



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.

Check if this application is for Tier Determination only. *If checked, the project will not be submitted for full review until confirmation, and remaining submittal requirements, are received by owner.*

ADJACENT PROPERTY OWNER:

The adjacent property owner or Authorized Special District 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: | Archway Communities | |
| Contact Name: | Sarah Blanchard | |
| Property Address: | 5375 W 10th Ave, Lakewood, CO 80214 | |
| Billing Address: | 8585 W 14th Ave Suite A, Lakewood, CO 80215 | |
| Phone: | 720-640-6223 | Email: sarahb@archwaycommunities.org |

PRIMARY CONTACT:

Check if the same as Adjacent Property Owner

| | | |
|---------------|--------------|--------------|
| Company Name: | _____ | |
| Contact Name: | _____ | |
| Address: | _____ | |
| Phone: | 720-640-6223 | Email: _____ |

ENCROACHMENT INFORMATION:

Project Name: Creekside

Adjacent Property Address: 5375 W 10th Ave

Coordinates (Lat/Long): 39deg44'02" N 105deg03'19" W

Encroachment Area, in SF: 600 SF

Is this project associated with a LAND DEVELOPMENT REVIEW?

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

2023-PM-0000081 2024-SDP-0000194

Is the proposed encroachment located in Future Right-of-Way?

Finalizing permit and/or processing resolution for the Encroachment will not occur until the ROW dedication is finalized.

Yes No If 'Yes', provide ROW Dedication Project Number:

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 11th Ave between Ames St and Depew St the encroachment (private storm line) will cross the 73' ROW at a perpendicular angle.

Description of Encroachment:

Describe the proposed encroachment, including the type and quantity of objects.

Includes one 12" private PVC storm line

Reason 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.

The Development is required to provide detention and water quality and then discharge downstream. The Dry Gulch is the only viable outfall for the site at 5375 W 10th Ave since there is no adjacent storm sewer. Between the Dry Gulch and the site sits the 11th Ave ROW so the line will cross.

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: | Sarah Blanchard | DATE: | 2/4/25 |
| PRINT NAME: | Sarah Blanchard | TITLE: | Director of Real Estate |
| COMPANY: | Archway Communities | | |

Digitally signed by Sarah Blanchard
DN: cn=Sarah Blanchard, email=sarah.blanchard@archwaycommunities.org, o=Archway
Communities Corporation, Inc., cn=Sarah Blanchard
Reason: I am the Approver
Date: 2025.02.04 14:52:37-0700

PERMIT 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:

- [Denver Revised Municipal Code \(DRMC\) Chapter 49, Streets, Sidewalks and Other Public Ways](#)
- [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 & Parcel Land Description

Required for all Encroachment Permit Applications

- Current Title Work/Warranty Deed confirming ownership and parcel land description for adjacent property
- Parcel Land Description in Word format

Land 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 Land Description and Exhibit(s) in PDF format stamped and signed by PLS
- Encroachment Area Land 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
- Construction Materials
- Projection from building
- Distance from Encroachment to the nearest flowline

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/doti

Phone: 720-913-3003



- 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 |
| Land Description Review | N/A | \$500.00 | \$500.00 |
| 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: _____

PRINT NAME: _____ EMAIL: _____

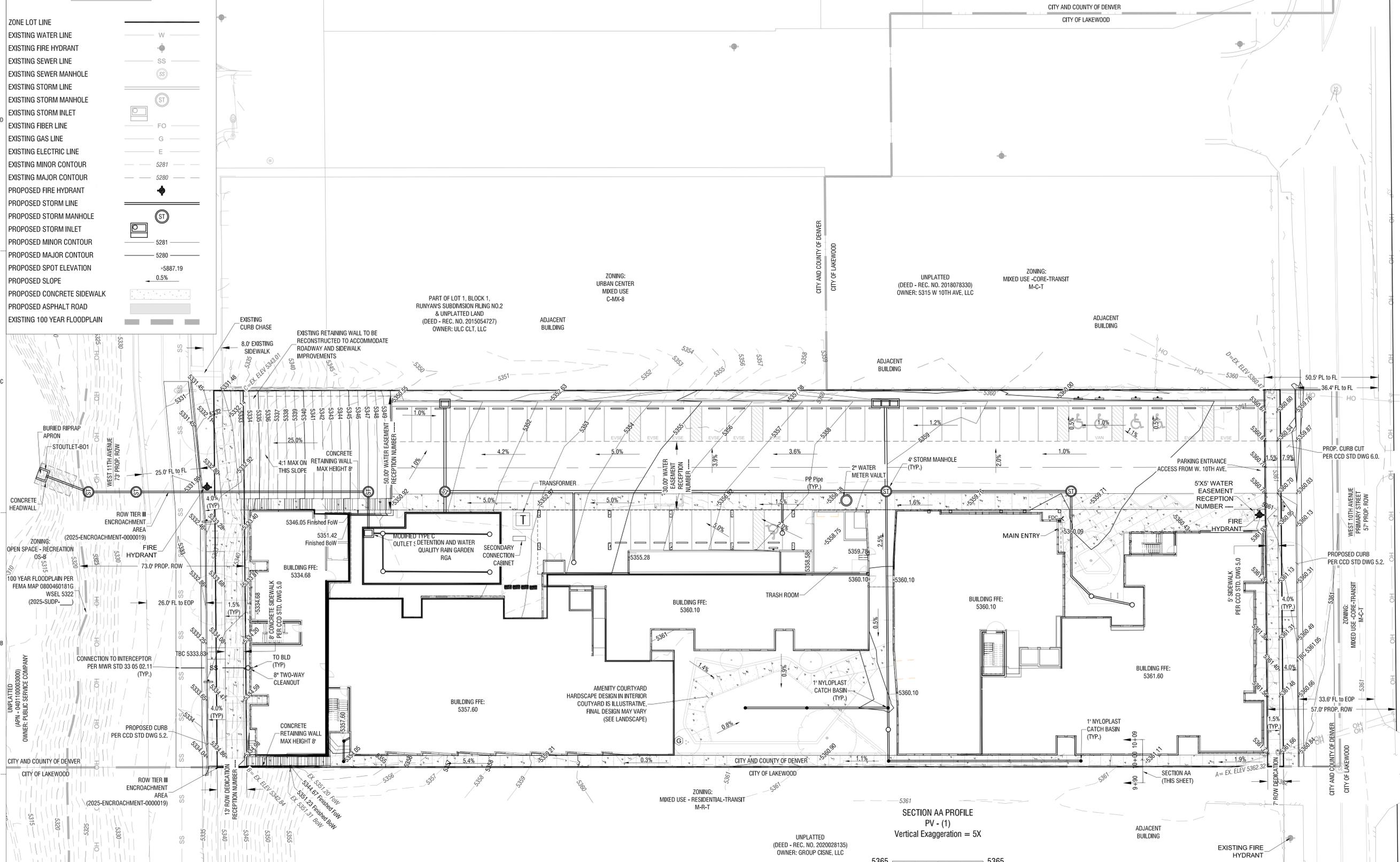
COMPANY: _____ PHONE: _____

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/doti
 Phone: 720-913-3003

file path: C:\Users\ted\DC\ACCDocs\Shopworks Architecture\22038_Creekside Flats (Jody 2)\Project Files\Civil\Sheets\Planning\22038_Grading Plan.dwg

GRADING PLAN LEGEND

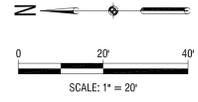
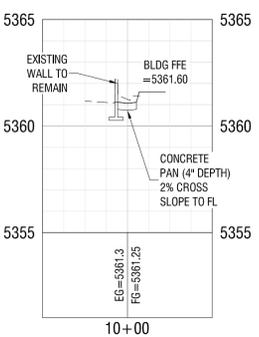
| | |
|------------------------------|----------|
| ZONE LOT LINE | W |
| EXISTING WATER LINE | — |
| EXISTING FIRE HYDRANT | ◆ |
| EXISTING SEWER LINE | SS |
| EXISTING SEWER MANHOLE | SS |
| EXISTING STORM LINE | — |
| EXISTING STORM MANHOLE | ST |
| EXISTING STORM INLET | □ |
| EXISTING FIBER LINE | FO |
| EXISTING GAS LINE | G |
| EXISTING ELECTRIC LINE | E |
| EXISTING MINOR CONTOUR | 5281 |
| EXISTING MAJOR CONTOUR | 5280 |
| PROPOSED FIRE HYDRANT | ◆ |
| PROPOSED STORM LINE | — |
| PROPOSED STORM MANHOLE | ST |
| PROPOSED STORM INLET | □ |
| PROPOSED MINOR CONTOUR | 5281 |
| PROPOSED MAJOR CONTOUR | 5280 |
| PROPOSED SPOT ELEVATION | +5887.19 |
| PROPOSED SLOPE | 0.5% |
| PROPOSED CONCRETE SIDEWALK | ▨ |
| PROPOSED ASPHALT ROAD | ▨ |
| EXISTING 100 YEAR FLOODPLAIN | ▨ |



- NOTES**
1. ALL ENTRANCES ARE PRIVATE UNLESS OTHERWISE NOTED.
 2. SIDEWALKS AND LANDINGS SHALL SLOPE 1.5% TOWARDS ROADS, DRIVE LANES UNLESS NOTED OTHERWISE.
 3. THE CONTRACTOR SHALL NOTIFY THE ENGINEER OF ANY DISCREPANCIES WITH THE PROPOSED ELEVATIONS SHOWN ON THE GRADING PLAN. THE ENGINEER WILL NOT BE LIABLE FOR ANY COSTS ASSOCIATED WITH CHANGES TO THE DESIGN WITHOUT PROPER NOTIFICATION.
 4. THE MAXIMUM CROSS SLOPE IN AN ACCESSIBLE PATH SHALL NOT EXCEED TWO PERCENT. THE MAXIMUM LONGITUDINAL SLOPE IN AN ACCESSIBLE PATH SHALL NOT EXCEED FIVE PERCENT.
 5. EXISTING UTILITIES STRUCTURES TO BE ADJUSTED AS NECESSARY TO MEET PROPOSED GRADE.
 6. ALL STORM SEWER IS PRIVATE AND WILL BE MAINTAINED BY OWNER UNLESS OTHERWISE NOTED.
 7. RIGHT-OF-WAY IMPROVEMENTS ARE SHOWN FOR ILLUSTRATIVE PURPOSES ONLY. FOR FINAL DESIGN, SEE 2025-TRAN-0000102.

BENCHMARK
 CITY AND COUNTY OF DENVER BENCHMARK #100B - 2" DIAMETER BRASS CAP, ILLEGIBLY STAMPED, LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF SHERIDAN BOULEVARD AND 10TH AVENUE, IN THE TOP OF THE CURB EAST OF THE NORTHERLY PC. ELEVATION: 5358.81 FEET (NAVD 1988 DATUM). THE CONTOURS SHOWN HEREON ARE AT ONE (1) FOOT INTERVALS.

SECTION AA PROFILE
 PV - (1)
 Vertical Exaggeration = 5X



| | | | |
|---|----------------|-----------------------|-------------|
| CITY AND COUNTY OF DENVER | | | |
| Department of Transportation and Infrastructure (DOTI) | | | |
| Development Engineering Services | | | |
| DES PROJECT NO. | | | |
| 2025-TRAN-0000102-2023PM0000144 | | | |
| PROJECT NAME: CREEKSIDE FLATS | | | |
| DESIGNED BY: TS | DATE: 09/23/25 | DATE ISSUED: 09/23/25 | DRAWING NO. |
| DRAWN BY: CS | DATE: 09/23/25 | | C4.0 |
| CHECKED BY: TS | DATE: 09/23/25 | SHEET 1 OF 5 SHEETS | |

SHOPWORKS
 ARCHITECTURE
 301 W. 45TH AVE • DENVER, CO 80216 • 303.433.4094

CREEKSIDE FLATS
 5375 W. 10TH AVE
 DENVER, CO 80214

| | | | |
|------|---|----------|---------------|
| REV: | 1 | 03-24-25 | Pre Submittal |
| | | 06-16-25 | 1st Submittal |
| | | 09-02-25 | 2nd Submittal |

DRAWN: CS
 REVIEWED: TS
 DATE: 09/23/25
 PROJECT #: 22038
 FILE: 22038_Grading Plan
 SHEET TITLE: **OVERALL GRADING PLAN**

SCALE: REF PLAN

NO. **C4.0**

CREEKSIDE APARTMENTS
5375 W 10TH AVE

REV: 1 #####
2 #####
3 #####

PROJECT #: 22038
SHEET TITLE: 22038_Pipe Network
PROFILE

SCALE: 1" = 20'

NO. **C6.0**

- NOTES**
1. THE CONTRACTOR IS TO VERIFY THE ELEVATION OF ALL EXISTING UTILITIES WHERE NEW WORK WILL CONNECT AND NOTIFY THE ENGINEER IF THERE ARE ANY DISCREPANCIES.
 2. MANHOLES ARE CONTROLLED AT CENTER OF MANHOLE.
 3. ALL WATER SERVICES DOWNSTREAM OF THE METER SHALL BE PRIVATE.
 4. ALL SANITARY SERVICES SHALL BE PRIVATE.
 5. CONTRACTOR SHALL MAINTAIN A MINIMUM OF 0.5% GRADE AT FLOW LINE INTO INLET.

UTILITY PLAN LEGEND

| | |
|----|------------------------|
| W | EXISTING WATER LINE |
| ◆ | EXISTING FIRE HYDRANT |
| SS | EXISTING SEWER MANHOLE |
| SS | EXISTING STORM MANHOLE |
| ST | EXISTING STORM INLET |
| FO | EXISTING FIBER LINE |
| G | EXISTING GAS LINE |
| E | EXISTING ELECTRIC LINE |
| W | PROPOSED WATER LINE |
| ◆ | PROPOSED FIRE HYDRANT |
| SS | PROPOSED SEWER MANHOLE |
| SS | PROPOSED STORM MANHOLE |
| ST | PROPOSED STORM INLET |
| FO | PROPOSED FIBER LINE |
| G | PROPOSED GAS LINE |
| E | PROPOSED ELECTRIC LINE |
| ☆ | PROPOSED LIGHT POLE |

TF: TOP FACE OF INLET

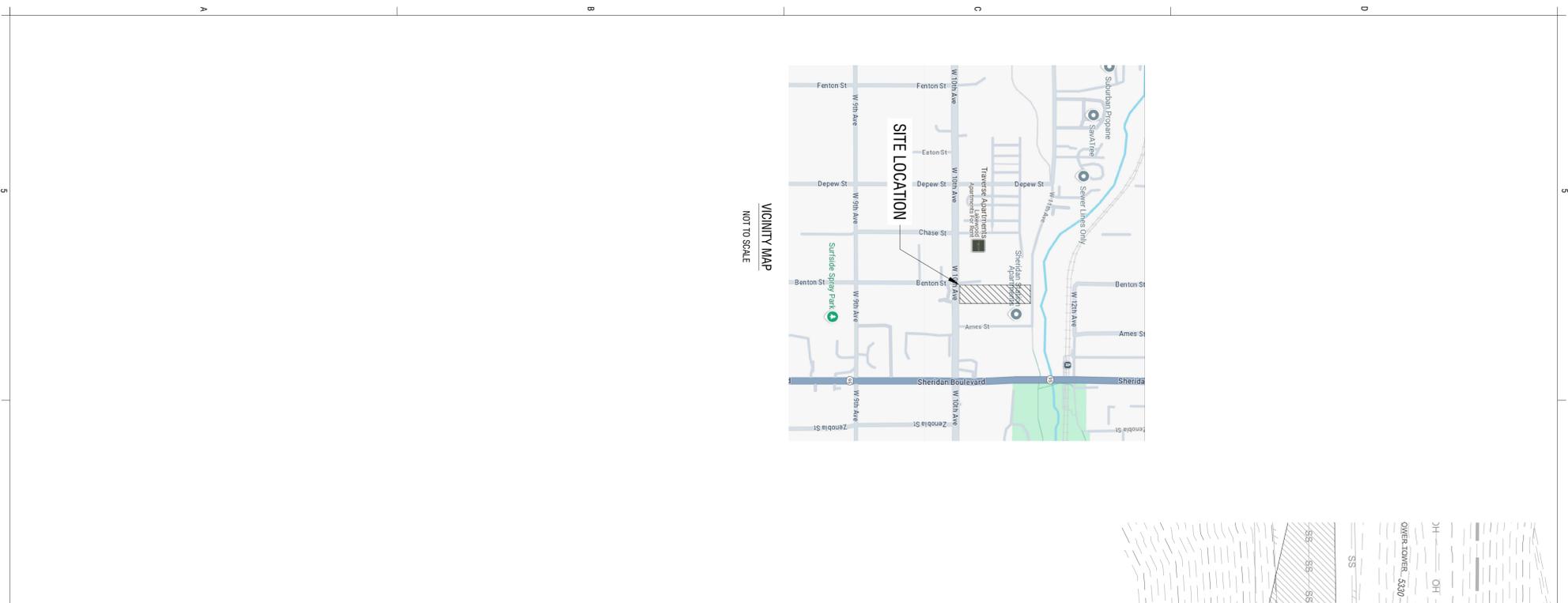
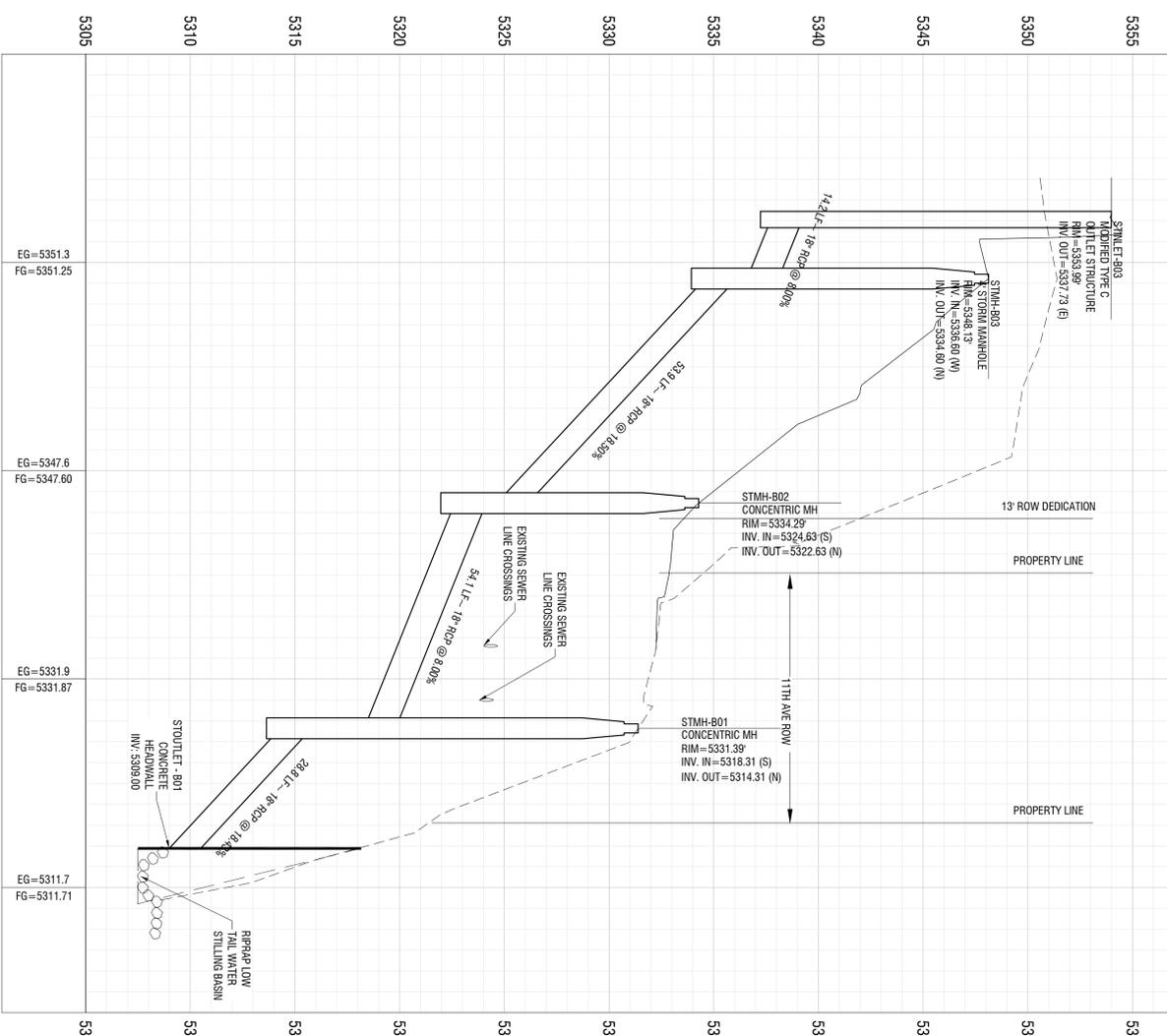
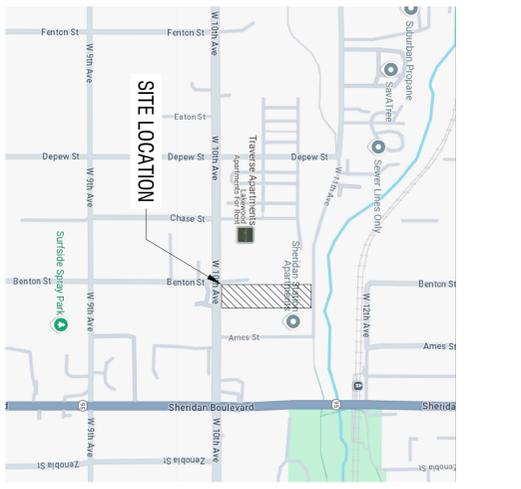
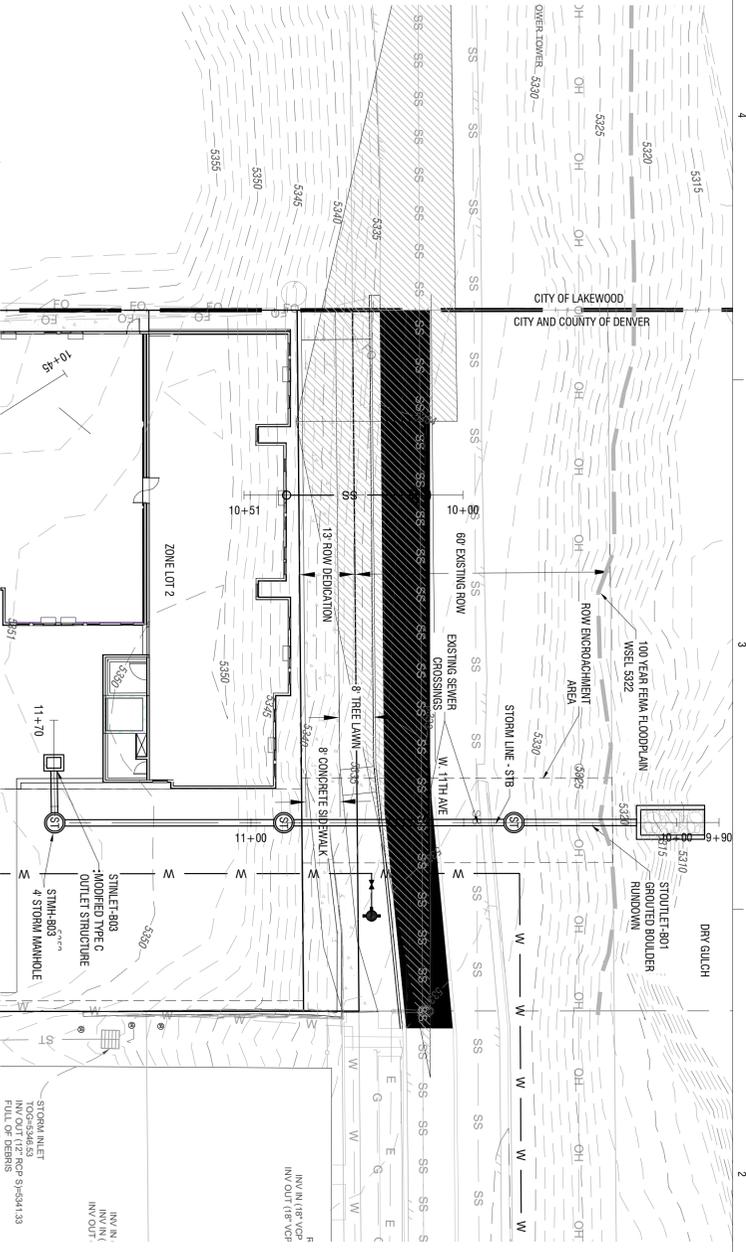
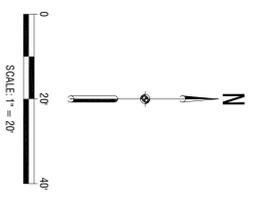


EXHIBIT A

LEGAL DESCRIPTION

SHEET 1 OF 3

Parcel 1:

A Parcel of Land being a portion of the Right-of-Way for West 11th Avenue, Situated in the West 1/2 of the West 1/2 of the Southeast 1/4 of the Southeast 1/4 of the Northeast 1/4 of Section 1, Township 4 South, Range 69 West of the 6th Principal Meridian, City and County of Denver, State of Colorado, more particularly described as follows:

Commencing at the Center-East 1/16th Corner of Said Section 1;

Thence N89°28'08"E, coincident with the South Line of the Southeast 1/4 of the Northeast 1/4 of said Section 1, a distance of 662.13 feet to the West Line of the West 1/2 of the West 1/2 of the Southeast 1/4 of the Southeast 1/4 of the Northeast 1/4 of Said Section 1;

Thence N00°02'31"W, coincident with said West Line, a distance of 482.57 feet to the South Right-of-Way Line of West 11th Avenue, as described in Special Warranty deed, recorded February 10, 2026 in the records of the City and County of Denver Clerk and Recorder's Office under Reception No. 2026010199 and the **Point of Beginning**;

Thence continue N00°02'31"W a distance of 17.00 feet;

Thence N89°28'32"E a distance of 10.00 feet;

Thence S00°02'31"E a distance of 17.00 feet to the previously cited South Right-of-Way Line of West 11th Avenue;

Thence S89°28'32"W, coincident with said South Right-of-Way Line, a distance of 10.00 feet to the **Point of Beginning**.

Parcel 1 Contains (170 Square Feet) 0.00390 Acres, more or less.

Parcel 2:

A Parcel of Land being a portion of the Right-of-Way for West 11th Avenue, Situated in the West 1/2 of the West 1/2 of the Southeast 1/4 of the Southeast 1/4 of the Northeast 1/4 of Section 1, Township 4 South, Range 69 West of the 6th Principal Meridian, City and County of Denver, State of Colorado, more particularly described as follows:

Commencing at the Center-East 1/16th Corner of Said Section 1;

Thence N89°28'08"E, coincident with the South Line of the Southeast 1/4 of the Northeast 1/4 of said Section 1, a distance of 662.13 feet to the West Line of the West 1/2 of the West 1/2 of the Southeast 1/4 of the Southeast 1/4 of the Northeast 1/4 of Said Section 1;

Thence N00°02'31"W, coincident with said West Line, a distance of 482.57 feet to the South Right-of-Way Line of West 11th Avenue, as described in Special Warranty deed, recorded February 10, 2026 in the records of the City and County of Denver Clerk and Recorder's Office under Reception No. 2026010199;

Thence N89°28'32"E, coincident with said South Right-of-Way Line, a distance of 110.50 feet to the **Point of Beginning**;

Thence N00°05'52"W a distance of 73.00 feet to the North Right-of-Way Line of West 11th Avenue, as described in Quit Claim Deed Recorded January 14, 2014 in said records under Reception No. 2014004092;

Thence N89°28'32"E, coincident with said North Right-of-Way Line, a distance of 20.00 feet;

Thence S00°05'52"E a distance of 73.00 feet to the previously cited South Right-of-Way Line of West 11th Avenue;

Thence S89°28'32"W, coincident with said South Right-of-Way Line, a distance of 20.00 feet to the **Point of Beginning**.

Parcel 2 Contains (1,460 Square Feet) 0.03352 Acres, more or less.

All lineal distances are represented in U.S. Survey Feet.

Bearings are based on the West Line of the SE 1/4 of the NE 1/4 of Section 1, Township 4 South, Range 69 West of the 6th Principal Meridian having a grid bearing of N00°01'48"W and bounded by a found 3-1/4" Aluminum Cap on a Rebar, stamped "COLO ENGN AND SURVEY 26958" at the Center-East 1/16th corner of said Section 1, and by a found 3-1/4" Aluminum Cap on a Rebar, stamped "34986" at the NE 1/16th corner of said Section 1.

Date Prepared: February 20, 2025

Date of Last Revision: February 11, 2026

Prepared By:

Jeffrey A. Miller

Professional L.S. No. 38467

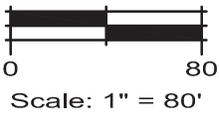
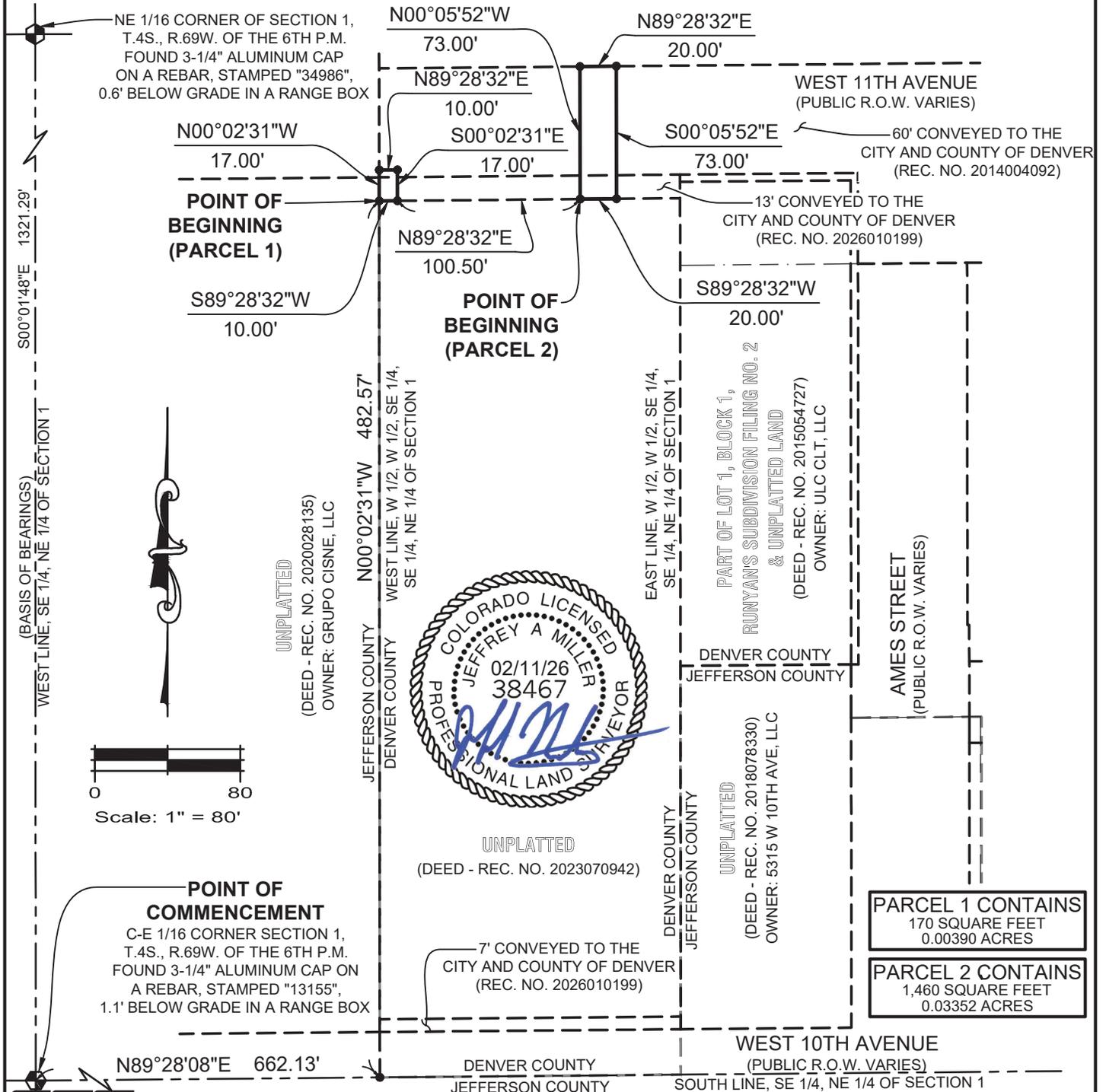
For and on behalf of

Engineering Service Company



EXHIBIT A ILLUSTRATION

SHEET 3 OF 3



ENGINEERING SERVICE COMPANY
14190 East Evans Avenue
Aurora, Colorado 80014
P 303.337.1393 | F 303.337.7481

PROPERTY OWNER: ARCHWAY JODY ACQUISITION LLC
8585 W. 14TH AVENUE, SUITE A
LAKEWOOD, CO. 80215

PARCEL 1 CONTAINS
170 SQUARE FEET
0.00390 ACRES

PARCEL 2 CONTAINS
1,460 SQUARE FEET
0.03352 ACRES

CITY & COUNTY OF DENVER

| | | | |
|-------------------------|--|------------------------|---------------------|
| Drawn By: <i>JAM</i> | Checked By: <i>JAM</i> | Project No.: 1758.1 | Date: 11/10/2025 |
| Scale: 1" = 80' | File Name: <i>N:\Projects\Archway Communities\Denver-5375 W. 10th Avenue\CAD\Exhibit\Encroachment\License\Denver-5375 W. 10th Ave. Encroachment Permit Exhibit_R2.dwg</i> | | |

Note: This illustration does not represent a monumented survey. It is intended only to depict the attached description.



Customer Distribution



Prevent fraud - Please call a member of our closing team for wire transfer instructions or to initiate a wire transfer. Note that our wiring instructions will never change.

Order Number: **ABC70880661-3**

Date: **01/12/2026**

Property Address: **5375 W 10TH AVENUE, RIGHTS OF WAY, DENVER, CO 80214**

For Closing Assistance

Charles Ottinger
3033 EAST FIRST AVENUE,
SUITE 600
DENVER, CO 80206
(303) 331-6216 (Work)
(303) 393-3870 (Work Fax)
cottinger@ltgc.com
Company License: CO44565

Closer's Assistant

Rachel Roberts
3033 EAST FIRST AVENUE,
SUITE 600
DENVER, CO 80206
(303) 331-6260 (Work)
(303) 393-3858 (Work Fax)
rroberts@ltgc.com
Company License: CO44565

For Title Assistance

Scott Bennetts
5975 GREENWOOD PLAZA
BLVD
GREENWOOD VILLAGE, CO
80111
(303) 850-4175 (Work)
sbennetts@ltgc.com
Company License: CO44565

NEW COMMUNITIES LAW
Attention: ALEX GANO
1919 14TH STREET #700
BOULDER, CO 80302
(217) 549-2539 (Cell)
(720) 792-7844 (Work)
alex.gano@newcommunitieslaw.com
Delivered via: Electronic Mail

ENGINEERING SERVICE COMPANY
Attention: JEFFREY A. MILLER
14190 E EVANS AVE
AURORA, CO 80014
(303) 337-1393 (Work)
(303) 337-7481 (Work Fax)
jeffm@engineeringserviceco.com
Delivered via: Electronic Mail



Estimate of Title Fees

Order Number: ABC70880661-3

Date: 01/12/2026

Property Address: 5375 W 10TH AVENUE, RIGHTS OF WAY, DENVER, CO 80214

Seller(s): ULC CLT, LLC, A COLORADO LIMITED LIABILITY COMPANY

Buyer(s): CITY AND COUNTY OF DENVER

Thank you for putting your trust in Land Title. Below is the estimate of title fees for the transaction. The final fees will be collected at closing. Visit ltgc.com to learn more about Land Title.

| Estimate of Title Insurance Fees | |
|----------------------------------|------------|
| "ALTA" Owner's Policy 07-01-21 | TBD |
| TOTAL | TBD |

Note: The documents linked in this commitment should be reviewed carefully. These documents, such as covenants conditions and restrictions, may affect the title, ownership and use of the property. You may wish to engage legal assistance in order to fully understand and be aware of the implications of the documents on your property.

Chain of Title Documents:

[Denver county recorded 12/21/2007 under reception no. 2007194144](#)

[Denver county recorded 12/21/2007 under reception no. 2007194146](#)

ALTA COMMITMENT
Old Republic National Title Insurance Company
Schedule A

Order Number: ABC70880661-3

Property Address:

5375 W 10TH AVENUE, RIGHTS OF WAY, DENVER, CO 80214

1. Commitment Date:

01/07/2026 at 5:00 P.M.

2. Policy to be Issued and Proposed Insured:

"ALTA" Owner's Policy 07-01-21

TBD

Proposed Insured:

CITY AND COUNTY OF DENVER

3. The estate or interest in the land described or referred to in this Commitment and covered herein is:

FEE SIMPLE

4. The Title is, at the Commitment Date, vested in:

ULC CLT, LLC, A COLORADO LIMITED LIABILITY COMPANY

5. The Land is described as follows:

PARCEL 1:

THE NORTH 7.00 FEET OF THE SOUTH 32.00 FEET OF THE WEST 1/2 OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 4 SOUTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER-EAST 1/16TH CORNER OF SAID SECTION 1;

THENCE N89°28'08"E, COINCIDENT WITH THE SOUTH LINE OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 1, A DISTANCE OF 662.13 FEET TO THE WEST LINE OF THE WEST 1/2 OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 1;

THENCE N00°02'31"W, COINCIDENT WITH SAID WEST LINE, A DISTANCE OF 25.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF WEST 10TH AVENUE AND THE POINT OF BEGINNING;

THENCE CONTINUE N00°02'31"W, COINCIDENT WITH SAID WEST LINE, A DISTANCE OF 7.00 FEET;

THENCE N89°28'08"E, COINCIDENT WITH A LINE BEING 7.00 FEET NORTH OF AND PARALLEL WITH THE NORTH RIGHT-OF-WAY LINE OF WEST 10TH AVENUE, A DISTANCE OF 165.53 FEET TO THE EAST LINE OF THE WEST 1/2 OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 1;

THENCE S00°02'41"E, COINCIDENT WITH SAID EAST LINE, A DISTANCE OF 7.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF WEST 10TH AVENUE;

THENCE S89°28'08"W, COINCIDENT WITH SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 165.53 FEET TO THE POINT OF BEGINNING.

ALL LINEAL DISTANCES ARE REPRESENTED IN U.S. SURVEY FEET.

BEARINGS ARE BASED ON THE WEST LINE OF THE SE 1/4 OF THE NE 1/4 OF SECTION 1, TOWNSHIP 4

ALTA COMMITMENT

Old Republic National Title Insurance Company

Schedule A

Order Number: ABC70880661-3

SOUTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN HAVING A GRID BEARING OF N00°01'48"W AND BOUNDED BY A FOUND 3-1/4" ALUMINUM CAP ON A REBAR, STAMPED "LS 13155" "1995", 1.1 FEET BELOW GRADE IN A RANGE BOX, AT THE CENTER-EAST 1/16TH CORNER OF SAID SECTION 1, AND BY A FOUND 3-1/4" ALUMINUM CAP ON A REBAR, STAMPED "PLS 34986" "2003", 0.6 FEET BELOW GRADE IN A RANGE BOX, AT THE NE 1/16TH CORNER OF SAID SECTION 1.

ABOVE LEGAL DESCRIPTION PREPARED BY:

PROFESSIONAL L.S. NO. 38467

FOR AND ON BEHALF OF:

ENGINEERING SERVICE COMPANY

14190 E. EVANS AVE.

AURORA, CO 80014

PARCEL 2:

THE SOUTH 13.00 FEET OF THE NORTH 178.00 FEET OF THE WEST 1/2 OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 4 SOUTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER-EAST 1/16TH CORNER OF SAID SECTION 1;

THENCE N89°28'08"E, COINCIDENT WITH THE SOUTH LINE OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 1, A DISTANCE OF 662.13 FEET TO THE WEST LINE OF THE WEST 1/2 OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 1;

THENCE N00°02'31"W, COINCIDENT WITH SAID WEST LINE, A DISTANCE OF 482.57 FEET TO A POINT LYING 13.00 FEET SOUTH OF THE SOUTH RIGHT-OF-WAY LINE OF WEST 11TH AVENUE AND THE POINT OF BEGINNING;

THENCE CONTINUE N00°02'31"W, COINCIDENT WITH SAID WEST LINE, A DISTANCE OF 13.00 FEET TO THE SOUTH RIGHT-OF WAY LINE OF WEST 11TH AVENUE;

THENCE N89°28'32"E, COINCIDENT WITH SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 165.51 FEET TO THE EAST LINE OF THE WEST 1/2 OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 1;

THENCE S00°02'41"E, COINCIDENT WITH SAID EAST LINE, A DISTANCE OF 13.00 FEET;

THENCE S89°28'32"W, COINCIDENT WITH A LINE LYING 13.00 FEET SOUTH OF AND PARALLEL WITH THE SOUTH RIGHT-OF-WAY LINE OF WEST 11TH AVENUE, A DISTANCE OF 165.51 FEET TO THE POINT OF BEGINNING.

ALTA COMMITMENT
Old Republic National Title Insurance Company
Schedule A

Order Number: ABC70880661-3

ALL LINEAL DISTANCES ARE REPRESENTED IN U.S. SURVEY FEET.

BEARINGS ARE BASED ON THE WEST LINE OF THE SE 1/4 OF THE NE 1/4 OF SECTION 1, TOWNSHIP 4 SOUTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN HAVING A GRID BEARING OF N00°01'48"W AND BOUNDED BY A FOUND 3-1/4" ALUMINUM CAP ON A REBAR, STAMPED "LS 13155" "1995", 1.1 FEET BELOW GRADE IN A RANGE BOX, AT THE CENTER-EAST 1/16TH CORNER OF SAID SECTION 1, AND BY A FOUND 3-1/4" ALUMINUM CAP ON A REBAR, STAMPED "PLS 34986" "2003", 0.6 FEET BELOW GRADE IN A RANGE BOX, AT THE NE 1/16TH CORNER OF SAID SECTION 1.

ABOVE LEGAL DESCRIPTION PREPARED BY:

PROFESSIONAL L.S. NO. 38467

FOR AND ON BEHALF OF:

ENGINEERING SERVICE COMPANY

14190 E. EVANS AVE.

AURORA, CO 80014

This page is only a part of a 2021 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.



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ALTA COMMITMENT

Old Republic National Title Insurance Company

Schedule B, Part I

(Requirements)

Order Number: ABC70880661-3

All of the following Requirements must be met:

This proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.

Pay the agreed amount for the estate or interest to be insured.

Pay the premiums, fees, and charges for the Policy to the Company.

Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.

1. A FULL COPY OF THE FULLY EXECUTED OPERATING AGREEMENT AND ANY AND ALL AMENDMENTS THERETO FOR ULC CLT, LLC, A COLORADO LIMITED LIABILITY COMPANY MUST BE FURNISHED TO LAND TITLE GUARANTEE COMPANY. SAID AGREEMENT MUST DISCLOSE WHO MAY CONVEY, ACQUIRE, ENCUMBER, LEASE OR OTHERWISE DEAL WITH INTERESTS IN REAL PROPERTY FOR SAID ENTITY.

NOTE: ADDITIONAL REQUIREMENTS MAY BE NECESSARY UPON REVIEW OF THIS DOCUMENTATION.

2. DULY EXECUTED AND ACKNOWLEDGED STATEMENT OF AUTHORITY SETTING FORTH THE NAME OF ULC CLT, LLC, A COLORADO LIMITED LIABILITY COMPANY AS A LIMITED LIABILITY COMPANY. THE STATEMENT OF AUTHORITY MUST STATE UNDER WHICH LAWS THE ENTITY WAS CREATED, THE MAILING ADDRESS OF THE ENTITY, AND THE NAME AND POSITION OF THE PERSON(S) AUTHORIZED TO EXECUTE INSTRUMENTS CONVEYING, ENCUMBERING, OR OTHERWISE AFFECTING TITLE TO REAL PROPERTY ON BEHALF OF THE ENTITY AND OTHERWISE COMPLYING WITH THE PROVISIONS OF SECTION 38-30-172, CRS.

NOTE: THE STATEMENT OF AUTHORITY MUST BE RECORDED WITH THE CLERK AND RECORDER.

3. PARTIAL RELEASE OF THE PROPERTY DESCRIBED IN SCHEDULE A HEREIN FROM THE LEASE DESCRIBED IN MEMORANDUM OF LEASE RECORDED JUNE 17, 2024 UNDER RECEPTION NO. [2024055925](#) AND AMENDMENT TO MEMORANDUM OF LEASE RECORDED JUNE 17, 2024 UNDER RECEPTION NO. [2024055925](#).
4. WARRANTY DEED FROM ULC CLT, LLC, A COLORADO LIMITED LIABILITY COMPANY TO CITY AND COUNTY OF DENVER CONVEYING SUBJECT PROPERTY.

ALTA COMMITMENT
Old Republic National Title Insurance Company
Schedule B, Part II
(Exceptions)

Order Number: ABC70880661-3

Some historical land records contain Discriminatory Covenants that are illegal and unenforceable by law. This Commitment and the Policy treat any Discriminatory Covenant in a document referenced in Schedule B as if each Discriminatory Covenant is redacted, repudiated, removed, and not republished or recirculated. Only the remaining provisions of the document will be excepted from coverage.

1. Any facts, rights, interests, or claims thereof, not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
2. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
3. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
4. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.
5. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date of the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this Commitment.
6. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
7. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water.
8. EXISTING LEASES AND TENANCIES.
9. RIGHT OF WAY FOR ELECTRIC TRANSMISSION LINES, AS CONVEYED IN INSTRUMENT RECORDED APRIL 22, 1924 IN BOOK 259 AT PAGE [346](#). (JEFFERSON COUNTY RECORDS)
10. (THIS ITEM WAS INTENTIONALLY DELETED)
11. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN AGREEMENT RECORDED OCTOBER 10, 1960 IN BOOK 1310 AT PAGE [423](#) (JEFFERSON COUNTY RECORDS).
12. (THIS ITEM WAS INTENTIONALLY DELETED)
13. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN CONVENANT RECORDED NOVEMBER 13, 1967 IN BOOK 9809 AT PAGE [361](#).
14. (THIS ITEM WAS INTENTIONALLY DELETED)
15. (THIS ITEM WAS INTENTIONALLY DELETED)
16. (THIS ITEM WAS INTENTIONALLY DELETED)
17. (THIS ITEM WAS INTENTIONALLY DELETED)

ALTA COMMITMENT
Old Republic National Title Insurance Company
Schedule B, Part II
(Exceptions)

Order Number: ABC70880661-3

18. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN RENTAL AND OCCUPANCY COVENANT RECORDED JANUARY 03, 2008 UNDER RECEPTION NO. [2008000982](#).

SECOND AMENDMENT, ASSIGNMENT, AND ASSUMPTION AGREEMENT DATED JANUARY 17, 2024, MEMORIALIZED IN RESOLUTION NO. CR23-1673, SERIES OF 2024 RECORDED JANUARY 19, 2024 UNDER RECEPTION NO. [2024004021](#).

PARTIAL RELEASE OF COVENANTS RECORDED JUNE 4, 2014 UNDER RECEPTION NO. [2014063778](#). SAID INSTRUMENT IS MISSING EXHIBIT B.

19. (THIS ITEM WAS INTENTIONALLY DELETED)
20. TERMS, CONDITIONS AND PROVISIONS OF MEMORANDUM OF LEASE RECORDED JULY 28, 2023 UNDER RECEPTION NO. [2023070943](#).

AMENDMENT TO MEMORANDUM OF LEASE RECORDED JUNE 17, 2024 UNDER RECEPTION NO. [2024055925](#).

SECOND AMENDMENT TO MEMORANDUM OF LEASE RECORDED _____, 2025 UNDER RECEPTION NO. _____.

NOTE: THE PRESENT OWNERSHIP OF THE LEASEHOLD CREATED BY SAID LEASE AND OTHER MATTERS AFFECTING THE INTEREST OF THE LESSEE ARE NOT SHOWN HEREIN.

THIS EXCEPTION WILL BE RELEASED UPON COMPLIANCE WITH REQUIREMENT 3 HEREIN.



ALTA Commitment For Title Insurance

issued by Old Republic National Title Insurance Company

NOTICE

IMPORTANT—READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON. .

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and the Commitment Conditions, Old Republic National Title Insurance Company, a Minnesota corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Amount of insurance and the name of the Proposed Insured. If all of the Schedule B, Part I—Requirements have not been met within 6 months after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

COMMITMENT CONDITIONS

1. DEFINITIONS

- (a) "Discriminatory Covenant": Any covenant, condition, restriction, or limitation that is unenforceable under applicable law because it illegally discriminates against a class of individuals based on personal characteristics such as race, color, religion, sex, sexual orientation, gender identity, familial status, disability, national origin, or other legally protected class.
- (b) "Knowledge" or "Known": Actual knowledge or actual notice, but not constructive notice imparted by the Public Records.
- (c) "Land": The land described in item 5 of Schedule A and affixed improvements located on that land that by State law constitute real property. The term "Land" does not include any property beyond that described in Schedule A, nor any right, title, interest, estate, or easement in any abutting street, road, avenue, alley, lane, right-of-way, body of water, or waterway, but does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- (d) "Mortgage": A mortgage, deed of trust, trust deed, security deed, or other real property security instrument, including one evidenced by electronic means authorized by law.
- (e) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- (f) "Proposed Amount of Insurance": Each dollar amount specified in Schedule A as the Proposed Amount of Insurance of each Policy to be issued pursuant to this Commitment.
- (g) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- (h) "Public Records": The recording or filing system established under State statutes in effect at the Commitment Date under which a document must be recorded or filed to impart constructive notice of matters relating to the Title to a purchaser for value without Knowledge. The term "Public Records" does not include any other recording or filing system, including any pertaining to environmental remediation or protection, planning, permitting, zoning, licensing, building, health, public safety, or national security matters.
- (i) "State": The state or commonwealth of the United States within whose exterior boundaries the Land is located. The term "State" also includes the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, and Guam.
- (j) "Title": The estate or interest in the Land identified in Item 3 of Schedule A.

2. If all of the Schedule B, Part I—Requirements have not been met within the time period specified in the Commitment to Issue Policy, Commitment terminates and the Company's liability and obligation end.

3. The Company's liability and obligation is limited by and this Commitment is not valid without:

- (a) the Notice;
- (b) the Commitment to Issue Policy;
- (c) the Commitment Conditions;
- (d) Schedule A;
- (e) Schedule B, Part I—Requirements; and
- (f) Schedule B, Part II—Exceptions; and
- (g) a counter-signature by the Company or its issuing agent that may be in electronic form.

4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company is not liable for any other amendment to this Commitment.

5. LIMITATIONS OF LIABILITY

- (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
 - i. comply with the Schedule B, Part I—Requirements;
 - ii. eliminate, with the Company's written consent, any Schedule B, Part II—Exceptions; or
 - iii. acquire the Title or create the Mortgage covered by this Commitment.
- (b) The Company is not liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
- (c) The Company is only liable under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.

- (d) The Company's liability does not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Condition 5(a) or the Proposed Amount of Insurance.
- (e) The Company is not liable for the content of the Transaction Identification Data, if any.
- (f) The Company is not obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I—Requirements have been met to the satisfaction of the Company.
- (g) The Company's liability is further limited by the terms and provisions of the Policy to be issued to the Proposed Insured.

6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT. CHOICE OF LAW AND CHOICE OF FORUM

- (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- (b) Any claim must be based in contract under the State law of the State where the Land is located and is restricted to the terms and provisions of this Commitment. Any litigation or other proceeding brought by the Proposed Insured against the Company must be filed only in a State or federal court having jurisdiction
- (c) This Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
- (d) The deletion or modification of any Schedule B, Part II—Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
- (e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
- (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

7. IF THIS COMMITMENT IS ISSUED BY AN ISSUING AGENT

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

8. PRO-FORMA POLICY

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

9. CLAIMS PROCEDURES

This Commitment incorporates by reference all Conditions for making a claim in the Policy to be issued to the Proposed Insured. Commitment Condition 9 does not modify the limitations of liability in Commitment Conditions 5 and 6.

10. CLASS ACTION

ALL CLAIMS AND DISPUTES ARISING OUT OF OR RELATING TO THIS COMMITMENT, INCLUDING ANY SERVICE OR OTHER MATTER IN CONNECTION WITH ISSUING THIS COMMITMENT, ANY BREACH OF A COMMITMENT PROVISION, OR ANY OTHER CLAIM OR DISPUTE ARISING OUT OF OR RELATING TO THE TRANSACTION GIVING RISE TO THIS COMMITMENT, MUST BE BROUGHT IN AN INDIVIDUAL CAPACITY. NO PARTY MAY SERVE AS PLAINTIFF, CLASS MEMBER, OR PARTICIPANT IN ANY CLASS OR REPRESENTATIVE PROCEEDING. ANY POLICY ISSUED PURSUANT TO THIS COMMITMENT WILL CONTAIN A CLASS ACTION CONDITION.

11. ARBITRATION

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Amount of insurance is \$2,000,000 or less may be arbitrated at the election of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at <http://www.alta.org/arbitration>

IN WITNESS WHEREOF, Old Republic National Title Insurance Company has caused its corporate name and seal to be affixed by its duly authorized officers on the date shown in Schedule A to be valid when countersigned by a validating officer or other authorized signatory.

Issued by:
Land Title Guarantee Company
3033 East First Avenue Suite 600
Denver, Colorado 80206
303-321-1880



Craig B. Rants, Senior Vice President



OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
A Stock Company
1408 North Westshore Blvd., Suite 900, Tampa, Florida 33607
(612) 371-1111 www.oldrepublictitle.com

By  President

Attest  Secretary

This page is only a part of a 2021 ALTA® Commitment for Title Insurance issued by Old Republic National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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Land Title Guarantee Company Disclosure Statements

Note: Pursuant to CRS 10-11-122, notice is hereby given that:

- (A) The Subject real property may be located in a special taxing district.
- (B) A certificate of taxes due listing each taxing jurisdiction will be obtained from the county treasurer of the county in which the real property is located or that county treasurer's authorized agent unless the proposed insured provides written instructions to the contrary. (for an Owner's Policy of Title Insurance pertaining to a sale of residential real property).
- (C) The information regarding special districts and the boundaries of such districts may be obtained from the Board of County Commissioners, the County Clerk and Recorder, or the County Assessor.

Note: Effective September 1, 1997, CRS 30-10-406 requires that all documents received for recording or filing in the clerk and recorder's office shall contain a top margin of at least one inch and a left, right and bottom margin of at least one half of an inch. The clerk and recorder may refuse to record or file any document that does not conform, except that, the requirement for the top margin shall not apply to documents using forms on which space is provided for recording or filing information at the top margin of the document.

Note: Colorado Division of Insurance Regulations 8-1-2 requires that "Every title entity shall be responsible for all matters which appear of record prior to the time of recording whenever the title entity conducts the closing and is responsible for recording or filing of legal documents resulting from the transaction which was closed". Provided that Land Title Guarantee Company conducts the closing of the insured transaction and is responsible for recording the legal documents from the transaction, exception number 5 will not appear on the Owner's Title Policy and the Lenders Policy when issued.

Note: Affirmative mechanic's lien protection for the Owner may be available (typically by deletion of Exception no. 4 of Schedule B, Section 2 of the Commitment from the Owner's Policy to be issued) upon compliance with the following conditions:

- (A) The land described in Schedule A of this commitment must be a single family residence which includes a condominium or townhouse unit.
- (B) No labor or materials have been furnished by mechanics or material-men for purposes of construction on the land described in Schedule A of this Commitment within the past 6 months.
- (C) The Company must receive an appropriate affidavit indemnifying the Company against un-filed mechanic's and material-men's liens.
- (D) The Company must receive payment of the appropriate premium.
- (E) If there has been construction, improvements or major repairs undertaken on the property to be purchased within six months prior to the Date of Commitment, the requirements to obtain coverage for unrecorded liens will include: disclosure of certain construction information; financial information as to the seller, the builder and or the contractor; payment of the appropriate premium fully executed Indemnity Agreements satisfactory to the company, and, any additional requirements as may be necessary after an examination of the aforesaid information by the Company.

No coverage will be given under any circumstances for labor or material for which the insured has contracted for or agreed to pay.

Note: Pursuant to CRS 10-11-123, notice is hereby given:

This notice applies to owner's policy commitments disclosing that a mineral estate has been severed from the surface estate, in Schedule B-2.

- (A) That there is recorded evidence that a mineral estate has been severed, leased, or otherwise conveyed from the surface estate

and that there is substantial likelihood that a third party holds some or all interest in oil, gas, other minerals, or geothermal energy in the property; and

- (B) That such mineral estate may include the right to enter and use the property without the surface owner's permission.

Note: Pursuant to CRS 10-1-128(6)(a), It is unlawful to knowingly provide false, incomplete, or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance, and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete, or misleading facts or information to a policyholder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claimant with regard to a settlement or award payable from insurance proceeds shall be reported to the Colorado Division of Insurance within the Department of Regulatory Agencies.

Note: Pursuant to Colorado Division of Insurance Regulations 8-1-3, notice is hereby given of the availability of a closing protection letter for the lender, purchaser, lessee or seller in connection with this transaction.

Note: Pursuant to CRS 24-21-514.5, Colorado notaries may remotely notarize real estate deeds and other documents using real-time audio-video communication technology. You may choose not to use remote notarization for any document.



Joint Notice of Privacy Policy of Land Title Guarantee Company Land Title Insurance Corporation and Old Republic National Title Insurance Company

This Statement is provided to you as a customer of Land Title Guarantee Company as agent for Land Title Insurance Corporation and Old Republic National Title Insurance Company.

We want you to know that we recognize and respect your privacy expectations and the requirements of federal and state privacy laws. Information security is one of our highest priorities. We recognize that maintaining your trust and confidence is the bedrock of our business. We maintain and regularly review internal and external safeguards against unauthorized access to your non-public personal information ("Personal Information").

In the course of our business, we may collect Personal Information about you from:

- applications or other forms we receive from you, including communications sent through TMX, our web-based transaction management system;
 - your transactions with, or from the services being performed by us, our affiliates, or others;
 - a consumer reporting agency, if such information is provided to us in connection with your transaction;
- and
- The public records maintained by governmental entities that we obtain either directly from those entities, or from our affiliates and non-affiliates.

Our policies regarding the protection of the confidentiality and security of your Personal Information are as follows:

- We restrict access to all Personal Information about you to those employees who need to know that information in order to provide products and services to you.
- We may share your Personal Information with affiliated contractors or service providers who provide services in the course of our business, but only to the extent necessary for these providers to perform their services and to provide these services to you as may be required by your transaction.
- We maintain physical, electronic and procedural safeguards that comply with federal standards to protect your Personal Information from unauthorized access or intrusion.
- Employees who violate our strict policies and procedures regarding privacy are subject to disciplinary action.
- We regularly assess security standards and procedures to protect against unauthorized access to Personal Information.

WE DO NOT DISCLOSE ANY PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT STATED ABOVE OR PERMITTED BY LAW.

Consistent with applicable privacy laws, there are some situations in which Personal Information may be disclosed. We may disclose your Personal Information when you direct or give us permission; when we are required by law to do so, for example, if we are served a subpoena; or when we suspect fraudulent or criminal activities. We also may disclose your Personal Information when otherwise permitted by applicable privacy laws such as, for example, when disclosure is needed to enforce our rights arising out of any agreement, transaction or relationship with you.

Our policy regarding dispute resolution is as follows: Any controversy or claim arising out of or relating to our privacy

policy, or the breach thereof, shall be settled by arbitration in accordance with the rules of the American Arbitration Association, and judgment upon the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof.

Tier III AHRT 5375 W 10th Ave Private Storm Line

02/19/2026

Master ID: 2023-PROJMSTR-0000144 **Project Type:** Tier III Encroachment Resolution
Review ID: 2025-ENCROACHMENT-0000019 **Review Phase:**
Location: **Review End Date:** 10/14/2025

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: 02/11/2026
Status: Approved
Comments: PWPRS Project Number: 2025-ENCROACHMENT-0000019_2nd Submittal Tier III AHRT 5375 W 10th Ave Private Storm Line
 Reviewing Agency/Company: DES Transportation
 Reviewers Name: Viktoriya V Luckner
 Reviewers Phone: 720-913-1782
 Reviewers Email: Viktoriya.Luckner@denvergov.org
 Approval Status: Approved

Comments:

Status Date: 10/16/2025
Status: Approved w/Conditions
Comments: 1. Approved for location
 2. Please provide more information for the retaining wall - cross sections and vertical information
 3. clearly annotate this wall to be for interim condition only and to be removed at the time adjacent property redevelops

Status Date: 10/15/2025
Status: Denied
Comments: Denied on behalf of this critical reviewer. This is still under review. Please contact the reviewer to resolve.

Status Date: 03/17/2025
Status: Approved
Comments:

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

Reviewers Name: Bridget Rassbach
Reviewers Email: Bridget.Rassbach@denvergov.org

Status Date: 10/15/2025
Status: Approved - No Response
Comments:

Status Date: 03/18/2025
Status: Approved - No Response
Comments:

Reviewing Agency: Survey Review Review Status: Approved w/Conditions

Comment Report

Tier III AHRT 5375 W 10th Ave Private Storm Line

02/19/2026

Master ID: 2023-PROJMSTR-0000144 **Project Type:** Tier III Encroachment Resolution
Review ID: 2025-ENCROACHMENT-0000019 **Review Phase:**
Location: **Review End Date:** 10/14/2025

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

Reviewers Name: Johanna Lee
Reviewers Email: Johanna.Lee@denvergov.org
Status Date: 02/11/2026
Status: Approved w/Conditions
Comments: PWPRS Project Number: 2025-ENCROACHMENT-0000019_2nd Submittal Tier III AHRT 5375 W 10th Ave Private Storm Line
Reviewing Agency/Company: DOTI - ROWS
Reviewers Name: Johanna Lee
Reviewers Phone: 7208653105
Reviewers Email: johanna.lee@denvergov.org
Approval Status: Approved with conditions

Comments:
Conditionally approved contingent upon Dedication 2025-DED-037 passing Council and achieving resolution.

Attachment: a_2025Encroach019_SitePlan-001.pdf-26-02-11-15-42.pdf

Attachment: b_2025Encroach019_VestingDeed-001.pdf

Attachment: c_2025Encroach019_TitleCommitment-001.pdf

Attachment: d_2025Encroach019_DeedDesc-001.docx

Attachment: e_2025Encroach019_Desc and Illus-002.pdf

Attachment: f_2025Encroach019_Desc-002.docx

Status Date: 10/08/2025
Status: Denied
Comments: Survey comments copied to Project REDLINES folder.

Status Date: 03/11/2025
Status: Denied
Comments: See Survey Comments in REDLINES folder.

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

Reviewers Name: Danny Harris
Reviewers Email: Danny.Harris@denvergov.org
Status Date: 10/14/2025
Status: Approved w/Conditions
Comments: DES Wastewater generally approves of the private storm drain outfall to Dry Gulch. Additional technical requirements and permitting through the project SSPR, CASDP, and SUDP Floodplain permit will need to be addressed prior to issuance of the respective permits.

Status Date: 03/17/2025
Status: Approved w/Conditions
Comments: DES Wastewater generally approves of the private storm drain outfall to Dry Gulch. Additional technical

2025-ENCROACHMENT-0000019

Comment Report

Tier III AHRT 5375 W 10th Ave Private Storm Line

02/19/2026

Master ID: 2023-PROJMSTR-0000144 **Project Type:** Tier III Encroachment Resolution
Review ID: 2025-ENCROACHMENT-0000019 **Review Phase:**
Location: **Review End Date:** 10/14/2025

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

requirements and permitting through the project SSPR, CASDP, and SUDP Floodplain permit will need to be addressed prior to issuance of the respective permits.

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

Status Date: 10/15/2025
Status: Approved - No Response
Comments:

Status Date: 03/18/2025
Status: Approved - No Response
Comments:

Reviewing Agency: ERA Transportation Review Review Status: Approved w/Conditions

Reviewers Name: Kelsey Kijowski
Reviewers Email: Kelsey.Kijowski@denvergov.org

Status Date: 02/18/2026
Status: Approved w/Conditions
Comments: PWPRS Project Number: 2025-ENCROACHMENT-0000019_2nd Submittal Tier III AHRT 5375 W 10th Ave Private Storm Line
Reviewing Agency/Company: ER Transportation
Reviewers Name: Kelsey Kijowski
Reviewers Phone: 720-913-8834
Reviewers Email: kelsey.kijowski@denvergov.org
Approval Status: Approved with conditions

Comments:
It is understood that the 13-foot ROW dedication is scheduled to go through City Council a week before this encroachment. This encroachment shall only be approved if City Council approves the ROW dedication.

Status Date: 10/14/2025
Status: Denied
Comments:
1. The 13-foot ROW dedication needs to be approved and recorded prior to approval of this encroachment permit. Encroachments may only be permitted within existing (already dedicated) public ROW. Add dedication number to site plan and survey exhibit(s).
2. Provide more information for the retaining wall. Include vertical information and typical cross-section.
3. This retaining wall appears to be for an interim condition since there is no existing curb or sidewalk along 11th Avenue. This retaining wall will need to be removed when the adjacent property is developed.

Reviewing Agency: ERA Wastewater Review Review Status: Approved

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

Status Date: 10/14/2025
Status: Approved
Comments: Encroachment must comply with the project SSPR, CASDP, and SUDP Floodplain permit.

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

Comment Report

Tier III AHRT 5375 W 10th Ave Private Storm Line

02/19/2026

Master ID: 2023-PROJMSTR-0000144 **Project Type:** Tier III Encroachment Resolution
Review ID: 2025-ENCROACHMENT-0000019 **Review Phase:**
Location: **Review End Date:** 10/14/2025

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

Status Date: 10/15/2025
Status: Approved - No Response
Comments:

Status Date: 03/24/2025
Status: Approved
Comments: PWPRS Project Number: 2025-ENCROACHMENT-0000019 Tier III AHRT 5375 W 10th Ave Private Storm Line
Reviewing Agency/Company: CenturyLink/Lumen
Reviewers Name: n/a
Reviewers Phone: n/a
Reviewers Email: nre.easements@lumen.com
Approval Status: Approved

Comments:

Status Date: 02/25/2025
Status: Denied
Comments: Denied on behalf of this critical reviewer. We received the following email with contact information for the reviewer assigned to this project. Please contact the reviewer to work towards their approval.

"Your project number is P865011 and it should be referenced in all emails sent in for review.
Please do not reply to this email. Your project owner is Jason Stephenson and they can be reached by email at Jason.Stephenson@lumen.com with any questions that you may have regarding this project.
Requests are addressed in the order received, Lumen will endeavor to respond within 30 days."

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

Status Date: 02/19/2026
Status: Approved w/Conditions
Comments: We've evaluated Xcel's comments for technical requirements. The comments appear conditional in nature without specific design criteria noted, so we will be updating Xcel's status to 'approved with conditions' maintain the noted conditions and submitting the request to City Council. Please note that the subject encroachment area is in land currently deeded to City and County of Denver and in process for public right-of-way dedication; so, this encroachment will not be in private property/easement. In the unlikely event that City Council denies dedication of public right-of-way, the city will pull this encroachment request from the legislative process and be held in denial (we cannot issue encroachment permits in private property/easement).

Status Date: 10/15/2025
Status: Denied
Comments: PWPRS Project Number: 2025-ENCROACHMENT-0000019_2nd Submittal Tier III AHRT 5375 W 10th Ave Private Storm Line
Reviewing Agency/Company: Public Service Company of Colorado (PSCo) dba Xcel Energy
Reviewers Name: Donna George
Reviewers Phone: 3035713306
Reviewers Email: Donna.L.George@xcelenergy.com
Approval Status: Denied

Comments:

There is a potential CONFLICT given the existing electric transmission lines and associated land rights as shown within this area. ANY ACTIVITY including grading, proposed landscaping, erosion control or similar activities

Comment Report

Tier III AHRT 5375 W 10th Ave Private Storm Line

02/19/2026

Master ID: 2023-PROJMSTR-0000144 **Project Type:** Tier III Encroachment Resolution
Review ID: 2025-ENCROACHMENT-0000019 **Review Phase:**
Location: **Review End Date:** 10/14/2025

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

involving our existing right-of-way will require Public Service Company approval. Encroachments across Public Service Company's easements must be reviewed for safety standards, operational and maintenance clearances, liability issues, and acknowledged with a Public Service Company License Agreement to be executed with the property owner. PSCo is requesting that, prior to any final approval of the development plan/plat, it is the responsibility of the property owner/developer/contractor to contact the Siting and Land Rights (S&LR) Department and have this project assigned to a Land Rights Agent for development plan review and execution of a License Agreement (via either website www.xcelenergy.com/rightofway or email coloradorightofway@xcelenergy.com). PLEASE BE SURE TO CONTACT S&LR DEPARTMENT.

PSCo also has existing natural gas distribution facilities within this area. Please contact Colorado 811 for locates 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.

Status Date: 03/18/2025

Status: Denied

Comments: PWPRS Project Number: 2025-ENCROACHMENT-0000019 Tier III AHRT 5375 W 10th Ave Private Storm Line
Reviewing Agency/Company: Public Service Company of Colorado (PSCo) dba Xcel Energy
Reviewers Name: Donna George
Reviewers Phone: 3035713306
Reviewers Email: Donna.L.George@xcelenergy.com
Approval Status: Denied

Comments:

There is a potential CONFLICT given the existing electric transmission lines and associated land rights as shown within this area. ANY ACTIVITY including grading, proposed landscaping, erosion control or similar activities involving our existing right-of-way will require Public Service Company approval. Encroachments across Public Service Company's easements must be reviewed for safety standards, operational and maintenance clearances, liability issues, and acknowledged with a Public Service Company License Agreement to be executed with the property owner. PSCo is requesting that, prior to any final approval of the development plan/plat, it is the responsibility of the property owner/developer/contractor to have this project assigned to a Land Rights Agent for development plan review and execution of a License Agreement (via either website www.xcelenergy.com/rightofway or email coloradorightofway@xcelenergy.com).

PSCo also has existing natural gas distribution facilities within this area. Please contact Colorado 811 for locates 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: 10/15/2025

Status: Approved

Comments: PWPRS Project Number: 2025-ENCROACHMENT-0000019_2nd Submittal Tier III AHRT 5375 W 10th Ave Private Storm Line
Reviewing Agency/Company: RTD
Reviewers Name: clayton woodruff
Reviewers Phone: 3032992943
Reviewers Email: clayton.woodruff@rtd-denver.com
Approval Status: Approved

Comment Report

Tier III AHRT 5375 W 10th Ave Private Storm Line

02/19/2026

Master ID: 2023-PROJMSTR-0000144 **Project Type:** Tier III Encroachment Resolution
Review ID: 2025-ENCROACHMENT-0000019 **Review Phase:**
Location: **Review End Date:** 10/14/2025

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

Comments:

Project Name: 2023PM0000144 - AHRT - 5375 W 10th Ave - 2025-ENCROACHMENT-0000019 - Tier III - 2nd Submittal

Department Comments

- Bus Operations No exceptions
- Bus Stop Program No exceptions
- Commuter Rail No exceptions
- Construction Management No exceptions
- Engineering No exceptions
- Light Rail No exceptions
- Real Property No exceptions
- Service Development No exceptions
- Transit Oriented Development No exceptions
- Utilities No exceptions

This review is for Design concepts and to identify any necessary improvements to RTD stops and property affected by the design. This review of the plans does not eliminate the need to acquire, and/or go through the acquisition process of any agreements, easements or permits that may be required by the RTD for any work on or around our facilities and property.

Status Date: 03/18/2025

Status: Approved

Comments: PWPRS Project Number: 2025-ENCROACHMENT-0000019 Tier III AHRT 5375 W 10th Ave Private Storm Line

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

Comments:

- Department Comments
- Bus Operations No exceptions
- Bus Stop Program No exceptions
- Commuter Rail No exceptions
- Construction Management No exceptions
- Engineering No exceptions
- Light Rail No exceptions
- Real Property No exceptions
- Service Development No exceptions
- Transit Oriented Development No exceptions
- Utilities No exceptions

This review is for Design concepts and to identify any necessary improvements to RTD stops and property affected by the design. This review of the plans does not eliminate the need to acquire, and/or go through the acquisition process of any agreements, easements or permits that may be required by the RTD for any work on or around our facilities and property.

Reviewing Agency: Comcast Referral

Review Status: Approved - No Response

Status Date: 10/15/2025

Status: Approved - No Response

2025-ENCROACHMENT-0000019

Comment Report

Tier III AHRT 5375 W 10th Ave Private Storm Line

02/19/2026

Master ID: 2023-PROJMSTR-0000144 **Project Type:** Tier III Encroachment Resolution
Review ID: 2025-ENCROACHMENT-0000019 **Review Phase:**
Location: **Review End Date:** 10/14/2025

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

Comments:

Status Date: 03/18/2025
Status: Approved
Comments: PWPRS Project Number: 2025-ENCROACHMENT-0000019 Tier III AHRT 5375 W 10th Ave Private Storm Line
Reviewing Agency/Company: Comcast
Reviewers Name: Miguel Flores
Reviewers Phone: 7204130113
Reviewers Email: miguel_flores@comcast.com
Approval Status: Approved

Comments:

Reviewing Agency: Metro Wastewater Referral Review Status: Approved w/Conditions

Status Date: 10/23/2025
Status: Approved w/Conditions
Comments: PWPRS Project Number: 2025-ENCROACHMENT-0000019_2nd Submittal Tier III AHRT 5375 W 10th Ave Private Storm Line
Reviewing Agency/Company: Metro Water Recovery
Reviewers Name: Kevin Boch
Reviewers Phone: 720-520-1516
Reviewers Email: kboch@MetroWaterRecovery.com
Approval Status: Approved with conditions

Comments:

1. Sheets C6.0(1) and C6.0(2) indicate storm sewer lines crossing of Metro's existing sanitary line. Please provide a profile drawing indicating differences/clearances in elevation between the storm sewer line and the sanitary line.
2. Any proposed utilities that are required to cross existing Metro lines must maintain a minimum of two feet of vertical clearance. If two feet of clearance is not possible, a concrete arch will need to be installed above the Metro line at the intersection.
3. The plans show a storm sewer manhole being installed within 4' of a Metro sewer. A plan must be submitted to Metro outlining how the Metro sewer will be protected during this manhole installation.

Attachment: 33 05 02.2 (INTERCEPTOR INSTALLATION PIPE ARCH DETAIL).pdf

Status Date: 10/15/2025
Status: Approved - No Response
Comments:

Status Date: 03/18/2025
Status: Approved - No Response
Comments:

Reviewing Agency: Street Maintenance Referral Review Status: Approved

Status Date: 10/15/2025

Comment Report

Tier III AHRT 5375 W 10th Ave Private Storm Line

02/19/2026

Master ID: 2023-PROJMSTR-0000144 **Project Type:** Tier III Encroachment Resolution
Review ID: 2025-ENCROACHMENT-0000019 **Review Phase:**
Location: **Review End Date:** 10/14/2025

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

Status: Approved
Comments: PWPRS Project Number: 2025-ENCROACHMENT-0000019_2nd Submittal Tier III AHRT 5375 W 10th Ave Private Storm Line
Reviewing Agency/Company: DOTI - Transportation and Mobility Engineering
Reviewers Name: Emma De Vos Tidd
Reviewers Phone: 3033324247
Reviewers Email: emma.devostidd@denvergov.org
Approval Status: Approved

Comments:

Status Date: 03/18/2025
Status: Approved - No Response
Comments:

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

Status Date: 10/15/2025
Status: Approved - No Response
Comments:

Status Date: 03/18/2025
Status: Approved - No Response
Comments:

Reviewing Agency: Building Department Review **Review Status:** Approved

Reviewers Name: Daniel Krausz
Reviewers Email:

Status Date: 10/10/2025
Status: Approved
Comments:

Status Date: 03/18/2025
Status: Approved - No Response
Comments:

Reviewing Agency: Division of Real Estate Referral **Review Status:** Approved

Status Date: 10/08/2025
Status: Approved
Comments:

Status Date: 02/26/2025
Status: Approved
Comments:

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

Comment Report

Tier III AHRT 5375 W 10th Ave Private Storm Line

02/19/2026

Master ID: 2023-PROJMSTR-0000144 **Project Type:** Tier III Encroachment Resolution
Review ID: 2025-ENCROACHMENT-0000019 **Review Phase:**
Location: **Review End Date:** 10/14/2025

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

Reviewers Name: Adam Grier
Reviewers Email: Adam.Grier@denvergov.org

Status Date: 10/09/2025
Status: Approved - No Response
Comments:

Status Date: 03/14/2025
Status: Approved - No Response
Comments:

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

Status Date: 10/15/2025
Status: Approved w/Conditions
Comments: PWPRS Project Number: 2025-ENCROACHMENT-0000019_2nd Submittal Tier III AHRT 5375 W 10th Ave Private Storm Line
Reviewing Agency/Company: Denver Water
Reviewers Name: Kela Naso
Reviewers Phone: 0000000000
Reviewers Email: kela.naso@denverwater.org
Approval Status: Approved with conditions

Comments:
add retaining wall to the utility sheet on DW plan #22872.

Status Date: 03/18/2025
Status: Approved
Comments: PWPRS Project Number: 2025-ENCROACHMENT-0000019 Tier III AHRT 5375 W 10th Ave Private Storm Line
Reviewing Agency/Company: Denver Water
Reviewers Name: Kela Naso
Reviewers Phone: 0000000000
Reviewers Email: kela.naso@denverwater.org
Approval Status: Approved

Comments:

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

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

Status Date: 10/14/2025
Status: Approved
Comments:

Status Date: 03/05/2025
Status: Approved
Comments:

Comment Report

Tier III AHRT 5375 W 10th Ave Private Storm Line

02/19/2026

Master ID: 2023-PROJMSTR-0000144 **Project Type:** Tier III Encroachment Resolution
Review ID: 2025-ENCROACHMENT-0000019 **Review Phase:**
Location: **Review End Date:** 10/14/2025

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

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

Status Date: 10/15/2025
Status: Approved - No Response
Comments:

Status Date: 03/18/2025
Status: Approved - No Response
Comments:

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

Status Date: 10/14/2025
Status: Approved
Comments: *Approved.

*Final construction, including any later modifications to the public sidewalk (which is considered a public Accessible Route), as well as any other areas open to the general public, must comply with all applicable 2010 ADA requirements.

Status Date: 03/18/2025
Status: Approved
Comments: PWPRS Project Number: 2025-ENCROACHMENT-0000019 Tier III AHRT 5375 W 10th Ave Private Storm Line
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: Porames Saejiw
Reviewers Email: Joe.Saejiw@denvergov.org

Status Date: 10/08/2025
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 installation of City Approved Plans for Traffic Closures, Row Items and Landscaping and the associated ROW permit fees that will need to be paid by the selected general contractor.

Status Date: 03/10/2025
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 installation of City Approved Plans for Traffic Closures, Row Items and Landscaping 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

Comment Report

Tier III AHRT 5375 W 10th Ave Private Storm Line

02/19/2026

Master ID: 2023-PROJMSTR-0000144 **Project Type:** Tier III Encroachment Resolution
Review ID: 2025-ENCROACHMENT-0000019 **Review Phase:**
Location: **Review End Date:** 10/14/2025

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

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

Status Date: 10/15/2025
Status: Approved - No Response
Comments:

Status Date: 03/18/2025
Status: Approved - No Response
Comments:

Reviewing Agency: City Forester Review **Review Status:** Approved

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

Status Date: 10/09/2025
Status: Approved
Comments: 2025-ENCROACHMENT-0000019 – AHRT 5375 W 10th Storm Line 2nd Submit
OCF Comments 10-9-25

1. Encroachment is approved as currently proposed.
 - A. ATTN: Any proposed changes to plan after initial OCF approval must be reviewed and approved by our office prior to final approval.

Status Date: 03/18/2025
Status: Approved
Comments: No anticipated impact to existing PRW trees.

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

Reviewers Name:
Reviewers Email:

Status Date: 09/29/2025
Status: Approved - No Response
Comments:

Status Date: 02/24/2025
Status: Approved - No Response
Comments:

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

Status Date: 10/15/2025
Status: Approved
Comments: PWPRS Project Number: 2025-ENCROACHMENT-0000019_2nd Submittal Tier III AHRT 5375 W 10th Ave Private Storm Line
Reviewing Agency/Company: CDOT
Reviewers Name: Michelle White
Reviewers Phone: 303-512-4218
Reviewers Email: michelle.m.white@state.co.us

Comment Report

Tier III AHRT 5375 W 10th Ave Private Storm Line

02/19/2026

Master ID: 2023-PROJMSTR-0000144 **Project Type:** Tier III Encroachment Resolution
Review ID: 2025-ENCROACHMENT-0000019 **Review Phase:**
Location: **Review End Date:** 10/14/2025

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

Approval Status: Approved

Comments:

This is not on CDOT's system. We have no comments.

Status Date: 03/18/2025

Status: Approved

Comments: PWPRS Project Number: 2025-ENCROACHMENT-0000019 Tier III AHRT 5375 W 10th Ave Private Storm Line

Reviewing Agency/Company: CDOT

Reviewers Name: Michelle White

Reviewers Phone: 303-512-4218

Reviewers Email: michelle.m.white@state.co.us

Approval Status: Approved

Comments:

This is not on CDOT's system. We have no comments.

Reviewing Agency: Environmental Health Referral

Review Status: Approved

Status Date: 10/02/2025

Status: Approved

Comments:

Status Date: 03/17/2025

Status: Approved

Comments:

Reviewing Agency: ERA Review

Review Status: Approved - No Response

Reviewers Name: Shari Bills

Reviewers Email: Shari.Bills@denvergov.org

Status Date: 10/15/2025

Status: Approved - No Response

Comments:

Status Date: 03/18/2025

Status: Approved - No Response

Comments: