



**DENVER**  
THE MILE HIGH CITY

## APPLICATION STREET and ALLEY VACATION

Please complete this application to apply for a Vacation Request. Vacations can only be applied for, when the area in question is within the Public Right-of-Way within the City and County of Denver. Please reference [Street and Alley Vacation Entrance Requirements](#) for more detail on the vacation process. Please enter information and fully answer any of the following sections. Submit the complete application electronically to: [DOTI.ER@denvergov.org](mailto:DOTI.ER@denvergov.org).

DATE: 8/25/2023

PROJECT NAME: Josephine Street Workforce Housing

IS THIS PROJECT ASSOCIATED WITH A SITE DEVELOPMENT REVIEW? Yes  No

If you checked 'Yes' above, provide Project Master, Site Plan and/or Concept Development Project Numbers:

ADDRESS (approx.) OF VACATION: 4235 N Columbi nSt

**APPLICANT:**

Name: Kevin Kucharczyk  
 Company (if applicable): R&R Engineers Surveyors Title: Survey Manager  
 Address: 1635 W 13th Ave, Ste 310, Denver, CO 80204  
 Telephone number: (303) 753-6730 Email address: kkucharczyk@reengineers.com

PROPERTY OWNER (where the vacation is located):  Check if the same as Applicant

Company: Clancey, LLC  
 Owner Contact: Sam Leger  
 Address: 400 S Broadway, Denver, CO 80209  
 Telephone Number: 303-321-5888 Email address: sleger@uniqueprop.com

**EXPLANATION of REQUEST**

Explanation of why the Requestor wants the right-of-way (ROW) vacated:

RTD light rail line currently intersects street right-of-way. The owner of the adjacent property would like to vacate the existing Right of Way to pursue developing the property.



**APPLICATION**  
**Street and Alley Vacation**

**Explanation of the current use of the ROW to be vacated:**

RTD light rail intersects the current Right of Way. The portion of Columbine Street south of RTD light rail is currently a paved cul-de-sac. The portion of Right of Way on Columbine street between RTD and Union Pacific Railroad Right of Way is not accessible. The portion of Right of Way on Josephine north of RTD light rail has not been accessible from the south since realignment of York Street and 40th Avenue intersection sometime in 2013-2014.

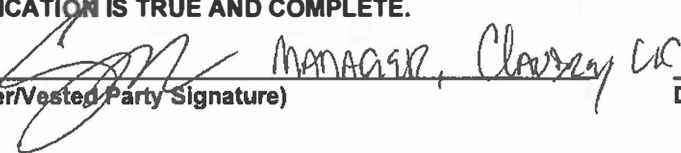
**EXISTING UTILITIES:**

**If there are utilities, explain whether or not such utilities will be relocated or remain in the vacated ROW.**

(Utilities in the proposed vacation area will need to be relocated at the owner's expense. If relocation is not feasible, a standard hard surface easement may be required. The City will reserve this easement for all remaining easements within the vacated area, in the Vacation Ordinance. The Requestor shall acknowledge the need and acceptance of such utility easements.)

The utilities are to remain in the vacated Right of Way. If future development is pursued, the owner will relocate the utilities to accommodate any proposed development.

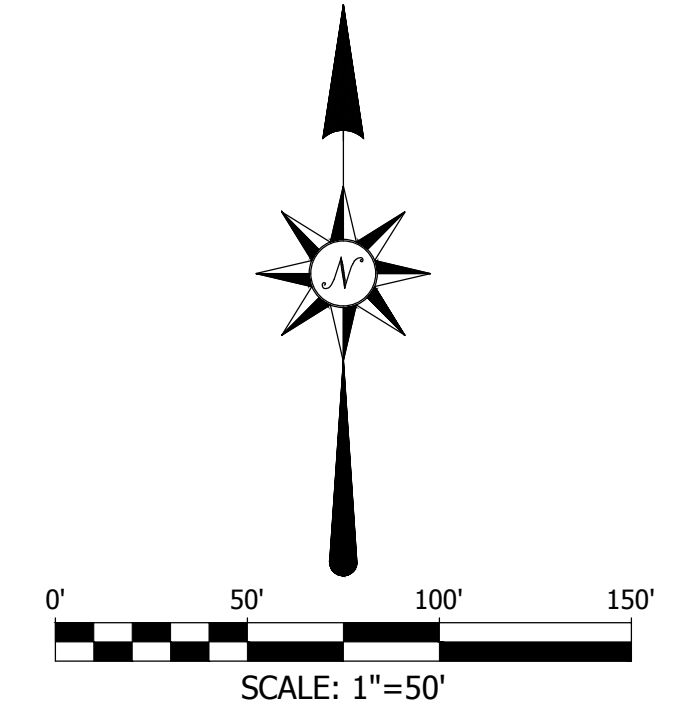
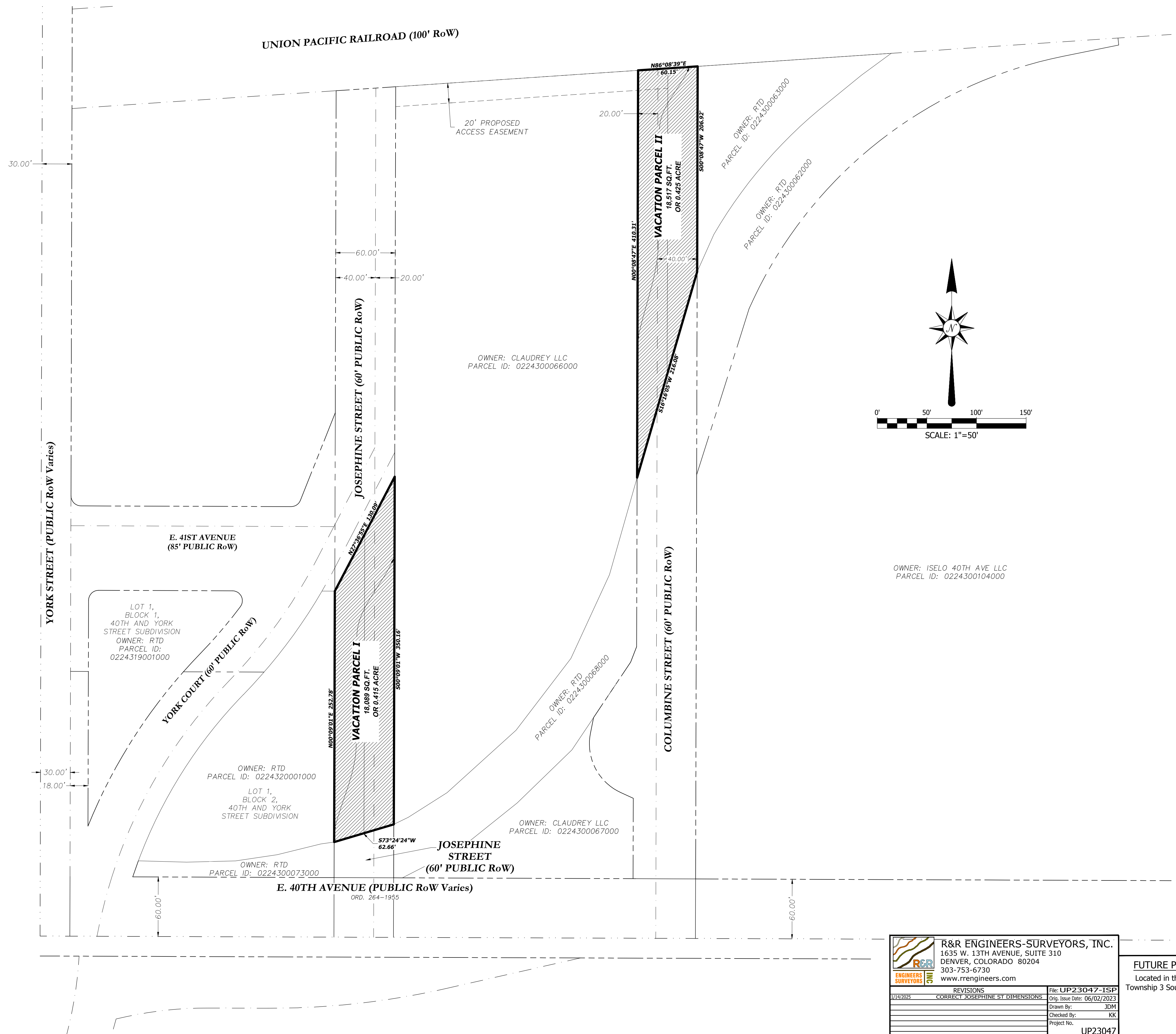
**I/WE HEREBY CERTIFY THAT I/WE ARE THE OWNER(S) OF THE REAL PROPERTY WHICH IS THE SUBJECT OF THIS APPLICATION AND THAT THE FOREGOING INFORMATION ON THIS APPLICATION IS TRUE AND COMPLETE.**

 **MANAGER, Casey** **8/24/23**  
(Owner/Vested Party Signature) DATE

# FUTURE PARCEL VACATIONS EXHIBIT

Located in the Southwest Quarter of Section 24, Township 3 South, Range 68 West of the 6th Principal Meridian  
City and County of Denver, State of Colorado

LEGEND	
	Surveyed Property Boundary Line
	Parcel Line
	Section Line or Quarter-Section Line
	Right-of-Way Line



**R&R ENGINEERS-SURVEYORS, INC.**  
1635 W. 13TH AVENUE, SUITE 310  
DENVER, COLORADO 80204  
303-753-6730  
www.rrengineers.com

FILED	REVISIONS	FILE: UP23047-1SP
01/14/2025	CORRECT JOSEPHINE ST DIMENSIONS	Orig. Issue Date: 06/02/2023
		Drawn By: JDM
		Checked By: KK
		Project No. UP23047

**FUTURE PARCEL VACATIONS EXHIBIT**  
Located in the Southwest Quarter of Section 24,  
Township 3 South, Range 68 West of the 6th Principal  
Meridian

Jan 14, 2025 9:00am Plotted by: rrengineers P:\UP23047\Josephine Street Workarea\MapInfo\Survey\UP23047\_Vacation Exhibit.dwg

## 4235 North Columbine Street

12/03/2024

**Master ID:** 2023-PROJMSTR-0000132      **Project Type:** ROW Vacation  
**Review ID:** 2023-VACA-0000007      **Review Phase:**  
**Location:** 4235 N Columbine St.      **Review End Date:** 09/21/2023

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

Reviewing Agency: Asset Management Review      Review Status: Approved

**Reviewers Name:** Kathryn Spritzer  
**Reviewers Email:** kathryn.spritzer@denvergov.org

**Status Date:** 10/18/2023  
**Status:** Approved  
**Comments:** PWPRS Project Number: 2023-VACA-0000007 4235 North Columbine Street  
 Reviewing Agency/Company: Real Estate-Asset Management  
 Reviewers Name: Kathryn Spritzer  
 Reviewers Phone: 720-865-2510  
 Reviewers Email: kathryn.spritzer@denvergov.org  
 Approval Status: Approved

**Comments:**  
 Changing from Denied to Approved based on applicant's email dated October 2023, attached.

Attachment: 2023-10 Developer's Response to Comment Sub 2 RTC \_ 2023-VACA-0000007.pdf

**Status Date:** 09/01/2023  
**Status:** Denied  
**Comments:** Vacation denied as to Parcels 2 and 3. Vacating these two parcels blocks RTD's access to the RTD tracks. No objection to vacation of Parcel 1, as RTD owns adjacent parcel.

**REDLINES uploaded to E-review webpage**

Reviewing Agency: Building Department Review      Review Status: Approved

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

**Status Date:** 09/19/2023  
**Status:** Approved

**Comments:**

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

**Status Date:** 09/22/2023  
**Status:** Approved w/Conditions  
**Comments:** PWPRS Project Number: 2023-VACA-0000007 4235 North Columbine Street  
 Reviewing Agency/Company: Lumen/ CenturyLink  
 Reviewers Name: VeShon Sheridan  
 Reviewers Phone: 804-234-6825  
 Reviewers Email: veshon.sheridan@lumen.com  
 Approval Status: Approved with conditions

**Comments:**

# Comment Report

## 4235 North Columbine Street

12/03/2024

**Master ID:** 2023-PROJMSTR-0000132      **Project Type:** ROW Vacation  
**Review ID:** 2023-VACA-0000007      **Review Phase:**  
**Location:** 4235 N Columbine St.      **Review End Date:** 09/21/2023

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

Qwest Corporation d/b/a CENTURYLINK, QC (“CenturyLink”) has reviewed the request for the subject ROW vacation and has determined there ARE CenturyLink facilities within the easement areas as shown and/or described on the exhibits provided for review.

It is the intent and understanding of CenturyLink that this ROW vacation shall not reduce our rights to any existing easements or rights we have on this site or in the area.

This No objection response is submitted WITH THE STIPULATION that the City/County of Denver reserves an easement for the existing utilities. IF CenturyLink facilities are damaged within the ROW areas as described, the Applicant will bear the cost of relocation and/or repair of said facilities.

Reviewing Agency: CDOT Referral      Review Status: Approved

Status Date: 09/22/2023  
Status: Approved  
Comments: PWPRS Project Number: 2023-VACA-0000007 4235 North Columbine Street  
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.

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

Status Date: 09/22/2023  
Status: Approved - No Response  
Comments:

Reviewing Agency: City Forester Review      Review Status: Approved

Reviewers Name: Nick Evers  
Reviewers Email: Nick.Evers@denvergov.org  
Status Date: 09/21/2023  
Status: Approved  
Comments: Approved. No expected PRW tree conflict.

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

Status Date: 09/22/2023  
Status: Approved - No Response  
Comments:

Reviewing Agency: DS Project Coordinator Review      Review Status: Approved w/Conditions

Reviewers Name: Tiffany Holcomb  
Reviewers Email: Tiffany.Holcomb@denvergov.org  
Status Date: 12/03/2024  
Status: Approved w/Conditions

# Comment Report

## 4235 North Columbine Street

12/03/2024

**Master ID:** 2023-PROJMSTR-0000132      **Project Type:** ROW Vacation  
**Review ID:** 2023-VACA-0000007      **Review Phase:**  
**Location:** 4235 N Columbine St.      **Review End Date:** 09/21/2023

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

Comments: PWPRS Project Number: 2023-VACA-0000007 4235 North Columbine Street  
Reviewing Agency/Company: Project Coordination  
Reviewers Name: Tiffany Holcomb  
Reviewers Phone: 720-865-3018  
Reviewers Email: Tiffany.Holcomb@denvergov.org  
Approval Status: Approved with conditions

Comments:

Updated comments as of 12-2-2024

1. The vacation requests are connected to a proposed Dwelling, Multi-family development in current concept review. In addition to the vacation requests, a rezoning needs to be approved for the project proposed via concept review to be viable in its current proposed form and for the proposed uses.
2. Should the vacation of parcel 2 is approved, the vacation creates a non-conforming zone lot (per DZC 1.2.3.1.) in that the public street frontage for the zone lot is removed. However, a zone lot amendment cannot be approved to combine the RTD and Claudrey parcels at this time as the parcels are separated by public ROW. Per DZC 1.2.3.2.A.1., zone lot boundaries are not able to cross public ROW.
3. In order to prevent a non-conforming zone lot from being created, a Zone Lot Amendment application should be provided at this time with the intention to combine the Claudrey and RTD zone lots and including the proposed area of parcel 2 to be vacated. The ZLAM has been reviewed and will be ready to approve by staff (pending minor technical cleanup and vacation reception numbers added) and will be ready to be recorded once the vacation application is approved. Should the vacation for parcel 2 be approved, the application will need to immediately resubmit the ZLAM documents to address final comments. Staff will then immediately record the ZLAM to create one overall zone lot once the ZLAM is approved. Parcel and ownership boundaries within the revised zone lot can fluctuate after the ZLAM is approved to reflect the changes in allocation of land resulting from the vacation and if real estate transactions occur. Parcel boundaries and zone lot boundaries are not the same entity.
4. There is no objection to the proposed vacation of Parcel 1.
5. York is the Primary Street for the larger Claudrey parcel. Approval of a vacation on Parcel 1 will reduce Primary Street frontage and modify zone lot line designations identified during first concept review.

Status Date: 04/03/2024

Status: Denied

Comments: PWPRS Project Number: 2023-VACA-0000007 4235 North Columbine Street  
Reviewing Agency/Company: Project Coordination  
Reviewers Name: Tiffany Holcomb  
Reviewers Phone: none  
Reviewers Email: Tiffany.Holcomb@denvergov.org  
Approval Status: Denied

Comments:

2nd round PC comments as of 4-3-2024

1. The vacation requests are connected to a proposed Dwelling, Multi-family development in current concept review. In addition to the vacation requests, a rezoning needs to be approved for the project proposed via concept review to be viable in its current proposed form and for the proposed uses.
2. Should the vacation of parcel 2 is approved, the vacation creates a non-conforming zone lot (per DZC 1.2.3.1.) in that the public street frontage for the zone lot is removed. However, a zone lot amendment cannot be approved to combine the RTD and Claudrey parcels at this time as the parcels are separated by public ROW. Per DZC 1.2.3.2.A.1., zone lot boundaries are not able to cross public ROW.

# Comment Report

## 4235 North Columbine Street

12/03/2024

**Master ID:** 2023-PROJMSTR-0000132      **Project Type:** ROW Vacation  
**Review ID:** 2023-VACA-0000007      **Review Phase:**  
**Location:** 4235 N Columbine St.      **Review End Date:** 09/21/2023

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

3. In order to prevent a non-conforming zone lot from being created, a Zone Lot Amendment application should be provided at this time with the intention to combine the Claudrey and RTD zone lots and including the proposed area of parcel 2 to be vacated. The ZLAM will need to be reviewed and brought to a point that it is ready to approve by staff and ready to be recorded before the denial on the vacation application will be lifted. Should the vacation for parcel 2 be approved, staff will then immediately record the ZLAM to create one overall zone lot. Parcel and ownership boundaries within the revised zone lot can fluctuate after the ZLAM is approved to reflect the changes in allocation of land resulting from the vacation and if real estate transactions occur. Parcel boundaries and zone lot boundaries are not the same entity.

4. There is no objection to the proposed vacation of Parcel 1.

5. York is the Primary Street for the larger Claudrey parcel. Approval of a vacation on Parcel 1 will reduce Primary Street frontage and modify zone lot line designations identified during first concept review.

**Status Date:** 09/22/2023  
**Status:** Denied  
**Comments:** PWPRS Project Number: 2023-VACA-0000007 4235 North Columbine Street  
Reviewing Agency/Company: Development Services / Project Coordination  
Reviewers Name: Tiffany Holcomb  
Reviewers Phone: 720-865-3018  
Reviewers Email: Tiffany.Holcomb@denvergov.org  
Approval Status: Denied

**Comments:**

The vacation requests are connected to a proposed Dwelling, Multi-family development in current concept review. In addition to the vacation requests, a rezoning needs to be approved for the project to be viable in its current proposed form and for the current proposed uses.

1) A zone lot amendment would be needed if the vacation of Parcel 2 can be approved based on comments from other agencies. Vacation of parcel 2 creates a zone lot violation for the northeast RTD property as zone lots must have frontage on named/numbered streets. The vacation of Parcel 2 would remove the current named/numbered street frontage. The timing and triggers for the Zone Lot Amendment need to be determined relative to approval of the vacation request.

2) Additional requirements and applications may be needed to develop the proposed concept if Parcel 2 is able to be vacated with or without utility easements. Additional requirements may limit the feasibility of the proposed concept in its current form. Outcome is dependent on other agency input and comments.

3) York is the Primary Street for the larger Claudrey parcel. Approval of a vacation on Parcel 1 will reduce Primary Street frontage and modify zone lot line designations identified during first concept review.

4) There is no objection to the proposed vacation of Parcel 1.

5) The vacation of Parcel 3 is not needed for the proposed concept application to be viable. Given existing utilities in parcel 3 and easements that would be needed, vacation is not recommended for Parcel 3.

6) Please provide a resubmittal after other agencies provide comments in order to determine ability to approve request relative to concept application and zone lot amendment.

Reviewing Agency: DES Transportation Review

Review Status: Approved

**Reviewers Name:** Mindy Christensen  
**Reviewers Email:** Mindy.Christensen@denvergov.org

**Status Date:** 09/21/2023

2023-VACA-0000007

# Comment Report

## 4235 North Columbine Street

12/03/2024

**Master ID:** 2023-PROJMSTR-0000132      **Project Type:** ROW Vacation  
**Review ID:** 2023-VACA-0000007      **Review Phase:**  
**Location:** 4235 N Columbine St.      **Review End Date:** 09/21/2023

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

**Status:** Approved  
**Comments:** PWPRS Project Number: 2023-VACA-0000007 4235 North Columbine Street  
Reviewing Agency/Company: City & County of Denver  
Reviewers Name: Mindy Christensen  
Reviewers Phone: 7208653216  
Reviewers Email: mindy.christensen@denvergov.org  
Approval Status: Approved

Comments:

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

**Reviewers Name:** Kenneth Armfield  
**Reviewers Email:** ken.armfield@denvergov.org

**Status Date:** 09/21/2023  
**Status:** Approved w/Conditions  
**Comments:** A reservation for utilities corridors will be required. The reservation/easement width shall be a minimum 30' width to allow for future storm and/or sanitary and/or other CCD utilities. A hard surface access will be required to allow access to these reserved utility corridors.

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

**Reviewers Name:** Spencer Pocock  
**Reviewers Email:** Spencer.Pocock@denvergov.org  
**Status Date:** 09/22/2023  
**Status:** Approved  
**Comments:** PWPRS Project Number: 2023-VACA-0000007 4235 North Columbine Street  
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: Denver Water Referral      Review Status: Approved w/Conditions

**Status Date:** 09/22/2023  
**Status:** Approved w/Conditions  
**Comments:** PWPRS Project Number: 2023-VACA-0000007 4235 North Columbine Street  
Reviewing Agency/Company: Denver Water  
Reviewers Name: Gina Begly  
Reviewers Phone: 13036286219  
Reviewers Email: gina.begly@denverwater.org  
Approval Status: Approved with conditions

Comments:  
If Columbine Street is vacated, the existing hydrant and 200 ft hydrant line to street will need to be within a 30' wide

# Comment Report

## 4235 North Columbine Street

12/03/2024

**Master ID:** 2023-PROJMSTR-0000132      **Project Type:** ROW Vacation  
**Review ID:** 2023-VACA-0000007      **Review Phase:**  
**Location:** 4235 N Columbine St.      **Review End Date:** 09/21/2023

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

easement. Property owner would need to draft legals and grant easement to Denver Water. Or hydrant relocation can be proposed with a water plan review. Any relocation of hydrant would need fire dept review.

### REDLINES uploaded to E-review webpage

Reviewing Agency: Denver Fire Department Review      Review Status: Approved

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

Status Date: 09/19/2023

Status: Approved

Comments:

Reviewing Agency: Landmark Review      Review Status: Approved

Reviewers Name: Emma-Marie Censky  
Reviewers Email: Emma.censky@denvergov.org

Status Date: 09/05/2023

Status: Approved

Comments:

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

Status Date: 09/22/2023

Status: Approved - No Response

Comments:

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

Status Date: 09/22/2023

Status: Approved - No Response

Comments:

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

Status Date: 09/22/2023

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: 09/20/2023

Status: Approved

Comments:

# Comment Report

## 4235 North Columbine Street

12/03/2024

**Master ID:** 2023-PROJMSTR-0000132      **Project Type:** ROW Vacation  
**Review ID:** 2023-VACA-0000007      **Review Phase:**  
**Location:** 4235 N Columbine St.      **Review End Date:** 09/21/2023

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

Reviewing Agency: ERA Transportation Review      Review Status: Approved

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

**Status Date:** 08/06/2024  
**Status:** Approved  
**Comments:** PWPRS Project Number: 2023-VACA-0000007 4235 North Columbine Street  
Reviewing Agency/Company: ER Transportation  
Reviewers Name: Kelsey Kijowski  
Reviewers Phone: 720-913-8834  
Reviewers Email: kelsey.kijowski@denvergov.org  
Approval Status: Approved

**Comments:**  
No additional comments. Recorded private easement agreement has been attached for reference.

Attachment: easement correction-001 (2024.08.06).pdf

**Status Date:** 11/07/2023  
**Status:** Denied  
**Comments:** PWPRS Project Number: 2023-VACA-0000007 4235 North Columbine Street  
Reviewing Agency/Company: ER Transportation  
Reviewers Name: Kelsey Kijowski  
Reviewers Phone: 7209138834  
Reviewers Email: kelsey.kijowski@denvergov.org  
Approval Status: Denied

**Comments:**  
Update to prior comments:  
I had a meeting with the City Attorney on 11/6 to discuss the issue of the landlocked parcel (see comment #4 ). In order to comply with state statute, a private easement will need to be granted from the Claudrey property (066) to the triangle RTD property (063) providing access across 066 to the Josephine public ROW. The easement should be written so that it includes any pertinent property received from this ROW vacation (Parcel 2) to provide continuous access from 063 to the public ROW. The correct process in order to stay compliant would be to grant the access easement, then vacate the ROW, and to finally complete the sale of the RTD property to Claudrey. The City will want to see a copy of the draft access easement prior to recordation to verify that it is meeting the requirements of the state statute.

**Status Date:** 10/25/2023  
**Status:** Denied  
**Comments:** PWPRS Project Number: 2023-VACA-0000007 4235 North Columbine Street  
Reviewing Agency/Company: ER Transportation  
Reviewers Name: Kelsey Kijowski  
Reviewers Phone: 720-913-8834  
Reviewers Email: kelsey.kijowski@denvergov.org  
Approval Status: Denied

**Comments:**

# Comment Report

## 4235 North Columbine Street

12/03/2024

**Master ID:** 2023-PROJMSTR-0000132      **Project Type:** ROW Vacation  
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Vacation denial still stands. Submitting comment updates/clarifications based on email correspondence from project team on 10/23. Updates provided in the order of original comments as follows:

Comment #1: Written documentation is required regardless of the future sale of the property adjacent to vacation parcel 2. The vacation areas are adjacent to multiple RTD properties, not just vacation parcel 2. It is the adjacent owner's responsibility to determine acquisition of land after ROW vacation with the Title Company, which may result in acquisition of land by any of the adjacent RTD properties. Written acceptance by RTD, in the event that this land acquisition occurs, is required.

Comment #2: If utilities are not relocated prior to vacation, a hard surface easement will be required as part of the Vacation Ordinance. This is not a separate process, but part of this vacation. Based on comments from Xcel and CenturyLink, it appears that they will require easements for their existing facilities. Please provide written acknowledgement that you understand easements will be reserved with this ROW vacation ordinance over the entirety of the vacation limits. Note, the easements will need to be relinquished prior to future development.

Comment #3: The exhibits submitted with the initial review, the City's internal GIS data, and the Parcel Map (see attached) all show Columbine ROW over the tracks. Provide documentation showing that the area over the tracks, between vacation Parcels 2 and 3, was vacated and is no longer public ROW.

Comment #4: We cannot create a situation where this ROW is vacated and the RTD property does not have direct access to Denver public ROW. Even after sale of the property to Claudrey, the existing zone lot will not have ROW access following the vacation. A zone lot amendment would be required to prevent this situation. Timing of the vacation and zone lot amendment will need to be determined.

Comment #5: Provide updated exhibits showing the revised vacation limits for approval.

Status Date: 09/21/2023

Status: Denied

- Comments:
1. Has RTD accepted the vacation request, as it appears they would receive a portion of this vacation? Please provide written acceptance from this owner.
  2. There are existing utilities located in a portion of the proposed vacation area. Utilities will need to be relocated at the owner's expense. If relocation is not feasible, a standard hard surface easement is required. Please provide written acknowledgement of the intent to reserve an easement as part of this Vacation Ordinance. Please note, fences and other encroachments would not be permitted within the easement reservation.
  3. If parcels II and III are vacated, this will create a landlocked ROW section within Columbine. This is not acceptable.
  4. If parcel II is vacated, this will create a triangle of RTD property that does not have access via public ROW. This is not acceptable.
  5. It doesn't appear that the vacation of Parcel I will provide a consistent ROW width and may need adjustment. At the narrowest point, it appears that the remaining ROW width would be less than the minimum 60 feet.

**REDLINES uploaded to E-review webpage**

Reviewing Agency: ERA Wastewater Review

Review Status: Approved

Reviewers Name: Mike Sasarak

Reviewers Email: Mike.Sasarak@denvergov.org

Status Date: 09/21/2023

Status: Approved

Comments: Vacation Parcel I - No objection.

2023-VACA-0000007

# Comment Report

## 4235 North Columbine Street

12/03/2024

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

Vacation Parcel II - Confirm the existing storm inlets and mains are located within the RTD right of way. The facilities appear to be on the RTD side of the fence. Confirm the City or RTD does not currently utilize this parcel for maintenance access to their facilities.

Vacation Parcel III - this parcel contains city owned and maintained storm facilities. Vacation with a utility and access easement reservation will be required for the City to maintain the existing storm facilities within this parcel.

Reviewing Agency: Construction Engineering Review      Review Status: Approved

Reviewers Name: Kim Blair

Reviewers Email: kim.blair@denvergov.org

Status Date: 03/12/2024

Status: Approved

Comments: PWPRS Project Number: 2023-VACA-0000007 4235 North Columbine Street  
Reviewing Agency/Company: Denver Department of Transportation and Infrastructure  
Reviewers Name: Kim D. Blair, P.E.  
Reviewers Phone: 7857602244  
Reviewers Email: kim.blair@denvergov.org  
Approval Status: Approved

Comments:

Status Date: 09/19/2023

Status: Denied

Comments: See kdb red lines

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

Status Date: 09/22/2023

Status: Approved - No Response

Comments:

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

Status Date: 09/22/2023

Status: Approved - No Response

Comments:

Reviewing Agency: Survey Review      Review Status: Approved

Reviewers Name: Scott Castaneda

Reviewers Email: Robert.Castaneda@denvergov.org

# Comment Report

## 4235 North Columbine Street

12/03/2024

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**Review ID:** 2023-VACA-0000007      **Review Phase:**  
**Location:** 4235 N Columbine St.      **Review End Date:** 09/21/2023

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

**Status Date:** 05/15/2024  
**Status:** Approved  
**Comments:** PWPRS Project Number: 2023-VACA-0000007 4235 North Columbine Street  
Reviewing Agency/Company: DOTI ROWS Survey  
Reviewers Name: Robert Castaneda  
Reviewers Phone: 7208791937  
Reviewers Email: robert.castaneda@denvergov.org  
Approval Status: Approved

Comments:

**Status Date:** 09/22/2023  
**Status:** Denied  
**Comments:** PWPRS Project Number: 2023-VACA-0000007 4235 North Columbine Street  
Reviewing Agency/Company: DOTI ROWS Survey  
Reviewers Name: Robert Castaneda  
Reviewers Phone: 7208791937  
Reviewers Email: robert.castaneda@denvergov.org  
Approval Status: Denied

Comments:  
See REDLINES

**Status Date:** 09/22/2023  
**Status:** Approved - No Response  
**Comments:**

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

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

**Status Date:** 09/22/2023  
**Status:** Approved - No Response  
**Comments:**

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

**Status Date:** 09/22/2023  
**Status:** Approved - No Response  
**Comments:**

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

**Status Date:** 09/22/2023  
**Status:** Approved w/Conditions  
**Comments:** PWPRS Project Number: 2023-VACA-0000007 4235 North Columbine Street

# Comment Report

## 4235 North Columbine Street

12/03/2024

**Master ID:** 2023-PROJMSTR-0000132      **Project Type:** ROW Vacation  
**Review ID:** 2023-VACA-0000007      **Review Phase:**  
**Location:** 4235 N Columbine St.      **Review End Date:** 09/21/2023

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

Reviewing Agency/Company: RTD  
Reviewers Name: Steve Smith  
Reviewers Phone: 303-299-6946  
Reviewers Email: steven.smith@rtd-denver.com  
Approval Status: Approved with conditions

Comments:  
Any construction work this close to RTD's A line corridor will need to be closely coordinated with RTD Maintenance of Way for safety concerns.

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

Status Date: 09/22/2023  
Status: Approved - No Response  
Comments:

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

Status Date: 12/14/2023  
Status: Approved w/Conditions  
Comments: PWPRS Project Number: 2023-VACA-0000007 4235 North Columbine Street  
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:  
Please be aware Public Service Company of Colorado owns and operates existing underground electric DISTRIBUTION and overhead electric TRANSMISSION facilities located within the right-of-way proposed to be vacated; therefore, we are able to give conditional approval, PROVIDED, HOWEVER, said vacation shall be subject to the following reservations:  
A perpetual, non-exclusive easement is hereby reserved by the City and County of Denver, its successors and assigns, over, under, across, along, and through the vacated area for the purposes of constructing, operating, maintaining, repairing, upgrading and replacing public or private utilities including storm drainage and sanitary sewer facilities and all appurtenances to said utilities. A hard surface shall be maintained by the property owner over the entire easement area. The City reserves the right to authorize the use of the reserved easement by all utility providers with existing facilities in the easement area. No trees, fences, retaining walls, landscaping or structures shall be allowed over, upon or under the easement area. Any such obstruction may be removed by the City or the utility provider at the property owner's expense. The property owner shall not re-grade or alter the ground cover in the easement area without permission from the City and County of Denver. The property owner shall be liable for all damages to such utilities, including their repair and replacement, at the property owner's sole expense. The City and County of Denver, its successors, assigns, licensees, permittees and other authorized users shall not be liable for any damage to property owner's property due to use of this reserved easement.

Status Date: 09/22/2023

# Comment Report

## 4235 North Columbine Street

12/03/2024

**Master ID:** 2023-PROJMSTR-0000132      **Project Type:** ROW Vacation  
**Review ID:** 2023-VACA-0000007      **Review Phase:**  
**Location:** 4235 N Columbine St.      **Review End Date:** 09/21/2023

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

**Status:** Denied  
**Comments:** PWPRS Project Number: 2023-VACA-0000007 4235 North Columbine Street  
Reviewing Agency/Company: Public Service Company of Colorado (PSCo) dba Xcel Energy  
Reviewers Name: Donna Lee George  
Reviewers Phone: 3035713306  
Reviewers Email: donna.l.george@xcelenergy.com  
Approval Status: Denied

**Comments:**  
PSCo has existing high-tension electric TRANSMISSION facilities along Columbine Street. The property owner/developer/contractor must contact our Siting and Land Rights Department at either website ([www.xcelenergy.com/rightofway](http://www.xcelenergy.com/rightofway)) or email ([coloradorightofway@xcelenergy.com](mailto:coloradorightofway@xcelenergy.com)) in order to obtain a plan review and acceptance of the plan.  
PSCo also has existing overhead and underground electric DISTRIBUTION facilities along Columbine Street.

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

**Reviewers Name:** Brianne White  
**Reviewers Email:** Brianne.White@denvergov.org

**Status Date:** 09/22/2023  
**Status:** Comments Compiled  
**Comments:**

**Status Date:** 08/31/2023  
**Status:** Confirmation of Payment  
**Comments:**



2024071296

Page: 1 of 5

08/05/2024 12:54 PM  
City & County of Denver  
Electronically Recorded

R \$33.00

EAS

D \$0.00



2024068041

Page: 1 of 4

07/24/2024 03:05 PM  
City & County of Denver  
Electronically Recorded

R \$28.00

AGR

D \$0.00

Re-Recorded to correct the legal description of the Easement recorded on 7/24/24 at Reception Number 2024068041

### EASEMENT AGREEMENT

WHEREAS, CLAUDREY, LLC, a Colorado limited liability company ("Grantor"), is the owner of that certain real property commonly known as 4235 N. Columbine St., Denver, Colorado (02243-00-066-000; "Grantor Parcel").

CLAUDREY, LLC, a Colorado limited liability company ("Grantee") is the owner of that certain real property commonly known as 2535 E. 40<sup>th</sup> Ave., Denver, Colorado (02243-00-063-000; "Grantee Parcel").

WHEREAS, the intent of this Easement Agreement is to create a thirty foot (30') wide easement upon the area depicted and legally described as the 30' Access Easement on Exhibit A hereto ("Easement Area"); provided however, that upon the vacation of the Columbine Street Right of Way reflected on Exhibit A by the City & County of Denver, the west half of the north 30.7' of said right of way adjacent to the Easement Area shall hereby be included within and be a part of the defined Easement Area. The Grantor Parcel and Grantee Parcel are each as legally described on Exhibit B (each a "Parcel" or together "Parcels"). The term "Owner" shall refer to the record owner of each respective Parcel at any given time.

NOW, FOR ADEQUATE CONSIDERATION EXCHANGED, the Grantor hereby grants to Grantee a perpetual, non-exclusive easement which shall run with the land, as follows:

A. The Easement is granted to provide vehicular and pedestrian access, and no other use, to and from the Grantee Parcel, over and across the Easement Area, to and from the public right of way to the west of the Grantor Parcel.

B. The Grantor may utilize and improve and the Easement Area consistent with the use rights of the Grantee. Grantor shall undertake the regular maintenance of the Easement Area in its sole discretion. However, in the event any damage to the Easement Area is caused by the negligent acts or misconduct by or on behalf of Grantee, or excessive wear and tear as a result of Grantee's use, then Grantee shall be responsible for all of such damage and the cost to restore same.

C. This grant is by quitclaim and shall not be construed as a conveyance of any other rights or interest in the Grantor Parcel.

D. This easement may not be modified, vacated or terminated, in whole or in part, except with the consent of the Owner of both Parcels, and then only by a written instrument executed by both parties and recorded with the County Clerk & Recorder.

E. This instrument may be executed in one or more counterparts, all of which shall be considered one and the same agreement and shall become a binding agreement when the signed counterparts have been delivered to the other party.



**EXHIBIT A  
LAND DESCRIPTION**

AN ACCESS EASEMENT, LYING WITHIN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT WEST QUARTER CORNER OF SAID SECTION 24, WHENCE THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER OF SAID SOUTHWEST QUARTER BEARS SOUTH 00° 08' 55" WEST;

THENCE SOUTH 37° 13' 35" EAST, A DISTANCE OF 586.51 FEET, TO THE INTERSECTION OF THE SOUTH LINE OF THE UNION PACIFIC RAILROAD RIGHT-OF-WAY WITH THE EAST LINE OF JOSEPHINE STREET AS ESTABLISHED BY ORDINANCE NO. 42 OF THE SERIES OF 1898 AND THE **POINT OF BEGINNING**;

THENCE NORTH 86°08'39" EAST, ON SAID SOUTH RAILROAD RIGHT-OF-WAY LINE, A DISTANCE OF 244.74 FEET TO THE WEST LINE OF COLUMBINE STREET;

THENCE ON SAID WEST LINE, SOUTH 00°08'47" WEST, A DISTANCE OF 30.07 FEET;

THENCE SOUTH 86°08'39" WEST, A DISTANCE OF 244.74 FEET, TO SAID EAST LINE OF JOSEPHINE STREET;

THENCE ON SAID EAST LINE, NORTH 00°09'01" EAST, A DISTANCE OF 30.07 FEET, TO THE **POINT OF BEGINNING**,

CONTAINING A CALCULATED AREA OF 7,342 SQUARE FEET OR 0.168 ACRES, MORE OR LESS.

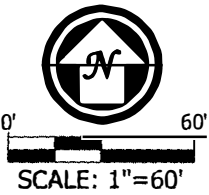
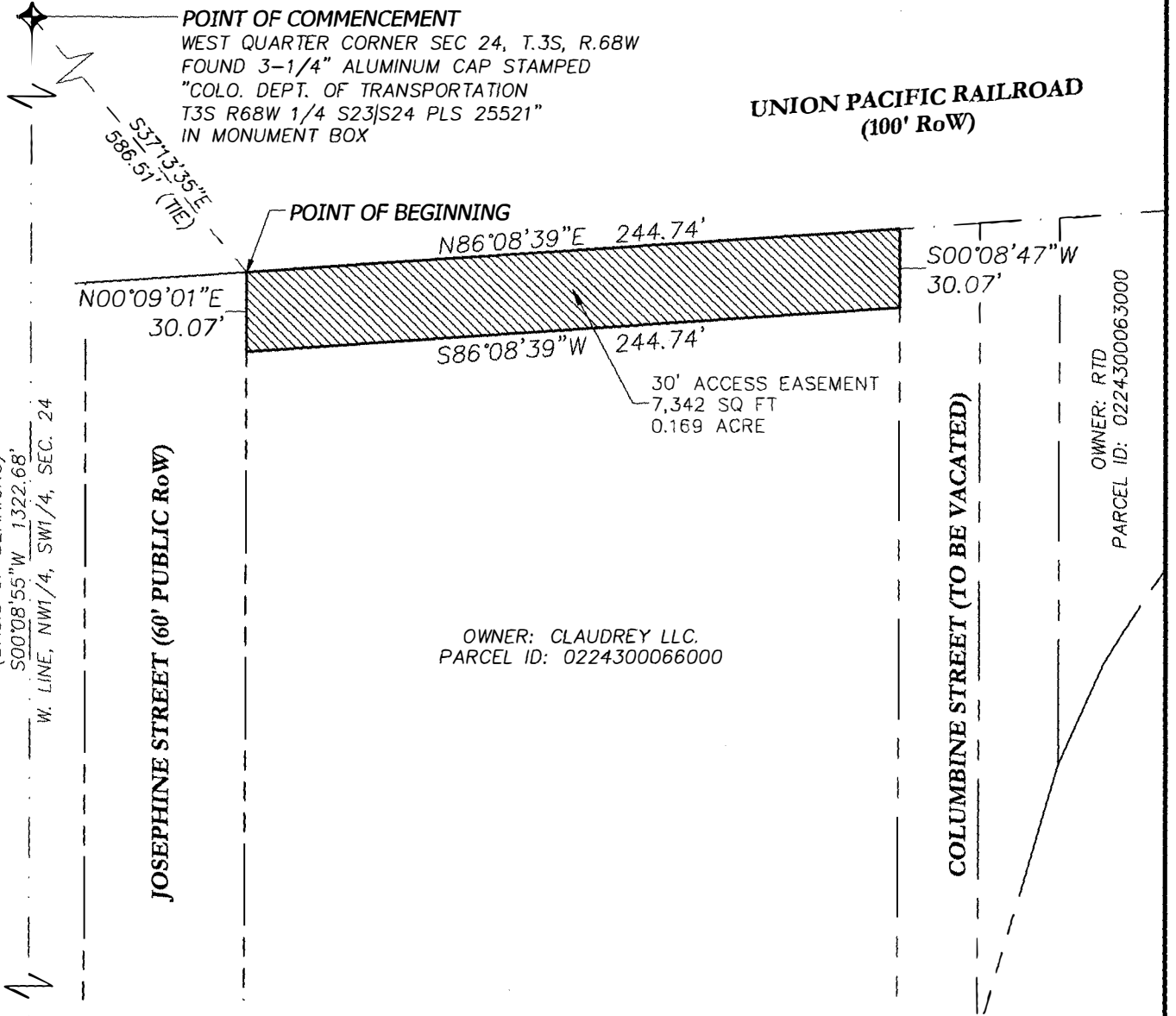
THE BASIS OF BEARINGS FOR THIS LEGAL DESCRIPTION IS THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 24, AS MONUMENTED AT THE NORTH END BY A FOUND 3-1/4" ALUMINUM CAP STAMPED "COLO. DEPT. OF TRANSPORTATION T3S R68W 1/4 S23|S24 PLS 25521" IN A MONUMENT BOX, AND AT THE SOUTH END BY A FOUND 3-1/2" ALUMINUM CAP FLUSH WITH CONCRETE, STAMPED "JACOBS T3S R68W S1/16 S23|S24 2016 PLS 24942". SAID LINE IS ASSUMED TO BEAR SOUTH 00°08'55" WEST.



BASIL MICAH HANSON, P.L.S.  
COLORADO REG. NO. 38020  
FOR AND ON BEHALF OF  
R&R ENGINEERS-SURVEYORS, INC.

# EXHIBIT A

Being a part of the Northwest Quarter of the Southwest Quarter of Section 24,  
Township 3 South, Range 68 West of the 6th Principal Meridian  
City and County of Denver, State of Colorado



**NOTE**  
This map is to depict the accompanying description and is for informational purposes only. It does not represent a monumented land survey.



## 30' ACCESS EASEMENT

REVISIONS		Orig. Issue Date:	5/2/2024	Sheet	2
		Drawn By:	MJP	of	2
		Checked By:	BMH		
		Project No.	UP23047		2



**R&R ENGINEERS-SURVEYORS, INC.**  
1635 W. 13TH AVENUE, SUITE 310  
DENVER, COLORADO 80204  
303-753-6730  
www.rrengineers.com

**EXHIBIT B**

## Parcels

**GRANTOR PARCEL**

4235 N. Columbine St., Denver, Colorado (02243-00-066-000)

T3 R68 S24 SW/4 DIF BOOK 0599-401 EXC PT COM W/COR S24 THS15.3932E 1312.25FT TPOB  
TH N 53.9FT N64.0416E 16.22FTN57.3301E 46.33FT N47.4517E 93.74FT N37.1921E  
91.05FTN24.3839E 92.78FT N15.4858E 101.34FT S 403.66FT W 244.2FTM/L TPOB

**GRANTEE PARCEL**

2535 E. 40th Ave., Denver, Colorado (02243-00-063-000)



**Right-of-Way (ROW) Vacation Application  
Review of Public Comments Received after Public Notification**

**Project Number: 2023-VACA-0000007**

**Location of Proposed Vacation Area: 4235 North Columbine Street**

**Number of Respondents: 1**

DOTI ROWS Engineering and Regulatory has reviewed comments received from the public notification period and the findings are as follows. Copies of comments received are attached for reference.

**1. Respondent: Verhoogen, Mike**

**Summarized Comment(s):** The respondent reached out requesting more information regarding the project.

**ER Findings:** The applicant reached out directly to the respondent and provided the requested information. The respondent replied they had to objections after meeting with applicant. Therefore, the comments received do not provide sufficient technical justification to withhold submitting the proposed application to Council approval process.

**From:** [White, Brianne - DOTI CA2379 Business Operations Administrator](#)  
**To:** [Mike Verhoogen](#)  
**Subject:** RE: [EXTERNAL] 4235 N. Columbine, 2023 vaca 0000007 3  
**Date:** Monday, January 13, 2025 9:58:00 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)

---

Thank you for the update, Mike. Have a great week!

Regards,

**Brianne White** | Business Operations Administrator  
City & County of Denver  
Department of Transportation & Infrastructure | Engineering and Regulatory | Right-of-Way Services  
Phone: (720) 865-3036  
[brianne.white@denvergov.org](mailto:brianne.white@denvergov.org)  
[Pronouns](#) | She/Her/Hers

Please take a [quick 2 question survey](#) regarding our virtual service.



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**From:** Mike Verhoogen <mverhoogen@teboproperties.com>  
**Sent:** Friday, January 10, 2025 11:39 AM  
**To:** White, Brianne - DOTI CA2379 Business Operations Administrator <Brianne.White@denvergov.org>  
**Subject:** RE: [EXTERNAL] 4235 N. Columbine, 2023 vaca 0000007 2

**This Message Is From an Untrusted Sender**

You have not previously corresponded with this sender.

[Report Suspicious](#)

Brianne:

I talked with the applicant.

All is well, no objection.

Mike Verhoogen  
Counsel  
Tebo Properties  
3111 28<sup>th</sup> Street  
Boulder, Colorado 80301  
(303) 447-8326 x102  
[mverhoogen@teboproperties.com](mailto:mverhoogen@teboproperties.com)

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**From:** White, Brianne - DOTI CA2379 Business Operations Administrator <[Brianne.White@denvergov.org](mailto:Brianne.White@denvergov.org)>  
**Sent:** Thursday, January 09, 2025 9:53 AM  
**To:** Mike Verhoogen <[mverhoogen@teboproperties.com](mailto:mverhoogen@teboproperties.com)>  
**Subject:** RE: [EXTERNAL] 4235 N. Columbine, 2023 vaca 0000007 2

Good morning Mike,

I will pass your inquiry and contact information to the applicant, and they will be reaching out to you directly. Please keep me updated after you meet and discuss with them.

Regards,

**Brianne White** | Business Operations Administrator  
City & County of Denver  
Department of Transportation & Infrastructure | Engineering and Regulatory | Right-of-Way Services  
Phone: (720) 865-3036  
[brianne.white@denvergov.org](mailto:brianne.white@denvergov.org)  
[Pronouns](#) | She/Her/Hers

Please take a [quick 2 question survey](#) regarding our virtual service.



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**From:** Mike Verhoogen <[mverhoogen@teboproperties.com](mailto:mverhoogen@teboproperties.com)>  
**Sent:** Monday, January 6, 2025 9:02 AM  
**To:** White, Brianne - DOTI CA2379 Business Operations Administrator <[Brianne.White@denvergov.org](mailto:Brianne.White@denvergov.org)>  
**Subject:** RE: [EXTERNAL] 4235 N. Columbine, 2023 vaca 0000007 2

Brianne:

Thank you. Do you know how to get to information about the project itself, not the utilities/encroachment/vacation info?

Thanks,

Mike Verhoogen  
Counsel  
Tebo Properties  
3111 28<sup>th</sup> Street  
Boulder, Colorado 80301  
(303) 447-8326 x102  
[mverhoogen@teboproperties.com](mailto:mverhoogen@teboproperties.com)

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**From:** White, Brianne - DOTI CA2379 Business Operations Administrator <[Brianne.White@denvergov.org](mailto:Brianne.White@denvergov.org)>  
**Sent:** Monday, January 06, 2025 8:46 AM  
**To:** Mike Verhoogen <[mverhoogen@teboproperties.com](mailto:mverhoogen@teboproperties.com)>  
**Subject:** RE: [EXTERNAL] 4235 N. Columbine, 2023 vaca 0000007

Good morning Mike,

Below is a link to all the required documents that were submitted to us by the applicant. The link will take you to all our current projects, click 2023-VACA-0000007 for this project.

[Denver Public Works E-Review Web Page](#).

Let us know if you have any additional questions or concerns.

Regards,

**Brianne White** | Business Operations Administrator  
City & County of Denver  
Department of Transportation & Infrastructure | Engineering and Regulatory | Right-of-Way Services  
Phone: (720) 865-3036

[brianne.white@denvergov.org](mailto:brianne.white@denvergov.org)  
[Pronouns](#) | She/Her/Hers

Please take a [quick 2 question survey](#) regarding our virtual service.



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**From:** Mike Verhoogen <[mverhoogen@teboproperties.com](mailto:mverhoogen@teboproperties.com)>  
**Sent:** Monday, January 6, 2025 7:24 AM  
**To:** White, Brianne - DOTI CA2379 Business Operations Administrator <[Brianne.White@denvergov.org](mailto:Brianne.White@denvergov.org)>  
**Subject:** [EXTERNAL] 4235 N. Columbine, 2023 vaca 0000007

Hi Brianne,

The Public Notification Letter landed on my desk today.

I looked for info at the City of Denver web site, but I did not have any luck.

Can you tell me where to find info about the proposed development at or near 4235 N. Columbine, please?

Tebo Properties owns buildings/land at 41<sup>st</sup> & York.

Thanks very much,

Mike Verhoogen  
Counsel  
Tebo Properties  
3111 28<sup>th</sup> Street  
Boulder, Colorado 80301  
(303) 447-8326 x102  
[mverhoogen@teboproperties.com](mailto:mverhoogen@teboproperties.com)