

DOTI | Right-of-Way Services

DOTI.ER@denvergov.org

Engineering and Regulatory Office 201 W. Colfax Avenue, Dept. 507 Denver, CO 80202 P: 720-865-3003

Easement Relinquishment Submittal Checklist

Any submittal not meeting all minimum checklist criteria herein shall be rejected as incomplete.

Easement Relinquishment submittal documents will include the following:

Application (Page 2&3 of this document) - Must be signed by owner, or a vested party

✓	Original l	holding document of the easement - eg. Ordinance, PNEE, Subdivision plan, etc.:			
	•	Must include the Clerk and Recorder's Book and Page, and/or Recordation Number.			
✓	A Legal Description and Exhibits are required if you are relinquishing a portion of the easement as held in the original				
	documen	t. The Legal Description and Exhibit of the easement(s) to be relinquished, must be prepared by a Professional Land			
	Surveyor	(PLS), licensed in the State of Colorado:			
	•	PDF format (must be PLS signed and stamped) and			
	•	Word format (Does not need to be PLS signed and stamped)			
Ø	Site Plan	- accurately engineered drawings to include:			
	V	Numerical and Bar Scale (Scale not to exceed 1:40)			
	V	North arrow			
	V	Legend			
	V	Vicinity map, if necessary			
		Plan set date and revision number (if applicable)			
	V	Call out the location of the easement proposed to be relinquished and hatch area			
		Call out the location if new easement will be conveyed (if applicable)			
	7	Property lines			
		Right-of-Way width			
	✓	Edge of Pavement and/or Curb and Gutter			
	~	Sidewalks			
	✓	Trees and landscaping in the ROW			
	✓	Nearby driveways and alleys			
	✓	Street names			
		Aerial imagery is allowed, but does not replace the required Engineered drawings			
FF	ES:				
	_	nmediately after project is logged in and a project number is provided by your Coordinator along			
wit	h the projec	t invoice.			
		ng Fee = \$1,000.00 (Non-Refundable)			
		ion Review Fee = \$300.00 (Non-Refundable) = \$300.00 (Non-Refundable)			
Oli	mano rec	pooloo (11011 Rolandario)			
TL	ovoby offe	st that all above information has been incorporated into our plan submittal.			
1 []	pecuy alle	St that an analyziniot mation has occu incoloulated into out high summittal.			



Owner/Vested Party/Applicant Signature



DATE: 02/16/2023

APPLICATION EASEMENT RELINQUISHMENT

DOTI| Right-of-Way Services Engineering and Regulatory Office 201 W. Colfax Avenue, Dept. 507 Denver, CO 80202 P: 720-865-3003 DOTI.ER@denvergov.org

Please complete this application to apply for an ordinance to relinquish easements held by the City in the Public Right of Way. Please reference Rules and Regulations for Easement Relinquishments for more details on the relinquishment process. Please type or print. If necessary attach additional sheets to fully answer any of the following sections. Submit the complete application electronically to: DOTI.ER@denvergov.org.

PROJECT NAME: Leetsdale A	Apartments (5377 & 5407 L	eetsdale Dr.)				
IS THIS PROJECT ASSOCI	ATED WITH A SITE DE	EVELOPMENT F	REVIEW? Yes No			
If you checked 'Yes' above, I	provide Project Master,	Site Plan and/or	Concept Development project numbers:			
2022-SDP-0000112	2022-SDP-0000112	, <u>2022-SDP</u>	2-0000112			
ADDRESS (approx.) OF EAS	EMENT: 5377 Leetsale I	Or.				
APPLICANT:						
Name: Jarrett Grant						
Company (if applicable):	Harris Kocher Smith		Title: Deed of Easement Recorde			
Address: 1120 Lincoln St	. #1000 Denver, CO 80203					
Telephone number: 303-6	23-6300	Email address: jg	grant@hkseng.com			
PROPERTY OWNER (where		Check if the	e same as Applicant			
Company: Leetsdale - DE						
Owner Contact: Sara Han						
Address: 7600 Broadway Suite 300, San Antonio, TX 78209						
Telephone Number: 210	-804-5226	Email address:	shanback@embreydc.com			
ORIGINAL HOLDING DOCU	MENT THE EASEMEN	T IS HELD IN:				
Title of document: Deed	Title of document: Deed of Easement Recorded June 01, 1999					
Clerk & Recorder Recordation Number: 9900095675						
Ordinance Number (if app	licable):	50 K				
PORTION OF EASEMENT II	BEING RELINQUISH	ED:				
	Easement in it's entirety	197 1 -	f the easement			



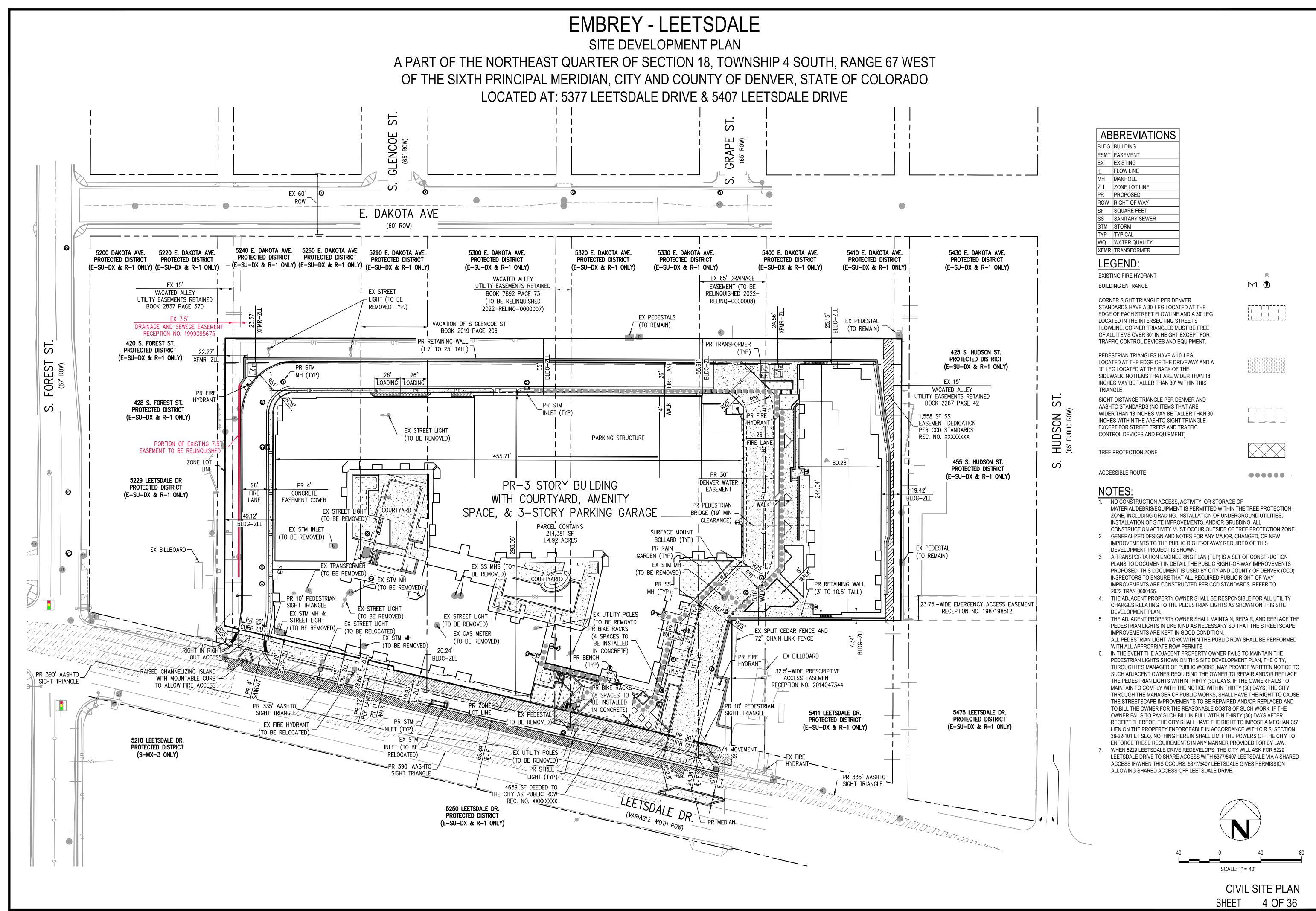


TRANSPORTATION &

DOTI | Right-of-Way Services Engineering and Regulatory Office 201 W. Colfax Avenue, Dept. 507 Denver, CO 80202 P: 720-865-3003 DOTI.ER@denvergov.org

APPLICATION EASEMENT RELINQUISHMENT

QUANTITY OF EASEMENTS TO BE RELINQUISHED: 8%				
Easement Groupings if submitting with multiple easements:				
DESCRIBE THE CURRENT STATE OF THE EASEMENT(S): In the space below, please describe what the easement was granted for, if it is a partial relinquishment or being relinquished in it's entirety and any addition background information				
The easement was dedicated in 1999 to allow for future maintenance of the existing 8-inch sanitary sewer main located along the western property boundary of this site. The applicant proposes to relinquish a portion of the existing easement as shown in the attached site plan.				
EXISTING UTILITIES: If there are existing utilities in the easement, please explain how these utilities will be accommodated and whether they will be removed or relocated. If there are no existing utilities in the easement to the best of your knowledge, please state NO Utilities or N/A				
There are no existing utilities within the easement, however, the easement was originally dedicated to allow for maintenance of the existing 8-inch sanitary sewer main west of the easement.				
EXPLANATION OF WHY THE EASEMENT RELINQUISHMENT IS BEING REQUESTED:				
Please explain why the easement needs to be relinquished.				
The applicant is proposing to relinquish a portion of the easement to allow for construction of a new retaining wall along the eastern edge of the easement. The proposed grades in the area have been designed such that the full easement width is no longer needed, and the proposed retaining wall has been designed to allow for maintenance of the existing sanitary sewer main. The applicant has included supporting documentation from the retaining wall structural engineer confirming that the proposed wall will be capable of supporting excavation to maintain the sanitary sewer without undermining or compromisin the new wall.				
I/WE HEREBY CERTIFY THAT I/WE ARE THE OWNER(S) OF THE REAL PROPERTY WHICH IS THE SUBJECT OF THIS APPLICATION AND THAT THE FOREGOING INFORMATION ON THIS APPLICATION IS TRUE AND COMPLETE. 3/21/23 Owner/Vested Party Signature)				
DENVER				



ナニリカト・ハロイ、 ていかのよう

DEED OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That Vitamin Cottage Chalet, LLC, a Colorado limited liability company, whose address is 12612 West Alameda Parkway, Lakewood, Colorado 80228 of the County of Jefferson, State of Colorado hereinafter sometimes referred to as "Grantor", for and in consideration of One Dollar (\$1.00), receipt of which is acknowledged, and the prospective benefits to be derived by reason of the locating, establishing and constructing drainage facilities for water and sewage under the supervision of and for the City and County of Denver, and other good and valuable considerations in hand paid, do hereby grant, convey and release to the CITY AND COUNTY OF DENVER, a municipal corporation of the State of Colorado, its successors and assigns, sometimes hereinafter referred to as the "City" or "Grantee", an exclusive and perpetual easement and right-of-way for drainage facilities for water and sewage across lands owned by Grantor, and situated in the City and County of Denver, State of Colorado.

Grantor hereby grants to Grantee the perpetual right to enter, re-enter and use the hereinafter descrit ed easement to locate, construct, inspect, operate, maintain, repair, remove, replace, relocate and reconstruct underground drainage facilities for water and sewage, including surface appurtenances thereto (such as manholes), into, within, over, upon, across, through and under the parcel of land for which the easement and right-of-way is hereby granted, and said parcel of land is more particularly described on Exhibit A attached hereto and incorporated herein by this reference.

The Grantor hereby warrants that Grantor has full right and lawful authority to make the grant herein contained and that Grantor has fee simple title to the land over which said easement is granted, and more particularly described on Exhibit B attached hereto and incorporated herein by this reference (the "Land").

Land owned by Grantor as described by deed recorded in the records of the City and County of Denver on September 9, 1998, at Reception No. 9800150305.

The interest granted to the City herein shall specifically include any after acquired rights of Grantor in the subject property, to the extent of the specified easement rights herein stated.

If ingress to and egress from the parcel of land for which an easement is hereby granted from and to a public road or highway is not available, the Grantor grants to Grantee the right of ingress to and egress from said parcel over and across the land owned by Grantor by means of roads and lanes thereon, if such exist, otherwise by such route or routes as shall occasion the least practicable damage and inconvenience to Grantor; provided that such right of ingress and egress shall not extend to any portion of said land which is isolated from the strip by any public road or highway now crossing or hereafter crossing said land; and provided further, that if any portion of said land is or shall be subdivided and dedicated roads or highways on such portion

F:\DOC\SJI\101327.1

shall extend to the strip, the right of ingress and egress on that portion shall be confined to such dedicated roads and highways.

Grantor further grants to Grantee the right from time to time to trim and to cut down and clear away any and all trees and brush now or hereafter on the strip and to trim and to cut down and clear away any trees on either side of the strip which now or hereafter in the opinion of Grantee may be a hazard to the said facilities, or appurtenances thereto, or may interfere with the exercise of Grantee's rights hereunder; provided, however, that all trees which Grantee is hereby authorized to cut and remove, if valuable for timber or wood, shall continue to be the property of Grantor, but all tops, lops, brush and refuse wood shall be removed by Grantee.

Grantor releases the City and County of Denver from any and all claims for damages arising in any way or incident to the construction and/or maintenance by Grantor, or his agents, of the said facilities across the described land.

RESERVING, however, to the Grantor and its successors in interest and assigns the right to use and enjoy the above-described premises, PROVIDING such use and enjoyment shall not interfere with the installation, construction, maintenance, repair, inspection, and operation of said facilities installed or permitted to be installed by the City and County of Denver, and PROVIDING FURTHER that the Grantor shall not erect or place any building, tree or other obstruction on the above-described easement and right-of-way other than (i) mechanical equipment for heating, ventilating and air conditioning for the building to be constructed on the Land (collectively, the "HVAC Equipment"); (ii) screening to be placed around the HVAC Equipment as required by the City and County of Denver; and (iii) the retaining wall contemplated to be constructed within the easement area hereby granted (the "Retaining Wall"). The City shall not be liable for the removal of any obstructions within the easement area if such obstructions are required to be removed by the City; provided, that, the City shall repair any damage caused by the City to pavement or concrete walkways to its original condition. The City agrees to give Grantor reasonable prior notice of any work which may result in damage to, or the removal of, the HVAC Equipment or the Retaining Wall and the City shall use reasonable efforts to occasion the least practical damage to the HVAC Equipment and the Retaining Wall and inconvenience to Grantor.

F:\DOC\SJI\101327.1 2

Signed and delivered this	λ ^{νδ} , day of April, 1999.
	Grantor: VITAMIN COTTAGE CHALET, LLC, a Colorado limited liability company
	By Kemper Isely, Manager
STATE OF COLORADO)	
CITY OF LAKEWOOD	
COUNTY OF JEFFERSON)	
	as acknowledged before me this day of April, 1999, Vitamin Cottage Chalet, LLC, a Colorado limited liability 26, 200 Arcia A. Arcygon Notary Public

EXHIBIT A

Description of Easement Area

A STRIP OF LAND, BEING 7 ½ FEET IN WIDTH, THE WESTERLY LINE OF WHICH IS PARALLEL AND COINCIDENT WITH THE EASTERLY BOUNDARY LINE OF THAT CERTAIN VACATED 15 FOOT WIDE ALLEY AS REFERRED TO IN THE CITY AND COUNTY OF DENVER'S ORDINANCE NO. 359, SERIES OF 1983, RECORDED ON JUNE 29, 1983, IN BOOK 2837, AT PAGE 370, LYING WITHIN THE REAL PROPERTY AS DESCRIBED IN EXHIBIT B (DESCRIPTION OF LAND) ATTACHED HERETO, AND SITUATED WITHIN THE NORTHWEST QUARTER OF SEC. 18, T4S, R67W OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO.

4

EXHIBIT B

Description of Land

A PARCEL OF LAND LYING WITHIN THE NORTHWEST QUARTER OF SEC. 18, T4S, R67W OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PART OF LOT 31, LYING NORTH OF COUNTY ROAD NO. 13 (A/K/A LEETSDALE DRIVE), AND ALL OF LOTS 32 TO 44, INCLUSIVE, BLOCK 16, SOUTH CAPITOL HILL;

TOGETHER WITH THAT PART OF VACATED SOUTH GLENCOE STREET ADJOINING THE EASTERLY LINE OF SAID LOTS, VESTED IN THE OWNER OF SAID LOTS BY VIRTUE OF ORDINANCE NO. 434, SERIES OF 1979, RECORDED ON OCTOBER 2, 1979, IN BOOK 2019, AT PAGE 206, IN THE RECORDS OF THE CITY AND COUNTY OF DENVER:

AND TOGETHER WITH THE EAST HALF OF THE VACATED ALLEY ADJOINING THE WESTERLY LINE OF SAID LOTS, VESTED IN THE OWNER OF SAID LOTS BY VIRTUE OF ORDINANCE NO. 359, SERIES OF 1983, RECORDED ON JUNE 29, 1983, IN BOOK 2837, AT PAGE 370, IN THE RECORDS OF THE CITY AND COUNTY OF DENVER.

F:\DOC\SJI\101327.1



Comment Report

Department of Public Works Engineering, Regulatory, & Analytics

201 W. Colfax Ave., Dept. 507 Denver, Colorado 80202-5304 (720) 865-3003

denver.pwera@denvergov.org

Page 1 of 5

5377 Leetsdale Apartments Relinquishment

07/17/2023

Master ID: 2021-PROJMSTR-0000545 Project Type: ROW Relinquisment

Review ID: 2023-RELINQ-0000014 **Review Phase:**

Location: 5377 & 5407 Leetsdale Drive **Review End Date:** 06/05/2023

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

Reviewing Agency: Asset Management Review Review Review Status: Approved

Reviewers Name: Katherine Rinehart

Reviewers Email: Katherine.Rinehart@denvergov.org

Status Date: 05/19/2023 Status: Approved

Comments:

Reviewing Agency: City Forester Review Review Review Status: Approved

Reviewers Name: Erin Hatch

Reviewers Email: Erin.Hatch@denvergov.org

Status Date: 05/31/2023 Status: Approved

Comments: Approved. No anticipated impact to existing ROW trees. Coordinate with associated approved SDP.

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

Status Date: 06/06/2023

Status: Approved - No Response

Comments:

Reviewing Agency: Denver Water Referral Review Status: Approved

Status Date: 06/06/2023 Status: Approved

Comments: PWPRS Project Number: 2023-RELINQ-0000014 - 5377 Leetsdale Apartments Relinquishment

Reviewing Agency/Company: Denver Water

Reviewers Name: Gina Begly Reviewers Phone: 303-628-6219

Reviewers Email: gina.begly@denverwater.org

Approval Status: Approved

Comments:

Reviewing Agency: Survey Review Review Status: Approved

Reviewers Name: Brian Pfohl

Reviewers Email: Brian.Pfohl@denvergov.org

Status Date: 07/17/2023 Status: Approved

Comments: PWPRS Project Number: 2023-RELINQ-0000014 - 5377 Leetsdale Apartments Relinquishment

Page 2 of 5

5377 Leetsdale Apartments Relinquishment

07/17/2023

Master ID: 2021-PROJMSTR-0000545 Project Type: ROW Relinquisment

Review ID: 2023-RELINQ-0000014 **Review Phase:**

Location: 5377 & 5407 Leetsdale Drive Review End Date: 06/05/2023

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

Reviewing Agency/Company: DOTI-ROWS Survey

Reviewers Name: Brian Pfohl Reviewers Phone: 630.202.6564

Reviewers Email: brian.pfohl@denvergov.org

Approval Status: Approved

Comments:

Status Date: 06/05/2023 Status: Denied

Comments: Comments in project folder

Reviewing Agency: Case Manager Review/Finalize Review Status: Confirmation of Payment

Reviewers Name: Jessica Eusebio

Reviewers Email: Jessica.Eusebio@denvergov.org

Status Date: 05/22/2023

Status: Confirmation of Payment

Comments:

Reviewing Agency: Denver Fire Department Review Review Review Status: Approved

Reviewers Name: Adam Grier

Reviewers Email: Adam.Grier@denvergov.org

Status Date: 06/02/2023 Status: Approved

Comments: Approved. 1 fire hydrant to be relocated.

Reviewing Agency: Landmark Review Review Status: Approved

Reviewers Name: Emma-Marie Censky

Reviewers Email: emma.censky@denvergov.org

Status Date: 05/24/2023 Status: Approved

Comments:

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

Status Date: 06/06/2023

Status: Approved - No Response

Comments:

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

Status Date: 06/06/2023

Status: Approved - No Response

Comments:

Page 3 of 5

5377 Leetsdale Apartments Relinquishment

07/17/2023

Master ID: 2021-PROJMSTR-0000545 Project Type: ROW Relinquisment

Review ID: 2023-RELINQ-0000014 Review Phase:

Location: 5377 & 5407 Leetsdale Drive Review End Date: 06/05/2023

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

Reviewing Agency: Parks and Recreation Review Review Status: Approved

Reviewers Name: Jennifer Cervera

Reviewers Email: Jennifer.Cervera@denvergov.org

Status Date: 05/24/2023 Status: Approved

Comments:

Reviewing Agency: Construction Engineering Review Review Review Status: Approved

Reviewers Name: Hudson Land

Reviewers Email: Hudson.Land@denvergov.org

Status Date: 06/05/2023 Status: Approved

Comments:

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

Reviewers Name: Emily Gloeckner

Reviewers Email: Emily.Gloeckner@denvergov.org

Status Date: 06/06/2023

Status: Approved - No Response

Comments:

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

Reviewers Name: Brittany Price

Reviewers Email: Brittany.Price@denvergov.org

Status Date: 06/06/2023

Status: Approved - No Response

Comments:

Reviewing Agency: CenturyLink Referral Review Status: Approved

Status Date: 06/14/2023 Status: Approved

Comments: PWPRS Project Number: 2023-RELINQ-0000014 - 5377 Leetsdale Apartments Relinquishment

Reviewing Agency/Company: Lumen/CenturyLink

Reviewers Phone: 307-717-0420

Reviewers Email: rebekah.anthony@lumen.com

Approval Status: Approved

Comments:

Status Date: 06/06/2023

Status: Approved - No Response

Page 4 of 5

5377 Leetsdale Apartments Relinquishment

07/17/2023

Master ID: 2021-PROJMSTR-0000545 Project Type: ROW Relinquisment

Review ID: 2023-RELINQ-0000014 Review Phase:

Location: 5377 & 5407 Leetsdale Drive Review End Date: 06/05/2023

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

Comments:

Reviewing Agency: Xcel Referral Review Status: Approved

Status Date: 06/06/2023 Status: Approved

Comments: PWPRS Project Number: 2023-RELINQ-0000014 - 5377 Leetsdale Apartments Relinquishment

Reviewing Agency/Company: Public Service Company of Colorado dba Xcel Energy

Reviewers Name: Donna George Reviewers Phone: 3035713306

Reviewers Email: donna.l.george@xcelenergy.com

Approval Status: Approved

Comments:

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

Status Date: 06/06/2023

Status: Approved - No Response

Comments:

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

Reviewers Name: James Larsen

Reviewers Email: James.Larsen@denvergov.org

Status Date: 05/18/2023

Status: Approved - No Response

Comments:

Reviewing Agency: DES Transportation Review Review Status: Approved

Reviewers Name: Melissa Woods

Reviewers Email: Melissa.Woods@denvergov.org

Status Date: 06/06/2023 Status: Approved

Comments:

Reviewing Agency: DES Wastewater Review Review Status: Approved

Reviewers Name: Danny Harris

Reviewers Email: Danny.Harris@denvergov.org

Status Date: 06/05/2023 Status: Approved

Comments:

Reviewing Agency: RTD Referral Review Status: Approved

Status Date: 06/06/2023

Comment Report

Page 5 of 5

5377 Leetsdale Apartments Relinquishment

07/17/2023

Master ID: 2021-PROJMSTR-0000545 Project Type: ROW Relinquisment

Review ID: 2023-RELINQ-0000014 Review Phase:

Location: 5377 & 5407 Leetsdale Drive Review End Date: 06/05/2023

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

Status: Approved

Comments: PWPRS Project Number: 2023-RELINQ-0000014 - 5377 Leetsdale Apartments Relinquishment

Reviewing Agency/Company: RTD Reviewers Name: C. Scott Woodruff Reviewers Phone: 303-299-2943

Reviewers Email: clayton.woodruff@rtd-denver.com

Approval Status: Approved

Comments:

The RTD has no exceptions to this project at this time.

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

Review Status: Approved

facilities and property.

Reviewing Agency: CDOT Referral

Status Date: 06/06/2023 Status: Approved

Comments: PWPRS Project Number: 2023-RELINQ-0000014 - 5377 Leetsdale Apartments Relinquishment

Reviewing Agency/Company: CDOT Region 1 ROW/survey

Reviewers Name: dane courville Reviewers Phone: 7206720231

Reviewers Email: dane.courville@state.co.us

Approval Status: Approved

Comments:

Does not affect CDOT on-system ROW. Proposed effort is approved as the location does not affect CDOT ROW. US 83 is an on system highway, but the area of relinquishment (per the provided plans) is well outside of the ROW limits

of US 83.