

# 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](mailto: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](mailto: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: \_\_\_\_\_  
Contact Name: Allison Woolston  
Property Address: 740 n. Lafayette St Denver 80218  
Billing Address: 740 n. Lafayette St Denver 80218  
Phone: (520) 465-0035 Email: [awwoolston@mac.com](mailto:awwoolston@mac.com)

### PRIMARY CONTACT: ☐ Check if the same as Adjacent Property Owner

Company Name: Denver Landscapes - Architecture & Construction  
Contact Name: Shane Meyer  
Address: 10740 W. 44th Ave Wheat Ridge 80033  
Phone: (520) 465-0035 Email: [shane@denverlandscapes.com](mailto:shane@denverlandscapes.com)

## ENCROACHMENT INFORMATION:

Project Name: Wall at 740 Lafayette St

Adjacent Property Address: 740 Lafayette St

Coordinates (Lat/Long): \_\_\_\_\_

Encroachment Area, in SF: 33' if applicable

### Is this project associated with a LAND DEVELOPMENT REVIEW?

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

### 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.)

East side of Lafayette at 728 Lafayette St, 15' from face of curb to face of brick on column

### Description of Encroachment:

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

We are building a wall that is 15' 3" from face of curb to wall, we have stucco details to appear like columns that are 15' from face of curb to face of stucco on column.

### 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.*

We are maintaining the building plane for all the walls on the 700 block of Lafayette

## 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:** Allison Woolston Digitally signed by Allison Woolston  
Date: 2024.10.10 16:12:49 -06'00'

**DATE:** 10/10/24

**PRINT NAME:** Allison Woolston

**TITLE:**

**COMPANY:**

# 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 1<sup>st</sup> 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](http://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 1<sup>st</sup> 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:

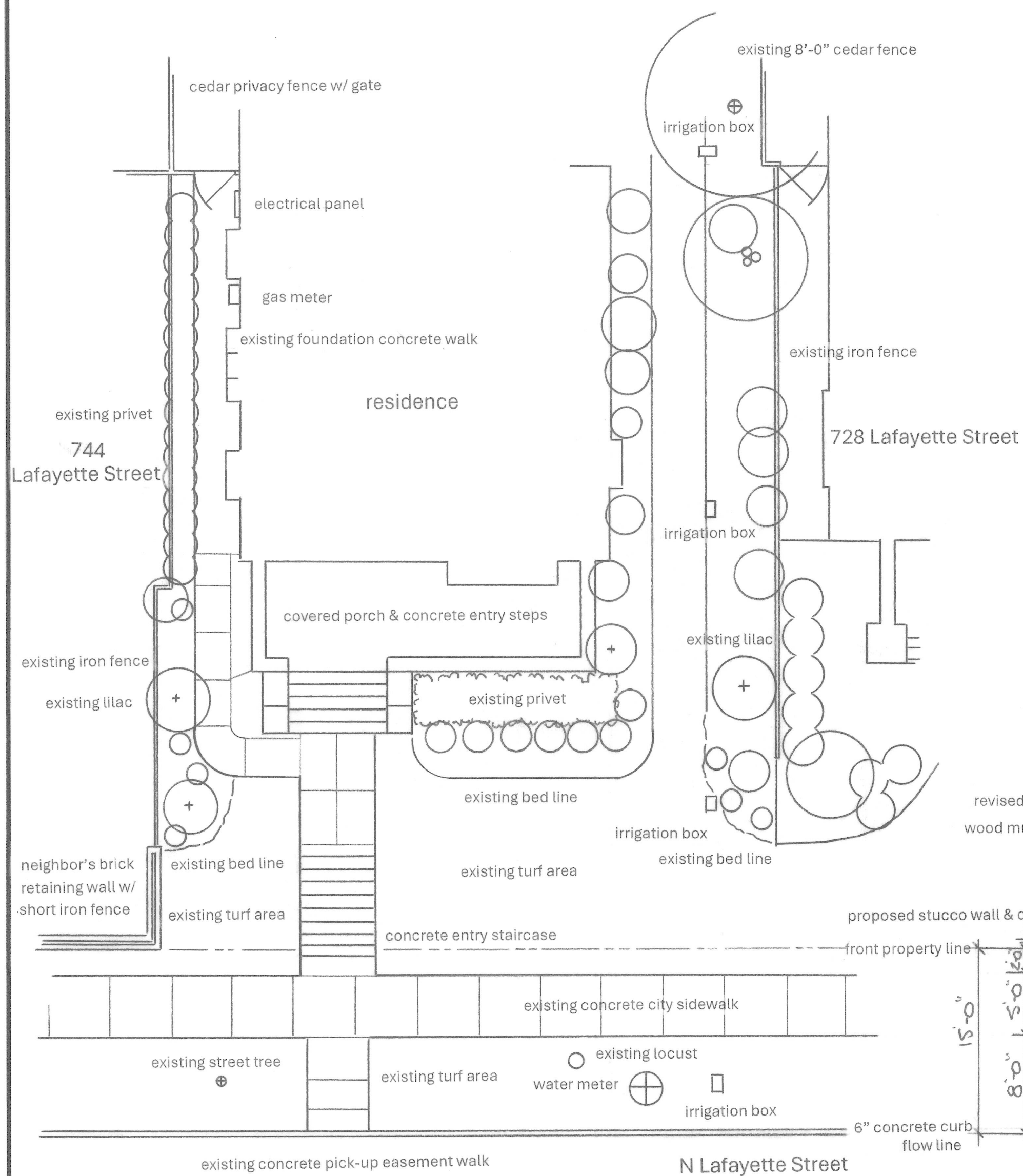
I hereby attest that the above information is incorporated into the Encroachment Application and plan submittal:

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](http://www.denvergov.org/doti)  
Phone: 720-913-3003

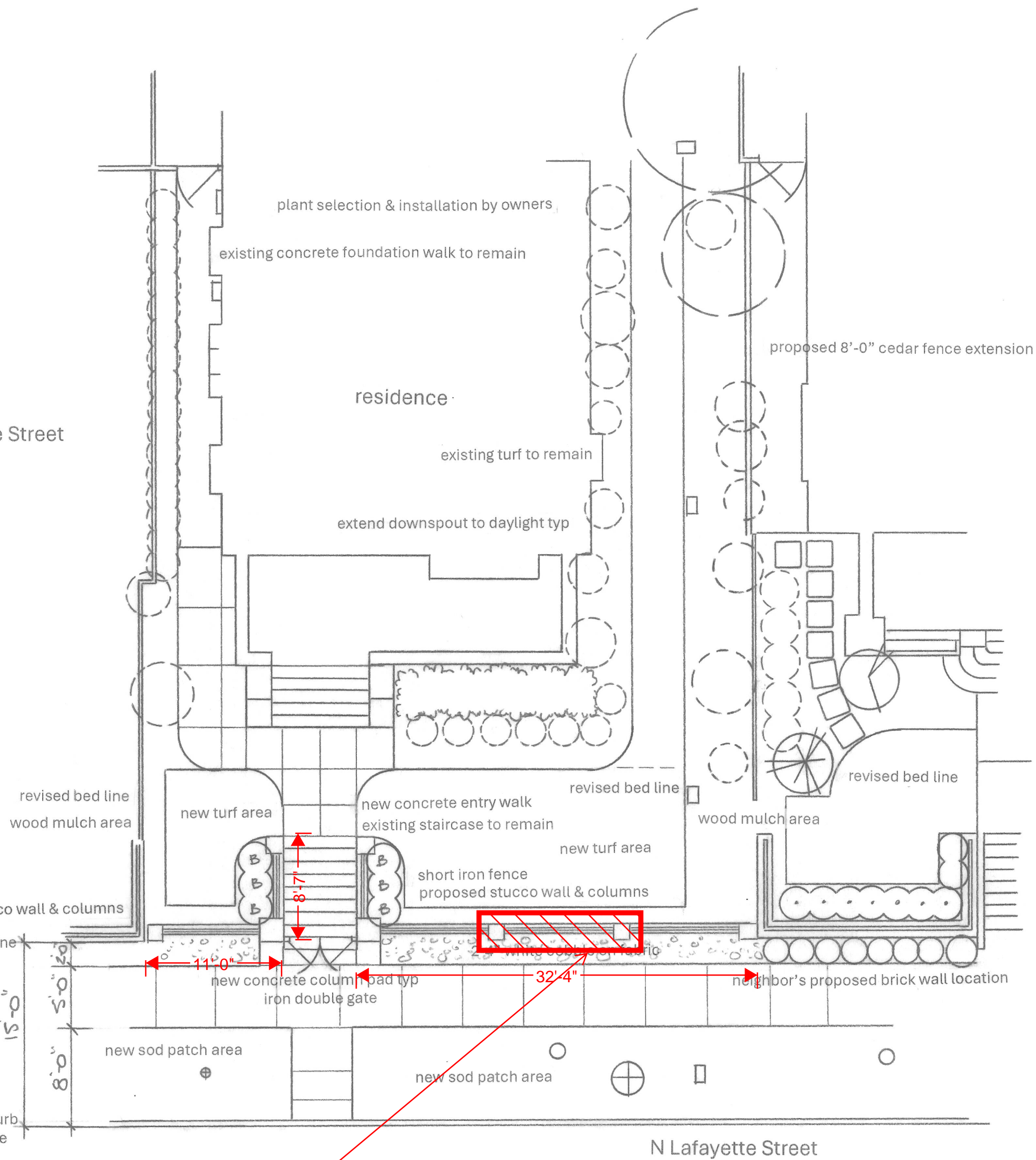
CONNECT WITH US | 311 | [DENVERGOV.ORG](http://DENVERGOV.ORG) | DENVER 8 TV

Form Date 1/2/2024



Existing Conditions Plan

per the design guidelines, brick columns on retaining walls are only allowed at ends and corners; these two columns are not included in the landmark approval set



Landscape Concept Plan

CITY AND COUNTY OF DENVER  
COMMUNITY PLANNING AND DEVELOPMENT  
**LANDMARK APPROVAL**  
COA# 2024-COA-0000304  
Date: 07 16, 2024  
Signature: Andrew L. Bobbey

2' 4' 8'  
SCALE IN FEET



10740 West 44th Avenue Wheat Ridge, CO. 80033  
720-855-3964 www.DenverLandscapes.com

## The Woolston Residence

740 N Lafayette Street

Denver CO. 80218

DESIGNED BY: LSF  
DATE: 05-08-24  
DRAWN BY: LSF  
DATE: 05-08-24

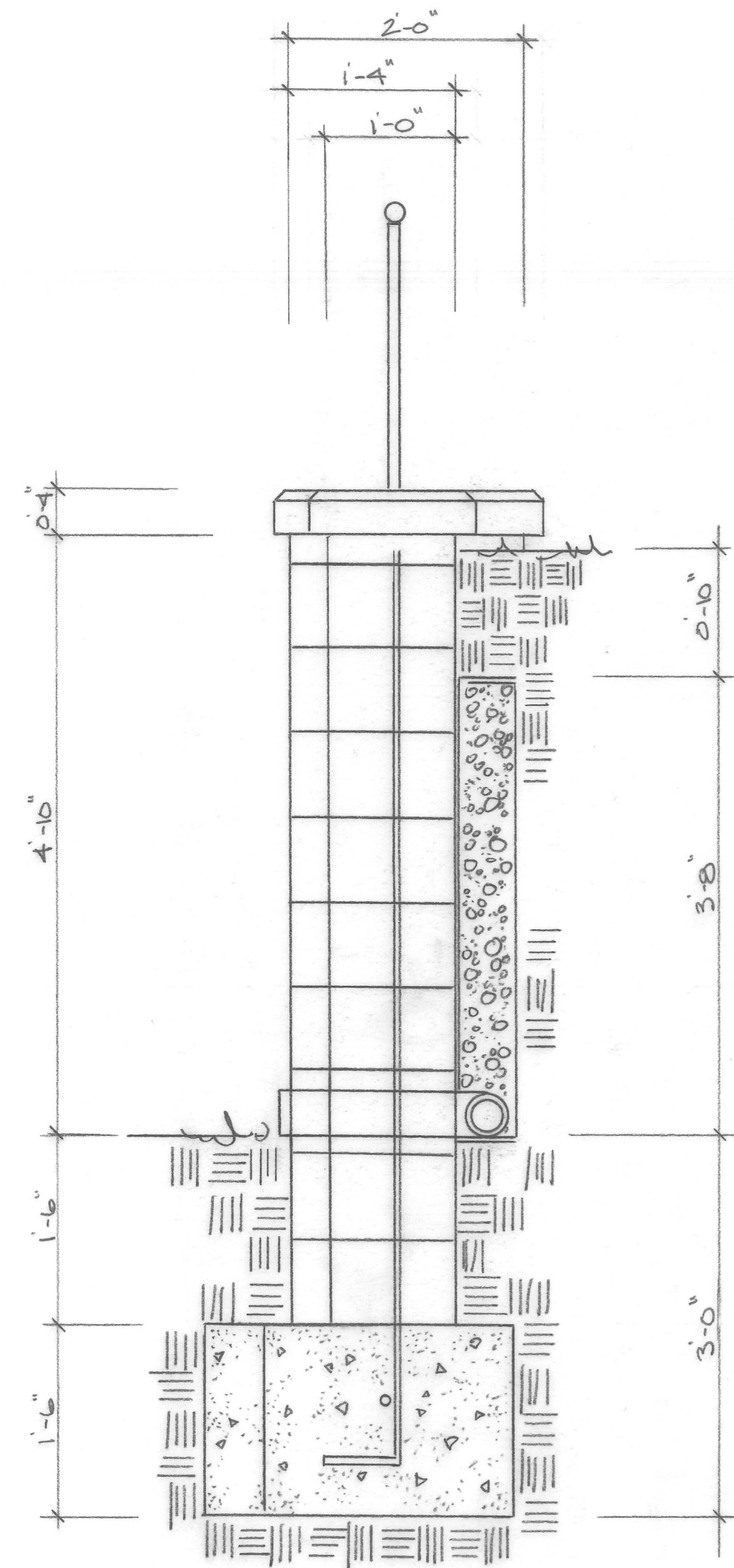
REVISION(S):  
DATE:

SCALE: 1/8" = 1'-0"



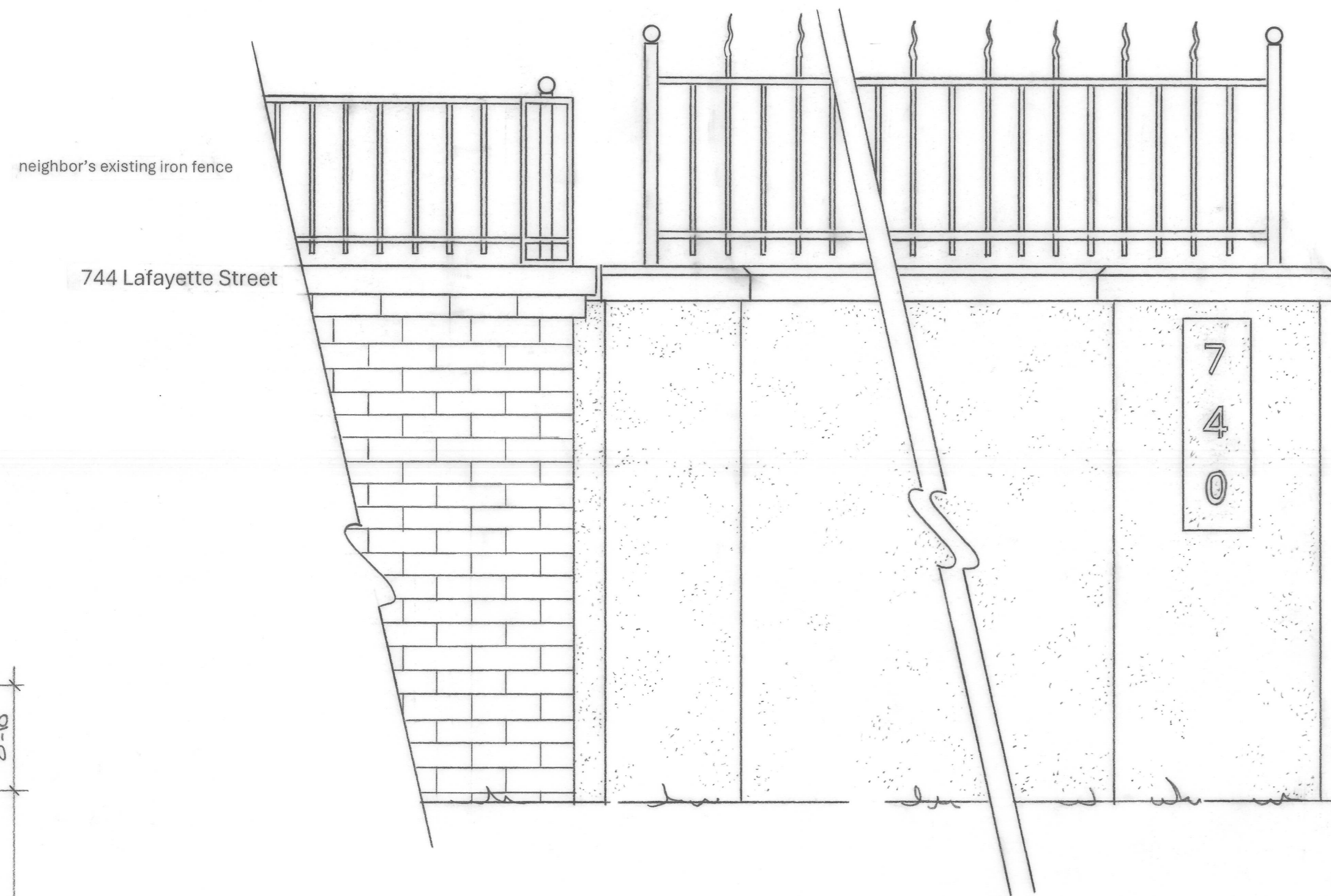
SHEET NUMBER:

[illegible]



Stucco Wall Elevation Detail

no scale



744 Lafayette Proposed Wall Interface Detail

no scale

neighbor's existing iron fence

744 Lafayette Street

custom iron fence typ

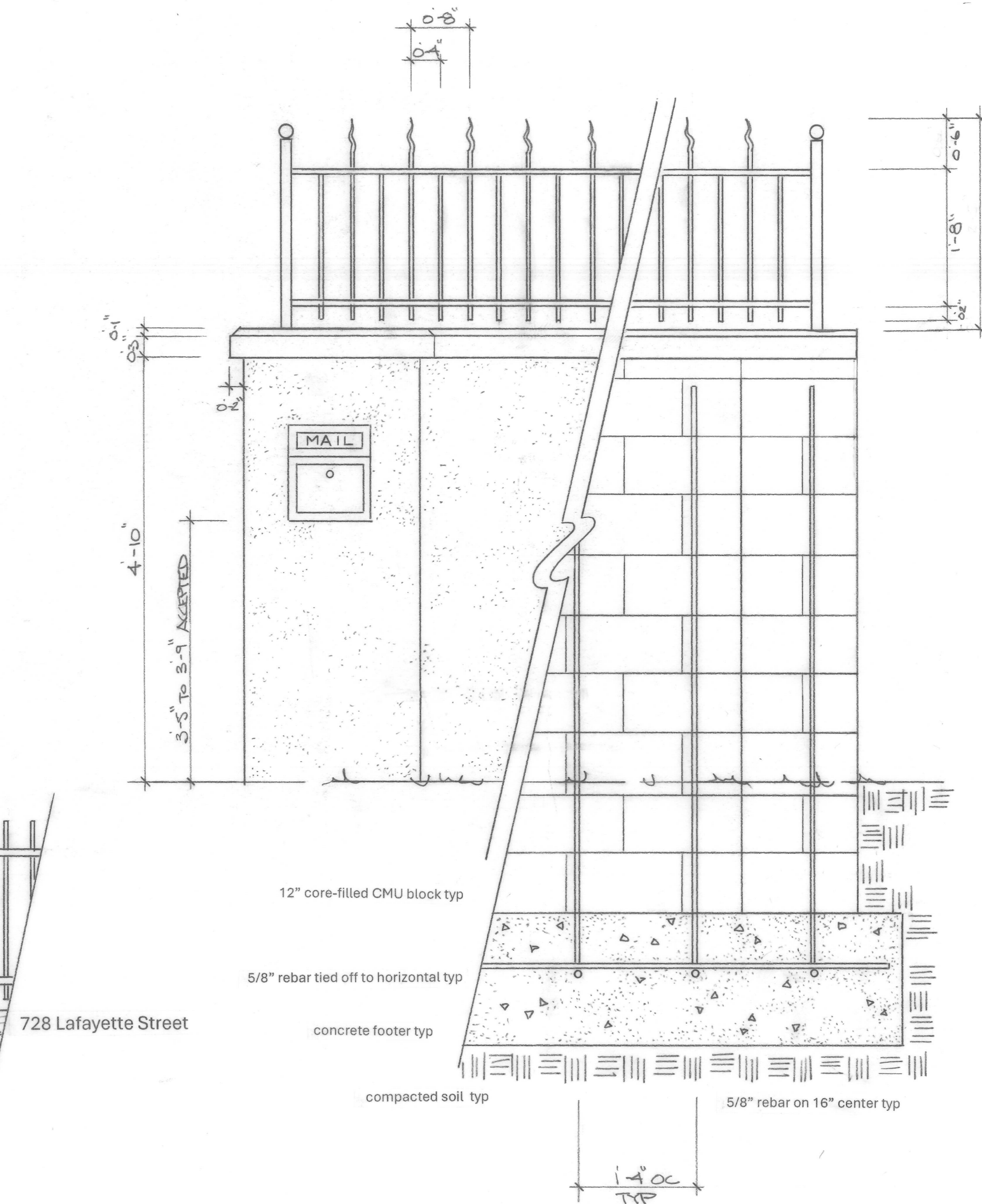
cast concrete cap typ

grey stucco finish

locking mail box

728 Lafayette Proposed Wall Interface Detail

no scale



Stucco Wall Elevation Detail

no scale

12" core-filled CMU block typ

5/8" rebar tied off to horizontal typ

concrete footer typ

compacted soil typ

5/8" rebar on 16" center typ

728 Lafayette Street

CITY AND COUNTY OF DENVER  
COMMUNITY PLANNING AND DEVELOPMENT  
LANDMARK APPROVAL  
COA# 2024-COA-0000304  
Date: 07 16, 2024  
Signature: Andrew L. Greeley



DESIGN & CONSTRUCTION

The Woolston Residence  
740 N Lafayette Street  
Denver CO 80218

DESIGNED BY: LXF  
DATE: 05-07-24

DRAWN BY: LXF  
DATE: 05-07-24

REVISION(S): LXF  
DATE: 05-13-24  
06-28-24

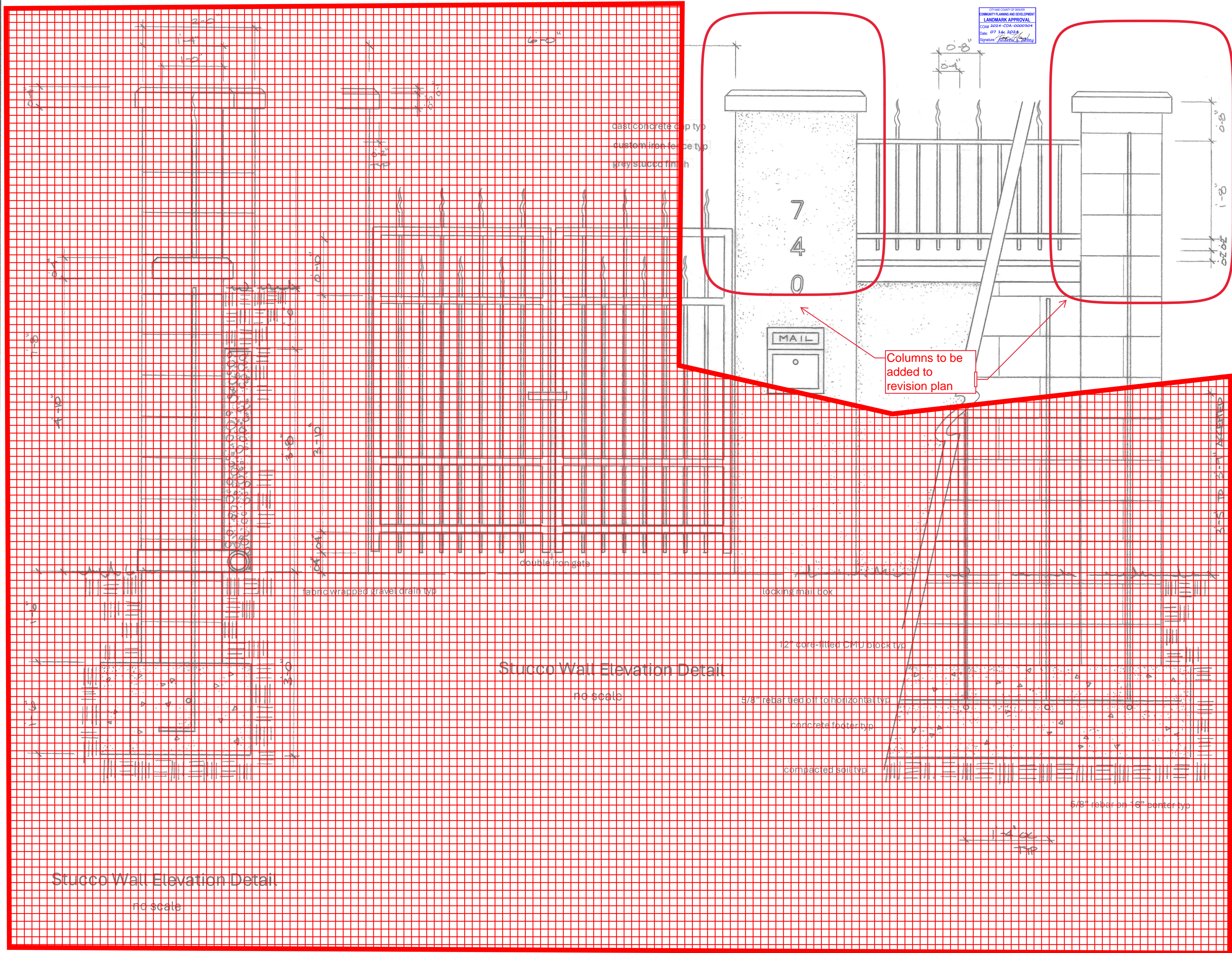
SCALE:

NO SCALE

NORTH:

SHEET NUMBER:

10740 West 44th Avenue Wheat Ridge, CO. 80033  
720-855-3964 www.DenverLandscapes.com



Stucco Wall Elevation Detail.

no scale

Stucco Wall Elevation Detail

no scale

12" core-filled CMU block typ

5/8" rebar tied off horizontally typ

locking mail box

double iron gate

fabric wrapped gravel drain typ

concrete footer typ

compact soil typ

5/8" rebar on 16" center typ

Columns to be added to revision plan

CITY AND COUNTY OF DENVER  
COMUNITY PLANNING AND DEVELOPMENT  
LANDMARK APPROVAL  
COM 2024-COA-0000304  
Date: 07/16/2024  
Signature: [illegible]

**The Woolston Residence**  
740 N Lafayette Street  
Denver CO 80218

DESIGNED BY: 4F  
DATE: 05-07-24  
DRAWN BY: 4F  
DATE: 05-07-24  
REVISION(S): 4F  
DATE: 05-15-24

SCALE:  
NO SCALE

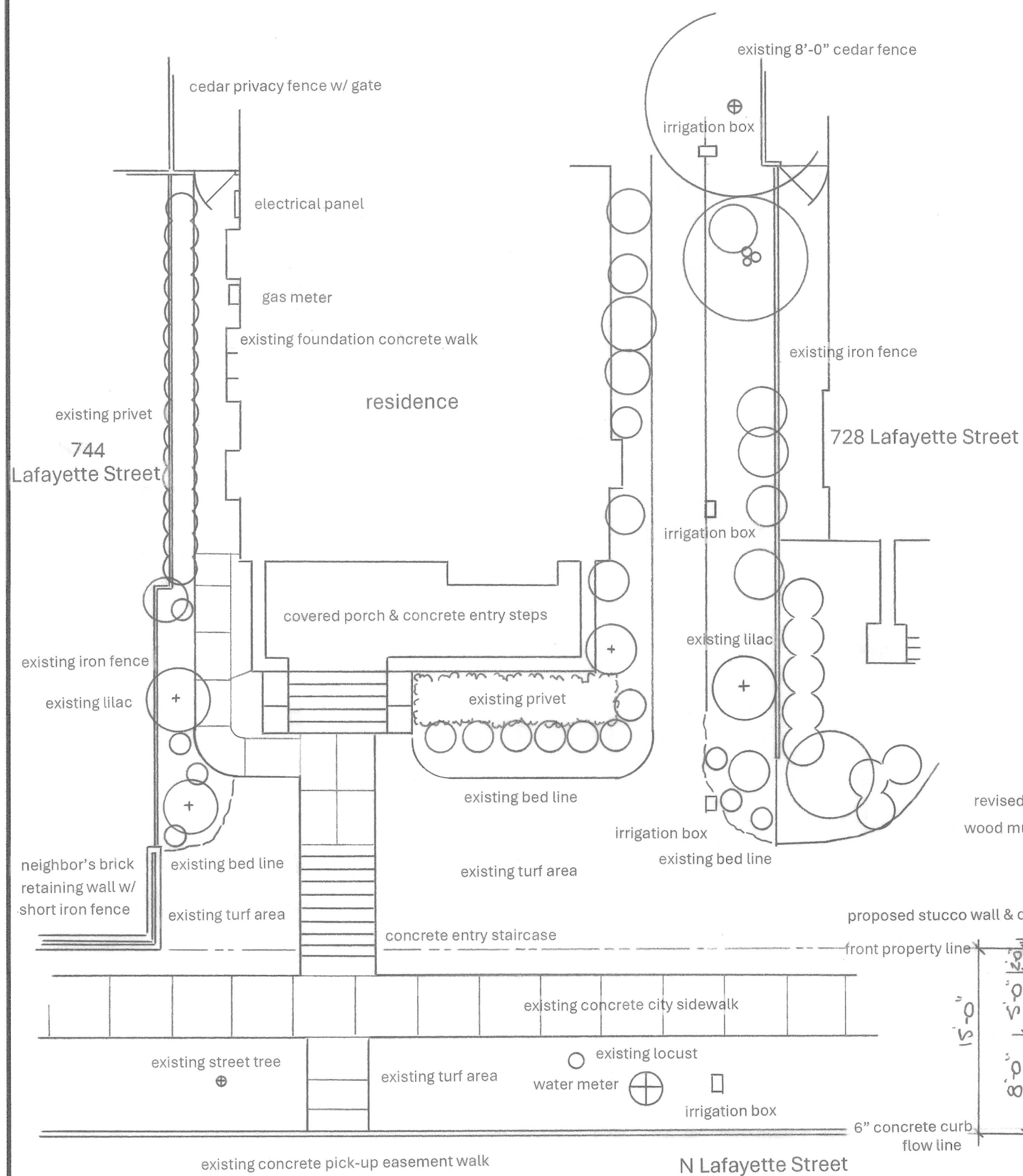
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SHEET NUMBER:

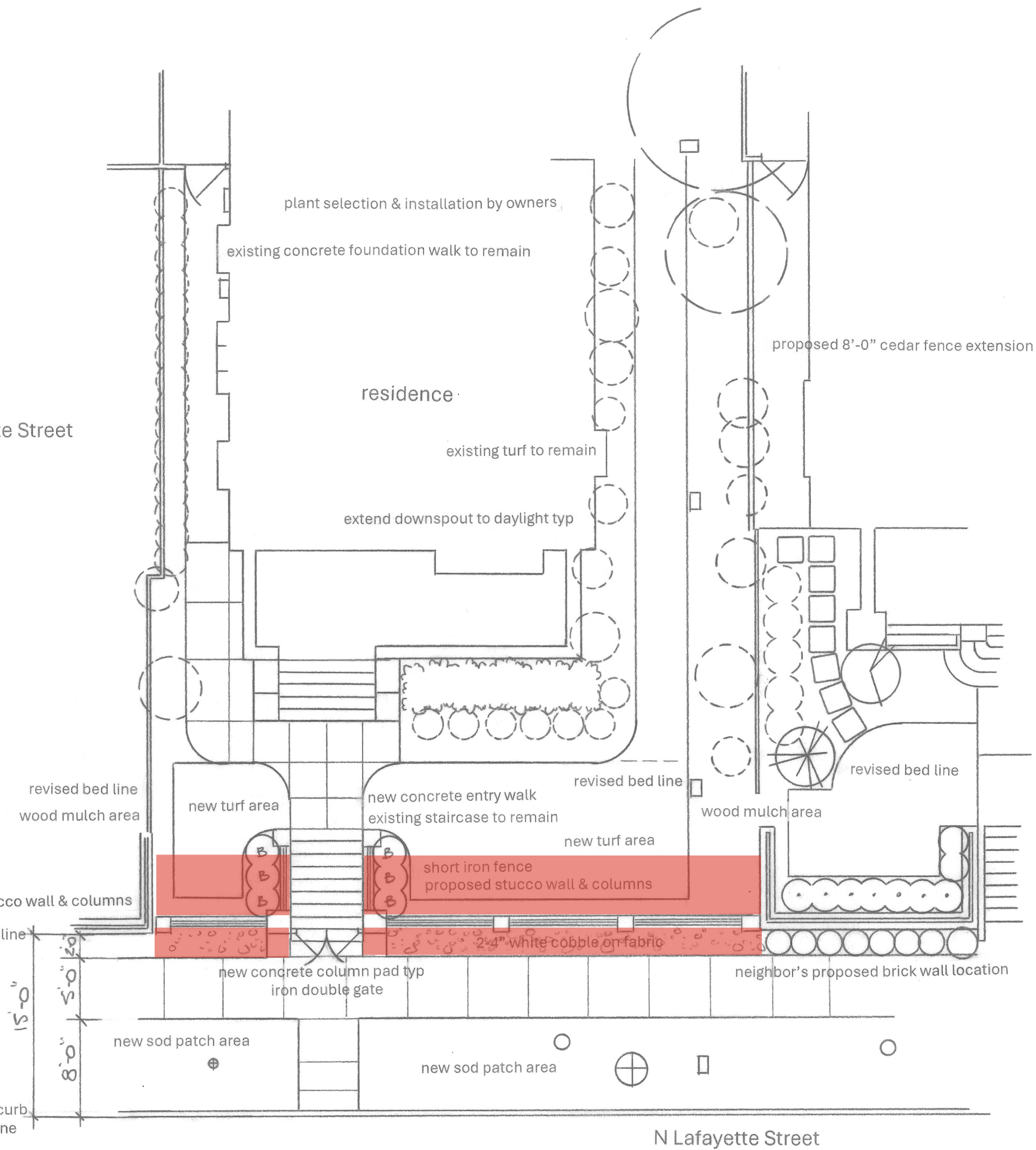


10740 West 44th Avenue Wheat Ridge, CO. 80033  
720-855-3964 www.DenverLandscapes.com

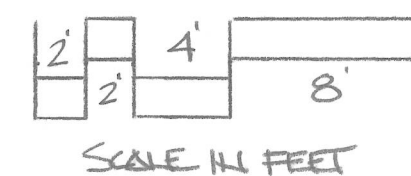




Existing Conditions Plan



Landscape Concept Plan



## LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF THE PUBLIC RIGHT OF WAY OF NORTH LAFAYETTE STREET ADJACENT TO LOTS 14 AND 15, BLOCK 153, SOUTH DIVISION OF CAPITOL HILL, CITY AND COUNTY OF DENVER, STATE OF COLORADO; SITUATED IN THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN.

THE EAST 1.50 FEET OF NORTH LAFAYETTE STREET ADJACENT TO SAID LOTS 14 AND 15;

THE ABOVE DESCRIPTION CONTAINS 75 SQUARE FEET OR 0.0017 ACRES MORE OR LESS.

THIS LEGAL DESCRIPTION WAS PREPARED BY:  
DON LAMBERT, PLS 30830  
FOR AND ON BEHALF OF Esi land surveying, llc



SHEET 1 OF 2

*Esi land  
surveying, llc*

*3531 S. Logan St. D-324  
Englewood, CO 80113  
Ph: 303-340-0113*

## ILLUSTRATION

*EAST 8th AVE.*

(75' PUBLIC RIGHT OF WAY)

LOT 13

SOUTH DIVISION OF  
CAPITOL HILL

LOT 14

LOT 15

LOT 16

BLOCK 153

Parcel  
75± Sq. Ft.  
0.0017± Ac.

NORTH LAFAYETTE STREET

(60' PUBLIC RIGHT OF WAY)

(16' PUBLIC ALLEY)

89°56'00"

1.5'

50'

90°05'13"

200'

*EAST 7th AVE.*

(80' PUBLIC RIGHT OF WAY)



Scale: 1" = 20'



SHEET 2 OF 2

*Esi land  
surveying, llc*3531 S. Logan St. D-324  
Englewood, CO 80113  
Ph: 303-340-0113

Date: December 17, 2024



WILLIAM H. WOOLSTON, IV AND ALLISON S. WOOLSTON  
740 LAFAYETTE STREET  
DENVER, CO 80218

Subject: Attached Title Policy K70356004  
for 740 LAFAYETTE STREET DENVER CO 80218

Enclosed please find the Owner's Title Insurance Policy for your purchase of the property listed above.

This title policy is the final step in your real estate transaction, and we want to take a moment to remind you of its importance. Please review all information in this document carefully and be sure to safeguard this policy along with your other legal documents.

Your owner's policy insures you as long as you own the property and requires no additional premium payments.

Please feel free to contact any member of our staff if you have questions or concerns regarding your policy, or you may contact the Final Policy Department directly at 303-850-4158.

As a Colorado-owned and operated title company for over 45 years, with offices throughout the state, we take pride in serving our customers one transaction at a time. We sincerely appreciate your business and welcome the opportunity to assist you with any future real estate needs. Not only will Land Title be able to provide you with the title services quickly and professionally, but you may also be entitled to a discount on title premiums if you sell or refinance the property described in the enclosed policy.

Thank you for giving us the opportunity to work with you on this transaction. We look forward to serving you again in the future.

Sincerely,

Land Title Guarantee Company



## Your Title Insurance Policy *ALTA Residential Form, Rev 1987*

One-To-Four Family Residences Only

### OWNER'S INFORMATION SHEET

Your Title Insurance Policy is a legal contract between you and Land Title Insurance Corporation. It applies only to a one-to-four family residential lot or a condominium unit. If your land is not either of these, contact us immediately.

The policy insures you against certain risks to your land. These risks are listed on page two of the policy.

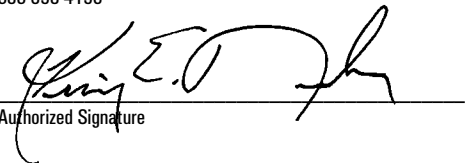
**The Policy is limited by:**

- \* Exclusions on page 2.
- \* Exceptions on Schedule B.
- \* Conditions on pages 3 and 4.

**You should keep the Policy even if you transfer the title to your land.**

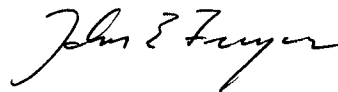
If you want to make a claim, see Item 3 under Conditions on page 3. You do not owe any more premiums for the Policy. This sheet is not your Insurance Policy. It is only a brief outline of some of the important Policy features. The Policy explains in detail your rights and obligations and our rights and obligations. Since the Policy-and not this sheet-is the legal document, **YOU SHOULD READ THIS POLICY VERY CAREFULLY.** If you have any questions about the Policy, contact the issuing office.

Issued through the Office of:  
LAND TITLE GUARANTEE COMPANY  
3033 EAST FIRST AVENUE, SUITE 600  
DENVER, CO 80206  
303-850-4158

  
Authorized Signature

Land Title Insurance Corporation  
P.O. Box 5645  
Denver, CO 80217  
(303) 331-6296





John E. Freyer  
President



Debra R. Sorensen  
Secretary



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## OWNER'S COVERAGE STATEMENT

This policy insures your title to the land described in Schedule A - if that land is a one-to-four family residential lot or condominium unit. Your insurance, as described in this Coverage Statement, is effective on the Policy Date shown in Schedule A. Your insurance is limited by the following:

- \* EXCLUSIONS below.

- \* EXCEPTIONS in Schedule B.

- \* CONDITIONS pages 3 and 4.

We insure you against actual loss resulting from:

- \* any title risks covered by this Policy - up to the Policy Amount, and
- \* any costs, attorneys' fees and expenses we have to pay under this Policy.

## COVERED TITLE RISKS

This Policy covers the following title risks, if they affect your title on the Policy Date.

1. Someone else owns an interest in your title.
2. A document is not properly signed, sealed, acknowledged, or delivered.
3. Forgery, fraud, duress, incompetency, incapacity or impersonation.
4. Defective recording of any document.
5. You do not have any legal right to access to and from the land.
6. There are restrictive covenants limiting your use of the land.
7. There is a lien on your title because of:
  - \* a mortgage or deed of trust
  - \* a judgment, tax or special assessment
  - \* a charge by a homeowner's or condominium association
8. There are liens on your title, arising now or later, for labor and material furnished before the Policy Date - unless you agreed to pay for the labor and material.

9. Others have rights arising out of leases, contracts, or options.
10. Someone else has an easement on your land.
11. Your title is unmarketable, which allows another person to refuse to perform a contract to purchase, to lease or to make a mortgage loan.
12. You are forced to remove your existing structure - other than a boundary wall or fence - because:
  - \* it extends on to adjoining land or onto any easement
  - \* it violates a restriction shown in Schedule B
  - \* it violates an existing zoning law
13. You cannot use the land because use as a single-family residence violated a restriction shown in Schedule B or an existing zoning law.
14. Other defects, liens, or encumbrances.

## COMPANY'S DUTY TO DEFEND AGAINST COURT CASES

We will defend your title in any court case as to that part of the case that is based on a Covered Title Risk insured against by this Policy. We will pay the costs, attorney's fees, and expenses we incur in that defense.

We can end this duty to defend your title by exercising any of our options listed in item 4 of the Conditions.

## EXCLUSIONS

In addition to the Exceptions in Schedule B, you are not insured against loss, costs, attorneys' fees and expenses resulting from:

1. Governmental police power, and the existence or violation of any law or government regulation. This includes building and zoning ordinances and also laws and regulations concerning:
  - \* land use
  - \* improvements on the land
  - \* land division
  - \* environmental protectionThis exclusion does not apply to violations or the enforcement of these matters which appear in the public records at Policy Date. This exclusion does not limit the zoning coverage described in Items 12 and 13 of Covered Title Risks.
2. The right to take the land by condemning it, unless:

- \* a notice of exercising the right appears in the public records on the Policy Date.
  - \* the taking happened prior to the Policy Date and is binding on you if you bought the land without knowing of the taking
3. Title Risks:
    - \* that are created, allowed or agreed to by you
    - \* that are known to you, but not to us, on the Policy Date - unless they appeared in the public records
    - \* that result in no loss to you
    - \* that first affect your title after the Policy Date - this does not limit the labor and material lien coverage in Item 8 of covered Title Risks
  4. Failure to pay value for your title
  5. Lack of a right:
    - \* to any land outside the area specifically described and referred to in item 3 of Schedule A, or
    - \* in streets, alleys, or waterways that touch your land

This exclusion does not limit the access coverage in Item 5 of Covered Title Risks.

## CONDITIONS

### 1. DEFINITIONS

- a. EASEMENT - the right of someone else to use your land for a special purpose.
- b. LAND - the land or condominium unit described in Schedule A and any improvements on the land which are real property.
- c. MORTGAGE - a mortgage, deed of trust, trust deed or other security instrument.
- d. PUBLIC RECORDS - title records that give constructive notice of matters affecting your title - according to the state statutes where your land is located.
- e. TITLE - the ownership of your interest in the land, as shown in Schedule A.

### 2. CONTINUATION OF COVERAGE

#### **This Policy protects you as long as you:**

- \* own your title, or
- \* own a mortgage from anyone who buys your land, or

- \* are liable for any title warranties you make
- This Policy protects anyone who receives your title because of your death.

### 3. HOW TO MAKE A CLAIM

#### **A. You Must Give The Company Notice Of Your Claim**

If anyone claims a right against your insured title, you must notify us promptly in writing. Send the notice to:

Land Title Insurance Corporation  
P.O. Box 5645  
Denver, CO 80217  
(303) 331-6296

Please include the Policy number shown in Schedule A, and the county and state where the land is located.

Our obligation to you could be reduced if:

- \* you fail to give prompt notice and
- \* your failure affects our ability to dispose of or to defend you against the claim

#### **B. Proof Of Your Loss Must Be Given To The Company**

You must give us a written statement to prove your claim of loss. This statement must be given to us not later than 90 days after you know the facts which will let you establish the amount of your loss.

The statement must have the following facts:

- \* the Covered Title Risks which resulted in your loss
- \* the dollar amount of your loss
- \* the method you used to compute the amount of your loss

You may want to provide us with an appraisal of your loss by a professional appraiser as a part of your statement of loss. We may require you to show us your records, checks, letters, contracts, and other papers which relate to your claim of loss. We may make copies of these papers. We may require you to answer questions under oath.

Our obligation to you could be reduced if you fail or refuse to:

- \* provide a statement of loss  
or
- \* answer our questions under oath  
or
- \* show us the papers we request  
or
- \* your failure or refusal affects our ability to dispose of or to defend you against the claim.

### 4. OUR CHOICES WHEN YOU NOTIFY US OF A CLAIM

After we receive your claim notice or in any other way learn of a matter for which we are liable, we can do one or more of the following:

- a. Pay the claim against your title.
- b. Negotiate a settlement.
- c. Prosecute or defend a court case related to the claim.

- d. Pay you the amount required by this Policy.
- e. Take other action which will protect you.
- f. Cancel this policy by paying the Policy Amount, then in force, and only those costs, attorneys' fees and expenses incurred up to that time which we are obligated to pay.

### 5. HANDLING A CLAIM OR COURT CASE

You must cooperate with us in handling any claim or court case and give us all relevant information.

We are required to repay you only for those settlement costs, attorneys' fees and expenses that we approve in advance.

When we defend your title, we have a right to choose the attorney. We can appeal any decision to the highest court. We do not have to pay your claim until your case is finally decided.

### 6. LIMITATION OF THE COMPANY'S LIABILITY

- a. We will pay up to your actual loss or the Policy Amount in force when the claim is made - whichever is less.
- b. If we remove the claim against your title within a reasonable time after receiving notice of it, we will have no further liability for it. If you cannot use any of your land because of a claim against your title, and you rent reasonable substitute land or facilities, we will repay you for your actual rent until:
  - \* the cause of the claim is removed, or
  - \* we settle your claim

- c. The Policy Amount will be reduced by all payments made under this Policy - except for costs, attorneys' fees and expenses.
- d. The Policy Amount will be reduced by any amount we pay to our insured holder of any mortgage shown in this Policy or a later mortgage given by you.
- e. If you do anything to affect any right of recovery you may have, we can subtract from our liability the amount by which you reduced the value of that right.

## 7. TRANSFER OF YOUR RIGHTS

When we settle a claim, we have all the rights you had against any person or property related to the claim. You must transfer these right to us when we ask, and you must not do anything to affect these rights. You must let us use your name in enforcing these rights.

We will not be liable to you if we do not pursue these rights or if we do not recover any amount that might be recoverable.  
With the money we recover from enforcing these rights, we will pay whatever part of your loss we have not paid. We have a right to keep what is left.

## 8. ARBITRATION

If it is permitted in your state, you or the Company may demand arbitration. The arbitration shall be binding on both you and the Company. The arbitration shall decide any matter in dispute between you and the Company. The arbitration award may:

- \* include attorneys' fees if allowed by state law
- \* be entered as a judgment in the proper court

The arbitration shall be under the Title Insurance Arbitration rules of the American Arbitration Association. You may choose current Rules or Rules in existence on Policy Date.

The law used in the arbitration is the law of the place where the property is located. You can get a copy of the Rules from the Company.

## 9. OUR LIABILITY IS LIMITED TO THIS POLICY

This Policy, plus any endorsements, is the entire contract between you and the Company.

Any claim you make against us must be made under this Policy and is subject to its terms.

**ANTI-FRAUD STATEMENT:** 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.

This anti-fraud statement is affixed and made a part of this policy.

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Applies to policies in excess of \$250,000.

This Certificate is attached to and constitutes a part of The Title Insurance Policy of Land Title Insurance Corporation.

In consideration of the premium paid under this policy, it is hereby understood and agreed that OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY assumes liability under this policy for all loss in excess of \$250,000.00. In the event of any valid claim under this policy by reason of loss or damage insured against in excess of \$250,000.00, such excess loss shall be assumed and paid by OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY in the same manner and to the same extent as if such excess loss had been insured by a policy of OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY.

IN WITNESS WHEREOF the OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY has caused this certificate to be executed by its duly authorized officers.

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY  
A Stock Company  
400 Second Avenue South  
Minneapolis, Minnesota 55401  
(612) 371-1111



Mark Bilbrey  
President

Rande Yeager  
Secretary

LTG Policy No. 70356004LTAI

Form OEC/LTIC

Our Order No. K70356004

Schedule A

Amount \$739,000.00

Property Address: 740 LAFAYETTE STREET DENVER CO 80218

The Policy Amount will automatically increase by 10 percent of the amount shown above on each of the first five anniversaries of the Policy Date.

Policy Date: December 17, 2012 at 5:00 P.M.

**1. Name of Insured:**

WILLIAM H. WOOLSTON, IV AND ALLISON S. WOOLSTON

**2. Your interest in the land covered by this Policy is:**

A Fee Simple

**3. The land referred to in this policy is described as follows:**

LOTS 14 AND 15, BLOCK 153, SOUTH DIVISION OF CAPITOL HILL, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

This Policy valid only if Schedule B is attached.

Land Title Guarantee Company  
Representing Land Title Insurance Corporation

Form OEC/LTIC

Our Order No. K70356004

**Schedule B**

In addition to the Exclusions, you are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. (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, whether or not the matters excepted under (a), (b) or (c) are shown by the Public Records.
2. 2012 TAXES AND ASSESSMENTS NOT YET DUE OR PAYABLE.
3. RESTRICTIONS, PERTAINING TO THE PRESERVATION OF MOUNTAIN VIEWS AS CONTAINED IN ORDINANCE #260, SERIES OF 1968, AS AMENDED, RECORDED AUGUST 19, 1968 IN BOOK 9916 AT PAGE 618.
4. RESTRICTIONS, PERTAINING TO THE PRESERVATION OF MOUNTAIN VIEWS AS CONTAINED IN ORDINANCE #436, SERIES OF 1968, AS AMENDED, RECORDED JANUARY 6, 1969 IN BOOK 9975 AT PAGE 351.
5. RESTRICTIONS, PERTAINING TO THE PRESERVATION OF MOUNTAIN VIEWS AS CONTAINED IN ORDINANCE #442, SERIES OF 1973, RECORDED JULY 30, 1973 IN BOOK 738 AT PAGE 127.
6. RESTRICTIONS, PERTAINING TO THE PRESERVATION OF MOUNTAIN VIEWS AS CONTAINED IN ORDINANCE #60, SERIES OF 1968, RECORDED MARCH 14, 1968 IN BOOK 9854 AT PAGE 231.
7. RESTRICTIONS, PERTAINING TO THE EAST SEVENTH AVENUE HISTORIC DISTRICT AS A DISTRICT FOR PRESERVATION AS CONTAINED IN ORDINANCE #292, SERIES OF 1993, RECORDED MAY 5, 1993 UNDER RECEPTION NO. R-93-0056655.
8. DEED OF TRUST DATED DECEMBER 12, 2012, FROM WILLIAM H. WOOLSTON, IV AND ALLISON S. WOOLSTON TO THE PUBLIC TRUSTEE OF DENVER COUNTY FOR THE USE OF MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS NOMINEE FOR CITYWIDE HOME LOANS, A UTAH CORPORATION TO SECURE THE SUM OF \$417,000.00 RECORDED DECEMBER 17, 2012, UNDER RECEPTION NO. 2012174127.
9. DEED OF TRUST DATED DECEMBER 12, 2012, FROM WILLIAM H. WOOLSTON, IV AND ALLISON S. WOOLSTON TO THE PUBLIC TRUSTEE OF DENVER COUNTY FOR THE USE OF TCF NATIONAL BANK TO SECURE THE SUM OF \$248,000.00 RECORDED DECEMBER 17, 2012, UNDER RECEPTION NO. 2012174128.

# Land Title Guarantee Company

ENDORSEMENT INFLATION - 06

Case **K70356004**

Policy **70356004LTAI**

*The Company, recognizing the current effect of inflation on real property valuation and intending to provide additional monetary protection to the Insured Owner named in said policy, hereby modifies said policy, as follows:*

*If there is a one-to-four family residential structure or condominium unit on the Land at Date of Policy, the Amount of Insurance shown in Schedule A will automatically increase by 10% on each of the first five anniversaries of the Date of Policy.*

*This endorsement is issued as part of the Policy. Except as it expressly states, it does not (i) modify any of the terms and provisions of the Policy, (ii) modify any prior endorsements, (iii) extend the Date of Policy, or (iv) increase the Amount of Insurance. To the extent a provision of the Policy or a previous endorsement is inconsistent with an express provision of this endorsement, this endorsement controls. Otherwise, this endorsement is subject to all of the terms and provisions of the Policy and of any prior endorsements.*

Representing Land Title Insurance Corporation

# **Extended Insured Endorsement**

## **Land Title Insurance Corporation**

Attached to and forming part of Owner's Policy No. 70356004LTAI (the "Policy")

The Company hereby agrees that the definition of Insured contained in paragraph 1(a) of the Conditions and Stipulations of the Policy (Paragraph 2 of the Conditions for the 1987 Owner's Policy) shall also include:

- (A) successors to the Title of the Insured by operation of law as distinguished from purchase, including heirs, devisees, survivors, personal representatives or next of kin;
- (B) successors to an Insured by dissolution, merger, consolidation, distribution or reorganization;
- (C) successors to an Insured by its conversion to another kind of Entity
- (D) a grantee of an Insured under a deed delivered without payment of actual valuable consideration conveying the Title;
  - (1) If the stock, shares, memberships, or other equity interests of the grantee are wholly-owned by the named Insured,
  - (2) If the grantee wholly owns the named Insured,
  - (3) If the grantee is wholly-owned by an affiliated Entity of the named Insured, provided the affiliated Entity and the named Insured are both wholly-owned by the same person or Entity, or
  - (4) If the grantee is a trustee or beneficiary of a trust created by a written instrument established by the Insured named in Schedule A for estate planning purposes.

With regard to (A), (B), (C) and (D) reserving, however, all rights and defenses as to any successor that the Company would have had against any predecessor Insured.

The total liability of the Company under the Policy and any endorsements therein shall not exceed in the aggregate, the face amount of the Policy and costs which the Company is obligated under the Conditions and Stipulations thereof to pay.

This endorsement is made a part of the Policy and is subject to the Schedules, Conditions and Stipulations therein, except as modified by the provisions of this endorsement.

# Land Title Guarantee Company

Case **K70356004**  
Policy **70356004LTAI**  
Loan # **WMC121113000**

**ENDORSEMENT 107.12-06**  
**Change Date of Policy**

*The effective Date of Policy is hereby changed from*  
**12/17/2012 AT 5:00 P.M.**  
*to* **12/12/2024 AT 5:00 P.M.**

*The Company hereby insures:*

(1) *That, except as otherwise expressly provided herein, there are no liens, encumbrances or other matters shown by the Public Records, affecting said estate or interest, other than those shown in said policy, except:*  
**SEE ENDORSEMENT 107.12 EXHIBIT ATTACHED HERETO AND MADE A PART HEREOF**

(2) *That, as shown by the Public Records, the Title to said estate or interest is vested in the vestees shown in Schedule A:*  
**WILLIAM H. WOOLSTON, IV AND ALLISON S. WOOLSTON**

*This endorsement is issued as part of the Policy. Except as it expressly states, it does not (i) modify any of the terms and provisions of the Policy, (ii) modify any prior endorsements, (iii) extend the Date of Policy, or (iv) increase the Amount of Insurance. To the extent a provision of the Policy or a previous endorsement is inconsistent with an express provision of this endorsement, this endorsement controls. Otherwise, this endorsement is subject to all of the terms and provisions of the Policy and of any prior endorsements.*

*Dated:* **December 12, 2024**

**Representing Land Title Insurance Corporation**

ENDORSEMENT 107.12 EXHIBIT (ITEM 1)

RELEASE OF DEED OF TRUST RECORDED AUGUST 25, 2014 UNDER RECEPTION NO. 2014103492.

PUBLIC SERVICE COMPANY OF COLORADO EASEMENT RECORDED MAY 29, 2024 UNDER RECEPTION  
NO. 2020072350.

DEED OF TRUST RECORDED MARCH 3, 2022 UNDER RECEPTION NO. 2022029013.



**Warranty Deed**  
(Pursuant to 38-30-113 C.R.S.)

State Documentary Fee  
Date: December 12, 2012  
\$ 73.90

**THIS DEED**, made on **December 12, 2012** by **CHARLES B. SMITH** Grantor(s), of the **CITY AND** County of **DENVER** and State of **COLORADO** for the consideration of **(\$739,000.00) \*\*\* Seven Hundred Thirty Nine Thousand and 00/100 \*\*\*** dollars in hand paid, hereby sells and conveys to **WILLIAM H. WOOLSTON, IV AND ALLISON S. WOOLSTON** Grantee(s), as Joint Tenants, whose street address is **740 LAFAYETTE STREET DENVER, CO 80218**, **CITY AND** County of **DENVER**, and State of **COLORADO**, the following real property in the **CITY AND** County of **Denver**, and State of **Colorado**, to wit:

**LOTS 14 AND 15, BLOCK 153, SOUTH DIVISION OF CAPITOL HILL, CITY AND COUNTY OF DENVER, STATE OF COLORADO.**


also known by street and number as: **740 LAFAYETTE STREET DENVER CO 80218**

with all its appurtenances and warrants the title to the same, subject to *general taxes for the year 2012 and those specific Exceptions described by reference to recorded documents as reflected in the Title Documents accepted by Grantee(s) in accordance with Record Title Matters (Section 8.1) of the Contract to Buy and Sell Real Estate relating to the above described real property; distribution utility easements, (including cable TV); those specifically described rights of third parties not shown by the public records of which Grantee(s) has actual knowledge and which were accepted by Grantee(s) in accordance with Off-Record Title Matters (Section 8.2) and Current Survey Review (Section 9) of the Contract to Buy and Sell Real Estate relating to the above described real property; inclusions of the Property within any special tax district; and other NONE*

  
CHARLES B. SMITH

State of **COLORADO** )  
County of **DENVER** ) ss.

The foregoing instrument was acknowledged before me on this day of **December 12, 2012**  
by **CHARLES B. SMITH**

  
Notary Public  
My commission expires \_\_\_\_\_

**JEFFREY B. KOCHAN**  
**NOTARY PUBLIC**  
**STATE OF COLORADO**  
My Commission Expires **8/31/2019**

When Recorded Return to: **WILLIAM H. WOOLSTON, IV AND ALLISON S. WOOLSTON**  
**740 LAFAYETTE STREET DENVER, CO 80218**

## Tier III 740 Lafayette St - Wall

01/03/2025

**Master ID:** 2024-PROJMSTR-0000453 **Project Type:** Tier III Encroachment Resolution  
**Review ID:** 2024-ENCROACHMENT-0000167 **Review Phase:**  
**Location:** **Review End Date:** 12/04/2024

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: Matt Steder  
Reviewers Email: [Matt.Steder@denvergov.org](mailto:Matt.Steder@denvergov.org)

Status Date: 11/13/2024  
Status: Approved  
Comments:

Reviewing Agency: DS Project Coordinator Review

Review Status: Approved w/Conditions

Reviewers Name: Tiffany Holcomb  
Reviewers Email: [Tiffany.Holcomb@denvergov.org](mailto:Tiffany.Holcomb@denvergov.org)

Status Date: 12/26/2024  
Status: Approved w/Conditions  
Comments: PWPRS Project Number: 2024-ENCROACHMENT-0000167 Tier III 740 Lafayette St - Wall  
Reviewing Agency/Company: Project Coordination  
Reviewers Name: Tiffany Holcomb  
Reviewers Phone: 720-865-3018  
Reviewers Email: [Tiffany.Holcomb@denvergov.org](mailto:Tiffany.Holcomb@denvergov.org)  
Approval Status: Approved with conditions

**Comments:**

The request for a Tier 3 encroachment is approved based on plans provided on 12-19-2024 which show only the footer portion of the wall in the public ROW. The portion of wall / fence above ground is located on the zone lot and currently exceeds the allowable zoning height. The applicant indicated that a Board of Adjustment hearing is scheduled for early 2025 to determine if the wall height can remain. Zoning Administration staff are assigned to the variance case and will work with the applicant on next steps, depending on the outcome of the variance request. Portions of the fence on top of the wall should demonstrate a minimum of 50% open railing. If the wall reduces in size, per direction of the BOA, the wall footers may decrease in size underground, but will not exceed the 18" currently shown in the ROW. A zoning permit will need to be issued by Zoning staff in order for the construction of the wall and fence to commence. Should the wall design change, Landmark may also need to re-review and reissue a COA before the Zoning Permit can be issued.

Status Date: 12/05/2024  
Status: Denied  
Comments: PWPRS Project Number: 2024-ENCROACHMENT-0000167 Tier III 740 Lafayette St - Wall  
Reviewing Agency/Company: Project Coordination  
Reviewers Name: Tiffany Holcomb  
Reviewers Phone: 720-865-3018  
Reviewers Email: [Tiffany.Holcomb@denvergov.org](mailto:Tiffany.Holcomb@denvergov.org)  
Approval Status: Denied

# Comment Report

## Tier III 740 Lafayette St - Wall

01/03/2025

**Master ID:** 2024-PROJMSTR-0000453 **Project Type:** Tier III Encroachment Resolution  
**Review ID:** 2024-ENCROACHMENT-0000167 **Review Phase:**  
**Location:** **Review End Date:** 12/04/2024

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

**Comments:**

The height of the retaining wall exceeds zoning allowances for retaining walls between the Primary Structure and the street. Per DZC 10.5.6.2.A. - When provided, Retaining Walls in the Primary Street Setback shall be built to a maximum height of 4 feet and successive walls may be built provided that they are separated by at least 4 feet.  
The wall appears to largely be located on the zone lot. A zoning fence permit is needed for the portion of fence on the zone lot.

10.5.6.2.C. Any 4-foot linear section of a fence located on top of a retaining wall shall be less than or equal to 50 percent opaque. "Opaque" or "opacity" shall be measured as the amount of solid fence or wall material area divided by the total surface area of the subject fence or wall section, expressed as a percentage.  
10.5.6.2.D. See Sections 13.1.7 and 13.1.8, Fence and Wall Height Measurement and Retaining Wall Height Measurement.

**Status Date:** 12/04/2024  
**Status:** Approved - No Response  
**Comments:**

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

**Reviewers Name:** Thomas Breitnauer  
**Reviewers Email:** Thomas.Breitnauer@denvergov.org

**Status Date:** 01/03/2025  
**Status:** Approved  
**Comments:** PWPRS Project Number: 2024-ENCROACHMENT-0000167 Tier III 740 Lafayette St - Wall  
Reviewing Agency/Company: DOTI - Survey  
Reviewers Name: Thomas Breitnauer  
Reviewers Phone: 7208653211  
Reviewers Email: thomas.breitnauer@denvergov.org  
Approval Status: Approved

**Comments:**

The required documents are in the "Legal Descriptions - APPROVED" folder.

**Status Date:** 11/21/2024  
**Status:** Denied  
**Comments:** Survey comments are uploaded in E-Review.

**Reviewing Agency:** DES Wastewater Review **Review Status:** Approved

**Reviewers Name:** Chris Brinker  
**Reviewers Email:** Christopher.Brinker@denvergov.org

**Status Date:** 12/05/2024  
**Status:** Approved  
**Comments:** PWPRS Project Number: 2024-ENCROACHMENT-0000167 Tier III 740 Lafayette St - Wall  
Reviewing Agency/Company: DOTI - DES Wastewater  
Reviewers Name: Chris Brinker  
Reviewers Phone: 7204450193  
Reviewers Email: christopher.brinker@denvergov.org

# Comment Report

## Tier III 740 Lafayette St - Wall

01/03/2025

**Master ID:** 2024-PROJMSTR-0000453 **Project Type:** Tier III Encroachment Resolution  
**Review ID:** 2024-ENCROACHMENT-0000167 **Review Phase:**  
**Location:** **Review End Date:** 12/04/2024

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

Approval Status: Approved

Comments:

Status Date: 12/03/2024  
Status: Approved - No Response  
Comments:

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

Status Date: 12/04/2024  
Status: Approved - No Response  
Comments:

Reviewing Agency: ERA Transportation Review Review Status: Approved

Reviewers Name: Paul Weller  
Reviewers Email: Paul.Weller@denvergov.org

Status Date: 01/02/2025  
Status: Approved  
Comments: PWPRS Project Number: 2024-ENCROACHMENT-0000167 Tier III 740 Lafayette St - Wall  
Reviewing Agency/Company: DOTI ROWS ER Transportation  
Reviewers Name: Paul Weller  
Reviewers Phone: 720-913-0514  
Reviewers Email: Paul.Weller@Denvergov.org  
Approval Status: Approved

Comments:  
The attached plans have been revised to address our comments.

Attachment: 740Lafayette-Plan-ERA REVIEW 12-30-24.pdf

Attachment: 2024.09.27.WoolstonREVWallDetail2-24.stampedwith note.pdf

Status Date: 12/03/2024  
Status: Denied  
Comments:  
1. Site plan must show property line, dimension from curb line to be consistent with survey.  
  
2. Show the property line and the sidewalk on the Stucco Wall Elevation Detail and provide dimensions to locate the wall and its features with the right of way and sidewalk.  
  
3. Face of column must be dimensioned from the face of curb.  
  
4. All parts of the column and wall, including footings must be a minimum of 0.5 ft from the back of the sidewalk. Provide dimensions.  
  
5. Gates must not swing into the right of way. Provide dimensions to demonstrate compliance.  
  
6. The site plan shows 2 squares at the gate. Are there two columns?

# Comment Report

## Tier III 740 Lafayette St - Wall

01/03/2025

**Master ID:** 2024-PROJMSTR-0000453 **Project Type:** Tier III Encroachment Resolution  
**Review ID:** 2024-ENCROACHMENT-0000167 **Review Phase:**  
**Location:** **Review End Date:** 12/04/2024

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

7. Site plan must show legal description with bearings, distances and tie to ensure the description matches the improvements. A larger scale detail may be required.

8. Stamped/signed structural drawings are required for the wall.

**REDLINES uploaded to E-review webpage**

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

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

Status Date: 12/04/2024  
Status: Approved - No Response  
Comments:

Reviewing Agency: CenturyLink Referral Review Status: Approved

Status Date: 12/16/2024  
Status: Approved  
Comments: PWPRS Project Number: 2024-ENCROACHMENT-0000167 Tier III 740 Lafayette St - Wall  
Reviewing Agency/Company: CenturyLink/Lumen  
Reviewers Name: Varina Hoopes  
Reviewers Phone: 303.419.1362  
Reviewers Email: Varina.Hoopes@lumen.com  
Approval Status: Approved

Comments:  
NO RESERVATIONS:

After review, Lumen has no facilities in conflict with the included plans. Lumen recommends that locates are done for all utilities to ensure safety and protection of all facilities. If you require signatures or have any further questions, please contact the engineer at Luke.Thompson@lumen.com to schedule.

Status Date: 12/04/2024  
Status: Approved - No Response  
Comments:

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

Status Date: 01/02/2025  
Status: Approved w/Conditions  
Comments: PWPRS Project Number: 2024-ENCROACHMENT-0000167 Tier III 740 Lafayette St - Wall  
Reviewing Agency/Company: Public Service Company of Colorado (PSCo) dba Xcel Energy  
Reviewers Name: Donna George  
Reviewers Phone: 3035713306  
Reviewers Email: Donna.L.George@xcelenergy.com  
Approval Status: Approved with conditions

Comments:  
PSCo/Xcel Energy has an existing natural gas service pipeline crossing the proposed wall perpendicularly. In order to

# Comment Report

## Tier III 740 Lafayette St - Wall

01/03/2025

**Master ID:** 2024-PROJMSTR-0000453 **Project Type:** Tier III Encroachment Resolution  
**Review ID:** 2024-ENCROACHMENT-0000167 **Review Phase:**  
**Location:** **Review End Date:** 12/04/2024

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

find the actual depth of the gas service pipe, potholing will be required. 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:** 12/05/2024  
**Status:** Denied  
**Comments:** PWPRS Project Number: 2024-ENCROACHMENT-0000167 Tier III 740 Lafayette St - Wall  
Reviewing Agency/Company: Public Service Company of Colorado (PSCo) dba Xcel Energy  
Reviewers Name: Donna George  
Reviewers Phone: 3035713306  
Reviewers Email: Donna.L.George@xcelenergy.com  
Approval Status: Denied

**Comments:**  
Please be aware PSCo has an existing natural gas service line to the meter at the house and requests that this is shown on the plan in relation to the proposed encroachments.

**Status Date:** 12/04/2024  
**Status:** Approved - No Response  
**Comments:**

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

**Status Date:** 12/05/2024  
**Status:** Approved  
**Comments:** PWPRS Project Number: 2024-ENCROACHMENT-0000167 Tier III 740 Lafayette St - Wall  
Reviewing Agency/Company: RTD  
Reviewers Name: Steve Smith  
Reviewers Phone: 3032996946  
Reviewers Email: steven.smith@rtd-denver.com  
Approval Status: Approved

**Comments:**  
RTD staff have reviewed the submittal and have the following 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

# Comment Report

## Tier III 740 Lafayette St - Wall

01/03/2025

**Master ID:** 2024-PROJMSTR-0000453 **Project Type:** Tier III Encroachment Resolution  
**Review ID:** 2024-ENCROACHMENT-0000167 **Review Phase:**  
**Location:** **Review End Date:** 12/04/2024

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

facilities and property.

**Status Date:** 12/04/2024  
**Status:** Approved - No Response  
**Comments:**

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

**Status Date:** 12/04/2024  
**Status:** Approved - No Response  
**Comments:**

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

**Status Date:** 12/04/2024  
**Status:** Approved - No Response  
**Comments:**

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

**Status Date:** 12/04/2024  
**Status:** Approved - No Response  
**Comments:**

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

**Status Date:** 12/04/2024  
**Status:** Approved - No Response  
**Comments:**

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

**Reviewers Name:** Keith Peetz  
**Reviewers Email:** Keith.Peetz@denvergov.org

**Status Date:** 11/25/2024  
**Status:** Approved  
**Comments:**

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

**Reviewers Name:** ShannonCruz  
**Reviewers Email:** Shannon.cruz@denvergov.org

**Status Date:** 11/21/2024  
**Status:** Approved  
**Comments:**

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

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

**Status Date:** 12/04/2024  
**Status:** Approved - No Response

# Comment Report

## Tier III 740 Lafayette St - Wall

01/03/2025

**Master ID:** 2024-PROJMSTR-0000453 **Project Type:** Tier III Encroachment Resolution  
**Review ID:** 2024-ENCROACHMENT-0000167 **Review Phase:**  
**Location:** **Review End Date:** 12/04/2024

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

Comments:

Reviewing Agency: Denver Water Referral Review Status: Approved

Status Date: 12/05/2024  
Status: Approved  
Comments: PWPRS Project Number: 2024-ENCROACHMENT-0000167 Tier III 740 Lafayette St - Wall  
Reviewing Agency/Company: Denver Water  
Reviewers Name: Kela Naso  
Reviewers Phone: 0000000000  
Reviewers Email: kela.naso@denverwater.org  
Approval Status: Approved

Comments:

Status Date: 12/04/2024  
Status: Approved - No Response  
Comments:

Reviewing Agency: Parks and Recreation Review Review Status: Approved

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

Status Date: 11/19/2024  
Status: Approved  
Comments:

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

Status Date: 12/04/2024  
Status: Approved - No Response  
Comments:

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

Status Date: 12/05/2024  
Status: Approved  
Comments: PWPRS Project Number: 2024-ENCROACHMENT-0000167 Tier III 740 Lafayette St - Wall  
Reviewing Agency/Company: DODR  
Reviewers Name: Spencer Pocock  
Reviewers Phone: 720-913-8411  
Reviewers Email: Spencer.Pocock@denvergov.org  
Approval Status: Approved

Comments:

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: 12/04/2024

# Comment Report

## Tier III 740 Lafayette St - Wall

01/03/2025

**Master ID:** 2024-PROJMSTR-0000453 **Project Type:** Tier III Encroachment Resolution  
**Review ID:** 2024-ENCROACHMENT-0000167 **Review Phase:**  
**Location:** **Review End Date:** 12/04/2024

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

**Status:** Approved - No Response  
**Comments:**

**Reviewing Agency:** Construction Engineering Review

**Review Status:** Approved

**Reviewers Name:** Porames Saejiw  
**Reviewers Email:** Joe.Saejiw@denvergov.org

**Status Date:** 11/26/2024  
**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

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

**Status Date:** 12/04/2024  
**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:** 12/20/2024  
**Status:** Approved  
**Comments:** PWPRS Project Number: 2024-ENCROACHMENT-0000167 Tier III 740 Lafayette St - Wall  
Reviewing Agency/Company: Office of the City Forester  
Reviewers Name: Eric Huetig  
Reviewers Phone: 7209130752  
Reviewers Email: eric.huetig@denvergov.org  
Approval Status: Approved

**Comments:**  
OCF COMMENTS UPDATED 12-19-24: Updated/attached plans approved. If additional changes to plan are proposed, plz include OCF in review process.

Attachment: OCF APPROVED 12-19-24\_\_740Lafayette-Plan-FORESTRYrev.pdf

**Status Date:** 11/15/2024  
**Status:** Denied  
**Comments:** 2024-ENCROACHMENT-0000167 - 740 Lafayette  
OCF Comments 11-15-24  
1. Address OCF comments on attached redlined plans (uploaded via ERA site). If redlined plans were not received, email Eric.Huetig@denvergov.org to request a set of redlines. Include the following in the subject line: Project No

# Comment Report

## Tier III 740 Lafayette St - Wall

01/03/2025

**Master ID:** 2024-PROJMSTR-0000453 **Project Type:** Tier III Encroachment Resolution  
**Review ID:** 2024-ENCROACHMENT-0000167 **Review Phase:**  
**Location:** **Review End Date:** 12/04/2024

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

2024-ENCROACHMENT-0000167.

A. CRITICAL: There are existing ROW trees adjacent to property. The Office of the City Forester (OCF) requires preservation of existing trees within all public rights of way. Trees in fair to excellent condition located within ROW's must be retained and protected through the entire duration of the project unless authorized removal is granted by this office. Failure to meet protection requirements shall result in a Notice of Violation or Administrative Citation per each infraction.

i. Show locations of existing trees, accurately scaled tree canopies, and tree protection zone boundaries (shown in red on attached redlined plans).

ii. Add Office of the City Forester tree protection detail & tree protection notes to plan sheet (see redlines).

B. Add the following note: No construction access, activity, or storage of materials/debris/equipment is permitted within tree protection zones, including grading, installation of underground utilities, installation of site improvements, and/or grubbing. All construction activity must occur outside tree protection zones.

**REDLINES uploaded to E-review webpage**

Reviewing Agency: Landmark Review

Review Status: Approved

Reviewers Name: JenniferCappeto

Reviewers Email: Jennifer.cappeto@denvergov.org

Status Date: 11/13/2024

Status: Approved

Comments:

Reviewing Agency: CDOT Referral

Review Status: Approved

Status Date: 12/05/2024

Status: Approved

Comments: PWPRS Project Number: 2024-ENCROACHMENT-0000167 Tier III 740 Lafayette St - Wall

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.

Status Date: 12/04/2024

Status: Approved - No Response

Comments:

Reviewing Agency: ERA Review

Review Status: Approved - No Response

Reviewers Name: Shari Bills

Reviewers Email: Shari.Bills@denvergov.org

Status Date: 12/04/2024

Status: Approved - No Response

Comments: