU SOUTH			

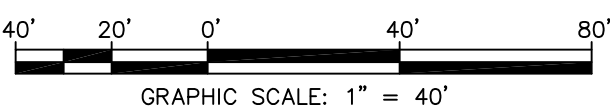
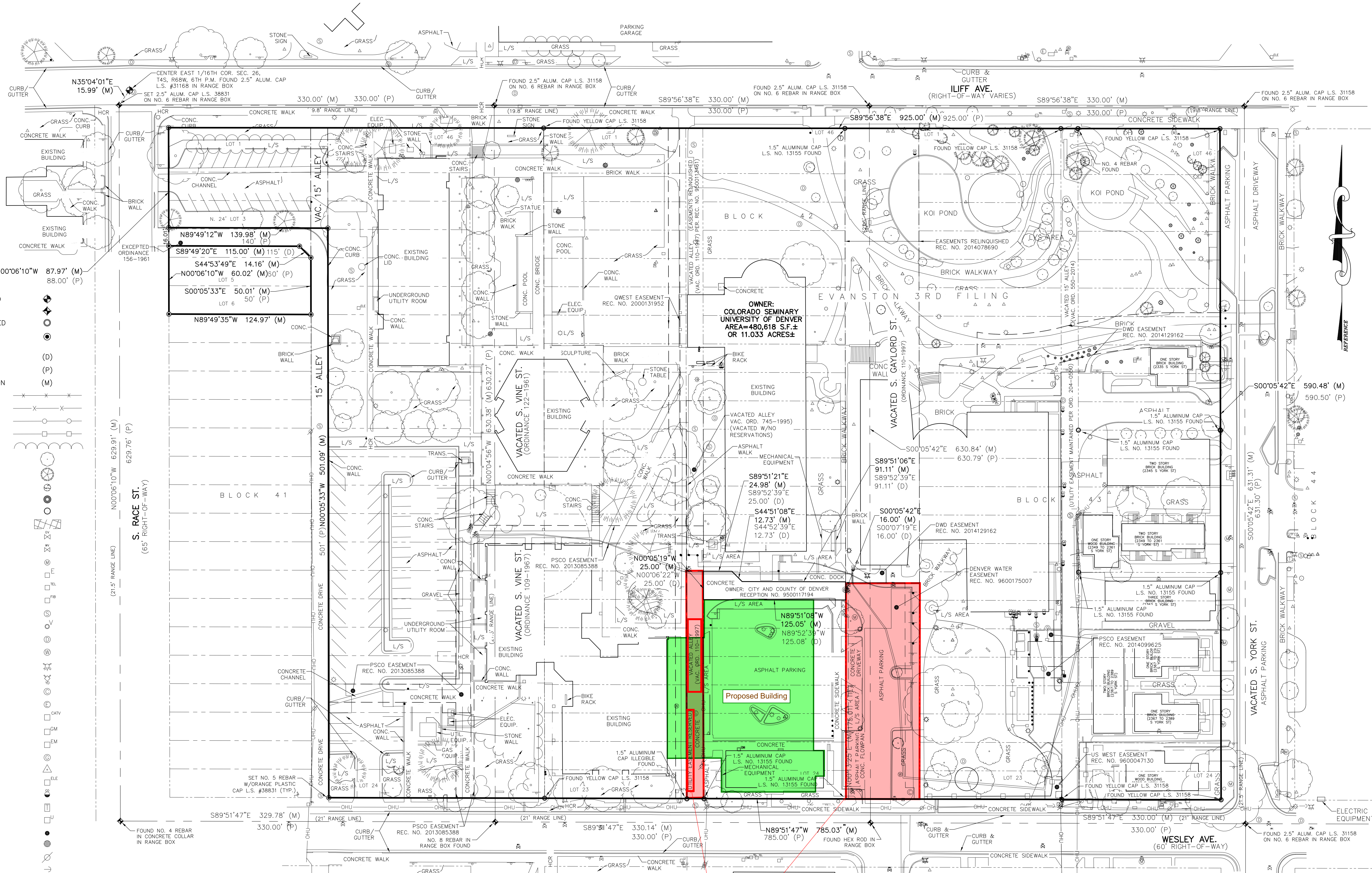


# IMPROVEMENT SURVEY PLAT

PART OF THE SE1/4 OF SECTION 26, T4S, R68W, 6TH P.M.  
CITY AND COUNTY OF DENVER, STATE OF COLORADO

## LEGEND:

- SECTION CORNER AS DESCRIBED  
RANGE POINT AS DESCRIBED  
MONUMENT FOUND AS DESCRIBED  
MONUMENT SET AS DESCRIBED  
STAMPED L.S. #38831  
DENOTES DEEDED INFORMATION  
DENOTES PLATTED INFORMATION  
DENOTES MEASURED INFORMATION  
EXISTING WIRE FENCE  
EXISTING SPLIT RAIL FENCE  
EXISTING CHAIN LINK FENCE  
EXISTING METAL/WOOD FENCE  
EDGE OF BUSHES/TREES  
EXISTING DECIDUOUS TREE  
EXISTING EVERGREEN TREE  
EXISTING BUSH  
EXISTING TREE STUMP  
EXISTING SPRINKLER HEAD  
EXISTING BUILDING OVERHANG  
EXISTING GAS VALVE  
EXISTING WATER VALVE  
EXISTING WATER METER  
EXISTING ELECTRIC HANDHOLE  
EXISTING TELEPHONE PEDESTAL  
EXISTING FIBER PEDESTAL  
EXISTING SEWER MANHOLE  
EXISTING VENT PIPE  
EXISTING STORM MANHOLE  
EXISTING WATER MANHOLE  
EXISTING FIRE HYDRANT  
EXISTING YARD HYDRANT  
EXISTING COMMUNICATION MH  
EXISTING ELECTRIC MANHOLE  
EXISTING CABLE TV PEDESTAL  
EXISTING GAS METER  
EXISTING ELECTRIC METER  
EXISTING GREASE MANHOLE  
EXISTING IRRIGATION VALVE  
EXISTING ELECTRIC PEDESTAL  
EXISTING CLEAN OUT  
EXISTING TRAFFIC HANDHOLE  
EXISTING UTILITY HANDHOLE  
EXISTING BOLLARD/POST  
EXISTING LANDSCAPE LIGHT  
EXISTING UTILITY POLE  
EXISTING STREET LIGHTPOLE  
EXISTING MAILBOX  
EXISTING SIGN  
LANDSCAPED AREA  
HANDICAP RAMP



UTILITY EASEMENT RESERVATION  
TO BE VACATED BY NEW ORDINANCE

**PRECISION SURVEY & MAPPING**  
PROFESSIONAL LAND SURVEYING CONSULTANTS

9025 E. Kenyon Ave., Suite 150, Denver, CO 80237  
Tel: (303) 753-9799

NO.	DATE	DESCRIPTION	BY

DRAWN: R.M. CHKD.: J.L. JOB NO.: R13746 DATE OF FIELD WORK: MAY 2023 ACAD FILE: R13746-DU SOUTH



[illegible]



## ATTACHEMENT B

THE FOLLOWING PAGES CONTAIN PRIOR RECORDED  
DOCUMENTS VACATING THE ROW OVER THE ALLEY ON BLOCK 42  
AND S GAYLORD ST BETWEEN ILIFF AVE & WESLEY AVE, AND  
VACATING THE UTILITY EASEMENT RESERVATIONS NORTH OF  
THE CURRENT REQUESTED RELINQUISHMENT

00751

8685 261

62 39

JUN 8 1961

BY AUTHORITY

ORDINANCE NO. 122  
SERIES OF 1961

COUNCILMAN'S BILL NO. 151  
INTRODUCED BY COUNCILMEN

Charles Hentz Ed Stapp

A B I L L

FOR AN ORDINANCE VACATING CERTAIN DESCRIBED  
PORTIONS OF SOUTH VINE STREET AND VACATING  
CERTAIN ALLEYS IN BLOCKS 41 AND 42, EVANSTON  
THIRD FILING, ALL SUBJECT TO RESERVATIONS.

WHEREAS, the Manager of Public Works of the City and County  
of Denver has found and determined that the public use, conven-  
ience and necessity no longer require those portions of that  
certain street and those certain alleys hereinafter described  
and, subject to approval by ordinance, has vacated the same  
with the reservations hereinafter set forth; now, therefore:  
BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:

Section 1. That the action of the Manager of Public Works  
in vacating the following described portions of a public street  
and the following described alleys, all in the City and County  
of Denver, State of Colorado, to-wit:

- (a) That part of South Vine Street from the south line  
of Lot 12, Block 42, Evanston Third Filing, extended  
westerly to the south line of Iliff Avenue;
- (b) That part of the alley in Block 41, Evanston Third  
Filing, lying north of a line that is 1 foot north  
of the south line of Lot 3, said Block, extended  
easterly;
- (c) That part of the alley in Block 42, Evanston Third  
Filing, lying north of the easterly extension of the  
south line of Lot 10, said Block, said Subdivision;

reserving (1) to the City and County of Denver at all times an  
easement and right of way for and the right to construct, operate,  
maintain and remove sanitary sewer lines in both alleys aforesaid  
and reserving (2) to the utility owners the continued use of and



8685 262

00751

62 40

the right to maintain and operate existing telephone lines in the aforesaid alley in Block 42 and the existing electric power lines in both of the aforesaid alleys; be and the same is hereby approved and the described portions of said street and said alleys are hereby vacated and declared vacated subject, however, to the reservations above set forth.

Section 2. The Council finds this ordinance is necessary for the immediate preservation of the public health and public safety and determines that it shall take effect immediately upon its final passage and publication.

PASSED by the Council. May 22, 1961

Henry B. Kelly - President

APPROVED: [Signature] - Mayor May 22, 1961

ATTEST: LOUIS S. MIDDLEMIST Clerk and Recorder, Ex-Officio  
Clerk of the City and County of Denver.

By: [Signature] - Deputy City Clerk

PUBLISHED IN The Daily Journal May 20, 1961 and May 22, 1961

I have made the findings and determinations set forth in the above and foregoing draft or form of a proposed Bill for an Ordinance, and, subject to approval by ordinance, have vacated and do hereby vacate those portions of the street and those certain alleys described therein, subject to the reservations therein set forth, and request the Council of the City and County of Denver to approve such vacations, subject to such reservations, by the enactment of an appropriate ordinance. I approve said draft or form of a proposed Bill for an Ordinance, and recommend the introduction and passage thereof.

[Signature]  
Manager of Public Works

APPROVED: Donna E. Kelly - City Attorney

APPROVED: James M. Small - Planning Director

Ordinance No. 122 Series 1961

Councilman's Bill No. 151

**Introduced by Councilmen**

Casey, Kendall in Steps

# ABILITY

**For.**

**AN ORDINANCE**  
**VACATING CERTAIN DESCRIBED**  
**PORTIONS OF SOUTH VINE STREET AND**

41 AND 42, EVANSTON THIRD FILING,  
ALL SUBJECT TO RESERVATIONS.

Meeting Date of May 15, 1961  
Read in full in the Board of Councilmen and  
referred to the Committee on

Read in full in the Board of Councilmen and referred to the Committee on

Public Improvements

Meeting Date of May 15, 1961

Reported back by the Committee on

Public Improvements

**Recommended that the bill be ordered published and report adopted.**

Published in The *Daily Journal*

this 20 day of May, A. D. 1961

Meeting Date of May 22, 1961

Read by title, placed upon its passage and passed.

Presented to the Mayor and signed by him  
this 24<sup>th</sup> day of May, A. D. 19 61

Ent'd as Ordinance No. 22, Series 1961

Published in The *Daily Journal*

this 27<sup>th</sup> day of May, A. D. 1961

FORM 46 (4/58) C/R

JUN-8-61 7 6 0 9 9 9

## 1 FEELTS

0.63

000751

RECORDED  
JUN 8 1 05 PM  
8685 261  
BOOK P  
EQUIS S. MIDDLE  
CLERK AND RECD

CITY COUNCIL  
CITY & COUNTY OF DENVER  
RECEIVED  
MAY 11 1961

6/7/8/9/10/11/12/1/2/3/4/5/6<sup>PM</sup>



BY AUTHORITY

ORDINANCE NO. 743

COUNCIL BILL NO. 744

SERIES OF 1995

COMMITTEE OF REFERENCE:

9500113461 1995/09/15 15:59:40 1/ 2 ORD  
ELERA WEDGEWORTH - DENVER COUNTY .00 .00 SMD

PUBLIC WORKS

TRANSPORTATION

A BILL

FOR AN ORDINANCE RELINQUISHING UTILITY EASEMENTS RESERVED IN  
ALLEY VACATING ORDINANCE NO. 122, SERIES OF 1961, IN PORTION OF  
ALLEY IN BLOCK 42, EVANSTON THIRD FILING.

1 WHEREAS, the Manager of Public Works of the City and County of Denver  
2 has found and determined that the public use, convenience and necessity  
3 no longer require the easements in the area hereinafter described, and  
4 subject to approval by ordinance, has relinquished the same;

5 NOW, THEREFORE,

6 BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:

7 Section 1. That the action of the Manager of Public Works in  
8 relinquishing the easements in the following described area:

9 That part of the alley in Block 42, Evanston Third Filing,  
10 vacated by Ordinance No. 122, Series of 1961, said portion of  
11 alley lies between Iliff Avenue, Wesley Avenue, South Gaylord  
12 Street and Vacated South Vine Street.

13 be and the same is hereby approved and said easements are hereby  
14 relinquished and declared relinquished.

15 PASSED BY THE COUNCIL

16 Deborah L. Ortega - PRESIDENT

17 APPROVED: Wesley Smith - MAYOR September 14, 1995

18 ATTEST: Elera Wedgeworth - CLERK AND RECORDER,

EX-OFFICIO CLERK OF THE  
CITY AND COUNTY OF DENVER

PUBLISHED IN THE DAILY JOURNAL Sept. 8, 1995 Sept. 15, 1995

The Manager of Public Works has made the findings and determinations as set forth in the above and foregoing draft or form of a proposed bill for an ordinance, subject to approval by ordinance, has relinquished and does hereby relinquish the easements therein described, and requests the Council of the City and County of Denver to approve such relinquishment, by the enactment of an appropriate ordinance. The Manager of Public Works approves said draft or form of a proposed bill for an ordinance, and recommends the introduction and passage thereof.

PREPARED BY: ROBERT M. KELLY, ASSISTANT CITY ATTORNEY 8/29/95

REVIEWED BY: [Signature] CITY ATTORNEY 8/30 1995

SPONSORED BY COUNCIL MEMBER(S) \_\_\_\_\_





BY AUTHORITY

ORDINANCE NO. 745

COUNCIL BILL NO. 746

SERIES OF 1995

COMMITTEE OF REFERENCE:

PUBLIC WORKS

TRANSPORTATION

9500113463 1995/09/15 16:00:23 1/ 2 ORD  
ELBRA WEDGEWORTH - DENVER COUNTY .00 .00 SMD

A BILL

FOR AN ORDINANCE VACATING A CERTAIN PART OF THE SYSTEM OF THOROUGHFARES OF THE MUNICIPALITY, I.E., VACATING PORTION OF ALLEY IN BLOCK 42, EVANSTON THIRD FILING.

WHEREAS, the Manager of Public Works of the City and County of Denver has found and determined that the public use, convenience and necessity no longer require that certain portion of an alley in the system of thoroughfares of the municipality hereinafter described and, subject to approval by ordinance, has vacated the same without reservations;

NOW, THEREFORE,

BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:

Section 1. That the action of the Manager of Public Works in vacating the following described portion of an alley in the City and County of Denver and State of Colorado, to wit:

That part of the north-south alley lying south of the easterly extension of the south line of Lot 10, Block 42, Evanston Third Filing, and north of the easterly extension of the south line of Lot 15, said Block 42.

And

The east-west alley as established by Ordinance No. 155, Series of 1961.

be and the same is hereby approved and the described portion of an alley is hereby vacated and declared vacated without reservations.

PASSED BY THE COUNCIL

September 11

1995

APPROVED:

- PRESIDENT

- MAYOR

September 14

1995

ATTEST:

CLERK AND RECORDER,  
EX-OFFICIO CLERK OF THE  
CITY AND COUNTY OF DENVER

PUBLISHED IN THE DAILY JOURNAL

Sept 8

1995

Sept 15

1995

The Manager of Public Works has made the findings and determinations as set forth in the above and foregoing draft or form of a proposed Bill for an Ordinance, and subject to approval by Ordinance, has vacated and does hereby vacate the described portion of an alley, without reservations, and requests the Council of the City and County of Denver to approve such vacation without reservations, by the enactment of an appropriate ordinance. The Manager of Public Works approves said draft or form of a proposed Bill for an Ordinance and recommends the introduction and passage thereof.

PREPARED BY:

ROBERT M. KELLY, ASSISTANT CITY ATTORNEY

8/29/95

REVIEWED BY:

CITY ATTORNEY

8/31

1995

SPONSORED BY COUNCIL MEMBER(S)

ATTACHMENT C

UTILITY EASEMENT RESERVATION BEING  
REQUESTED FOR RELINQUISHED IN ITS ENTIRETY  
WITH THIS APPLICATION



**BY AUTHORITY**

ORDINANCE NO. 110

COUNCIL BILL NO. 90

SERIES OF 1997

COMMITTEE OF REFERENCE:

9700018576 1997/02/14 16:33:41 1/ 3 ORD  
DENVER COUNTY CLERK AND RECORDER .00 .00 AWE

PUBLIC WORKS

**A BILL**

FOR AN ORDINANCE VACATING CERTAIN PARTS OF THE SYSTEM OF THOROUGHFARES OF THE MUNICIPALITY, SUBJECT TO CERTAIN RESERVATIONS: I.E., VACATING SOUTH GAYLORD STREET BETWEEN ILLIFF AVENUE AND WESLEY AVENUE AND ALLEY IN BLOCK 42, EVANSTON THIRD FILING.

WHEREAS, the Manager of Public Works of the City and County of Denver has found and determined that the public use, convenience and necessity no longer require that certain part of that certain street and that certain part of that certain alley in the system of thoroughfares of the municipality hereinafter described and, subject to approval by ordinance, has vacated the same with the reservations hereinafter set forth;

NOW, THEREFORE,

BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:

Section 1. That the action of the Manager of Public Works in vacating the following described areas in the City and County of Denver and State of Colorado, to wit:

South Gaylord Street between Illiff Avenue and Wesley Avenue; and

The alley in Block 42, Evanston Third Filing.

be and the same is hereby approved and the described portion of that certain street and the described portion of that certain alley is hereby vacated and declared vacated; PROVIDED, HOWEVER, said vacation shall be subject to the following reservations:

That easements be and are hereby retained to protect the utilities in the street and alley

1 vacated which utilities include power lines, gas lines, telephone lines, and water facilities  
2 of the City and County of Denver, acting by and through its Board of Water Commissioners  
3 (the "Board"). In addition, unobstructed full-width easements are hereby retained for utility  
4 purposes. Access for utility purposes will not be denied or restricted for any reason. In  
5 addition, the Board shall have and exercise the right of ingress and egress in, to, over,  
6 through and across the Easement Area for any purpose needful for the full enjoyment of  
7 any of the right of occupancy or use provided for herein. The owners of the Easement Area  
8 shall not construct or place any structure or building, retaining wall, fence, street light,  
9 power pole, yard light, mailbox, sign, or plant any shrub, tree, woody plant or nursery stock,  
10 on any part of the Easement Area. Any structure or building, retaining wall, fence, street  
11 light, power pole, yard light, mailbox, sign, or any shrub, tree, woody plant or nursery stock,  
12 of any kind situated on the Easement Area as of the date of this reservation, may be  
13 removed by the Board without liability for or damages arising therefrom. The Board shall  
14 have and exercise the right to subjacent and lateral support to whatever extent is necessary  
15 or desirable for the full, complete and unmolested enjoyment of the rights hereinabove  
16 described. The owners of the Easement Area shall take no action which would impair the  
17 earth cover within the Easement Area, provided, however, that upon obtaining the specific  
18 written permission of the Board, the earth cover over any pipeline or lines may be modified,  
19 but normally permission will not be granted for a modification involving a cover of less than  
20 four feet nor greater than ten feet measured vertically from the top of any water pipeline or  
21 lines, and any modification undertaken by the owners of the Easement Area shall be upon  
22 terms which will provide for reimbursement to the Board of the cost of any alterations to any  
23 pipeline facility made necessary by the change. The owners of the Easement Area shall  
24 have the right to use the Easement Area for ingress and egress, including vehicular,

bicycle, and pedestrian traffic, insofar as such use and occupancy is consistent with and does not impair any grant herein contained. The owners of the Easement Area, at such owners' expense, shall be solely responsible for the maintenance of streets, surfacing, curbs and gutters within the said Easement Area. Each and every one of the benefits and burdens of this reserved Easement shall inure to and be binding upon the respective legal representatives, heirs, executors, administrators, successors and assigns of the Board, and the owner of the Easement Area.

PASSED BY THE COUNCIL

February 10

1997

Carol Reynolds

- PRESIDENT

APPROVED:

Will Montez

- MAYOR

Feb 11

1997

**ACTING MAYOR**

ATTEST:

Spencer G. G. G. G.

- CLERK AND RECORDER

EX-OFFICIO CLERK OF THE

CITY AND COUNTY OF DENVER

PUBLISHED IN THE ROCKY MTN NEWS

FEB. 7,

1997

FEB. 14,

1997

The Manager of Public Works has made the findings and determinations as set forth in the above and foregoing draft or form of a proposed bill for an ordinance, and subject to approval by ordinance, has vacated and does hereby vacate those described areas subject to certain reservations and requests the Council of the City and County of Denver to approve such vacation subject to certain reservations, by the enactment of an appropriate ordinance. The Manager of Public Works approves said draft or form of a proposed bill for an ordinance and recommends the introduction and passage thereof.

PREPARED BY: ROBERT M. KELLY, ASSISTANT CITY ATTORNEY

1/28/97

REVIEWED BY:

Robert M. Kelly

1/30

- CITY ATTORNEY

1/30

1997

SPONSORED BY COUNCIL MEMBER(S)





## DU STEM Horizons

04/21/2025

**Master ID:** 2023-PROJMSTR-0000365 **Project Type:** ROW Relinquishment  
**Review ID:** 2023-RELINQ-0000023 **Review Phase:**  
**Location:** 2135 E Wesley Ave **Review End Date:** 12/15/2023

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: Shannon Cruz

Reviewers Email: [Shannon.Cruz@denvergov.org](mailto:Shannon.Cruz@denvergov.org)

Status Date: 01/16/2024

Status: Approved

Comments: PWPRS Project Number: 2023-RELINQ-0000023 2135 E Wesley Ave DU STEM Horizons

Reviewing Agency/Company: Real Estate

Reviewers Name: Shannon Cruz (Katherine Rinehart)

Reviewers Phone: 720-913-1525

Reviewers Email: [shannon.cruz@denvergov.org](mailto:shannon.cruz@denvergov.org)

Approval Status: Approved

Comments:

We were informed that the City is selling the parcel and therefore it will not be a standalone, landlocked parcel.

Status Date: 12/07/2023

Status: Approved w/Conditions

Comments: Relinquishing the easement will landlock the City parcel located at 2149 E WESLEY AVE, schedule # 0526603013000.

This is a City parcel, not ROW and cannot be vacated. We need another route to access that parcel.

Please email [Katherine.Rinehart@denvergov.org](mailto:Katherine.Rinehart@denvergov.org) and [Shannon.Cruz@denvergov.org](mailto:Shannon.Cruz@denvergov.org) with questions/comments.

Thanks!

Reviewing Agency: City Forester Review

Review Status: Approved

Reviewers Name: Eric Huetig

Reviewers Email: [Eric.Huetig@denvergov.org](mailto:Eric.Huetig@denvergov.org)

Status Date: 12/06/2023

Status: Approved

Comments: 2023-RELINQ-0000023 - 2135 E Wesley Utility Relinquish

OCF Comments 12-6-23

1. Proposed utility relinquishments are approved.

Reviewing Agency: Comcast Referral

Review Status: Approved - No Response

Status Date: 12/18/2023

Status: Approved - No Response

Comments:

Reviewing Agency: Denver Water Referral

Review Status: Approved

Status Date: 12/18/2023

Status: Approved

2023-RELINQ-0000023

# Comment Report

## DU STEM Horizons

04/21/2025

**Master ID:** 2023-PROJMSTR-0000365 **Project Type:** ROW Relinquishment  
**Review ID:** 2023-RELINQ-0000023 **Review Phase:**  
**Location:** 2135 E Wesley Ave **Review End Date:** 12/15/2023

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

Comments: PWPRS Project Number: 2023-RELINQ-0000023 2135 E Wesley Ave DU STEM Horizons  
Reviewing Agency/Company: Denver Water  
Reviewers Name: Gina Begly  
Reviewers Phone: 13036286219  
Reviewers Email: gina.begly@denverwater.org  
Approval Status: Approved

Comments:  
Denver Water has no objection to the relinquishment of this easement reservation for utilities. Approving this request has no influence on the existing 50' wide easement in the same area, which shall remain in full force and effect. (Denver Water Easement is recorded at reception #2000148780). No structures, trees, fencing, etc are allowed in the current easement. If applicant determines they want to relocate this waterline, they will need to submit a plan review at Denver Water and work with Property Management on an easement review.

Reviewing Agency: Survey Review Review Status: Approved

Reviewers Name: Brian Pfohl  
Reviewers Email: Brian.Pfohl@denvergov.org

Status Date: 04/10/2024  
Status: Approved  
Comments: PWPRS Project Number: 2023-RELINQ-0000023 2135 E Wesley Ave DU STEM Horizons  
Reviewing Agency/Company: DOTI-ROWS Survey  
Reviewers Name: Brian Pfohl  
Reviewers Phone: 630.202.6564  
Reviewers Email: brian.pfohl@denvergov.org  
Approval Status: Approved

Comments:  
Approved description & illustration are in the Legal Descriptions - APPROVED folder.

Status Date: 12/15/2023  
Status: Denied  
Comments: Comments in project folder

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

Reviewers Name: Jessica Eusebio  
Reviewers Email: Jessica.Eusebio@denvergov.org

Status Date: 12/18/2023  
Status: Comments Compiled  
Comments:

Status Date: 12/04/2023  
Status: Confirmation of Payment  
Comments:

Reviewing Agency: Denver Fire Department Review Review Status: Approved

# Comment Report

## DU STEM Horizons

04/21/2025

**Master ID:** 2023-PROJMSTR-0000365 **Project Type:** ROW Relinquishment  
**Review ID:** 2023-RELINQ-0000023 **Review Phase:**  
**Location:** 2135 E Wesley Ave **Review End Date:** 12/15/2023

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

**Reviewers Name:** Brian Dimock  
**Reviewers Email:** Brian.Dimock@denvergov.org  
**Status Date:** 12/06/2023  
**Status:** Approved  
**Comments:**

**Reviewing Agency:** Landmark Review **Review Status:** Approved

**Reviewers Name:** Emma-Marie Censky  
**Reviewers Email:** EmmaMarie.Censky@denvergov.org  
**Status Date:** 12/06/2023  
**Status:** Approved  
**Comments:**

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

**Status Date:** 12/18/2023  
**Status:** Approved - No Response  
**Comments:**

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

**Status Date:** 12/18/2023  
**Status:** Approved - No Response  
**Comments:**

**Reviewing Agency:** Parks and Recreation Review **Review Status:** Approved

**Reviewers Name:** Jennifer Cervera  
**Reviewers Email:** Jennifer.Cervera@denvergov.org  
**Status Date:** 12/13/2023  
**Status:** Approved  
**Comments:**

**Reviewing Agency:** Construction Engineering Review **Review Status:** Approved

**Reviewers Name:** Michael Holm  
**Reviewers Email:** Michael.Holm@denvergov.org  
**Status Date:** 12/12/2023  
**Status:** Approved  
**Comments:**

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

**Reviewers Name:** Jennifer Hillhouse  
**Reviewers Email:** Jennifer.Hillhouse@denvergov.org



# Comment Report

## DU STEM Horizons

04/21/2025

**Master ID:** 2023-PROJMSTR-0000365 **Project Type:** ROW Relinquishment  
**Review ID:** 2023-RELINQ-0000023 **Review Phase:**  
**Location:** 2135 E Wesley Ave **Review End Date:** 12/15/2023

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

**Status Date:** 12/18/2023  
**Status:** Approved - No Response  
**Comments:**

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

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

**Status Date:** 12/18/2023  
**Status:** Approved - No Response  
**Comments:**

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

**Status Date:** 12/18/2023  
**Status:** Approved - No Response  
**Comments:**

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

**Status Date:** 04/21/2025  
**Status:** Approved  
**Comments:** PWPRS Project Number: 2023-RELINQ-0000023 2135 E Wesley Ave DU STEM Horizons  
Reviewing Agency/Company: Public Service Company of Colorado (PSCo) dba Xcel Energy  
Reviewers Name: Donna George  
Reviewers Phone: 3035713306  
Reviewers Email: Donna.L.George@xcelenergy.com  
Approval Status: Approved

**Comments:**  
electric facilities have been removed

**Status Date:** 12/18/2023  
**Status:** Denied  
**Comments:** PWPRS Project Number: 2023-RELINQ-0000023 2135 E Wesley Ave DU STEM Horizons  
Reviewing Agency/Company: Public Service Company of Colorado (PSCo) dba Xcel Energy  
Reviewers Name: Donna George  
Reviewers Phone: 3035713306  
Reviewers Email: Donna.L.George@xcelenergy.com  
Approval Status: Denied

**Comments:**  
Please be aware PSCo has existing overhead electric distribution facilities along right side of the west easement proposed to be relinquished and near the middle of the east easement proposed to be relinquished. Neither of these are shown on the materials provided for this relinquishment case, but, are clearly shown on the case materials for planning case #s 2023PM0000365 / 2023-CONCEPT-0000200. Prior to the easement relinquishment, these facilities must be removed and/or relocated to replacement easements.  
The property owner/developer/contractor must complete the application via xcelenergy.com/InstallAndConnect. It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design

# Comment Report

## DU STEM Horizons

04/21/2025

**Master ID:** 2023-PROJMSTR-0000365 **Project Type:** ROW Relinquishment  
**Review ID:** 2023-RELINQ-0000023 **Review Phase:**  
**Location:** 2135 E Wesley Ave **Review End Date:** 12/15/2023

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

details. The Designer will then contact the Right-of-Way & Permits Agent for any necessary easements by separate PSCo document.

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

Status Date: 12/18/2023  
Status: Approved - No Response  
Comments:

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

Reviewers Name: Olga Mikhailova  
Reviewers Email: Olga.Mikhailova@denvergov.org

Status Date: 12/18/2023  
Status: Approved - No Response  
Comments:

Reviewing Agency: DES Transportation Review Review Status: Approved

Reviewers Name: Melissa Woods  
Reviewers Email: Melissa.Woods@denvergov.org

Status Date: 12/13/2023  
Status: Approved  
Comments:

Reviewing Agency: DES Wastewater Review Review Status: Approved

Reviewers Name: Kenneth Armfield  
Reviewers Email: ken.armfield@denvergov.org

Status Date: 10/09/2024  
Status: Approved  
Comments: PWPRS Project Number: 2023-RELINQ-0000023 2135 E Wesley Ave DU STEM Horizons  
Reviewing Agency/Company: CCD/DOTI/ROWS/DES-Wastewater  
Reviewers Name: Ken Armfield  
Reviewers Phone: 720-865-3161  
Reviewers Email: ken.armfield@denvergov.org  
Approval Status: Approved

Comments:  
Note that all affected properties upstream of DU's proposed relinquishment are University of Denver properties, thus we will relinquish this easement even before the proposed re-route of the sewer main is constructed.

Status Date: 12/15/2023  
Status: Denied  
Comments: Denver DES-Wastewater will not approve this relinquishment until and unless the upstream users of the public sanitary sewer main within this easement have been connected to a different public sanitary sewer main. It is our understanding that a different connection to the public sanitary sewer system is being proposed as part of this DU STEM Horizons project.

# Comment Report

## DU STEM Horizons

04/21/2025

<b>Master ID:</b>	2023-PROJMSTR-0000365	<b>Project Type:</b>	ROW Relinquishment
<b>Review ID:</b>	2023-RELINQ-0000023	<b>Review Phase:</b>	
<b>Location:</b>	2135 E Wesley Ave	<b>Review End Date:</b>	12/15/2023

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

Reviewing Agency: RTD Referral	Review Status: Approved
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Status Date: 12/18/2023  
Status: Approved  
Comments: PWPRS Project Number: 2023-RELINQ-0000023 2135 E Wesley Ave DU STEM Horizons  
Reviewing Agency/Company: RTD  
Reviewers Name: clayton s woodruff  
Reviewers Phone: 303-299-2943  
Reviewers Email: Clayton.woodruff@rtd-denver.com  
Approval Status: Approved

### Comments:

The RTD engineering review has no exceptions to this project at this time.  
This review is for Design concepts and to identify any necessary improvements to RTD stops and property affected by the design. This review of the plans does not eliminate the need to acquire, and/or go through the acquisition process of any agreements, easements or permits that may be required by the RTD for any work on or around our facilities and property.