



**Matt Bryner, Public Works Senior Engineer**  
**Public Works Engineering**  
**Regulatory and Analytics Department**  
**201 W Colfax Ave, Department 507**  
**Denver CO 80202-5329**  
[denver.pwera@denvergov.org](mailto:denver.pwera@denvergov.org)

**Via electronic delivery**

**Re: Letter of Intent - Partial Vacation of West 48<sup>th</sup> Avenue**

Dear Mr. Bryner,

The Regional Transportation District ("RTD") and the BNSF Railway Company ("BNSF") respectfully request the partial vacation of West 48<sup>th</sup> Avenue, in the area described on the enclosed legal description and depiction, Exhibit A (the "**Vacation Area**"), and as shown on the Aerial Exhibit (in lieu of a Site Plan, since the area is not being developed), Exhibit B. The Vacation Area is dedicated City and County of Denver ("**CCD**") right of way pursuant to Ordinance No. 246, dated 1958 (Exhibit C) and Ordinance No. 75, dated 1970 (Exhibit D). The Vacation Area is not currently used by CCD; however, the West 48<sup>th</sup> Avenue bridge passes over it but will not be included within Vacation Area. The utilities within the Vacation Area are shown on the utility matrix enclosed as Exhibit E-1, and more thoroughly described on the memorandum enclosed as Exhibit E-2. All of the utilities within the Vacation Area will remain in place, and not be relocated. The vacation is required because the parties relocated BNSF tracks to the Vacation Area to allow for construction of the RTD Gold Line on BNSF property.

Please find enclosed, the following:

1. Exhibit A, two (2) original Legal Descriptions and Depictions of the Vacation Area;
2. Exhibit B, Aerial Exhibit (in lieu of a Site Plan);
3. Exhibit C, Ordinance No. 246, dated 1958;
4. Exhibit D, Ordinance No. 75, dated 1970;
5. Exhibit E-1, Utility Matrix;
6. Exhibit E-2, Utility Memorandum; and
7. Check No. \_\_\_\_\_ In the amount of \$1,000 for the Initial Processing Fee.

If you have any questions or comments regarding this application, please contact:

Michael Millage, RTD-Eagle P3,  
NWES/GL-Eagle Construction Manager  
1560 Broadway, Denver, CO 80202  
[michael.millage@rtd-denver.com](mailto:michael.millage@rtd-denver.com)  
303-299-2897 (w) 719-325-9888 (c)

Very Truly Yours,

Joe Christie, Project Director – EAGLE  
Regional Transportation District  
1560 Broadway, Denver, CO 80202  
[joe.christie@rtd-denver.com](mailto:joe.christie@rtd-denver.com)  
303-299-6989

7/19/18 Date



8/16/2018

Date

**Charlie Keltner**  
**Senior Manager Corporate Real Estate**  
**BNSF Railway Company**  
**2301 Lou Menk Drive, GOB-3W**  
**Fort Worth, Texas 76131**

# EXHIBIT-A

BNSF-48<sup>th</sup> Ave.

Legal Description & Depiction of Vacation Area

**EXHIBIT "A"**  
**DESCRIPTION**

A portion of West 48<sup>th</sup> Avenue as described in Ordinance 75 recorded 1970 and Ordinance 246 recorded 1958 in the City and County of Denver Clerk and Recorder's Office, located in the Southwest Quarter of Section 15, Township 3 South, Range 68 West of the Sixth Principal Meridian, City and County of Denver, Colorado, being that portion and only that portion of the following described parcel lying above elevation 5208.64 ft. (NAVD88) and below elevation 5242.14 ft. (NAVD88), said parcel described as follows:

COMMENCING at the Southwest Corner of said Section 15 (as witnessed by a found 3-1/4" aluminum cap stamped "T3S R68W S16 S15 S21 S22 WC15FT 2000 PLS 34173"); WHENCE the West Sixteenth Corner of said Section 15 and Section 22 (a found 3" aluminum cap stamped "WESTERN STATES SURVEYING INC. T3S R68W W1/16 S15 S22 2008 PLS 23516") bears S89°54'01"E a distance of 1320.82 feet (basis of bearing – assumed);

THENCE N29°25'42"E a distance of 87.03 feet to the southerly Right of Way line of said West 48<sup>th</sup> Avenue as described in Ordinance No. 75 recorded 1970, and the POINT OF BEGINNING;

THENCE along the arc of a non-tangent curve to the left, having a central angle of 12°07'53", a radius of 740.52 feet, a chord bearing N08°09'28"E a distance of 156.50 feet, and an arc distance of 156.79 feet to the northerly Right of Way line of said West 48<sup>th</sup> Avenue as described in Ordinance 246 recorded 1958;

THENCE S89°56'36"E, coincident with the said northerly Right of Way line, non-tangent with the last described curve, a distance of 26.63 feet;

THENCE S06°18'48"W a distance of 91.02 feet;

THENCE S13°12'14"W a distance of 23.11 feet;

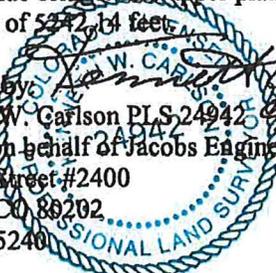
THENCE S10°35'01"W a distance of 42.63 feet to the said southerly Right of Way line;

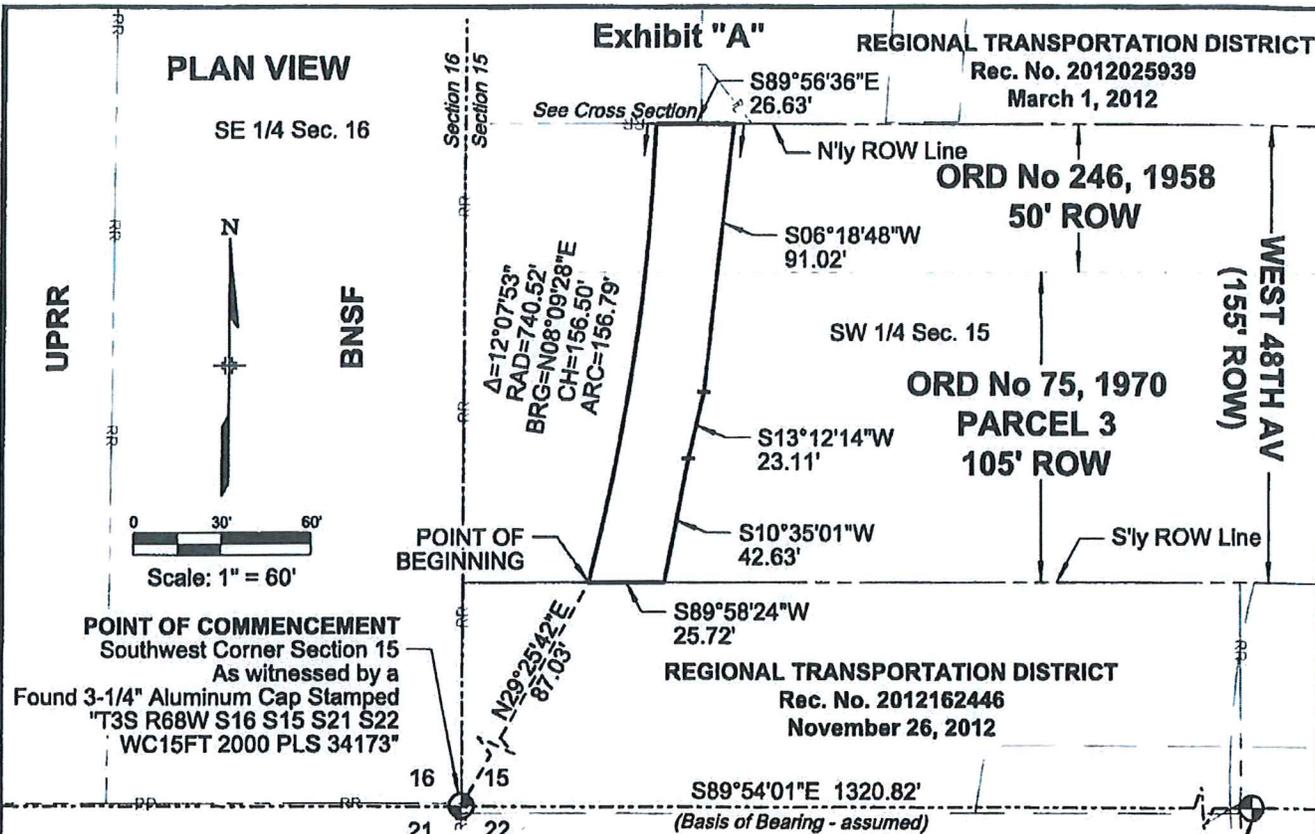
THENCE S89°58'24"W, coincident with the said southerly Right of Way line, a distance of 25.72 feet to the POINT OF BEGINNING.

Each plane contains 3,870 square feet, (0.089 Acres), more or less. The volume of the parcel contains 129,645 cubic feet, more or less.

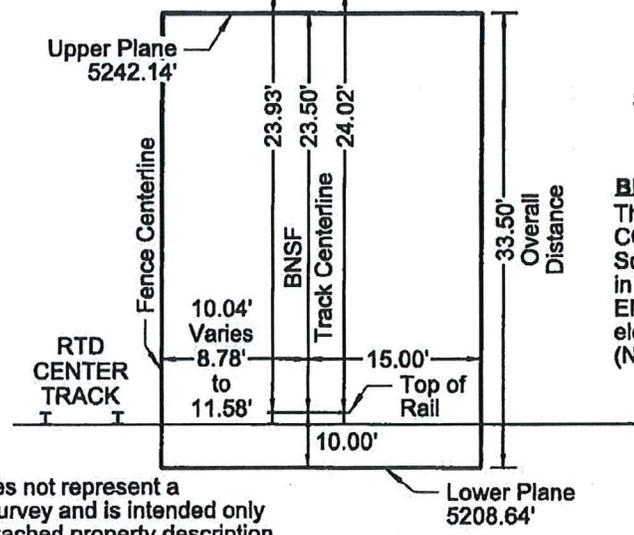
BASIS OF ELEVATIONS: The lower plane elevation for this parcel has an elevation of 5208.64 feet based on CCD benchmark 598, having a published CCD elevation of 5164.48 feet NAVD88. The lower plane elevation is 10.00 feet lower than the top of the BNSF rail elevation located at the north side of the 48<sup>th</sup> Avenue bridge. The upper plane, being the same shape and directly overhead the lower plane, has an elevation of 5242.14 feet.

Prepared by   
Kenneth W. Carlson PLS 24942 6/19/18  
For and on behalf of Jacobs Engineering Group Inc.  
707 17<sup>th</sup> Street #2400  
Denver, CO 80202  
303.820.5240





**CROSS SECTION (NTS)**  
48th Ave. Bridge Looking South under North side of the 48th Ave Bridge



West 1/16 Corner of Section 15 and Section 22 Found 3" Aluminum Cap Stamped "WESTERN STATES SURVEYING INC. T3S R68W W1/16 S15 S22 2008 PLS 23516"

**BENCHMARK NOTE:**  
The benchmark utilized for the project was CCD BM 598 (Found 2" CCD Brass cap at the Southeast corner of 48th Ave and Lincoln St. in top back of curb stamped "DENVER CITY ENGINEER BM 598 2002") The published elevation for this benchmark is 5164.48 feet (NAVD88).

Parcel Area = 3,870 Sq.Ft.  
0.089 Acres +/-  
129,645 Cu. Ft. +/-

This exhibit does not represent a monumented survey and is intended only to depict the attached property description.

JACOBS PROJECT NO.	WXV741B		
CLIENT PROJECT NO.	072120		
REVISION DESCRIPTION			
DRAWN	DAM	DATE 6/13/2018	SCALE 1"=60'

**JACOBS**  
707 17th Street 2400 Denver, CO. 80202  
(303) 820-5240 Fax (303) 820-4842

THIS MATERIAL AND ANY ASSOCIATED ELECTRONIC DATA WAS PREPARED BY JACOBS ENGINEERING GROUP INC. FOR THE PROJECT INDICATED. ANY REUSE OR MODIFICATION WITHOUT THE WRITTEN CONSENT OF ENGINEERING GROUP INC. SHALL BE AT THE SOLE RISK OF THE USER.

RTD CRMF Corridor Commuter Rail Project  
City and County of Denver, Colorado  
SW 1/4 Sec. 15, T3S, R68W, 6th P.M.

TITLE: Exhibit "A"  
BNSF-48th Ave.

REVISION:	DRAWING NO. BNSF-48thAve.dgn	SHEET NO. 1 of 1
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6/13/2018 8:13:09 AM K:\072120\_Fastracks\CRMFCORRIDOR\Drawings\Exhibit\BNSF-48th Ave\BNSF-48thAve.dgn

# EXHIBIT-B

48<sup>th</sup> Ave. Overpass

Aerial Exhibit



CCD To BNSF  
Partial Vacation  
+/-3,900 SqFt



BNSF Existing Facilities  
+/-5,300 SqFt



RTD TO BNSF

AERIAL EXHIBIT	
TITLE:	48th Ave. Aerial
REVISION:	DRAWING NO. 48thAve_Overpass.dwg
	SHEET NO. 1 of 1

JACOBS PROJECT NO. 072100  
 CLIENT PROJECT NO. -  
 REVISION DESCRIPTION: -  
 DRAWN DATE 2/12/2018 SCALE 1" = 30'

**JACOBS**  
 707 17th Street, Suite 2400, Denver, CO 80202  
 THIS MATERIAL AND ANY ASSOCIATED ELECTRONIC DATA WAS  
 PROVIDED BY THE USER AND IS NOT THE PROPERTY OF JACOBS OR  
 AT THE SCALE OF THE USER.



# EXHIBIT-C

Ordinance No. 246

Dated 1958

8228 252



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588 AUG 24 PM 3:06

RECORDED IN BOOK PAGE 8228 250  
CHARLES D. SYKES  
CLERK AND RECORDER



AUG-14-58 289477 I FEEMIS

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Ordinance No. 246 Series 1958

Councilman's Bill No. 259

Introduced by Councilman

*Charles D. Sykes*

**A BILL**

For

An Ordinance LAYING OUT, OPEN-

ING, AND ESTABLISHING A PORTION

OF REAL PROPERTY IN THE SW<sup>1</sup>/<sub>4</sub> OF

SECTION 15, TOWNSHIP 3 SOUTH,

RANGE 68 WEST OF THE SIXTH

PRINCIPAL MERIDIAN, IN THE

CITY AND COUNTY OF DENVER,

STATE OF COLORADO, AS PART OF

WEST 48TH AVENUE.

Meeting Date of June 30, 1958

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

*Public Improvements*

Meeting Date of June 30, 1958.

Reported back by the Committee on

*Public Improvements*

Recommended that the bill be ordered published and report adopted.

Published in The *Daily Journal*

this 5<sup>th</sup> day of July, A. D. 1958

Meeting Date of July 7, 1958

Read by title, placed upon its passage and passed.

Presented to the Mayor and signed by him

this 10<sup>th</sup> day of July, A. D. 1958

Entered as Ordinance No. 246, Series 1958

Published in The *Daily Journal*

this 12<sup>th</sup> day of July, A. D. 1958

57 - FRONT OF SERVICE BOOK

CITY COUNCIL  
CITY & COUNTY OF DENVER  
RECEIVED  
JUN 26 1958  
67791011011101121213141516

144

BY AUTHORITY

ORDINANCE NO. 246

COUNCILMAN'S BILL NO. 259

SERIES OF 1958

INTRODUCED BY COUNCILMAN

Carver, Dale and Flow

A B I L L

FOR AN ORDINANCE LAYING OUT, OPENING, AND ESTABLISHING A PORTION OF REAL PROPERTY IN THE SW $\frac{1}{4}$  OF SECTION 15, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, AS PART OF WEST 48TH AVENUE.

WHEREAS, the Manager of Public Works of the City and County of Denver has found and determined that the public use, convenience, and necessity require the laying out, opening, and establishing as a public street, to be designated as part of West 48th Avenue, that portion of real property hereinafter more particularly described, and, subject to approval by ordinance, has laid out, opened, and established the same as a public street;

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 laying out, opening, and establishing as a public street the following described real property situate, lying, and being in the City and County of Denver, State of Colorado, to-wit;

That part of SW $\frac{1}{4}$  of Section 15, T.3S., R.68W., located with boundaries described as follows:

Beginning at a point on the west line of Section 15, T.3S. R.68W., 180 Feet North of the Southwest corner of said Section; thence Northerly on said West line 50 Feet; thence 1,515 Feet Easterly on a line 230 Feet North of and parallel to the South line of said Section 15; thence Northeasterly to a point 390 Feet North of the aforesaid South line and 158 Feet West of the West line of Bannock Street; thence 180 Feet Southerly on a line 158 Feet West of and parallel to said West line of Bannock Street to a point 210 Feet North of the South line of said Section 15; thence Westerly at an angle measured clockwise from the last described course, produced Southerly of 81° 28', a distance of 202.24 Feet more or less to a point 180 Feet normally distant Northerly of the South line of said Section 15; thence Westerly parallel with and 180 Feet normally distant Northerly of the South line of said Section 15 to a point on the West line of said Section 15, the point of beginning;

145

be and the same is hereby approved, and said portion of real property is hereby laid out, opened, and established and declared laid out, opened, and established as a public street.

Section 2. That the real property described in Section 1 hereof shall henceforth be a part of and known and designated as part of West 48th Avenue.

Section 3. 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 July 7 1958

George A. Davidson - President

APPROVED: W. S. ... - Mayor July 10 1958

ATTEST: CHARLES D. BYRNE - Clerk and Recorder,  
Ex-Officio Clerk of the  
City and County of Denver

By: George M. ... - Deputy City Clerk

PUBLISHED IN The Daily Journal July 5, 1958 and July 12, 1958



I have made the findings and determinations set forth in the foregoing draft or form of a proposed Bill for an Ordinance, and, subject to approval by ordinance, have laid out, opened and established as a public street the real property therein described, and request the Council of the City and County of Denver to approve the laying out, opening, and establishing of such public street 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: John C. Banks - City Attorney

APPROVED: George ... - Planning Director.

By Robert E. ...

# EXHIBIT-D

Ordinance No. 75

Dated 1970

Ordinance No. 75 Series 1970

Councilman's Bill No. 85

Introduced by Councilman

*Walter J. ...*

**A BILL**

For

An Ordinance LAYING OUT, OPENING AND ESTABLISHING CERTAIN PARCELS OF LAND AS PART OF THE SYSTEM OF THOROUGH FARES OF THE MUNICIPALITY; i. e., AS PARTS OF BANNOCK STREET, WEST WARNER PLACE AND WEST 48TH AVENUE.

0.00  
0 2 2 6 6 4

STATE OF COLORADO  
CITY & COUNTY  
OF DENVER

FILED IN THE OFFICE OF

RECORDED IN  
MAR 2 11 56 AM '70  
147 191

F. J. SERAFINI  
CLERK AND RECORDER

147 194

Meeting Date of Feb 9, 1970  
Read in full in the Board of Councilmen and referred to the Committee on Public Improvements

Meeting Date of Feb 9, 1970  
Reported back by the Committee on Public Improvements

Recommended that the bill be ordered published and report adopted.

Published in The Daily Journal  
this 13 day of Feb, A. D. 1970

Meeting Date of Feb 16, 1970  
Read by title, placed upon its passage and passed.

Presented to the Mayor and signed by him  
this 17 day of Feb, A. D. 1970

Ent'd as Ordinance No. 75, Series 1970

Published in The Daily Journal  
this 20 day of Feb, A. D. 1970

CITY COUNCIL  
RECEIVED  
FEB 5 1970  
AN APR 11 12 34 PM '70

22664

MAR 2 1970

BY AUTHORITY

ORDINANCE NO. 75

COUNCILMAN'S BILL NO. 85

SERIES OF 1970

INTRODUCED BY COUNCILMEN

*Keutell, Frank DeFeng*

A BILL

FOR AN ORDINANCE LAYING OUT,  
OPENING AND ESTABLISHING CERTAIN  
PARCELS OF LAND AS PART OF THE  
SYSTEM OF THOROUGHFARES OF THE  
MUNICIPALITY; I. E., AS PARTS OF  
BANNOCK STREET, WEST WARNER  
PLACE AND WEST 48TH AVENUE.

WHEREAS, the Manager of Public Works of the City and County of Denver has found and determined that the public use, convenience and necessity require the laying out, opening and establishing as public streets to be designated as parts of the system of thoroughfares of the municipality those portions of real property hereinafter more particularly described and, subject to approval by ordinance, has laid out, opened and established the same as public streets; 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 laying out, opening and establishing as parts of the system of thoroughfares of the municipality the following parcels of land situate, lying and being in the City and County of Denver, State of Colorado, to-wit:

Parcel 1

That part of the Southeast one-quarter of the Southwest one-quarter of Section 15, Township 3 South, Range 68 West of the Sixth Principal Meridian, described as follows: Beginning at a point of intersection of Bannock Street as platted in Burlington Park, a subdivision, and the South line of the said Southeast one-quarter of the Southwest one-quarter; thence Northerly on the said West line of Bannock Street 150 feet; thence Westerly and parallel with the South line of the said Southeast one-quarter of the

Southwest one-quarter, 100 feet; thence Southerly and parallel with the West line of Bannock Street to intersection with the South line of the said Southeast one-quarter of the Southwest one-quarter; thence Easterly on the said South line to the point of beginning.

Parcel 2

That part of the Northeast one-quarter of the Northwest one-quarter of Section 22, Township 3 South, Range 68 West of the Sixth Principal Meridian, described as follows: Beginning at the intersection of the Northeasterly line of Warner Subdivision with the North line of the Northwest one-quarter of Section 22, Township 3 South, Range 68 West of the Sixth Principal Meridian; thence Easterly on the said North line to intersection with the Westerly line of the Valley Highway right-of way as dedicated by Ordinance No. 3, Series of 1962; thence Southwesterly on said right-of-way line to a point that is 65 feet South of, by perpendicular measurement, to the North line of the said Northwest one-quarter; thence Westerly and parallel with the said North line to the Northeasterly line of Warner Subdivision; thence Northwesterly on said Northeasterly line to the point of beginning.

Parcel 3

That part of the Southwest one-quarter of Section 15, Township 3 South, Range 68 West of the Sixth Principal Meridian, described as follows: Beginning at a point on the West line of the said Southwest one-quarter and 180 feet North of the Southwest corner thereof; thence Easterly on a line and parallel with the South line of said Southwest one-quarter to a point that is 358 feet West of the West line of Bannock Street as platted in Burlington Park, a subdivision; thence Northeasterly to a point that is 158 feet West of said West line and 210 feet North of the South line of said Southwest one-quarter; thence Easterly on a line and parallel with the said

South line 58 feet; thence Southerly and parallel with the West line of Bannock Street to a point that is 75 feet North of the South line of the said Southwest one-quarter; thence Westerly and parallel with the said South line of the Southwest one-quarter to a point on the West line of said Section 15; thence Northerly on the West line of the said Southwest one-quarter to the point of beginning;

be and the same are hereby approved and said portions of real property are hereby laid out, opened and established and declared laid out, opened and established as public streets.

Section 2. That the real property described in Section 1 hereof shall henceforth be parts of and known and designated as the following public streets:

Parcel No. 1 - as part of Bannock Street;

Parcel No. 2 - as part of West Warner Place;

Parcel No. 3 - as part of West 48th Avenue.

Section 3. 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 February 14, 1970

Edward F. Bush President

APPROVED: James W. Nichols Mayor February 17, 1970

ATTEST: J. J. DeCarson Clerk and Recorder, Ex-Officio  
Clerk of the City and County of Denver

PUBLISHED IN The Daily Journal Feb 13, 1970 and Feb 20, 1970

I have made the findings and determinations set forth in the foregoing draft or form of a proposed Bill for An Ordinance and, subject to approval by Ordinance, have laid out, opened and established as public streets the real property therein described and request the Council of the City and County of Denver to approve the laying out, opening and establishing of such public streets 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.

R. S. Shannon  
Manager of Public Works

PREPARED BY: Max A. Zacc City Attorney

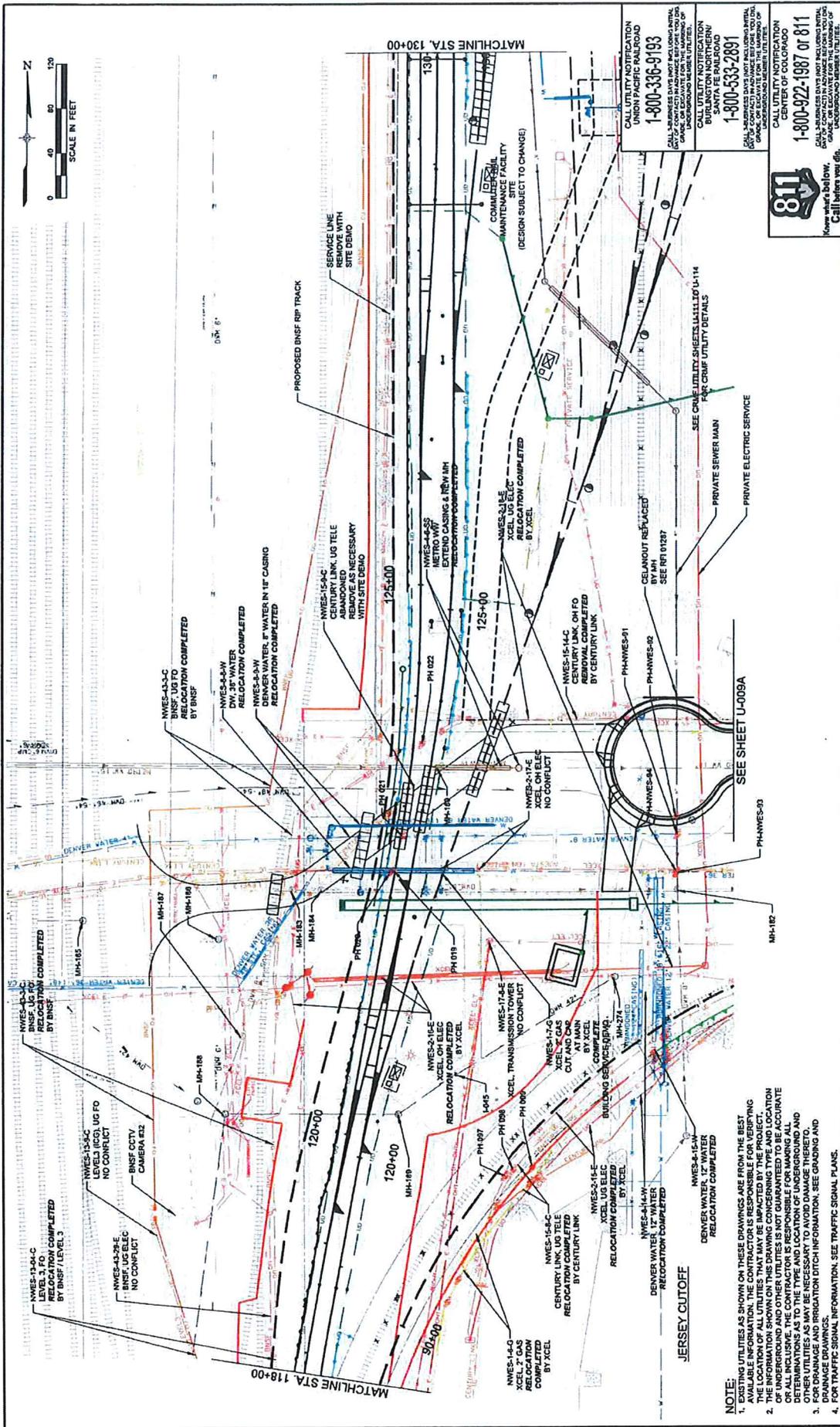
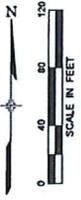
APPROVED: Robert E. Gilmer Planning Director

# EXHIBIT-E-1

BNSF RIP Track at CCD 48<sup>th</sup>

Utility Matrix

Summary of Utility Crossing



CALL UTILITY NOTIFICATION  
UNION PACIFIC RAILROAD  
1-800-336-9193  
CALL 24 HOURS A DAY (DO NOT INCLUDE AREA  
CODE OR COUNTRY CODE) FOR THE AREA YOU  
ARE WORKING IN. (SEE THE BNSF WEBSITE FOR  
UNDERGROUND UTILITY DETAILS.)

CALL UTILITY NOTIFICATION  
SANTA FE RAILROAD  
1-800-533-2891  
CALL 24 HOURS A DAY (DO NOT INCLUDE AREA  
CODE OR COUNTRY CODE) FOR THE AREA YOU  
ARE WORKING IN. (SEE THE SFR WEBSITE FOR  
UNDERGROUND UTILITY DETAILS.)

CALL UTILITY NOTIFICATION  
CENTER OF COLORADO  
1-800-922-1987 or 811  
CALL 24 HOURS A DAY (DO NOT INCLUDE AREA  
CODE OR COUNTRY CODE) FOR THE AREA YOU  
ARE WORKING IN. (SEE THE COCD WEBSITE FOR  
UNDERGROUND UTILITY DETAILS.)

Know what's below.  
Call before you dig.

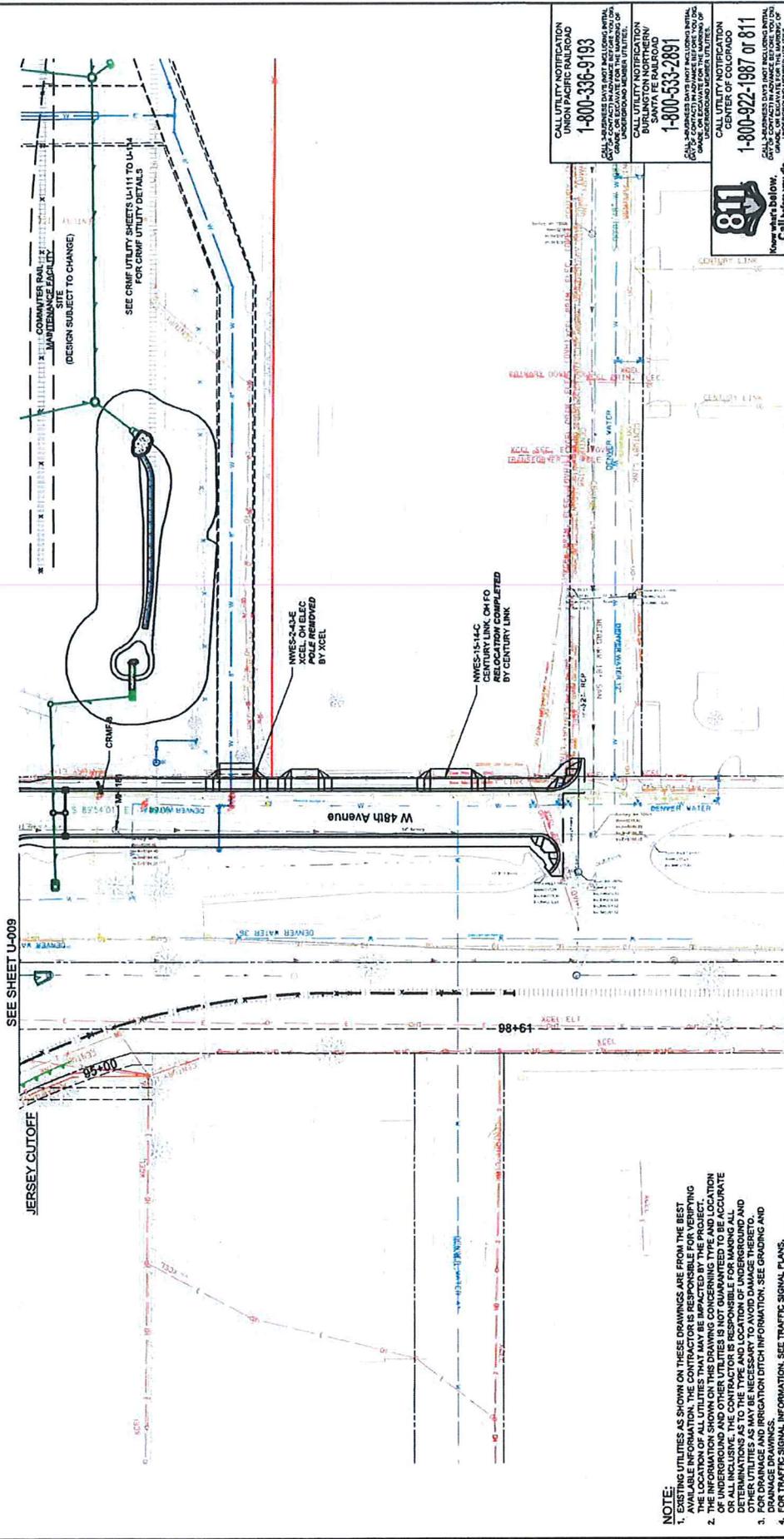
**NOT FOR CONSTRUCTION**

**NORTHWEST RAIL ELECTRIFIED SEGMENT**  
UTILITY PLAN  
STA. 118+00 TO STA. 130+00

SHEET REFERENCE NUMBER: U-009	DATE: 12/31/12 DATE: 12/31/12 DATED BY: JCR/TLB APPROVED BY: PFW		
<p><b>FLUOR DANIEL</b></p>			
<p><b>EGLE P3</b></p>			
REVISIONS			
NO.	BY	DATE	REVISIONS
7		12/31/15	Final Reference Drawing - Utility Relocations
5		12/31/13	95% Reference Drawing - Utility Relocations - For Information Only (FDR)
4		12/31/12	95% Reference Drawing - Utility Relocations - For Information Only (FDR)
2		11/08/11	95% Reference Drawing - Utility Relocations - For Information Only (FDR)
1		06/21/11	95% Reference Drawing - Utility Relocations - For Information Only (FDR)
0		05/20/11	95% Reference Drawing - Utility Relocations - For Information Only (FDR)

**NOTE:**

- EXISTING UTILITIES AS SHOWN ON THESE DRAWINGS ARE FROM THE BEST AVAILABLE INFORMATION. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING THE ACCURACY OF ALL UTILITIES SHOWN ON THESE DRAWINGS.
- THE INFORMATION SHOWN ON THIS DRAWING CONCERNING TYPE AND LOCATION OF UNDERGROUND AND OTHER UTILITIES IS NOT GUARANTEED TO BE ACCURATE OR ALL INCLUSIVE. THE CONTRACTOR IS RESPONSIBLE FOR MAKING ALL NECESSARY FIELD SURVEYS AND VERIFICATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL OTHER UTILITIES AS MAY BE NECESSARY TO AVOID DAMAGE THERE TO.
- FOR DRAINAGE AND IRRIGATION DITCH INFORMATION, SEE GRADING AND DRAINAGE DRAWINGS.
- FOR TRAFFIC SIGNAL INFORMATION, SEE TRAFFIC SIGNAL PLANS.



SEE SHEET U-009

SEE CRMP UTILITY SHEETS U-111 TO U-114 FOR CRMP UTILITY DETAILS (DESIGN SUBJECT TO CHANGE)

NWES-2-4DE  
ACEL OH ELIC  
AS EMPLOYED  
BY XCEL

NWES-15-14C  
CENTURY LINK OH FO  
AS EMPLOYED  
BY CENTURY LINK

**NOTE:**  
 1. EXISTING UTILITIES AS SHOWN ON THESE DRAWINGS ARE FROM THE BEST AVAILABLE INFORMATION. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING THE LOCATION OF ALL UTILITIES THAT MAY BE IMPACTED BY THE PROJECT.  
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INFORMATION FROM ALL UTILITIES AND OTHER AGENCIES INVOLVED IN THE PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION OF UNDERGROUND AND OTHER UTILITIES IS NOT GUARANTEED TO BE ACCURATE OR ALL INCLUSIVE. THE CONTRACTOR IS RESPONSIBLE FOR MAKING ALL DETERMINATIONS AS TO THE TYPE AND LOCATION OF UNDERGROUND AND UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION OF UNDERGROUND AND OTHER UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION OF UNDERGROUND AND OTHER UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION OF UNDERGROUND AND OTHER UTILITIES.  
 3. FOR DRAINAGE AND IRRIGATION DITCH INFORMATION, SEE GRADING AND DRAINAGE DRAWINGS.  
 4. FOR TRAFFIC SIGNAL INFORMATION, SEE TRAFFIC SIGNAL PLANS.

CALL UTILITY NOTIFICATION  
 UNION PACIFIC RAILROAD  
 1-800-336-9193  
CALL OR CONTACT IN ADVANCE BEFORE YOU DIG. CONTACTS ARE NOT GUARANTEED TO BE ACCURATE. CONTACTS ARE NOT GUARANTEED TO BE ACCURATE. CONTACTS ARE NOT GUARANTEED TO BE ACCURATE.

CALL UTILITY NOTIFICATION  
 SOUTHWESTERN RAILROAD  
 1-800-533-2891  
CALL OR CONTACT IN ADVANCE BEFORE YOU DIG. CONTACTS ARE NOT GUARANTEED TO BE ACCURATE. CONTACTS ARE NOT GUARANTEED TO BE ACCURATE. CONTACTS ARE NOT GUARANTEED TO BE ACCURATE.

CALL UTILITY NOTIFICATION  
 CENTER OF COLORADO  
 1-800-922-1987 or 811  
CALL OR CONTACT IN ADVANCE BEFORE YOU DIG. CONTACTS ARE NOT GUARANTEED TO BE ACCURATE. CONTACTS ARE NOT GUARANTEED TO BE ACCURATE. CONTACTS ARE NOT GUARANTEED TO BE ACCURATE.



<p><b>FLUOR DANIEL</b>          TRANSPORT PARTNERS</p>		<p><b>NOT FOR CONSTRUCTION</b></p>		<p><b>811</b>          Know what's below. Call before you dig.</p>		<p><b>NORTHWEST RAIL ELECTRIFIED SEGMENT</b></p>		<p>SHEET REFERENCE NUMBER: U-009A</p>	
<p>DATE: 12/31/12          DATE: 12/31/12</p>		<p>DATE: 12/31/12          DATE: 12/31/12</p>		<p>DATE: 12/31/12          DATE: 12/31/12</p>		<p>DATE: 12/31/12          DATE: 12/31/12</p>		<p>DATE: 12/31/12          DATE: 12/31/12</p>	
<p>DESIGNED BY: KRB          CHECKED BY: VEP</p>		<p>DESIGNED BY: JCR/TLB          CHECKED BY: PKOV</p>		<p>DATE: 12/31/12          DATE: 12/31/12</p>		<p>DATE: 12/31/12          DATE: 12/31/12</p>		<p>DATE: 12/31/12          DATE: 12/31/12</p>	
<p>NO. 7</p>		<p>NO. 5</p>		<p>NO. 4</p>		<p>NO. 2</p>		<p>NO. 1</p>	
<p>7 Final Reference Drawing - Utility Relocations</p>		<p>5 95% Reference Drawing - Utility Relocations - For Information Only</p>		<p>4 95% Reference Drawing - Utility Relocations - For Information Only</p>		<p>2 95% Reference Drawing - Utility Relocations - For Information Only</p>		<p>1 90% Reference Drawing - Utility Relocations - For Information Only</p>	
<p>NO. 0</p>		<p>NO. 0</p>		<p>NO. 0</p>		<p>NO. 0</p>		<p>NO. 0</p>	
<p>0 100% Reference Drawing - Utility Relocations - For Information Only</p>		<p>0 100% Reference Drawing - Utility Relocations - For Information Only</p>		<p>0 100% Reference Drawing - Utility Relocations - For Information Only</p>		<p>0 100% Reference Drawing - Utility Relocations - For Information Only</p>		<p>0 100% Reference Drawing - Utility Relocations - For Information Only</p>	
<p>NO. 0</p>		<p>NO. 0</p>		<p>NO. 0</p>		<p>NO. 0</p>		<p>NO. 0</p>	
<p>0 100% Reference Drawing - Utility Relocations - For Information Only</p>		<p>0 100% Reference Drawing - Utility Relocations - For Information Only</p>		<p>0 100% Reference Drawing - Utility Relocations - For Information Only</p>		<p>0 100% Reference Drawing - Utility Relocations - For Information Only</p>		<p>0 100% Reference Drawing - Utility Relocations - For Information Only</p>	

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NO.	REVISIONS	BY	DATE
7	Final Reference Drawing - Utility Relocations		12/31/12
5	95% Reference Drawing - Utility Relocations - For Information Only		12/31/12
4	95% Reference Drawing - Utility Relocations - For Information Only		12/31/12
2	95% Reference Drawing - Utility Relocations - For Information Only		11/18/11
1	90% Reference Drawing - Utility Relocations - For Information Only		06/21/11
0	100% Reference Drawing - Utility Relocations - For Information Only		03/08/11

# EXHIBIT-E-2

48<sup>th</sup> Ave. RIP Track

Utility Memorandum

Utility Crossing Summary Memo

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**To:** Lori Graham

**Cc:** Jenifer Ross-Amato  
Allison Fultz  
Joe Christie

**From:** Michael Millage

**Date:** 6/23/18

**Subject:** Utility/Drainage Matrix Analysis – Utilities/drainage within the 10 foot clearance below BNSF RIP Track Top of Rail (ToR) at the 48<sup>th</sup> Avenue crossing on or near the Donut Hole Vacation footprint

The purpose of this memo is to summarize the utilities/drainage determined to be with the 10-foot clearance below the BNSF RIP Track on the proposed 48<sup>th</sup> Avenue crossing Donut Hole Vacation footprint. The determination of the utility/drainage depth below the BNSF RIP Track crossing CCD 48<sup>th</sup> Avenue was based on as-built drawings and utilities/drainage crossing the new BNSF RIP track within the CCD West 48<sup>th</sup> Avenue public roadway right-of-way. The utility/drainage matrix analysis spreadsheet and utility plan sheet U-009 and U-009A included as an attachment to this memo are for all utilities/drainage in the area of West 48<sup>th</sup> Avenue and the BNSF RIP Track.

The utility/drainage matrix analysis identifies the following:

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- Utility/drainage;
- owner of utility/drainage;
- project utility/drainage number on utility plans;
- depth of utility/drainage under BNSF RIP Track;
- approx. BNSF RIP track station in which the utility/drainage crossed the BNSF track;
- if the utility/drainage was an existing or new utility/drainage;
- approx. limits of existing utility/drainage across the rail yard;
- if the utility/drainage required relocation

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Conclusion of the utility matrix analysis shows there are four (4) utilities that cross the relocated BNSF RIP Track near the West 48<sup>th</sup> Avenue public roadway right-of-way/corridor. The four (4) utilities are the following and highlighted in yellow on the utility matrix analysis spreadsheet. Two (2) of the utilities are within the West 48<sup>th</sup> Avenue public roadway right-of-way (Donut Hole footprint) and two (2) of the utilities are outside (south of) the West 48<sup>th</sup> Avenue public roadway right-of-way.

**Utilities/drainage 10 foot or less within the West 48<sup>th</sup> Avenue public roadway right-of-way (Donut Hole footprint)**

- 1) 8 in CIP Denver Water water line (NWES-8-9-W)
  - **Existing utility** prior to Eagle P3 project
  - Existing utility located in West 48<sup>th</sup> Avenue ROW (Donut Hole footprint) prior to Eagle P3 project
  - Utility spans across entire rail yard
  - Horizontal relocation of portion of pipe at BNSF RIP Track and RTD B-Line Track with steel casing installed
  - Depth of pipe is **approximately 6.9 feet**
- 2) 36 in Steel Denver Water water line (NWES-8-8-W)
  - **Existing utility** prior to Eagle P3 project
  - Existing utility located in West 48<sup>th</sup> Avenue ROW (Donut Hole footprint) prior to Eagle P3 project
  - Utility spans across eastern side of rail yard
  - No relocation of pipe at BNSF RIP Track and RTD B-Line Track. Steel casing installed
  - Depth of pipe is **approximately 7.6 feet**

**Utilities/drainage 10 foot or less outside the West 48<sup>th</sup> Avenue public roadway right-of-way (Donut Hole footprint). Located south of right-of-way (Donut Hole footprint)**

- 1) Xcel underground electrical line (NWES-2-16-E)
  - **Existing utility** prior to Eagle P3 project but lowered from overhead to below ground
  - Existing utility located outside (south) of the West 48<sup>th</sup> Avenue ROW (Donut Hole footprint) prior to Eagle P3 project
  - Utility spans across entire rail yard
  - Electric line lowered from overhead to below ground
  - Depth of duct bank is **approximately 10 feet**
- 2) 8 ft x 4 ft Class V RCBC drainage culvert (NWES1.06-P1)
  - **Existing drainage** prior to Eagle P3 project but increased size of drainage structure
  - Existing drainage located outside (south) of the West 48<sup>th</sup> Avenue ROW (Donut Hole footprint) prior to Eagle P3 project
  - Utility spans across entire rail yard
  - Drainage structure size increased to handle drainage from yard and at RIP/CRT tracks
  - Depth of drainage structure is **approximately 6.5 feet**

Only the **8 in and 36 in Denver Water water lines** are part of the West 48<sup>th</sup> Avenue Donut Hole Vacation footprint (within the 10 foot below BNSF RIP Track ToR).

**Attachments:**

- utility/drainage matrix analysis spreadsheet
- utility plan sheet U-009 and U-009A

## RTD BNSF W 48th Ave and N Fox St

03/10/2021

**Master ID:** 2018-PROJMSTR-0000712      **Project Type:** ROW Vacation  
**Review ID:** 2018-VACA-0000014      **Review Phase:**  
**Location:** W 48th Ave. and Fox St.      **Review End Date:** 10/19/2018

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 - No Response

Status Date: 10/22/2018  
 Status: Approved - No Response  
 Comments:

Reviewing Agency: Building Department Review      Review Status: Approved

Reviewers Name: Eric Browning  
 Reviewers Email: Eric.Browning@denvergov.org

Status Date: 10/16/2018  
 Status: Approved  
 Comments:

Reviewing Agency: CenturyLink Referral      Review Status: Approved

Status Date: 01/02/2019  
 Status: Approved  
 Comments: PWPRS Project Number: 2018-VACA-0000014 RTD BSNF W 48th Ave and N Fox St  
 Reviewing Agency/Company: CenturyLink  
 Reviewers Name: Don Twiggs  
 Reviewers Phone: 4257722714  
 Reviewers Email: Don.Twiggs@CenturyLink.com  
 Approval Status: Approved

Comments:  
 Please see the attached CenturyLink response letter.

Attachment: P804089 CenturyLink vacate response letter.pdf

Status Date: 10/22/2018  
 Status: Approved - No Response  
 Comments:

**REDLINES uploaded to E-reveiw webpage**

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

Status Date: 10/22/2018  
 Status: Approved - No Response  
 Comments:

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

# Comment Report

## RTD BNSF W 48th Ave and N Fox St

03/10/2021

**Master ID:** 2018-PROJMSTR-0000712      **Project Type:** ROW Vacation  
**Review ID:** 2018-VACA-0000014      **Review Phase:**  
**Location:** W 48th Ave. and Fox St.      **Review End Date:** 10/19/2018

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

Status Date: 10/22/2018  
Status: Approved - No Response  
Comments:

Reviewing Agency: City Forester Review      Review Status: Approved

Reviewers Name: Nick Evers  
Reviewers Email: Nick.Evers@denvergov.org

Status Date: 10/19/2018  
Status: Approved  
Comments: Approved. No PRW tree conflict.

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

Status Date: 10/22/2018  
Status: Approved - No Response  
Comments:

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

Reviewers Name: Leah Dawson  
Reviewers Email: leah.dawson@denvergov.org

Status Date: 10/22/2018  
Status: Approved - No Response  
Comments:

Reviewing Agency: DES Transportation Review      Review Status: Approved

Reviewers Name: Viktoriya Sandler  
Reviewers Email: viktoriya.sandler@denvergov.org

Status Date: 10/18/2018  
Status: Approved  
Comments:

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

Reviewers Name: Frank Kemme  
Reviewers Email: frank.kemme@denvergov.org

Status Date: 10/22/2018  
Status: Approved - No Response  
Comments:

Reviewing Agency: Office of Disability Rights Review      Review Status: Approved - No Response

Reviewers Name: Juan Pasillas  
Reviewers Email: Juan.Pasillas@denvergov.org

# Comment Report

## RTD BSNF W 48th Ave and N Fox St

03/10/2021

**Master ID:** 2018-PROJMSTR-0000712      **Project Type:** ROW Vacation  
**Review ID:** 2018-VACA-0000014      **Review Phase:**  
**Location:** W 48th Ave. and Fox St.      **Review End Date:** 10/19/2018

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

**Status Date:** 10/22/2018  
**Status:** Approved - No Response  
**Comments:**

**Reviewing Agency:** Denver Water Referral      **Review Status:** Approved w/Conditions

**Status Date:** 03/10/2021  
**Status:** Approved w/Conditions  
**Comments:** PWPRS Project Number: 2018-VACA-0000014 RTD BSNF W 48th Ave and N Fox St  
Reviewing Agency/Company: Denver Water  
Reviewers Name: Gina Begly  
Reviewers Phone: 303-628-6219  
Reviewers Email: gina.begly@denverwater.org  
Approval Status: Approved with conditions

**Comments:**  
Denver Water owns/operates water lines within the subject area to be vacated. We grant approval subject to an easement reservation.

**Status Date:** 01/08/2020  
**Status:** Approved  
**Comments:** PWPRS Project Number: 2018-VACA-0000014 RTD BSNF W 48th Ave and N Fox St  
Reviewing Agency/Company: Denver Water  
Reviewers Name: Gina Begly  
Reviewers Phone: 303-628-6219  
Reviewers Email: gina.begly@denverwater.org  
Approval Status: Approved

**Comments:**  
Denver Water owns/operates waterlines within the subject area to be vacated. We grant approval subject to an easement reservation as previously agreed to with RTD in the attached file.

REDLINES are uploaded to the e-review webpage.

**Status Date:** 10/22/2018  
**Status:** Denied  
**Comments:** PWPRS Project Number: 2018-VACA-0000014 RTD BSNF W 48th Ave and N Fox St  
Reviewing Agency/Company: Denver Water  
Reviewers Name: Gina Begly  
Reviewers Phone: 303-628-6219  
Reviewers Email: gina.begly@denverwater.org  
Approval Status: Denied

**Comments:**  
This proposal takes our 2 existing waterlines out of a public ROW. This submittal does not discuss what right will be given (if any) to the existing utilities. Our waterlines must be within a public ROW, or an easement.

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

# Comment Report

## RTD BSNF W 48th Ave and N Fox St

03/10/2021

**Master ID:** 2018-PROJMSTR-0000712      **Project Type:** ROW Vacation  
**Review ID:** 2018-VACA-0000014      **Review Phase:**  
**Location:** W 48th Ave. and Fox St.      **Review End Date:** 10/19/2018

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

**Reviewers Name:** Roman Rede  
**Reviewers Email:** Roman.Red@denvergov.org

**Status Date:** 10/22/2018  
**Status:** Approved - No Response  
**Comments:**

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

**Status Date:** 10/22/2018  
**Status:** Approved - No Response  
**Comments:**

**Reviewing Agency:** Metro Wastewater Referral      **Review Status:** Approved

**Status Date:** 07/17/2019  
**Status:** Approved  
**Comments:** PWPRS Project Number: 2018-VACA-0000014 RTD BSNF W 48th Ave and N Fox St  
Reviewing Agency/Company: Metro Wastewater Reclamation District  
Reviewers Name: David Owens  
Reviewers Phone: (303)286-3397  
Reviewers Email: Dowens@mwr.dst.co.us  
Approval Status: Approved

**Comments:**

**Status Date:** 10/17/2018  
**Status:** Denied  
**Comments:** PWPRS Project Number: 2018-VACA-0000014 RTD BSNF W 48th Ave and N Fox St  
Reviewing Agency/Company: Metro Wastewater Reclamation District  
Reviewers Name: David Owens  
Reviewers Phone: (303)286-3397  
Reviewers Email: Dowens@mwr.dst.co.us  
Approval Status: Denied

**Comments:**

In order to maintain and/or excavate the existing Metro Wastewater Relcamation District (MWRD) sanitary sewer interceptor in the future, MWRD does not relinquish any rights it has within the West 48th Avenue right of way as described in this partial vacation. Surface rights above MWRD sewer lines are necessary to access the sewer line as well as control surface activity that may impact the sewer. It is unclear what rights RTD will have in the vacated area once this space is no longer controlled by the city of Denver. CCD would need to reserve MWRD a 30' wide easement centered on the existing sanitary sewer line.

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

**Status Date:** 10/22/2018  
**Status:** Approved - No Response

# Comment Report

## RTD BSNF W 48th Ave and N Fox St

03/10/2021

**Master ID:** 2018-PROJMSTR-0000712      **Project Type:** ROW Vacation  
**Review ID:** 2018-VACA-0000014      **Review Phase:**  
**Location:** W 48th Ave. and Fox St.      **Review End Date:** 10/19/2018

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

Comments:

Reviewing Agency: Dev and Planning Services Review      Review Status: Approved - No Response

Status Date: 10/22/2018  
Status: Approved - No Response  
Comments:

Reviewing Agency: Parks and Recreation Review      Review Status: Approved

Reviewers Name: Gregory Neitzke  
Reviewers Email: greg.neitzke@denvergov.org

Status Date: 10/22/2018  
Status: Approved  
Comments: PWPRS Project Number: 2018-VACA-0000014 RTD BSNF W 48th Ave and N Fox St  
Reviewing Agency/Company: Parks Planning Design and Construction  
Reviewers Name: Gregory Neitzke PLS  
Reviewers Phone: 720-913-0726  
Reviewers Email: greg.neitzke@denvergov.org  
Approval Status: Approved

Reviewing Agency: ERA Transportation Review      Review Status: Approved

Reviewers Name: Marco Cabanillas  
Reviewers Email: Marco.Cabanillas@denvergov.org

Status Date: 10/19/2018  
Status: Approved  
Comments: (Also approved in E-Review.)

Reviewing Agency: ERA Wastewater Review      Review Status: Approved

Reviewers Name: Steven Forvilly  
Reviewers Email: Steven.Forvilly@denvergov.org

Status Date: 10/15/2018  
Status: Approved  
Comments: Easements shall be reserved for the bridge as well as for the operation and maintenance of wastewater facilities.

Reviewing Agency: Construction Engineering Review      Review Status: Approved w/Conditions

Reviewers Name: Karl Brekke  
Reviewers Email: Karl.Brekke@denvergov.org

Status Date: 10/22/2018  
Status: Approved w/Conditions  
Comments: The City and County of Denver has completed its Public Works Construction Engineering review of the submitted

# Comment Report

## RTD BNSF W 48th Ave and N Fox St

03/10/2021

**Master ID:** 2018-PROJMSTR-0000712      **Project Type:** ROW Vacation  
**Review ID:** 2018-VACA-0000014      **Review Phase:**  
**Location:** W 48th Ave. and Fox St.      **Review End Date:** 10/19/2018

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

RTD BNSF W 48th Ave and N Fox St Vacation and has generated the following comments:  
Can clarification be provided on the requirement for 10 below top of rail for the vacation? Future storm and sanitary pipes does not have specific designs but less than 10 clearance may be needed.

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

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

Status Date: 10/22/2018  
Status: Approved - No Response  
Comments:

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

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

Status Date: 10/22/2018  
Status: Approved - No Response  
Comments:

Reviewing Agency: Survey Review      Review Status: Approved

Reviewers Name: Ali Gulaid  
Reviewers Email: Ali.Gulaid@denvergov.org

Status Date: 10/24/2018  
Status: Approved  
Comments: PWPRS Project Number: 2018-VACA-0000014 RTD BSNF W 48th Ave and N Fox St  
Reviewing Agency/Company: PW/Survey  
Reviewers Name: Ali Gulaid  
Reviewers Phone: 720.865.3132  
Reviewers Email: ali.gulaid@denvergov.org  
Approval Status: Approved

Comments:

Status Date: 10/22/2018  
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: 10/22/2018  
Status: Approved - No Response  
Comments:

# Comment Report

## RTD BNSF W 48th Ave and N Fox St

03/10/2021

**Master ID:** 2018-PROJMSTR-0000712      **Project Type:** ROW Vacation  
**Review ID:** 2018-VACA-0000014      **Review Phase:**  
**Location:** W 48th Ave. and Fox St.      **Review End Date:** 10/19/2018

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

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

Status Date: 10/22/2018  
Status: Approved - No Response  
Comments:

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

Status Date: 10/22/2018  
Status: Approved - No Response  
Comments:

Reviewing Agency: Solid Waste Review      Review Status: Approved - No Response

Reviewers Name: Mike Lutz  
Reviewers Email: Mike.Lutz@denvergov.org

Status Date: 10/22/2018  
Status: Approved - No Response  
Comments:

Reviewing Agency: Xcel Referral      Review Status: Approved

Status Date: 12/30/2019  
Status: Approved  
Comments: PWPRS Project Number: 2018-VACA-0000014 RTD BSNF W 48th Ave and N Fox St  
Reviewing Agency/Company: Public Service Company of Colorado dba Xcel Energy  
Reviewers Name: Donna George  
Reviewers Phone: 303-571-3306  
Reviewers Email: donna.l.george@xcelenergy.com  
Approval Status: Approved

Comments:

Status Date: 10/17/2018  
Status: Approved w/Conditions  
Comments: PWPRS Project Number: 2018-VACA-0000014 RTD BSNF W 48th Ave and N Fox St  
Reviewing Agency/Company: Public Service Company of Colorado / Xcel Energy  
Reviewers Name: Donna George  
Reviewers Phone: 303-571-3306  
Reviewers Email: donna.l.george@xcelenergy.com  
Approval Status: Approved with conditions

Comments:

Please be aware Public Service Company of Colorado owns and operates existing electric distribution facilities located within the right-of-way proposed to be vacated; therefore, we are able to give conditional approval, PROVIDED, HOWEVER, said vacation shall be subject to the following reservations:

# Comment Report

## RTD BNSF W 48th Ave and N Fox St

03/10/2021

**Master ID:** 2018-PROJMSTR-0000712      **Project Type:** ROW Vacation  
**Review ID:** 2018-VACA-0000014      **Review Phase:**  
**Location:** W 48th Ave. and Fox St.      **Review End Date:** 10/19/2018

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

A perpetual, non-exclusive easement is hereby reserved by the City and County of Denver, its successors and assigns, over, under, across, along, and through the vacated area for the purposes of constructing, operating, maintaining, repairing, upgrading and replacing public or private utilities including storm drainage and sanitary sewer facilities and all appurtenances to said utilities. A hard surface shall be maintained by the property owner over the entire easement area. The City reserves the right to authorize the use of the reserved easement by all utility providers with existing facilities in the easement area. No trees, fences, retaining walls, landscaping or structures shall be allowed over, upon or under the easement area. Any such obstruction may be removed by the City or the utility provider at the property owner's expense. The property owner shall not re-grade or alter the ground cover in the easement area without permission from the City and County of Denver. The property owner shall be liable for all damages to such utilities, including their repair and replacement, at the property owner's sole expense. The City and County of Denver, its successors, assigns, licensees, permittees and other authorized users shall not be liable for any damage to property owner's property due to use of this reserved easement.

The applicant must complete the application process for any modification to existing facilities via FastApp-Fax-Email-USPS (go to: [https://www.xcelenergy.com/start\\_stop\\_transfer/new\\_construction\\_service\\_activation\\_for\\_builders](https://www.xcelenergy.com/start_stop_transfer/new_construction_service_activation_for_builders)). It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details. Additional easements may need to be acquired by separate document for new facilities.

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

Reviewers Name: Brittany Pirtle  
Reviewers Email: brittany.pirtle@denvergov.org

Status Date: 10/22/2018  
Status: Comments Compiled  
Comments:

Status Date:  
Status: 10/01/2018 Confirmation of Payment  
Comments:

Reviewing Agency: ROW - Supplemental Review      Review Status: Approved

Reviewers Name: Matthew MacLachlan  
Reviewers Email: matthew.maclachlan@denvergov.org

Status Date: 08/30/2019  
Status: Approved  
Comments: Approved

PWPRS Project Number: 2018-VACA-0000014 RTD BSNF W 48th Ave and N Fox St  
Reviewing Agency/Company: PW IPM  
Reviewers Name: Matt MacLachlan  
Reviewers Phone: 720-865-3167  
Reviewers Email: matthew.maclachlan@denvergov.org  
Approval Status: Approved

Comments:

# Comment Report

## RTD BNSF W 48th Ave and N Fox St

03/10/2021

<b>Master ID:</b>	2018-PROJMSTR-0000712	<b>Project Type:</b>	ROW Vacation
<b>Review ID:</b>	2018-VACA-0000014	<b>Review Phase:</b>	
<b>Location:</b>	W 48th Ave. and Fox St.	<b>Review End Date:</b>	10/19/2018

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

All parties understand that CCD has an upcoming project to repair the 48th Avenue Viaduct. It's understood that the same parties will work to coordinate as necessary for proper clearances/approval/access to ensure that the work can be completed.

Status Date: 10/22/2018  
Status: Denied  
Comments: PWPRS Project Number: 2018-VACA-0000014 RTD BSNF W 48th Ave and N Fox St  
Reviewing Agency/Company: PW IPM  
Reviewers Name: Matt MacLachlan  
Reviewers Phone: 720-865-3167  
Reviewers Email: matthew.maclachlan@denvergov.org  
Approval Status: Denied

Comments:  
For the moment, I am marking denial to ensure that my concerns are addressed.

I would like to memorialize the fact that CCD will be allowed to access the area to inspect the bridge during our regular inspection intervals, as well as perform maintenance/repair on the structure as needed. We are in the early stages of a design project to rehab this bridge. It's understood that, even without the vacation, we would need to comply with RTD and BNSF's regulations, codes, inspection standards and requirements, etc. However, I want to ensure that by vacating our current property rights, we are not forfeiting our rights to this access and therefore making our necessary work more difficult.