



## REQUEST FOR ORDINANCE TO RELINQUISH AN EASEMENT

**TO:** Katie Ehlers, City Attorney's Office

**FROM:** Glen Blackburn, PE, Director, Right of Way Services

**PROJECT NO:** 2025-RELINQ-0000016

**DATE:** December 29, 2025

**SUBJECT:** Request for an Ordinance to relinquish a portion of the utility easement established in Right-of-Way Vacation Ordinance No. 1423, Series of 2021. Located at the Broadway Station Soccer Stadium Development near 748 South Cherokee Street.

Signed by:

DF13EBC85E48471...

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

This office has investigated the request of Matrix Design Group, dated August 3, 2025, on behalf of Broadway Station Metropolitan District No. 1 for the partial relinquishment of the subject easement.

This matter has been coordinated with Asset Management; City Forester; Comcast; Denver Water; DOTI ROWS Survey; Denver Fire Department; Historic Preservation/Landmark; Metro Water Recovery; Emergency Management; Parks & Recreation; DOTI ROWS Construction Engineering; DOTI Policy and Planning; DOTI Sign & Stripe; CenturyLink/Lumen; Xcel Energy; City Councilmember Alvidrez, District No. 7; CPD DS Project Coordinator; DOTI ROWS DES Transportation and Wastewater; RTD; and CDOT, all of whom have indicated no objection to the proposed partial easement relinquishment.

As a result of these investigations, it has been determined that there is no objection to partially relinquishing the subject easement.

Therefore, you are requested to initiate Council action to relinquish the easement in the following described area:

### INSERT PARCEL DESCRIPTION 2025-RELINQ-0000016-001 HERE

A vicinity map of the subject easement relinquishment area and a copy of the vacating ordinance creating the easement are attached for reference.

GB:cb

cc: City Councilperson & Aides  
City Council Staff – Luke Palmisano  
Department of Law – Brad Beck  
Department of Law – Katie Ehlers  
Department of Law – Mar’quasa Maes  
DOTI, Manager’s Office – Alba Castro  
DOTI, ROWS Deputy Director – Darion Mayhorn  
DOTI, Ordinance  
DOTI, Survey – Paul Rogalla



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

PARTS OF S. CHEROKEE STREET AND W. OHIO AVENUE RECORDED IN VANDERBILT PARK AT ENGINEERING BOOK 19 AT PAGE 36 IN THE RECORDS OF THE CITY AND COUNTY OF DENVER, STATE OF COLORADO AND BEING A PART OF PARCEL A AND PARCEL C OF EASEMENTS RESERVED IN VACATION ORDINANCE NUMBER 1423, SERIES OF 2021 AT RECEPTION NUMBER 2021231033 IN SAID RECORDS AND ALSO BEING A PART OF TRACT C AND A PART OF TRACT EE, BROADWAY STATION FILING NO. 4 OF SAID RECORDS AND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, SAID CITY AND COUNTY OF DENVER, SAID STATE OF COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS WITH BEARINGS REFERENCED TO THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, BEING MONUMENTED ON THE NORTH END BY A FOUND ORIGINAL NOTCHED STONE IN A RANGE BOX AND ON THE SOUTH END BY A FOUND 3-1/4" ALUMINUM CAP ON A NO. 6 REBAR 6" DEEP IN RANGE BOX STAMPED "JF SATO & ASSOC., 1/4, S15/S22, T4N R68W, PLS 37056, 2017" AND IS ASSUMED TO BEAR NORTH 00°44'36" WEST, 2647.74 FEET.

COMMENCING AT THE SOUTH END OF SAID EAST LINE; THENCE NORTH 47°35'42" WEST, A DISTANCE OF 1,819.50 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SOUTH SANTA FE DRIVE, SAID POINT ALSO BEING THE BEGINNING OF A CURVE TO THE LEFT, OF WHICH THE RADIUS POINT BEARS SOUTH 65°20'25" WEST, A RADIAL DISTANCE OF 1,943.49 FEET;

THENCE NORTHWESTERLY ON SAID CURVE AND SAID EASTERLY RIGHT-OF-WAY LINE OF SOUTH SANTA FE DRIVE, THROUGH A CENTRAL ANGLE OF 01°10'21", AN ARC DISTANCE OF 39.78 FEET TO THE INTERSECTION OF SAID EASTERLY RIGHT-OF-WAY LINE WITH THE WESTERLY RIGHT-OF-WAY LINE OF SAID S. CHEROKEE STREET;

THENCE NORTH 00°30'29" WEST, ON SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 736.41 FEET TO AN ANGLE POINT ON THE EASTERLY LINE OF SAID TRACT C, ALSO BEING POINT "A" AS DESCRIBED IN SAID PARCEL A AND THE POINT OF BEGINNING;

THENCE SOUTH 09°27'08" EAST, ON SAID EASTERLY LINE AND ON THE NORTHEASTERLY LINE OF SAID PARCEL A, A DISTANCE OF 2.22 FEET TO THE SOUTHEAST CORNER OF SAID TRACT C;

THENCE SOUTH 89°23'58" WEST, ON THE SOUTHERLY LINE OF SAID TRACT C, A DISTANCE OF 446.27 FEET TO THE SOUTHWESTERLY CORNER OF SAID TRACT C, ALSO BEING THE EASTERLY RIGHT-OF-WAY LINE OF SAID SOUTH SANTA FE DRIVE;

THENCE NORTH 32°45'00" WEST, ON THE WESTERLY LINE OF SAID TRACT C AND ON SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 26.01 FEET TO A CORNER IN THE WESTERLY LINE OF SAID TRACT C AND ALSO THE INTERSECTION OF SAID EASTERLY RIGHT-OF-WAY LINE OF SOUTH SANTA FE DRIVE AND THE EASTERLY RIGHT-OF-WAY LINE OF A PARCEL OF LAND DESCRIBED AS UNIT 5 IN ORDINANCE 3, SERIES 1962 OF SAID RECORDS;

THENCE NORTH 00°37'16" WEST, ON SAID WESTERLY LINE AND ON SAID EASTERLY RIGHT-OF-WAY LINE OF UNIT 5 IN ORDINANCE 3, SERIES 1962, A DISTANCE OF 7.98 FEET TO THE INTERSECTION OF SAID EASTERLY RIGHT-OF-WAY LINE WITH THE NORTH RIGHT-OF-WAY LINE OF SAID W. OHIO AVENUE AND ALSO BEING THE NORTHWESTERLY CORNER OF SAID PARCEL C;



THENCE NORTH 89°23'58" EAST, ON SAID NORTH RIGHT-OF-WAY LINE AND ALSO BEING THE NORTHERLY LINE OF SAID PARCEL C, A DISTANCE OF 459.82 FEET TO SAID WEST RIGHT-OF-WAY LINE OF S. CHEROKEE STREET AND THE NORTHEAST CORNER OF SAID PARCEL C;

THENCE SOUTH 00°30'29" EAST ON SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 27.80 FEET TO THE POINT OF BEGINNING.

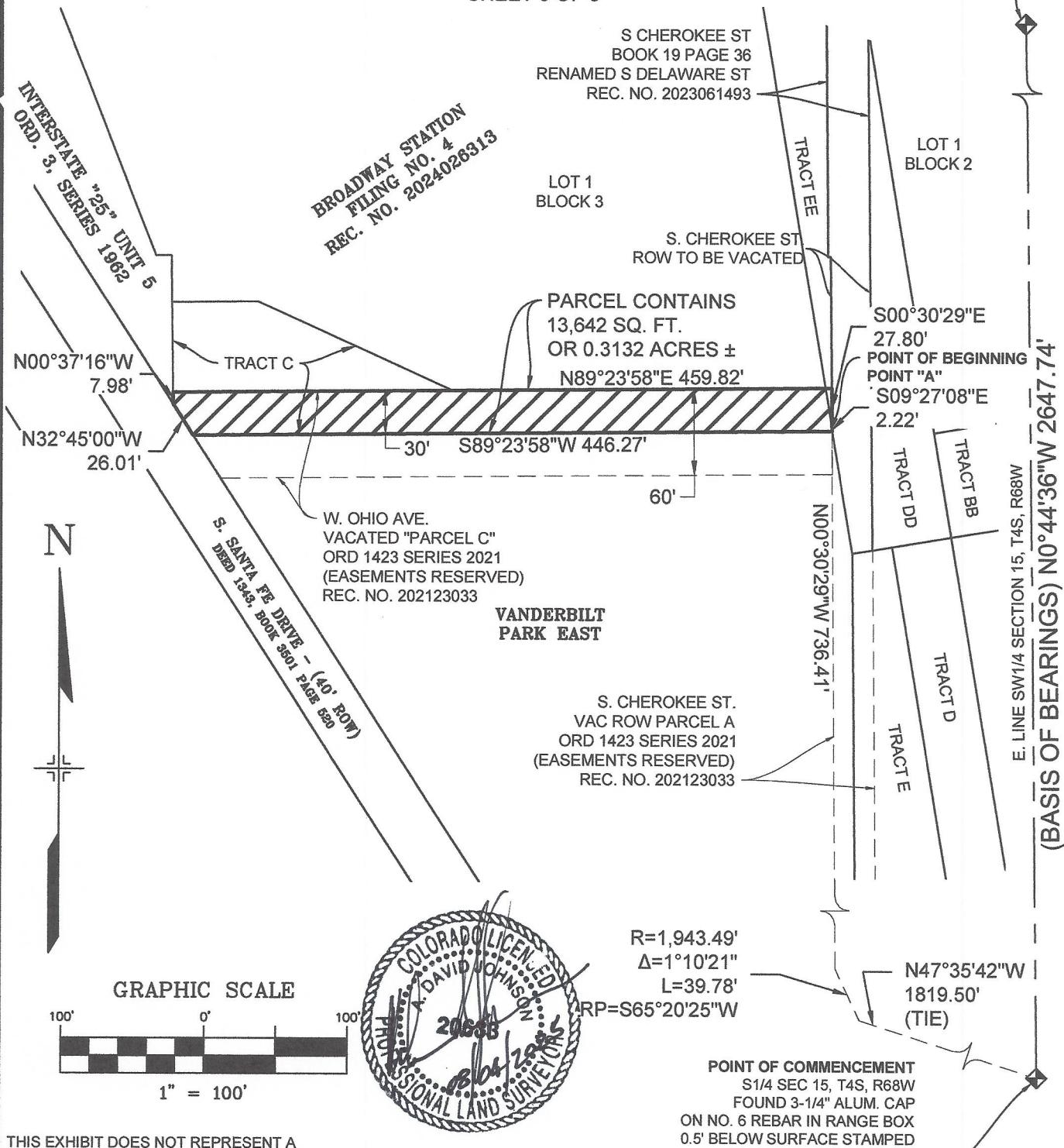
THE ABOVE PARCEL DESCRIPTION CONTAINS A CALCULATED AREA OF 13,642 SQUARE FEET OR (0.3132 ACRES), MORE OR LESS.



PREPARED BY:

A DAVID JOHNSON, PLS 20683  
FOR AND ON BEHALF OF MATRIX DESIGN GROUP, INC  
707 17<sup>TH</sup> STREET, SUITE 3150  
DENVER, COLORADO 80202  
PH. (303)572-0200

## EXHIBIT "A"

ILLUSTRATION  
SHEET 3 OF 3C1/4 SEC 15, T4S, R68W  
FOUND STONE WITH  
DIVOT IN RANGE BOXTHIS EXHIBIT DOES NOT REPRESENT A  
MONUMENTED SURVEY. IT IS INTENDED ONLY  
TO DEPICT THE ATTACHED LEGAL DESCRIPTION.

PREPARED BY:


**Matrix**

SCALE: 1" = 100'

EXHIBIT "A"

DRAWN BY: JHS

ILLUSTRATION

CHECKED BY: ADJ

DATE: 08/04/2025 SHEET 3 OF 3

**ORDINANCE/RESOLUTION REQUEST**

Please email requests to the Mayor's Legislative Team  
 at [MileHighOrdinance@DenverGov.org](mailto:MileHighOrdinance@DenverGov.org) by **9 a.m. Friday**. Contact the Mayor's Legislative team with questions

Date of Request: 12/29/2025

Please mark one:  Bill Request      or       Resolution Request

**Please mark one: The request directly impacts developments, projects, contracts, resolutions, or bills that involve property and impact within .5 miles of the South Platte River from Denver's northern to southern boundary? (Check map [HERE](#))**

Yes       No

**1. Type of Request:**

Contract/Grant Agreement     Intergovernmental Agreement (IGA)     Rezoning/Text Amendment

Dedication/Vacation       Appropriation/Supplemental       DRMC Change

Other: Easement Relinquishment

**2. Title:** (Start with *approves, amends, dedicates*, etc., include name of company or contractor and indicate the type of request: grant acceptance, contract execution, contract amendment, municipal code change, supplemental request, etc.)

Approves a request for an Ordinance to relinquish a portion of the utility easement established in Right-of-Way Vacation Ordinance No. 1423, Series of 2021. Located at the Broadway Station Soccer Stadium Development near 748 South Cherokee Street.

**3. Requesting Agency:** Department of Transportation & Infrastructure, Right of Way Services Division, Engineering & Regulatory

**4. Contact Person:**

Contact person with knowledge of proposed ordinance/resolution (e.g., subject matter expert)	Contact person for council members or mayor-council
Name: Jessica Eusebio	Name: Alaina McWhorter
Email: Jessica.Eusebio@denvergov.org	Email: Alaina.mcwhorter@denvergov.org

**5. General description or background of proposed request. Attach executive summary if more space needed:**  
 (who, what, why)

A request for an Ordinance to relinquish a portion of the utility easement established in Right-of-Way Vacation Ordinance No. 1423, Series of 2021. Located at the Broadway Station Soccer Stadium Development near 748 South Cherokee Street. Additional information is provided in the attached executive summary and enclosed supplemental information.

**6. City Attorney assigned to this request (if applicable):** Brad Beck

**7. City Council District:** Councilmember Alvidrez, District No. 7

**8. For all contracts, fill out and submit accompanying Key Contract Terms worksheet\*\***

*To be completed by Mayor's Legislative Team:*

Resolution/Bill Number: \_\_\_\_\_

Date Entered: \_\_\_\_\_

## Key Contract Terms

**Type of Contract: (e.g. Professional Services > \$500K; IGA/Grant Agreement, Sale or Lease of Real Property):**

**Vendor/Contractor Name (including any dba's):**

**Contract control number (legacy and new):**

**Location:**

Is this a new contract?  Yes  No Is this an Amendment?  Yes  No If yes, how many? \_\_\_\_\_

**Contract Term/Duration (for amended contracts, include existing term dates and amended dates):**

**Contract Amount (indicate existing amount, amended amount and new contract total):**

<i>Current Contract Amount</i> (A)	<i>Additional Funds</i> (B)	<i>Total Contract Amount</i> (A+B)
<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>

**Scope of work:**

Was this contractor selected by competitive process? **If not, why not?**

Has this contractor provided these services to the City before?  Yes  No

**Source of funds:**

Is this contract subject to:  W/MBE  DBE  SBE  XO101  ACDBE  N/A

**WBE/MBE/DBE commitments (construction, design, Airport concession contracts):**

**Who are the subcontractors to this contract?**

*To be completed by Mayor's Legislative Team:*

Resolution/Bill Number: \_\_\_\_\_

Date Entered: \_\_\_\_\_



## EASEMENT RELINQUISHMENT EXECUTIVE SUMMARY

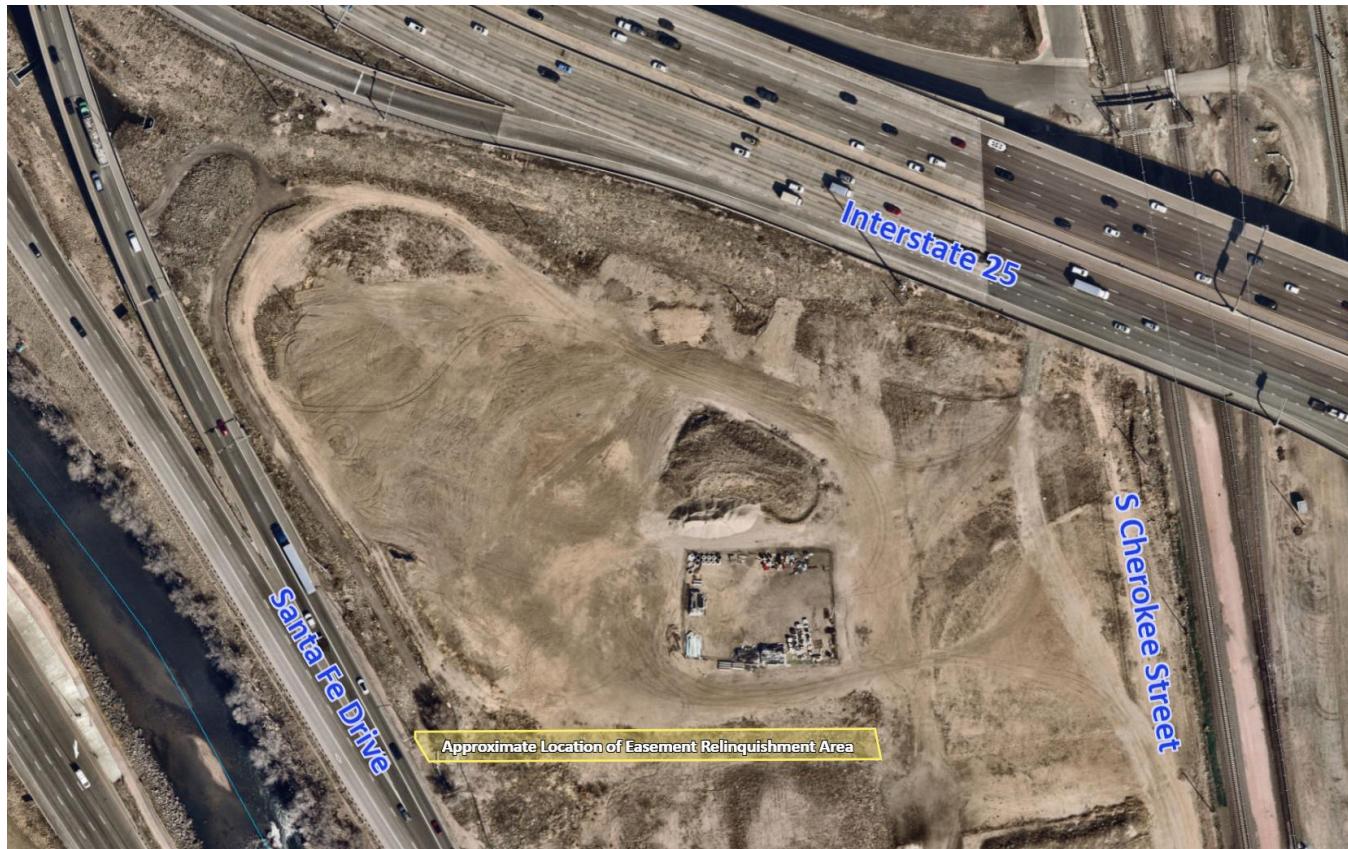
Application Title: 2025-RELINQ-0000016 Broadway Station Filing No. 4 – 748 S Cherokee St

Property Owner: Broadway Station Metropolitan District No. 1

**Description of Proposed Easement Relinquishment:** A portion of the utility easement reserved with the Right-of-Way Vacation Ordinance No. 1423, Series of 2021. Located at the Broadway Station Soccer Stadium Development near 748 South Cherokee Street.

**Project Background:** The previously intended use of the property has changed and will be redesigned/replatted to accommodate a new soccer stadium. There are no active utilities in the proposed easement relinquishment area.

Location Map:



City and County of Denver Department of Transportation & Infrastructure  
Right-of-Way Services | Engineering & Regulatory  
201 W Colfax Ave, Dept 507 | Denver, CO 80202  
[www.denvergov.org/rowplanreview](http://www.denvergov.org/rowplanreview)  
Phone: (720) 865-3003

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**BY AUTHORITY**

2 ORDINANCE NO. 20211423

COUNCIL BILL NO. CB21-1423

### 3 SERIES OF 2021

## COMMITTEE OF REFERENCE:

## Land Use, Transportation & Infrastructure

**A BILL**

**For an ordinance vacating four (4) portions of right-of-way near West Ohio Avenue and South Cherokee Street: two (2) areas located along South Cherokee Street; one (1) area located along West Ohio Avenue; and, one (1) area located along South Elati Street, with reservations.**

10       **WHEREAS**, the Executive Director of the Department of Transportation and Infrastructure of  
11 the City and County of Denver has found and determined that the public use, convenience and  
12 necessity no longer require those certain areas in the system of thoroughfares of the municipality  
13 hereinafter described and, subject to approval by ordinance, has vacated the same with the  
14 reservations hereinafter set forth;

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

16       **Section 1.** That the action of the Executive Director of the Department of Transportation  
17 and Infrastructure in vacating the following described right-of-way in the City and County of Denver,  
18 State of Colorado, to wit:

**PARCEL DESCRIPTION ROW NO. 2020-VACA-0000016-001:**

20 PARTS OF S. CHEROKEE STREET, W. OHIO AVENUE AND S. ELATI STREET, RECORDED IN  
21 VANDERBILT PARK AT ENGINEERING BOOK 19 AT PAGE 36, RECORDS OF THE CITY AND  
22 COUNTY OF DENVER, STATE OF COLORADO, BEING LOCATED IN THE SOUTHWEST ONE-  
23 QUARTER OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL  
24 MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO AND BEING MORE  
25 PARTICULARLY DESCRIBED AS FOLLOWS WITH BEARINGS REFERENCED TO THE EAST  
26 LINE OF THE SOUTHWEST ONE-QUARTER OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE  
27 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, BEING MONUMENTED ON THE NORTH END  
28 BY A FOUND ORIGINAL NOTCHED STONE IN A RANGE BOX AND ON THE SOUTH END BY A  
29 FOUND 3-1/4" ALUMINUM CAP ON A NO. 6 REBAR 6" DEEP IN RANGE BOX STAMPED "JF  
30 SATO & ASSOC., 1/4, S15/S22, T4N R68W, PLS 37056, 2017" AND IS ASSUMED TO BEAR  
31 NORTH 00°44'36" WEST, 2647.74 FEET.

33 PARCEL "A" (S. CHEROKEE STREET)

35 **COMMENCING AT THE SOUTH END OF SAID EAST LINE; THENCE NORTH 47°35'42" WEST,**  
36 **A DISTANCE OF 1,819.50 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF**



1     SOUTH SANTA FE DRIVE, SAID POINT BEING THE **POINT OF BEGINNING**; SAID POINT  
2     BEING ALSO THE BEGINNING OF A CURVE TO THE LEFT, OF WHICH THE RADIUS POINT  
3     BEARS SOUTH 65°20'25" WEST, A RADIAL DISTANCE OF 1,943.49 FEET;  
4  
5     THENCE NORTHWESTERLY ON SAID CURVE AND SAID EASTERN RIGHT-OF-WAY LINE  
6     OF SOUTH SANTA FE DRIVE, THROUGH A CENTRAL ANGLE OF 01°10'21", AN ARC  
7     DISTANCE OF 39.78 FEET TO THE INTERSECTION OF SAID EASTERN RIGHT-OF-WAY  
8     LINE WITH THE WEST RIGHT-OF-WAY LINE OF SAID S. CHEROKEE STREET;  
9  
10    THENCE NORTH 00°30'29" WEST, ON SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF  
11    736.41 FEET TO **POINT "A"**;  
12  
13    THENCE SOUTH 09°27'08" EAST, A DISTANCE OF 88.94 FEET;  
14  
15    THENCE NORTH 80°32'52" EAST, A DISTANCE OF 14.38 FEET TO **POINT "B"**, BEING ALSO A  
16    POINT ON SAID EAST RIGHT-OF-WAY LINE OF S. CHEROKEE STREET;  
17  
18    THENCE SOUTH 00°37'46" EAST, ON SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF  
19    680.14 FEET;  
20  
21    THENCE SOUTH 61°41'14" WEST, A DISTANCE OF 14.50 FEET TO THE **POINT OF**  
22    **BEGINNING**.  
23  
24    THE ABOVE PARCEL DESCRIPTION CONTAINS A CALCULATED AREA OF 19,970 SQUARE  
25    FEET OR (0.45844 ACRES), MORE OR LESS, AND IS DEPICTED ON THE ATTACHED  
26    GRAPHICAL EXHIBIT FOR REFERENCE.

27  
28    **PARCEL "B" (S. CHEROKEE STREET)**  
29

30    **COMMENCING AT THE PREVIOUSLY MENTIONED POINT "B"; THENCE NORTH 00°37'46"**  
31    WEST, ON SAID EAST RIGHT-OF-WAY LINE OF S. CHEROKEE STREET, A DISTANCE OF  
32    362.63 FEET TO THE **POINT OF BEGINNING**;  
33    THENCE NORTH 09°27'08" WEST, A DISTANCE OF 89.00 FEET TO A 166.00 FOOT RADIUS  
34    NON-TANGENT CURVE WHOSE CENTER BEARS SOUTH 11°32'50" WEST;  
35  
36    THENCE EASTERNLY ON SAID CURVE, THROUGH A CENTRAL ANGLE OF 00°09'48", AN ARC  
37    DISTANCE OF 0.47 FEET;  
38  
39    THENCE SOUTH 78°17'23" EAST, A DISTANCE OF 13.50 FEET TO SAID EAST RIGHT-OF-  
40    WAY LINE OF S. CHEROKEE STREET;  
41  
42    THENCE SOUTH 00°37'46" EAST, ON SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF  
43    84.96 FEET TO THE **POINT OF BEGINNING**.  
44  
45    THE ABOVE PARCEL DESCRIPTION CONTAINS A CALCULATED AREA OF 580 SQUARE  
46    FEET OR (0.01331 ACRES), MORE OR LESS, AND IS DEPICTED ON THE ATTACHED  
47    GRAPHICAL EXHIBIT FOR REFERENCE.

1   **PARCEL "C" (W. OHIO AVENUE)**

2   **BEGINNING AT THE PREVIOUSLY MENTIONED POINT "A";**

5   THENCE SOUTH 00°30'29" EAST, ON SAID WEST RIGHT-OF-WAY LINE OF S. CHEROKEE  
6   STREET, A DISTANCE OF 32.20 FEET TO THE INTERSECTION OF SAID WEST RIGHT-OF-  
7   WAY LINE WITH THE SOUTH RIGHT-OF-WAY LINE OF SAID W. OHIO AVENUE;

9   THENCE SOUTH 89°23'58" WEST, ON SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF  
10   427.02 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF SAID SOUTH SANTA FE DRIVE;

12   THENCE NORTH 32°45'00" WEST, ON SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE  
13   OF 61.45 FEET TO THE INTERSECTION OF THE SAID EASTERLY RIGHT-OF-WAY LINE OF  
14   SOUTH SANTA FE DRIVE AND THE EASTERLY RIGHT-OF-WAY LINE OF A PARCEL OF  
15   LAND DESCRIBED AS UNIT 5 IN ORDINANCE 3, SERIES 1962 OF SAID RECORDS;

17   THENCE NORTH 00°37'16" WEST, ON SAID EASTERLY RIGHT-OF-WAY LINE OF UNIT 5 IN  
18   ORDINANCE 3, SERIES 1962, A DISTANCE OF 7.98 FEET TO THE INTERSECTION OF SAID  
19   EASTERLY RIGHT-OF-WAY LINE WITH THE NORTH RIGHT-OF-WAY LINE OF SAID W. OHIO  
20   AVENUE;

22   THENCE NORTH 89°23'58" EAST, ON SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF  
23   135.00 FEET TO **POINT "C"**, BEING ALSO THE INTERSECTION OF SAID NORTH RIGHT-OF-  
24   WAY LINE WITH THE WEST RIGHT-OF-WAY LINE OF SAID S. ELATI STREET;

26   THENCE CONTINUE NORTH 89°23'58" EAST, ON SAID NORTH RIGHT-OF-WAY LINE, A  
27   DISTANCE OF 324.82 FEET TO SAID WEST RIGHT-OF-WAY LINE OF S. CHEROKEE  
28   STREET;

30   THENCE SOUTH 00°30'29" EAST ON SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF  
31   27.80 FEET TO THE **POINT OF BEGINNING**.

37   **PARCEL "D" (S. ELATI STREET)**

39   **BEGINNING AT THE PREVIOUSLY MENTIONED POINT "C";**

41   THENCE ON THE WEST, NORTH AND EAST RIGHT-OF-WAY LINES OF S. ELATI STREET  
42   THE FOLLOWING (3) THREE COURSES:

44   1. THENCE NORTH 00°37'16" WEST, A DISTANCE OF 94.95 FEET;  
45   2. THENCE NORTH 89°49'47" EAST, A DISTANCE OF 60.00 FEET;  
46   3. THENCE SOUTH 00°37'16" EAST, A DISTANCE OF 94.50 FEET TO THE  
47   INTERSECTION OF SAID EAST RIGHT-OF-WAY LINE WITH SAID NORTH RIGHT-OF-  
48   WAY LINE OF W. OHIO AVENUE;

1     THENCE SOUTH 89°23'58" WEST, A DISTANCE OF 60.00 FEET TO THE **POINT OF**  
2     **BEGINNING.**

3  
4     THE ABOVE PARCEL DESCRIPTION CONTAINS A CALCULATED AREA OF 5,683 SQUARE  
5     FEET OR (0.13047 ACRES), MORE OR LESS, AND IS DEPICTED ON THE ATTACHED  
6     GRAPHICAL EXHIBIT FOR REFERENCE

7  
8     be and the same is hereby approved and the described rights-of-way are hereby vacated and  
9     declared vacated;

10            PROVIDED, HOWEVER, said vacation shall be subject to the following reservation:

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

25  
26            **REMAINDER OF PAGE INTENTIONALLY BLANK**

1 COMMITTEE APPROVAL DATE: November 23, 2021 by Consent

2 MAYOR-COUNCIL DATE: November 30, 2021

3 PASSED BY THE COUNCIL: December 13, 2021

4  - PRESIDENT Pro-Tem

5 APPROVED:  Dec 15, 2021

6 ATTEST:  - CLERK AND RECORDER,  
7 EX-OFFICIO CLERK OF THE  
8 CITY AND COUNTY OF DENVER

9 NOTICE PUBLISHED IN THE DAILY JOURNAL: December 9, 2021; December 16, 2021

10 PREPARED BY: Martin A. Plate, Assistant City Attorney DATE: December 2, 2021

11 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of the  
12 City Attorney. We find no irregularity as to form and have no legal objection to the proposed  
13 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to §  
14 3.2.6 of the Charter.

15  
16 Kristin M. Bronson, Denver City Attorney

17 BY:  Jonathan Griffin, Assistant City Attorney DATE: Dec 1, 2021

