

SUBMITTAL CHECKLIST

FOR ENCROACHMENTS & ENCUMBRANCES IN THE PUBLIC RIGHT-OF-WAY

Any Submittal not meeting all minimum checklist criteria herein will be rejected as incomplete.

Encroachments shall be in accordance with:

- [Rules and Regulations Governing Encroachments & Encumbrances in the Public Right-of-Way](#)
- [Transportation Standards and Details for the Engineering Division](#)

Application

- Signed by adjacent property owner** as owner of Encroachment or authorized Special District representative

Evidence of Adjacent Property Ownership & Property Legal Description

Required for all Encroachment Permit Applications

- Current Title Work/Warranty Deed confirming ownership and legal description for adjacent property
- Property Legal Description in Word format

Legal Description sealed and signed by a Professional Land Surveyor licensed in Colorado

Required for Tier II Underground Encroachments and all Tier III Encroachments, can be submitted after 1st review

- Encroachment Area Legal Description and Exhibit(s) in PDF format stamped and signed by PLS
- Encroachment Area Legal Description in Word format

Site Plans sealed and signed by a Professional Engineer licensed in Colorado

GENERAL

- Vicinity map
- North arrows and numerical and bar scales (Scale not to exceed 1" = 40')
- Legend
- PE stamp area
- Plan set date and revision number (if applicable)

PLAN VIEW

Show, label and dimension existing and proposed final site conditions, including but not limited to the following (aerial imagery is allowed; however, it does not replace requirement for accurately scaled engineering drawings):

- Property lines, right-of-way width
- Edge of pavement, curb and gutter, sidewalks, nearby driveways and alleys
- Street lights, pedestrian lights, signal poles, utility poles
- Surface utility features (e.g. cabinets, handholes, manholes, inlets, vaults, valves, fire hydrants)
- Regulatory Floodplain boundaries (FEMA)
- Underground and overhead utilities (e.g. water, sewer, power, communications, gas, irrigation)
- Trees and landscaping in the ROW
- Street names and adjacent property address(es)
- Regional Transportation District (RTD) bus stop with any amenities
- Location and size of Encroachment – Show and dimension limits of both above and below ground elements

City and County of Denver – Department of Transportation & Infrastructure

Right-of-Way Services | Engineering & Regulatory
201 West Colfax Ave. Dept. 507 | Denver, CO 80202

www.denvergov.org/doti

Phone: 720-865-3003

- Construction Materials
- Projection from building
- Distance from Encroachment to the nearest flowline
- Distance from Encroachment to any other Streetscape feature/obstruction in the vicinity
- Distance from property line to back of curb
- Electrical service alignment, electrical connection location, and voltage/amps
- No proposed Encroachments located in the intersection clear zone per Transportation Std. Dwg. 7.9

ELEVATION OR CROSS-SECTION VIEWS

- Location and size of Encroachment – Show and dimension limits of both above and below ground elements
- Existing and final grade
- Existing utilities and their size and depth
- Vertical height/clearance of the Encroachment from finish grade

DETAIL SHEET(S)

- Manufacturer's and/or construction detail(s)
- Referenced City detail(s) by drawing number on the appropriate plan and elevation view(s)
- Office of the Forester's (OCF) tree protection detail and notes
- Special, non-standard, or modified City details

STRUCTURAL PLANS Not Applicable

- Structural plans
- Manufacturers certification

ADDITIONAL REQUIRED MATERIAL(S) Not Applicable

- Approval from applicable reviewing authorities (e.g. design review district, floodplain, Arts & Venues)
- For properties sharing the Encroachment, appropriate legal documentation for review by the City

COMMENT RESOLUTION SHEET(S) IF APPLICABLE Not Applicable for 1st Submittal

- Reviewer's and Agency Name
- Review comments (reviewer comments must be verbatim)
- Formal written response to each comment

Fees:

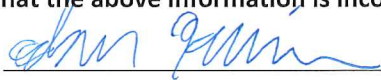
Fees must be paid immediately after ER provides a project number and invoice for your application.

Fees (Non-Refundable):	Tier I Encroachment:	Tier II Encroachment:	Tier III Encroachment:
Initial Processing	No Fee	\$1,500.00	\$1,500.00
Legal Description Review	N/A	\$300.00	\$300.00
Resolution Review	N/A	N/A	\$300.00
Annual Permit	No Fee	\$200.00	\$200.00

Attestation:

I hereby attest that the above information is incorporated into the Encroachment Application and plan submittal:

SIGNATURE:



DATE: 10/6/2022

PRINT NAME:

Adam Harrison

EMAIL:

adam.harrison@kimley-horn.com

COMPANY:

Kimley-Horn and Associates

APPLICATION

FOR ENCROACHMENTS & ENCUMBRANCES IN THE PUBLIC RIGHT-OF-WAY

An Encroachment Permit is required prior to placing privately-owned improvements (“Encroachment” or “Encumbrance”) in the public Right-of-Way (ROW). Only Encroachment Permit Applications in accordance with [Rules and Regulations](#) and [Permit Entrance Requirements](#) for Encroachments in the Public Right-of-Way will be considered by the Department of Transportation & Infrastructure (DOTI). **It is the City’s sole discretion whether to grant an Encroachment Permit based on any facts the City feels are relevant. Approval is not guaranteed.**

To apply, complete this application and submit together with required application materials in accordance with the [Permit Entrance Requirements](#) to DOTI.ER@denvergov.org. Please type or print clearly. If necessary, attach additional sheets to fully answer any of the following sections. Incomplete applications packages will not be accepted. Questions on this application or the process can be sent to DOTI.ER@denvergov.org.

ENCROACHMENT OWNER/ADJACENT PROPERTY OWNER:

The adjacent property owner will be the Encroachment Owner and Permittee and is the responsible party for the Encroachment in accordance with the Rules and Regulations, including all fees and annual billing.

Company Name: 38th & Holly LLLP
 Contact Name: Derrell Schreiner
 Property Address: 3800 N Holly St and 5909 E 38th Ave
 Billing Address: 155 S Madison St #326 Denver, CO 80209
 Telephone Number: 720.708.4065 Email Address: derrell@delwest.com

OWNER REPRESENTATIVE: Check if the same as Adjacent Property Owner

Company Name: Kimley-Horn & Associates
 Contact Name: Adam Harrison
 Address: 1125 17th St Suite 1400 Denver, CO 80202
 Telephone Number: 303.228.2300 Email Address: adam.harrison@kimley-horn.com

ENCROACHMENT INFORMATION:

Project Name: 38th & Holly Affordable Multifamily
 Adjacent Property Address: 3800 N Holly St and 5909 E 38th Ave
 Coordinates (Lat/Long): 39.769850, -104.920007
 Encroachment Area, in SF: 586.87 SF

City and County of Denver — Department of Transportation & Infrastructure
 Right-of-Way Services | Engineering & Regulatory
 201 West Colfax Ave. Dept. 507 | Denver, CO 80202
www.denvergov.org/doti
 Phone: 720-865-3003

Is this project associated with a LAND DEVELOPMENT REVIEW?

Yes No If 'Yes', provide Project Master, Site Plan and/or Concept Development Project Numbers:

2020PM0000557

Location Description: (e.g. Located on the South side of 23rd Ave, twenty (20) feet from face of curb, and ten (10) feet west of pavement on Private Drive.)

Located in the proposed Ivy Street ROW splitting proposed parcel 1 and 2. Sanitary parallel ~10' from west curb face and storm perpendicular ~111' from rear property line.

Description of Encroachment:

Describe the proposed encroachment, including the type, dimensions, and quantity of objects. If the space below is not enough space to describe the encroachment, attach the description as a sheet. Additionally, provide required application materials in accordance with the Permit Entrance Requirements. It is not acceptable to use "please see attached plans" or other vague descriptors.

Encroachments include a ~362 LF of 8" PVC sanitary main running parallel with Ivy Street to the existing sanitary main in 38th Ave including two manholes. In addition, two separate storm lines run perpendicular crossing through this ROW. The north pipe is ~119 LF of 12" PP and 18" PP and includes two manholes and two inlets to collect the runoff in the ROW and convey to the private water quality pond and underground detention. The south line is 64 LF of 12" PP and runs perpendicular to the ROW.

Justification for Private Improvements in the Public ROW:

Private improvements should be located on private property. Only in cases where there are physical constraints that preclude the placement of private improvements on private property that an encroachment may be considered within the right-of-way. Make your case as to why this is a good use of the public right-of-way. It is not acceptable to use "you want/need it" or other vague descriptors.

The original site was intended to be one parcel which had a sanitary line connecting 6 of the 8 buildings and running down a private drive before connecting to 38th Ave. However, the City requested that 64' of ROW be dedicated separating the site into two parcels and placing the sanitary into the ROW. The sanitary for now just serves our two parcels but in the future could be extended north to serve future developments. The two storm crossings are needed to convey flows from the east parcel to the west parcel which contains the water quality and detention features of the site. There is not enough space on the east side to provide these features.

FOR ER INTERNAL USE ONLY:

Tier Determination: _____ Project Number: _____ Initials: _____

ATTESTATION:

By submitting this permit application and signing below, I understand and agree to the following:

1. That I am the property owner adjacent to the Encroachment Area, or the authorized representative of a Special District, that is responsible for the placement, maintenance, repair, replacement, removal, site restoration, ownership, or is otherwise responsible for the Encroachment in accordance with the Rules & Regulations for Encroachments and Encumbrances in the Public Right-of-Way.
2. That it is the City's sole discretion to classify the Tier of an Encroachment and whether to grant an Encroachment Permit based on any facts the City feels are relevant. The issuance of an Encroachment Permit confers no rights to the Right-of-Way, the Encroachment Permit is revocable and DOTI can order the removal of the Encroachment and restoration of the Encroachment Area for any reason the City feels relevant.
3. Permittee agrees to defend, indemnify, reimburse and hold harmless the City, its appointed and elected officials, agents and employees for, from and against all liabilities, claims, judgments, suits or demands for damages to persons or property arising out of, resulting from, or relating to an Encroachment Permit and the Encroachment ("Claims"). This indemnity shall be interpreted in the broadest possible manner to indemnify City for any acts or omissions of Permittee or its subcontractors either passive or active, irrespective of fault, including City's negligence whether active or passive.
4. Permittee's duty to defend and indemnify City shall arise at the time written notice of the Claim is first provided to City regardless of whether claimant has filed suit on the Claim. Permittee's duty to defend and indemnify City shall arise even if City is the only party sued by claimant and/or claimant alleges that City's negligence or willful misconduct was the sole cause of claimant's damages.
5. Permittee will defend any and all Claims which may be brought or threatened against City and will pay on behalf of City any expenses incurred by reason of such Claims including, but not limited to, court costs and attorney fees incurred in defending and investigating such Claims or seeking to enforce this indemnity obligation. Such payments on behalf of City shall be in addition to any other legal remedies available to City and shall not be considered City's exclusive remedy.
6. Insurance coverage requirements specified in an Encroachment Permit shall in no way lessen or limit the liability of Permittee under the terms of this indemnification obligation. Permittee shall obtain, at its own expense, any additional insurance that it deems necessary for the City's protection.
7. This defense and indemnification obligation shall survive the expiration or termination of any issued Encroachment Permit.
8. Permittee is fully responsible for all costs to install, maintain, repair, replace, remove, and restore the Encroachment Area, including annual City Encroachment Permit Fees. A lien will be placed on the Permittee's property for failure to remove a revoked or abandoned Encroachment for cost incurred by CCD to remove the Encroachment and restore the Encroachment Area on behalf of the Permittee.
9. Indemnity and Insurance for Tier I and Tier II Encroachments: Pursuant to and not superseding any General Terms and Conditions, as a condition for placement of a Tier I or Tier II Encroachment, the Owner of such Tier I or Tier II Encroachment shall hold CCD harmless from all loss or damage to persons or property on account of injury arising from the construction, repair, or maintenance of the Tier I or Tier II Encroachment. Obtain and Maintain a Commercial General Liability insurance policy with limits of \$1,000,000 for each occurrence, \$1,000,000 for each personal and advertising injury claim, \$2,000,000 products and completed operations aggregate, and \$2,000,000 policy aggregate. The City and County of Denver, its Elected and Appointed Officials, Employees and Volunteers shall be included as Additional Insured.
10. Indemnity and Insurance for Tier III Encroachments: Pursuant to and not superseding any General Terms and Conditions, as a condition for placement of a Tier III Encroachment, the Owner of such Tier III Encroachment shall hold CCD harmless from all loss or damage to persons or property on account of injury arising from the construction, repair, or maintenance of the Tier III Encroachment. Obtain and Maintain a Commercial General Liability insurance policy with limits of \$1,000,000 for each occurrence, \$1,000,000 for each personal and advertising injury claim, \$2,000,000 products and completed operations aggregate, and \$5,000,000 policy aggregate. A combination of primary and excess coverage may be used to meet the aggregate limit. The City and County of Denver, its Elected and Appointed Officials, Employees and Volunteers shall be included as Additional Insured.

ADJACENT PROPERTY

OWNER SIGNATURE: 

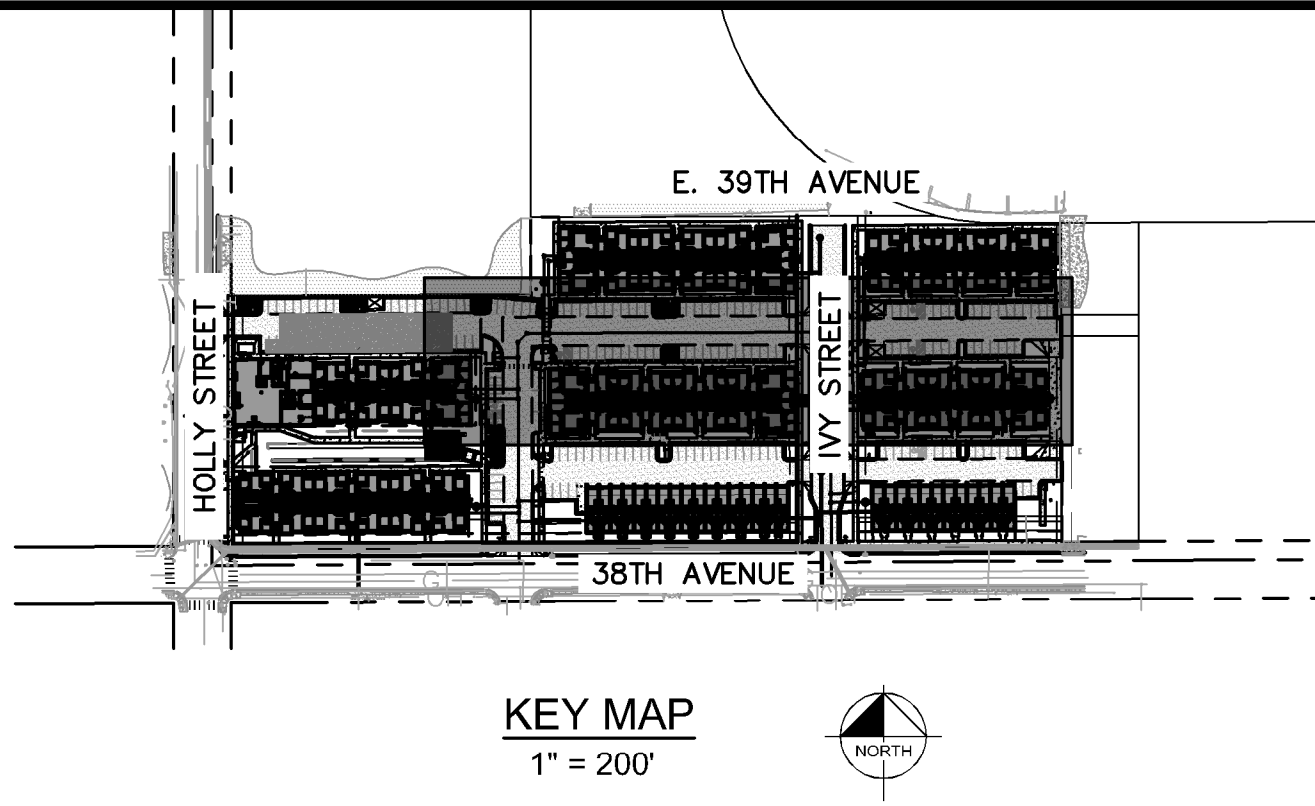
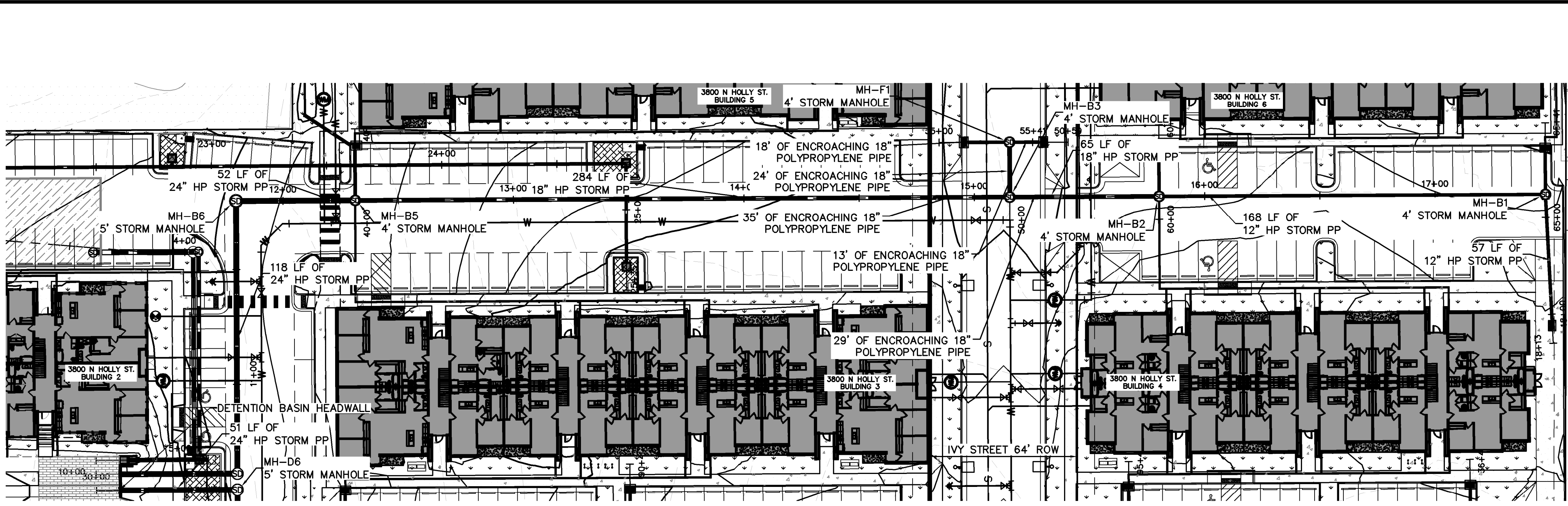
DATE: 3-16-23

PRINT NAME: Deverell Schremer

TITLE: Director of Cost

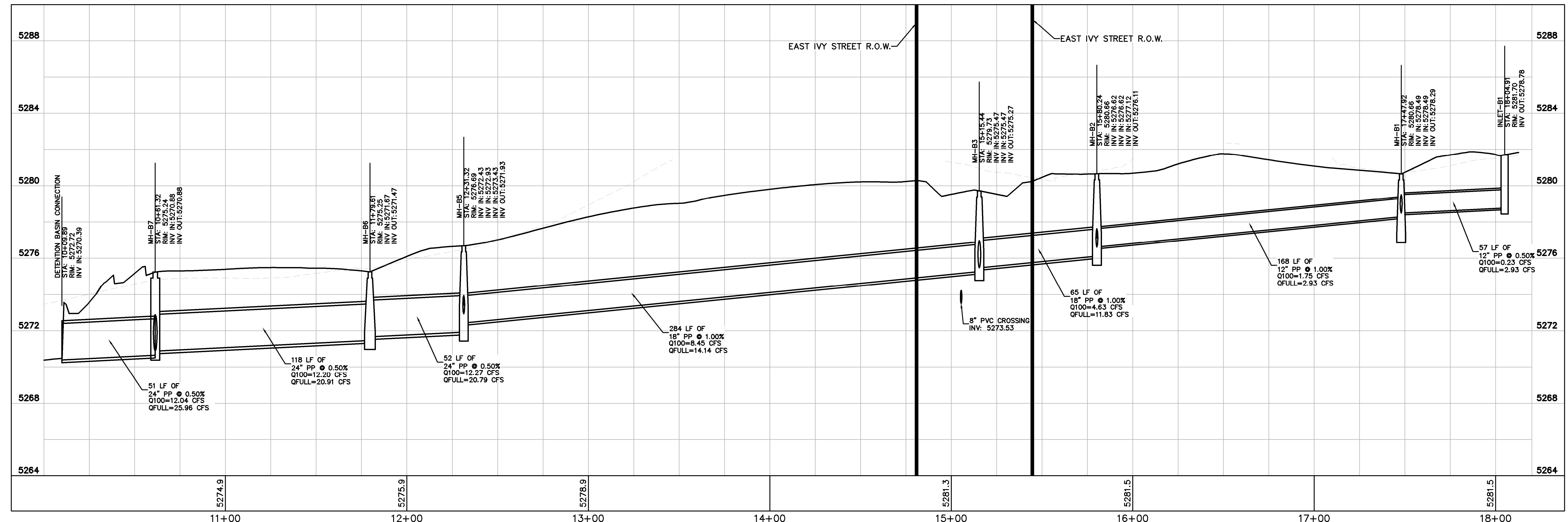
COMPANY: Delvest Development Corp.

K:\DENVER_C\109686002_38th-Holly\38th-Holly\38th-Holly\2022_SSP.dwg - ROW Encroachment\09686002ST_SSP.dwg - Revs - Contact: 10/18/2016, 10:57 AM
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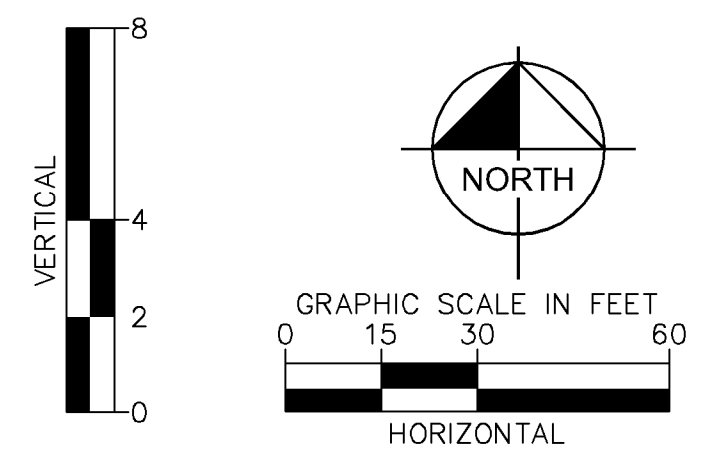
GENERAL NOTES:
 1. STORM PIPE AND STRUCTURES ON THE PLAN ARE PRIVATE UNLESS NOTED OTHERWISE.

FLOODPLAIN:
 THE SURVEYED PROPERTY IS LOCATED WITHIN ZONE X. OTHER AREAS - DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) ON FLOOD INSURANCE RATE MAP (FIRM) - MAP NUMBER 0800460093H (NOT PRINTED) WITH A MAP REVISED DATE OF 11/20/2013. (TABLE A, ITEM 3)



LEGEND:

	PROPERTY LINE		EXISTING OVERHEAD UTILITY LINE		PROPOSED WATER LINE
	EXISTING MAJOR CONTOUR		EXISTING FIBER OPTIC LINE		PROPOSED STORM SEWER
	EXISTING MINOR CONTOUR		EXISTING ELECTRIC LINE		PROPOSED SANITARY SEWER
	PROPOSED MAJOR CONTOUR		EXISTING SANITARY SEWER		PROPOSED SANITARY MANHOLE
	PROPOSED MINOR CONTOUR		EXISTING STORM SEWER		PROPOSED STORM MANHOLE
	EXISTING GAS LINE		EXISTING WATER LINE		PROPOSED FIRE HYDRANT
					PROPOSED STORM INLET



Project Engineer's Professional Engineer Seal, Signature, and Date

DES PROJECT NO. 2020PM0000577 / 2022-SSPR-0000070	PROJECT NO. 096886002
PROJECT NAME: 38TH AND HOLLY	DRAWING NAME: 096886002ST_SSP.dwg
DRAWING NO. ST1.0	DATE: 08/12/22



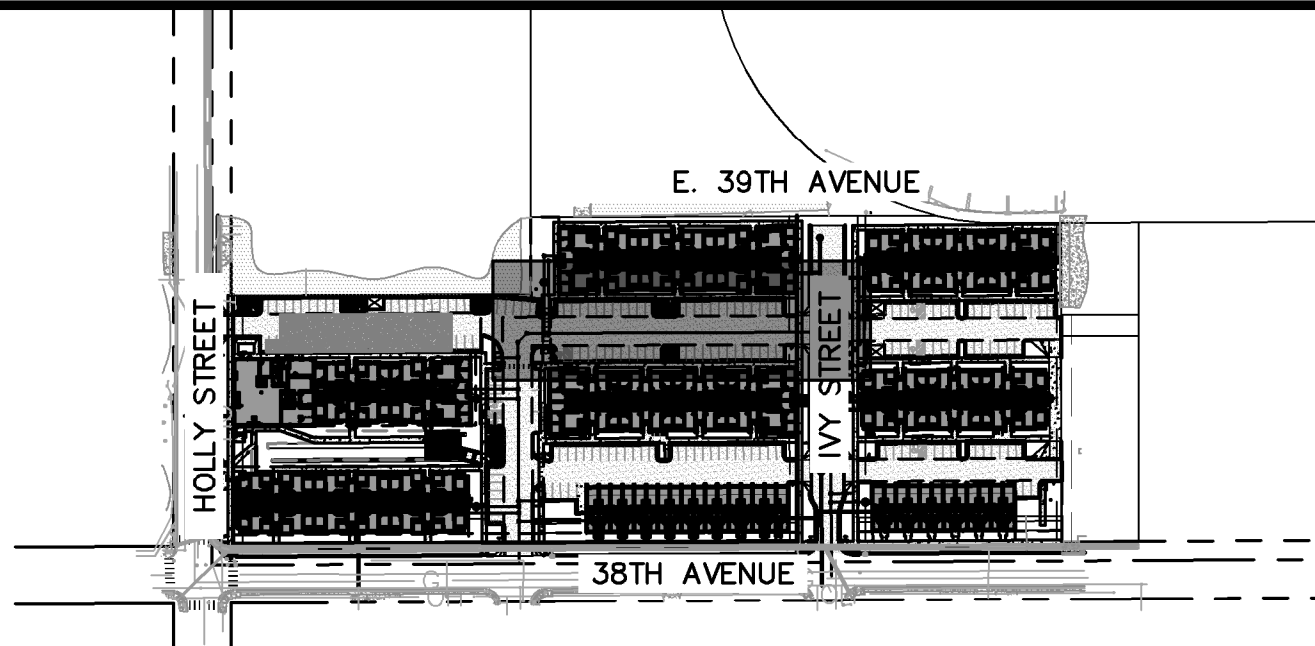
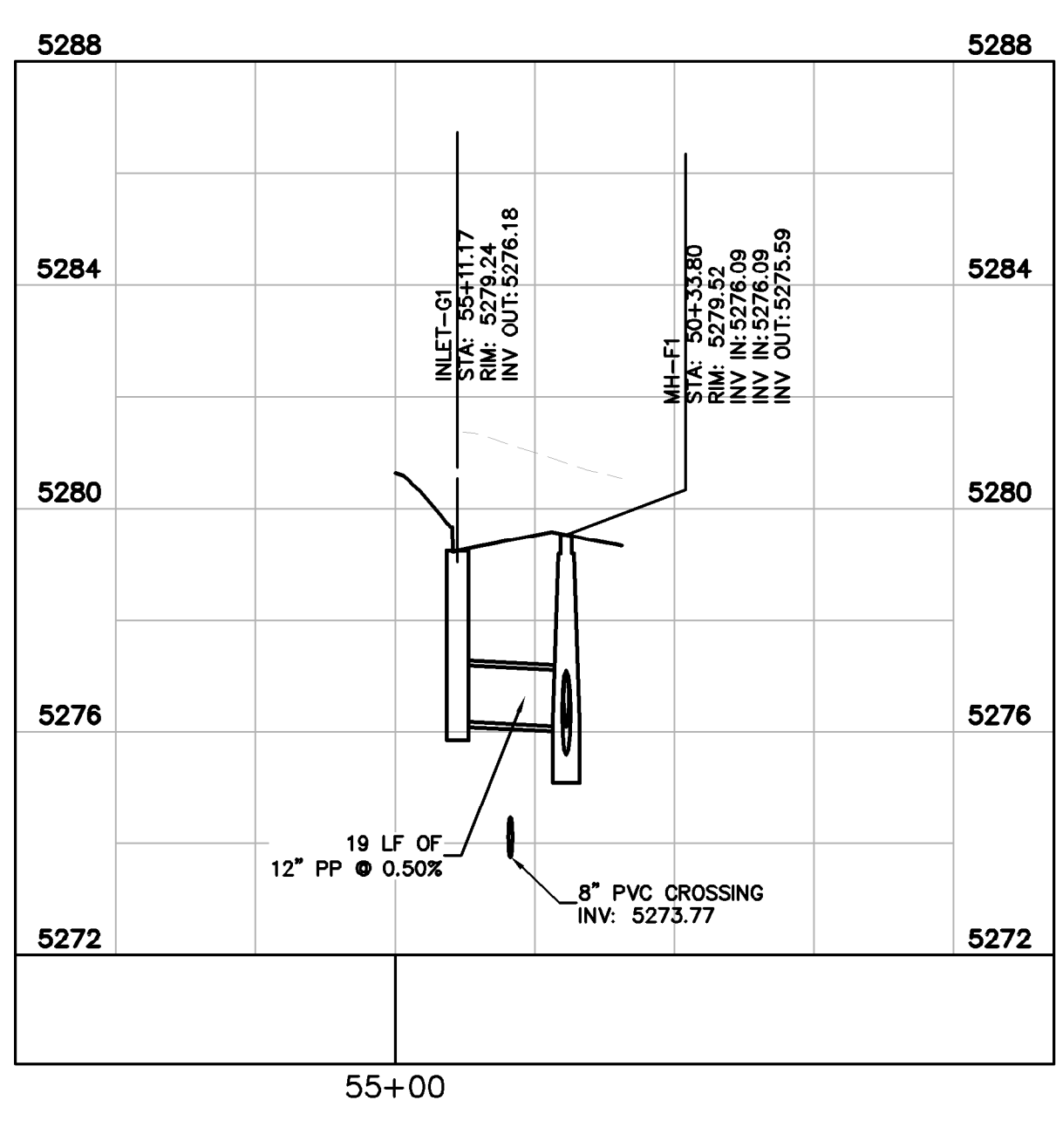
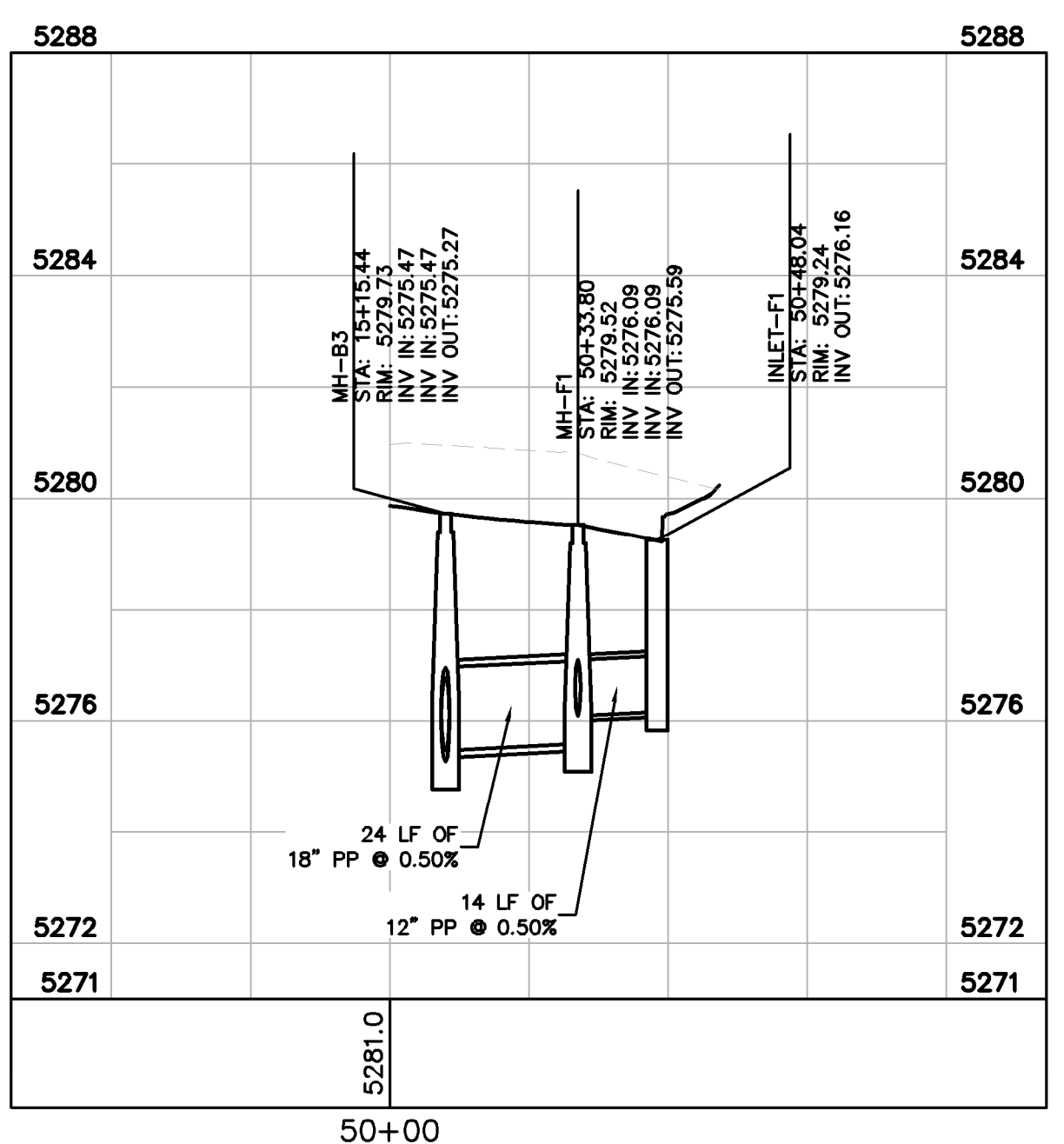
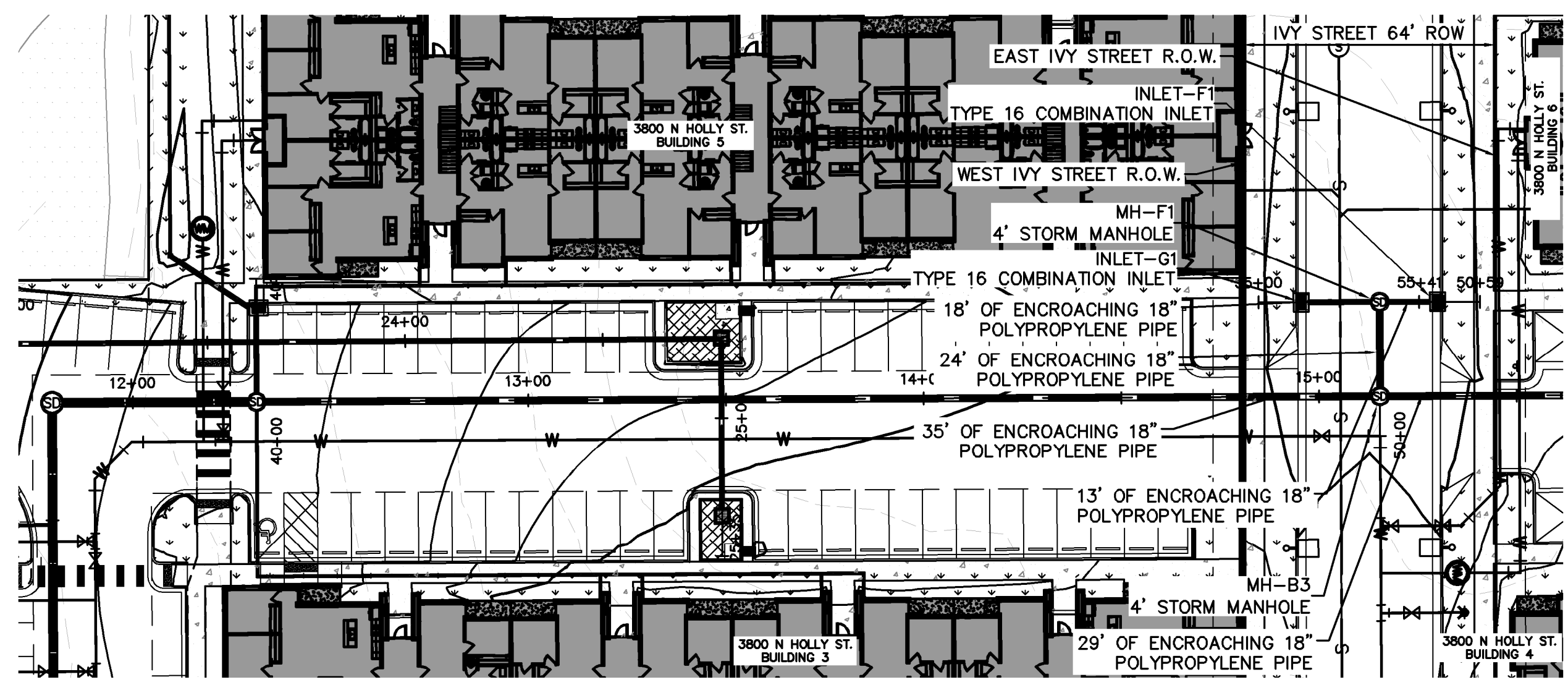
NO. _____ BY _____ DATE _____
 REVISION _____

Kimley»Horn
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 1125 17th Street, Suite 1400
 Denver, Colorado 80202 (303) 228-2300

DESIGNED BY: MTH
DRAWN BY: GTG
CHECKED BY: AJH
DATE: 08/12/22

38TH AND HOLLY
 CITY AND COUNTY OF DENVER, PRIVATE AND PUBLIC STORM AND SANITARY SEWER PLANS
 3800 NORTH HOLLY STREET, 5755 EAST 38TH AVE., 5925 EAST 38TH AVE.
STORM SEWER R.O.W. ENCROACHMENT

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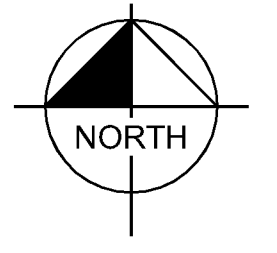
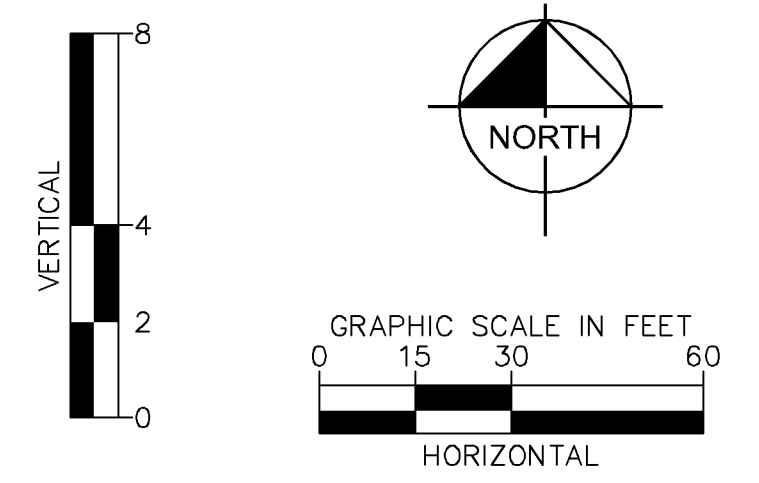


KEY MAP
1" = 200'

- LEGEND:**
- PROPERTY LINE
 - - - - - EXISTING MAJOR CONTOUR
 - - - - - EXISTING MINOR CONTOUR
 - - - - - PROPOSED MAJOR CONTOUR
 - - - - - PROPOSED MINOR CONTOUR
 - - - - - EXISTING GAS LINE
 - - - - - EXISTING OVERHEAD UTILITY LINE
 - - - - - EXISTING FIBER OPTIC LINE
 - - - - - EXISTING ELECTRIC LINE
 - - - - - EXISTING SANITARY SEWER
 - - - - - EXISTING STORM SEWER
 - - - - - EXISTING WATER LINE
 - - - - - PROPOSED WATER LINE
 - - - - - PROPOSED STORM SEWER
 - - - - - PROPOSED SANITARY SEWER
 - ⊙ PROPOSED SANITARY MANHOLE
 - ⊙ PROPOSED STORM MANHOLE
 - ▲ PROPOSED FIRE HYDRANT
 - PROPOSED STORM INLET

GENERAL NOTES:
 1. STORM PIPE AND STRUCTURES ON THE PLAN ARE PRIVATE UNLESS NOTED OTHERWISE.

FLOODPLAIN:
 THE SURVEYED PROPERTY IS LOCATED WITHIN ZONE X, OTHER AREAS - DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) ON FLOOD INSURANCE RATE MAP (FIRM) - MAP NUMBER 0800460093H (NOT PRINTED) WITH A MAP REVISED DATE OF 11/20/2013. (TABLE A, ITEM 3)



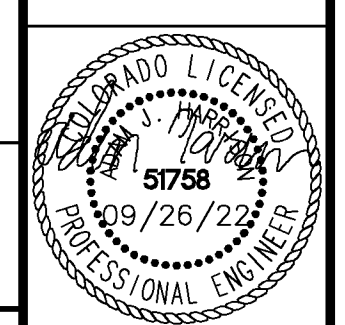
DESIGNER'S PROFESSIONAL ENGINEER SEAL, SIGNATURE, AND DATE			
DES PROJECT NO. 2020PM0000557/ 2022-SSPR-0000070			
PROJECT NAME: 38TH AND HOLLY			
DESIGNED BY: MTH	DATE: 04/21/2022	DATE ISSUED: 04/21/2022	DRAWING NO. ST1.1
DRAWN BY: GTG	DATE: 04/21/2022	SHEET 3 OF 33 SHEETS	
CHECKED BY: AJH	DATE: 04/21/2022		

NO.	REVISION	BY	DATE	APPR

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 Denver, Colorado 80202 (303) 228-2300

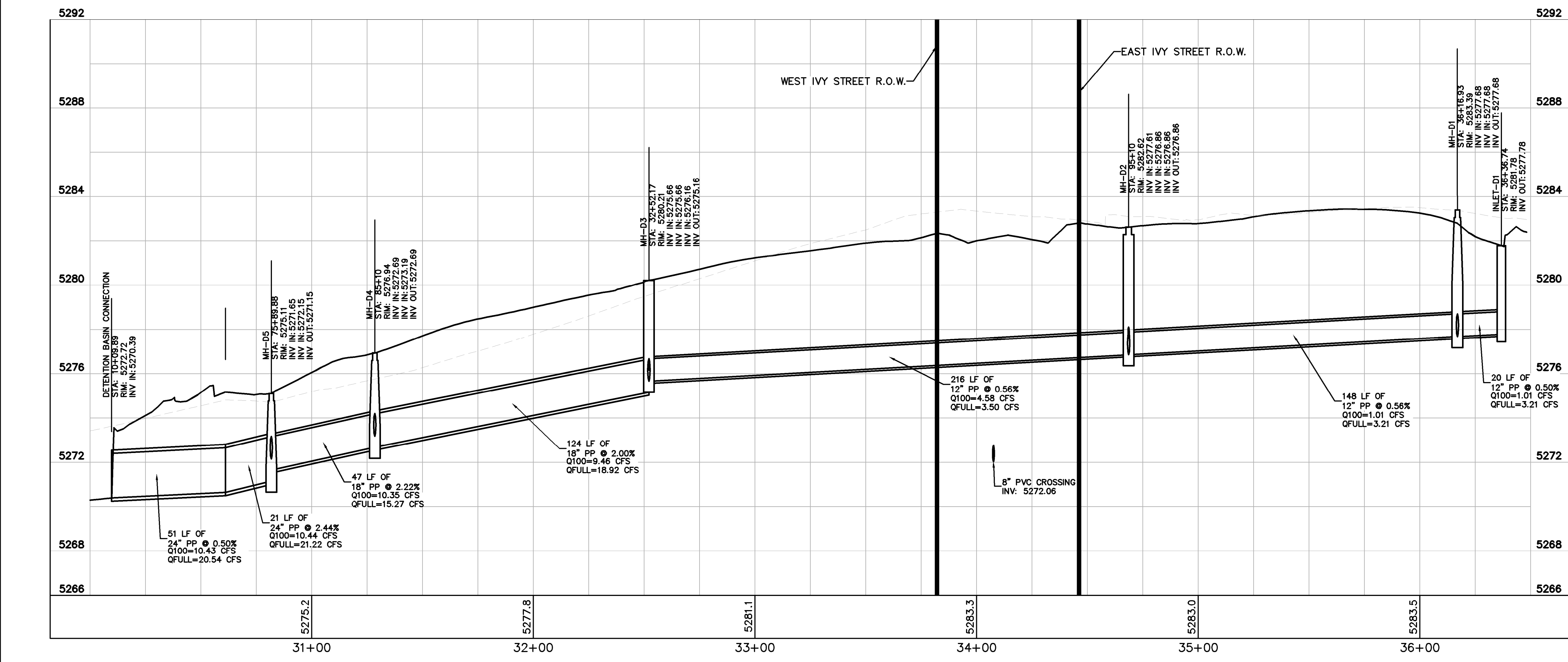
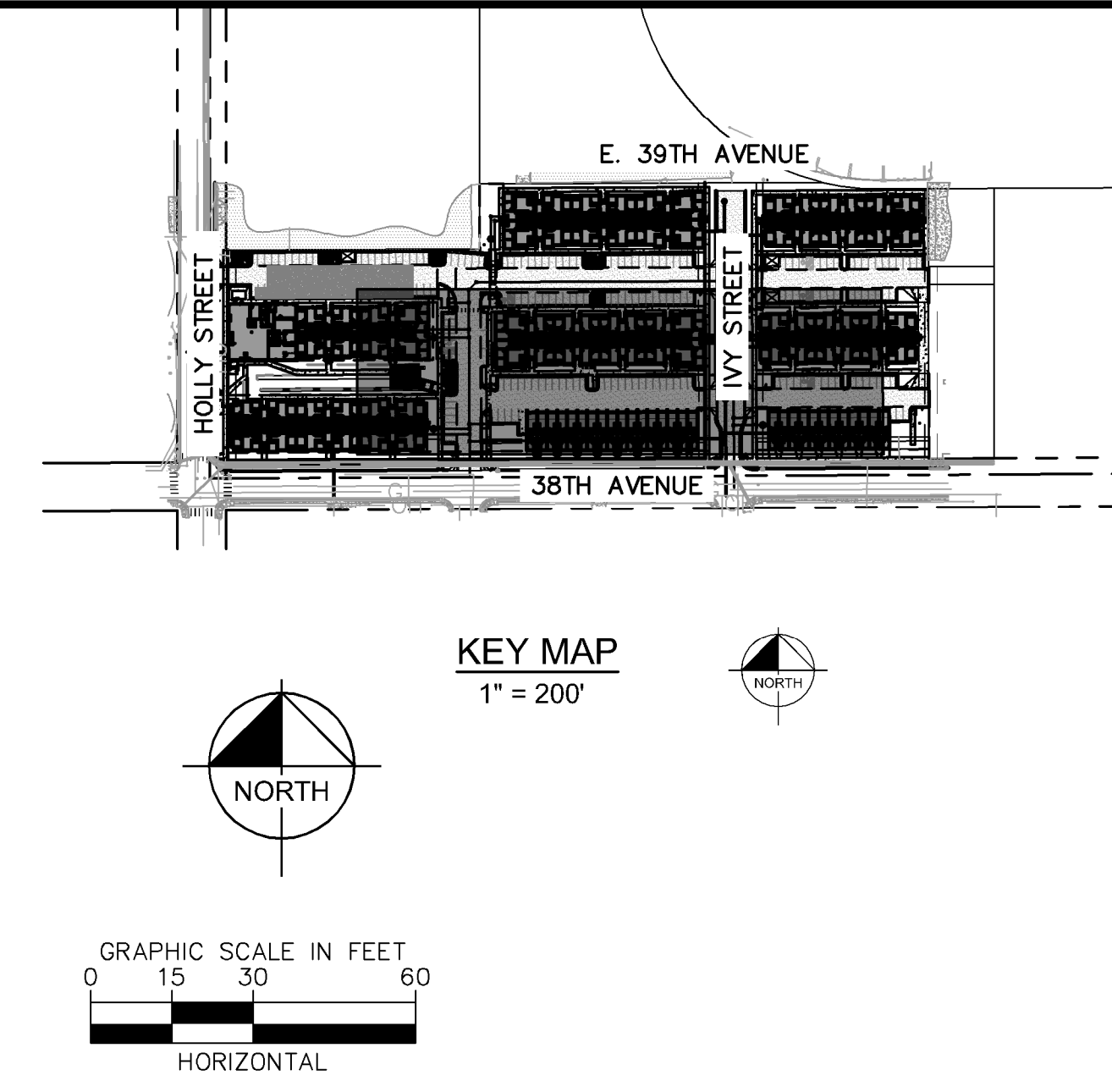
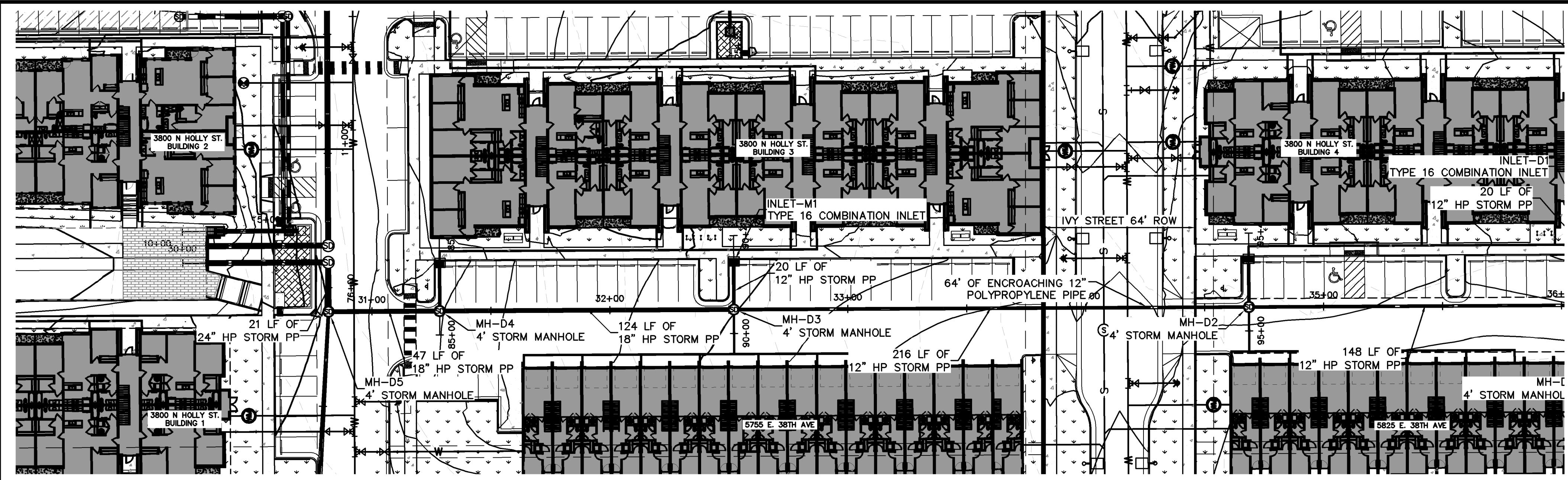
DESIGNED BY: MTH
 DRAWN BY: GTG
 CHECKED BY: AJH
 DATE: 08/12/22

38TH AND HOLLY
 CITY AND COUNTY OF DENVER, PRIVATE AND PUBLIC STORM AND SANITARY SEWER PLANS
 3800 NORTH HOLLY STREET, 5755 EAST 38TH AVE., 5925 EAST 38TH AVE.
STORM SEWER PLAN & PROFILE



PROJECT NO.
096886002
 DRAWING NAME
096886002ST_SSP.dwg
ST1.1

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 Project: 10/18/2022, 10:57 AM
 Contact: 10/18/2022, 10:57 AM
 Project Engineer: MTH
 Designer: GTG
 Checker: AJH
 Date: 08/12/22



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LEGEND:

- | | | | |
|-----------|--------------------------------|---|---------------------------|
| — | PROPERTY LINE | — | EXISTING ELECTRIC LINE |
| - - - - - | EXISTING MAJOR CONTOUR | — | EXISTING SANITARY SEWER |
| - - - - - | EXISTING MINOR CONTOUR | — | EXISTING STORM SEWER |
| XXXX | PROPOSED MAJOR CONTOUR | — | EXISTING WATER LINE |
| XXXX | PROPOSED MINOR CONTOUR | — | PROPOSED WATER LINE |
| FO | EXISTING GAS LINE | — | PROPOSED STORM SEWER |
| OH | EXISTING OVERHEAD UTILITY LINE | — | PROPOSED SANITARY SEWER |
| S | EXISTING FIBER OPTIC LINE | ⊙ | PROPOSED SANITARY MANHOLE |
| | | ⊙ | PROPOSED STORM MANHOLE |
| | | ◀ | PROPOSED FIRE HYDRANT |
| | | ■ | PROPOSED STORM INLET |

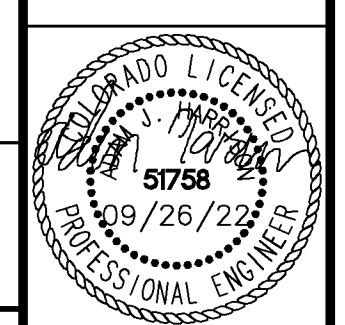
NO.	REVISION	BY	DATE	APPR

Kimley»Horn

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 1125 17th Street, Suite 1400
 Denver, Colorado 80202 (303) 228-2300

DESIGNED BY: MTH
 DRAWN BY: GTG
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 DATE: 08/12/22

38TH AND HOLLY
 CITY AND COUNTY OF DENVER, PRIVATE AND PUBLIC STORM AND SANITARY SEWER PLANS
 3800 NORTH HOLLY STREET, 5755 EAST 38TH AVE., 5925 EAST 38TH AVE.
STORM SEWER R.O.W. ENCROACHMENT



Project Engineer's Professional Engineer Seal, Signature, and Date			
DES PROJECT NO. 2020PM0000557/ 2022-SSPR-0000070			
PROJECT NAME: 38TH AND HOLLY			
DESIGNED BY: MTH	DATE: 04/21/2022	DATE ISSUED: 04/21/2022	DRAWING NO. ST1.2
DRAWN BY: GTG	DATE: 04/21/2022	SHEET 4 OF 33 SHEETS	
CHECKED BY: AJH	DATE: 04/21/2022		

PROJECT NO.
096886002

DRAWING NAME
096886002ST_SSP.dwg

ST1.2

EXHIBIT A

LAND DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF NORTH IVY STREET, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE 20 FOOT RANGE LINE LOCATED IN 38TH AVENUE BETWEEN HOLLY STREET AND KEARNEY STREET IS ASSUMED TO BEAR NORTH 89°42'44" EAST, BASED ON THE CITY AND COUNTY OF DENVER LOCAL PROJECTION COORDINATE SYSTEM, AS MONUMENTED ON THE WEST BY AN AXLE 1.1 FEET BELOW THE SURFACE IN A RANGE BOX AND ON THE EAST BY AN AXLE 1 FOOT BELOW THE SURFACE IN A RANGE BOX;

COMMENCING AT THE WEST END OF THE 20 FOOT RANGE LINE OF 38TH AVENUE LOCATED AT THE INTERSECTION OF HOLLY STREET AND 38TH AVENUE;

THENCE SOUTH 87°37'29" EAST, A DISTANCE OF 630.35 FEET TO THE **POINT OF BEGINNING**;

THENCE NORTH 00°17'11" WEST, A DISTANCE OF 127.38 FEET;

THENCE SOUTH 89°43'05" WEST, A DISTANCE OF 20.42 FEET TO THE WEST RIGHT-OF-WAY LINE OF SAID NORTH IVY STREET;

THENCE NORTH 00°01'27" WEST, ALONG SAID WEST RIGHT-OF-WAY, A DISTANCE OF 10.00 FEET;

THENCE NORTH 89°43'05" EAST, A DISTANCE OF 20.37 FEET;

THENCE NORTH 00°17'11" WEST, A DISTANCE OF 135.99 FEET;

THENCE SOUTH 89°43'05" WEST, A DISTANCE OF 19.75 FEET TO SAID WEST RIGHT-OF-WAY;

THENCE NORTH 00°01'27" WEST ALONG SAID WEST RIGHT-OF-WAY, A DISTANCE OF 10.00 FEET;

THENCE NORTH 89°43'05" EAST, A DISTANCE OF 19.70 FEET;

THENCE NORTH 00°17'11" WEST, A DISTANCE OF 13.74 FEET;

THENCE SOUTH 89°43'05" WEST, A DISTANCE OF 11.79 FEET;

THENCE NORTH 00°11'55" WEST, A DISTANCE OF 10.00 FEET;

THENCE NORTH 89°27'29" EAST, A DISTANCE OF 11.77 FEET;

THENCE NORTH 00°17'11" WEST, A DISTANCE OF 64.59 FEET;

THENCE NORTH 90°00'00" EAST, A DISTANCE OF 10.00 FEET;

THENCE SOUTH 00°17'11" EAST, A DISTANCE OF 64.60 FEET;

THENCE NORTH 89°43'05" EAST, A DISTANCE OF 26.56 FEET;

THENCE SOUTH 00°11'53" EAST, A DISTANCE OF 10.00 FEET;

THENCE SOUTH 89°43'05" WEST, A DISTANCE OF 16.54 FEET;

THENCE SOUTH 00°17'16" EAST, A DISTANCE OF 13.74 FEET;

THENCE NORTH 89°43'05" EAST, A DISTANCE OF 24.30 FEET TO THE EAST RIGHT-OF-WAY LINE OF SAID NORTH IVY STREET;

THENCE SOUTH 00°01'27" EAST, ALONG SAID EAST RIGHT-OF-WAY, A DISTANCE OF 10.00 FEET;

THENCE SOUTH 89°43'05" WEST, A DISTANCE OF 34.25 FEET;

THENCE SOUTH 00°17'11" EAST, A DISTANCE OF 135.99 FEET;

THENCE NORTH 89°43'05" EAST, A DISTANCE OF 33.63 FEET TO SAID EAST RIGHT-OF-WAY;

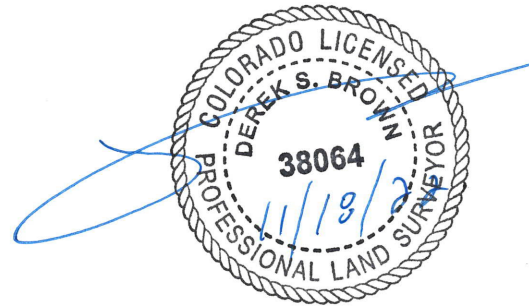
THENCE SOUTH 00°01'27" EAST, ALONG SAID EAST RIGHT-OF-WAY, A DISTANCE OF 10.00 FEET;

THENCE SOUTH 89°43'05" WEST, A DISTANCE OF 33.59 FEET;

THENCE SOUTH 00°17'11" EAST, A DISTANCE OF 127.43 FEET;

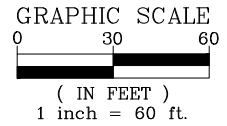
THENCE NORTH 90°00'00" WEST, A DISTANCE OF 10.00 FEET TO THE **POINT OF BEGINNING**;

CONTAINING A CALCULATED AREA OF 5,319 SQUARE FEET OR 0.1221 ACRES, MORE OR LESS.



DEREK S. BROWN, P.L.S. 38064
FOR AND ON BEHALF OF MANHARD CONSULTING
7600 E. ORCHARD ROAD, SUITE 150-N
GREENWOOD VILLAGE, COLORADO 80111
303.708.0500

EXHIBIT A



FOR AND ON BEHALF OF
MANHARD CONSULTING

PARCEL
5,319 S.F. (0.1221 AC.)

PORTION OF TRACT 8 MILE-HI
INDUSTRIAL DISTRICT
BOOK 22, PAGE 21

PORTION OF
TRACT 8 MILE-HI
INDUSTRIAL DISTRICT
BOOK 22, PAGE 21

**POINT OF
COMMENCEMENT**
FOUND AXLE 1.1'
BELOW SURFACE
IN RANGE BOX

(BASIS OF BEARINGS)
N89°42'44"E 1294.52'
20' RANGE LINE

S87°37'29"E
630.35'

FOUND AXLE 1'
BELOW SURFACE
IN RANGE BOX

**POINT OF
BEGINNING**

E 38TH AVE
(PUBLIC R.O.W. WIDTH VARIES)

NOTE:

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

SEE SHEET 4 OF 4 FOR LINE TABLES



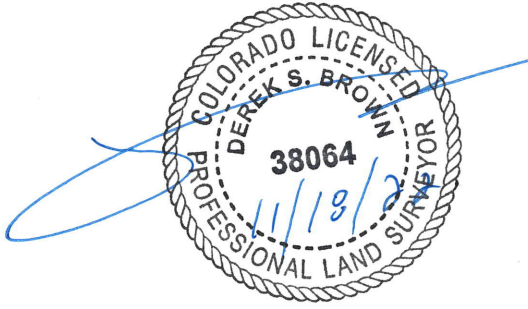
7600 East Orchard Road, Suite 150-N, Greenwood Village, CO 80111 ph:303.708.0500 manhard.com
Civil Engineering | Surveying & Geospatial Services | GIS
Water Resource Management | Construction Management

EXHIBIT A	
38TH AND HOLLY	
CITY AND COUNTY OF DENVER, COLORADO	
PROJ. MGR.: DSB	SHEET
DRAWN BY: JAF	3 OF 4
DATE: 11/18/22	KHADNCO9.00
SCALE: 1" = 60'	

Dwg Name: P:\Khadnco09\dwg\Surv\Final Drawings\Exhibits_Surv\KHA.DNCO09.00-T3 Enchr.dwg Updated By: JFeider

11/18/2022 9:16 AM

EXHIBIT A



FOR AND ON BEHALF OF
MANHARD CONSULTING

LINE TABLE		
LINE	BEARING	LENGTH
L1	S89°43'05"W	20.42'
L2	N00°01'27"W	10.00'
L3	N89°43'05"E	20.37'
L4	S89°43'05"W	19.75'
L5	N00°01'27"W	10.00'
L6	N89°43'05"E	19.70'
L7	N00°17'11"W	13.74'
L8	S89°43'05"W	11.79'
L9	N00°11'55"W	10.00'
L10	N89°27'29"E	11.77'
L11	N00°17'11"W	64.59'
L12	N90°00'00"E	10.00'

LINE TABLE		
LINE	BEARING	LENGTH
L13	S00°17'11"E	64.60'
L14	N89°43'05"E	26.56'
L15	S00°11'53"E	10.00'
L16	S89°43'05"W	16.54'
L17	S00°17'16"E	13.74'
L18	N89°43'05"E	24.30'
L19	S00°01'27"E	10.00'
L20	S89°43'05"W	34.25'
L21	N89°43'05"E	33.63'
L22	S00°01'27"E	10.00'
L23	S89°43'05"W	33.59'
L24	N90°00'00"W	10.00'

NOTE:

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



7600 East Orchard Road, Suite 150-N, Greenwood Village, CO 80111 ph:303.708.0500 manhard.com
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EXHIBIT A	
38TH AND HOLLY	
CITY AND COUNTY OF DENVER, COLORADO	
PROJ. MGR.: <u>DSB</u>	SHEET
DRAWN BY: <u>JAF</u>	4 OF 4
DATE: <u>11/18/22</u>	KHADNCO9.00
SCALE: <u>N/A</u>	

Dwg Name: P:\Khadnco09\dwg\Surv\Final Drawings\Exhibits_Surv\KHA.DNCO09.00-T3 Enchr.dwg Updated By: JFeider 11/18/2022 9:16 AM

Tier III - 38th and Holly - Sewer and Manholes

01/25/2023

Master ID: 2020-PROJMSTR-0000557 **Project Type:** Tier III Encroachment Resolution
Review ID: 2022-ENCROACHMENT-0000089 **Review Phase:**
Location: **Review End Date:** 11/01/2022

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

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

Reviewers Name: Viktoriya Luckner
Reviewers Email: Viktoriya.Luckner@denvergov.org

Status Date: 11/01/2022
Status: Approved
Comments:

Reviewing Agency: DS Project Coordinator Review **Review Status:** Approved

Reviewers Name: Tiffany Holcomb
Reviewers Email: Tiffany.Holcomb@denvergov.org

Status Date: 11/02/2022
Status: Approved
Comments: PWPRS Project Number: 2022-ENCROACHMENT-0000089 - Tier III - 38th and Holly - Sewer and Manholes
 Reviewing Agency/Company: Development Services / Project Coordination
 Reviewers Name: Tiffany Holcomb
 Reviewers Phone: 720-865-3018
 Reviewers Email: Tiffany.Holcomb@denvergov.org
 Approval Status: Approved

Comments:
 Needed for associated SDP application (2021-SDP-0000375)

Reviewing Agency: Survey Review **Review Status:** Approved

Reviewers Name: Robert Castaneda
Reviewers Email: robert.castaneda@denvergov.org

Status Date: 12/08/2022
Status: Approved
Comments: PWPRS Project Number: 2022-ENCROACHMENT-0000089 - Tier III - 38th and Holly - Sewer and Manholes
 Reviewing Agency/Company: DOTI ROWS Survey
 Reviewers Name: Robert Castaneda
 Reviewers Phone: 7208791937
 Reviewers Email: robert.castaneda@denvergov.org
 Approval Status: Approved

Comments:

Status Date: 12/01/2022
Status: Approved w/Conditions
Comments: PWPRS Project Number: 2022-ENCROACHMENT-0000089 - Tier III - 38th and Holly - Sewer and Manholes

Comment Report

Tier III - 38th and Holly - Sewer and Manholes

01/25/2023

Master ID: 2020-PROJMSTR-0000557 **Project Type:** Tier III Encroachment Resolution
Review ID: 2022-ENCROACHMENT-0000089 **Review Phase:**
Location: **Review End Date:** 11/01/2022

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

Reviewing Agency/Company: DOTI ROWS Survey
Reviewers Name: Scott Castaneda
Reviewers Phone: 3038791937
Reviewers Email: robert.castaneda@denvergov.org
Approval Status: Approved with conditions

Comments:
Exhibit approved. Submit Word doc of legal description.

Status Date: 10/25/2022
Status: Denied
Comments: Date: 2022.10.25
Project: Tier III - 38th and Holly - Sewer and Manholes
Location: 3800 N Holly St and 5909 E 38th Ave
Project Master: 2020PM557
Project Record: 2022ENCROACHMENT89
Survey Reviewer: Scott Castaneda 720-879-1937 robert.castaneda@denvergov.org

1st Submittal Survey Review status: Not Approved

1. Tier 3 Encroachments must include an Exhibit of the encroachment authored by a licensed Colorado Land Surveyor.

Reviewing Agency: DES Wastewater Review Review Status: Approved w/Conditions

Reviewers Name: Brenden Marron
Reviewers Email: Brenden.Marron@denvergov.org

Status Date: 11/01/2022
Status: Approved w/Conditions
Comments: No objection on behalf of Wastewater. Final layout must match SSPR construction plan set. REF 2022-SSPR-0000070

Reviewing Agency: City Council Referral Review Status: Approved - No Response

Status Date: 11/02/2022
Status: Approved - No Response
Comments:

Reviewing Agency: ERA Transportation Review Review Status: Approved - No Response

Reviewing Agency: ERA Wastewater Review Review Status: Approved - No Response

Comment Report

Tier III - 38th and Holly - Sewer and Manholes

01/25/2023

Master ID: 2020-PROJMSTR-0000557 **Project Type:** Tier III Encroachment Resolution
Review ID: 2022-ENCROACHMENT-0000089 **Review Phase:**
Location: **Review End Date:** 11/01/2022

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

Reviewing Agency: CenturyLink Referral Review Status: Approved

Status Date: 12/05/2022
Status: Approved
Comments: PWPRS Project Number: 2022-ENCROACHMENT-0000089 - Tier III - 38th and Holly - Sewer and Manholes
Reviewing Agency/Company: CenturyLink
Reviewers Name: Lisa Gallegos
Reviewers Phone: 4064430583
Reviewers Email: lisa.gallegos@lumen.com
Approval Status: Approved

Comments:

Attachment: Encroachment Ltr approval Sheri Bills.pdf

Status Date: 11/02/2022
Status: Approved - No Response
Comments:

REDLINES uploaded to E-review webpage

Reviewing Agency: Xcel Referral Review Status: Approved w/Conditions

Status Date: 11/02/2022
Status: Approved w/Conditions
Comments: PWPRS Project Number: 2022-ENCROACHMENT-0000089 - Tier III - 38th and Holly - Sewer and Manholes
Reviewing Agency/Company: Public Service Company of Colorado dba Xcel Energy
Reviewers Name: Donna George
Reviewers Phone: 3035713306
Reviewers Email: donna.l.george@xcelenergy.com
Approval Status: Approved with conditions

Comments:

PSCo/Xcel Energy has existing underground electric and natural gas distribution facilities within the proposed encroachment area. Please contact Colorado 811 before excavating. Use caution and hand dig when excavating within 18-inches of each side of the marked facilities. Please be aware that all risk and responsibility for this request are unilaterally that of the Applicant/Requestor.

Reviewing Agency: RTD Referral Review Status: Approved

Status Date: 11/22/2022
Status: Approved
Comments: PWPRS Project Number: 2022-ENCROACHMENT-0000089 - Tier III - 38th and Holly - Sewer and Manholes

2022-ENCROACHMENT-0000089

Comment Report

Tier III - 38th and Holly - Sewer and Manholes

01/25/2023

Master ID: 2020-PROJMSTR-0000557 **Project Type:** Tier III Encroachment Resolution
Review ID: 2022-ENCROACHMENT-0000089 **Review Phase:**
Location: **Review End Date:** 11/01/2022

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

Reviewing Agency/Company: RTD
Reviewers Name: C. Scott Woodruff
Reviewers Phone: 303-299-2943
Reviewers Email: clayton.woodruff@rtd-denver.com
Approval Status: Approved

Comments:
The RTD is curious about the construction and how it will impact holly street. but we have no issues with the encroachment

Status Date: 11/02/2022
Status: Approved - No Response
Comments:

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

Status Date: 11/02/2022
Status: Approved - No Response
Comments:

Reviewing Agency: Metro Wastewater Referral Review Status: Approved

Status Date: 11/02/2022
Status: Approved
Comments: PWPRS Project Number: 2022-ENCROACHMENT-0000089 - Tier III - 38th and Holly - Sewer and Manholes
Reviewing Agency/Company: Metro Water Recovery
Reviewers Name: Tyler Hopkins
Reviewers Phone: 7208147944
Reviewers Email: thopkins@metrowaterrecovery.com
Approval Status: Approved

Comments:

Reviewing Agency: Street Maintenance Referral Review Status: Approved - No Response

Status Date: 11/02/2022
Status: Approved - No Response
Comments:

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

Status Date: 11/02/2022
Status: Approved - No Response
Comments:

Reviewing Agency: Building Department Review Review Status: Approved

Reviewers Name: Keith Peetz
Reviewers Email: keith.peetz@denvergov.org

Status Date: 10/17/2022
Status: Approved

Comment Report

Tier III - 38th and Holly - Sewer and Manholes

01/25/2023

Master ID: 2020-PROJMSTR-0000557 **Project Type:** Tier III Encroachment Resolution
Review ID: 2022-ENCROACHMENT-0000089 **Review Phase:**
Location: **Review End Date:** 11/01/2022

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

Comments:

Reviewing Agency: Division of Real Estate Referral Review Status: Approved - No Response

Status Date: 11/02/2022
Status: Approved - No Response
Comments:

Reviewing Agency: Denver Fire Department Review Review Status: Approved - No Response

Reviewers Name: David Hill
Reviewers Email: David.Hill@denvergov.org

Status Date: 11/02/2022
Status: Approved - No Response
Comments:

Reviewing Agency: Denver Water Referral Review Status: Approved

Status Date: 01/25/2023
Status: Approved
Comments: PWPRS Project Number: 2022-ENCROACHMENT-0000089 - Tier III - 38th and Holly - Sewer and Manholes
Reviewing Agency/Company: Denver Water
Reviewers Name: Kela Naso
Reviewers Phone: 13036286302
Reviewers Email: kela.naso@denverwater.org
Approval Status: Approved

Comments:
Denver Water's comments were addressed with updated submittal sent on 01/24/2023.

Attachment: 2023_0124 - Sanitary Sewer Profile.pdf

Status Date: 11/02/2022
Status: Approved w/Conditions
Comments: PWPRS Project Number: 2022-ENCROACHMENT-0000089 - Tier III - 38th and Holly - Sewer and Manholes
Reviewing Agency/Company: Denver Water
Reviewers Name: Kela Naso
Reviewers Phone: 13036286302
Reviewers Email: kela.naso@denverwater.org
Approval Status: Approved with conditions

Comments:
Resubmit showing the distance between the new water main and new sanitary, must have a minimum of 10' clearance. Also, show profile of the sanitary main crossing the 12" CI water main and 42" conduit, there must be a 18" vertical clearance.

REDLINES uploaded to E-review webpage

Reviewing Agency: Parks and Recreation Review Review Status: Approved

Reviewers Name: Jennifer Cervera
Reviewers Email: Jennifer.Cervera@denvergov.org

2022-ENCROACHMENT-0000089

Comment Report

Tier III - 38th and Holly - Sewer and Manholes

01/25/2023

Master ID: 2020-PROJMSTR-0000557 **Project Type:** Tier III Encroachment Resolution
Review ID: 2022-ENCROACHMENT-0000089 **Review Phase:**
Location: **Review End Date:** 11/01/2022

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

Status Date: 10/24/2022
Status: Approved
Comments:

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

Status Date: 11/02/2022
Status: Approved - No Response
Comments:

Reviewing Agency: Denver Office of Disability Rights Referral Review Status: Approved

Status Date: 11/02/2022
Status: Approved
Comments: PWPRS Project Number: 2022-ENCROACHMENT-0000089 - Tier III - 38th and Holly - Sewer and Manholes
Reviewing Agency/Company: DODR
Reviewers Name: Spencer Pocock
Reviewers Phone: 720-913-8411
Reviewers Email: Spencer.Pocock@denvergov.org
Approval Status: Approved

Comments:

Reviewing Agency: Construction Engineering Review Review Status: Approved

Reviewers Name: Kim Blair
Reviewers Email: Kim.Blair@denvergov.org

Status Date: 10/26/2022
Status: Approved
Comments:

1. Prior to the solicitation of bids or proposals from general contractors, the developer of this project is strongly encouraged to schedule an office meeting with the Right-of-Way Services Construction Inspections team (303) 446-3469 to discuss the project's impact to city traffic, streets, roads, alleys and sidewalks, and the associated ROW permit fees that will need to be paid by the selected general contractor.

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

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

Status Date: 11/02/2022
Status: Approved - No Response
Comments:

Reviewing Agency: City Forester Review Review Status: Approved w/Conditions

Reviewers Name: Erin Hatch
Reviewers Email: Erin.Hatch@denvergov.org

Status Date: 10/14/2022
Status: Approved w/Conditions

2022-ENCROACHMENT-0000089

Comment Report

Tier III - 38th and Holly - Sewer and Manholes

01/25/2023

Master ID: 2020-PROJMSTR-0000557 **Project Type:** Tier III Encroachment Resolution
Review ID: 2022-ENCROACHMENT-0000089 **Review Phase:**
Location: **Review End Date:** 11/01/2022

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

Comments: Coordinate with associated SDP regarding placement of lines relative to new street trees. Locate lines outside of tree planting area, away from new trees,

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

Reviewers Name: Rebecca Dierschow
Reviewers Email: becca.dierschow@denvergov.org

Status Date: 11/01/2022
Status: Approved
Comments:

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

Status Date: 11/02/2022
Status: Approved
Comments: PWPRS Project Number: 2022-ENCROACHMENT-0000089 - Tier III - 38th and Holly - Sewer and Manholes
Reviewing Agency/Company: CDOT Region 1 ROW/survey
Reviewers Name: dane courville
Reviewers Phone: 7206720231
Reviewers Email: dane.courville@state.co.us
Approval Status: Approved

Comments:
Does not affect CDOT on-system ROW. Proposed effort is approved as the location does not affect CDOT ROW.

Status Date: 11/02/2022
Status: Approved - No Response
Comments:

Reviewing Agency: Environmental Health Referral **Review Status:** Approved - No Response

Reviewing Agency: ERA Review **Review Status:** Approved - No Response

Reviewers Name: Shari Bills
Reviewers Email: Shari.Bills@denvergov.org

Status Date: 11/02/2022
Status: Approved - No Response
Comments: