

O-2025-20

AN ORDINANCE

AUTHORIZING EXECUTION OF A PERMANENT UTILITY EASEMENT ACROSS CITY PARK PROPERTY AT 2951 S. WADSWORTH BLVD., LAKEWOOD, COLORADO, TO PUBLIC SERVICE COMPANY OF COLORADO FOR AN UNDERGROUND ELECTRICAL VAULT AND RELATED FACILITIES

WHEREAS, Public Service Company of Colorado has requested the City of Lakewood ("City") convey a utility easement across City park property located at 2951 S. Wadsworth Blvd. (Bear Creek Greenbelt) to underground their facilities to allow for the City sidewalk and related improvement, as generally described/depicted in Exhibit A;

WHEREAS, 2951 S. Wadsworth Blvd. is owned and held by the City for park and open space purposes;

WHEREAS, Section 14.3(c) of the Charter of the City of Lakewood provides that utility easements may be granted across, over, or under park land;

WHEREAS, the parcel was acquired with funds from Jefferson County Open Space, which maintains a reversionary interest in the property;

WHEREAS, approval of this ordinance on first reading is intended only to confirm that the City Council desires to comply with the Lakewood Municipal Code by setting a public hearing to provide City staff and the public an opportunity to present evidence and testimony regarding the proposal; and

WHEREAS, approval of this ordinance on first reading does not constitute a representation that the City Council, or any member of the City Council, supports, approves, rejects or denies the proposal.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lakewood, Colorado, that:

SECTION 1. The City hereby conveys a utility easement for electrical vaults and related appurtenances to the Public Service Company of Colorado, subject to each of the following conditions:

1. Review and approval by City staff of final construction plans for all structures/infrastructure placed within the described easement;
2. All new facilities to be undergrounded to the extent possible;
3. Approval by Jefferson County of a subordination of the County's reversionary interest in the property;

4. The easement will be non-exclusive; and

5. The Company must seek and be issued a Public Way Permit for all work on City property.

SECTION 2. The City Manager is hereby authorized and directed to execute, and the City Clerk to attest, all the necessary documents to grant a utility easement across the land described in Exhibit A, attached hereto and incorporated herein, in a form approved by the City Attorney, to Public Service Company of Colorado for the installation of an undergrounded electrical vault and related facilities.

SECTION 3. This Ordinance shall take effect thirty (30) days after final publication.

SECTION 4. If any provision of this Ordinance should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this Ordinance that can be given effect without the invalid portion, provided that such remaining portions or application of this Ordinance are not determined by the court to be inoperable.

I hereby attest and certify that the within and foregoing ordinance was introduced and read on first reading at a hybrid regular meeting of the Lakewood City Council on the 9th day of June, 2025; published by title in the Denver Post and in full on the City of Lakewood's website, [www.lakewood.org](http://www.lakewood.org), on the 12th day of June, 2025; set for public hearing to be held on the 14th day of July, 2025, read, finally passed and adopted by the City Council on the 14th day of July, 2025 and, signed by the Mayor on the 15th day of July, 2025.



Wendi Strom, Mayor

ATTEST:

Jay Robb, City Clerk

APPROVED AS TO FORM:

Alison McKenney Brown, City Attorney

LEGAL DESCRIPTION

PSCO/XCEL PE-1

A permanent easement being a portion of that Tract of land conveyed to the City of Lakewood at Reception Number 2022108334, of the records of the Jefferson County Clerk and Recorder, further lying in the Northwest One-Quarter (NW $\frac{1}{4}$ ) of Section 35, Township 4 South, Range 69 West of the 6<sup>th</sup> Principal Meridian, City of Lakewood, County of Jefferson, State of Colorado, being more particularly described as follows:

**Commencing** at the Center Quarter corner:

Thence N00°20'23"W along the East line of said NW $\frac{1}{4}$ , a distance of 659.56 feet;

Thence S89°35'22"W, a distance of 75.00 feet to the southeast corner of said Tract said corner being in common with east line of that BEAR CREEK WATER AND SANITATION DISTRICT sewer line easement recorded at Reception No. 82019192 of said records tract and the **point of beginning**;

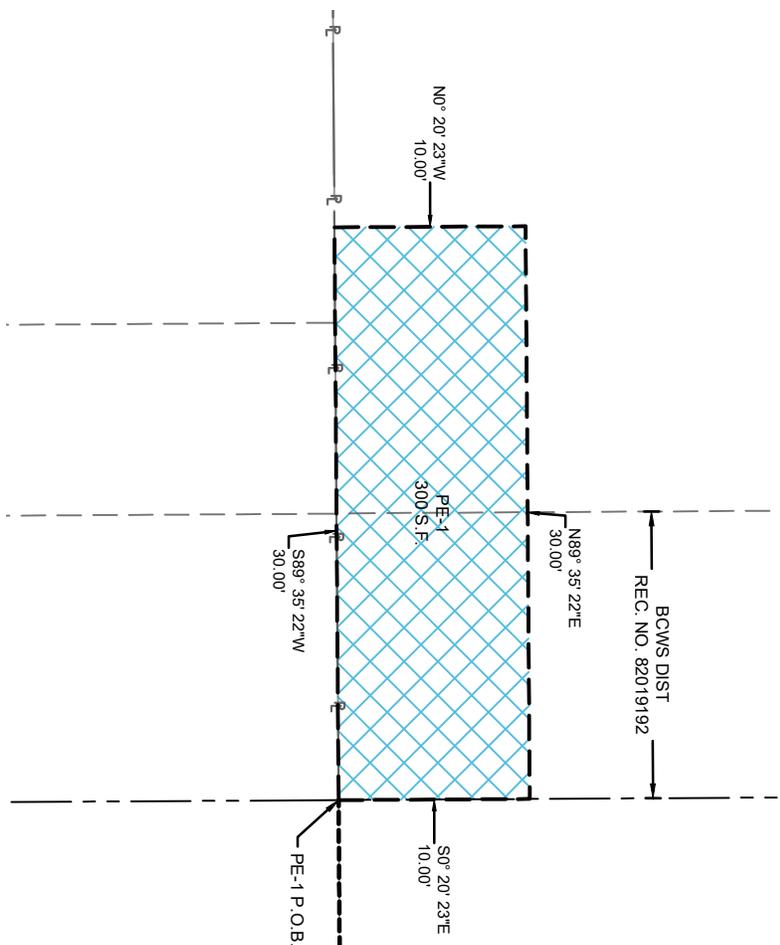
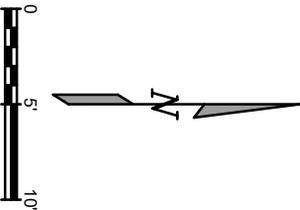
Thence continuing S89°35'22"W along the south line of said Tract, a distance of 30.00 feet;

Thence N00°20'23"W, a distance of 10.00 feet;

Thence N89°35'22"E, a distance of 30.00 feet, more or less, to the east line of said Tract and the east line of said sewer line easement;

Thence S00°20'23"E along said east lines, a distance of 10.00 feet, more or less, to the **point of beginning**, said easement containing an area of 300 square feet, more or less.

This legal description was written by Spencer Curtis, Right-of-way Agent for the Public Works Department, Engineering Division, City of Lakewood with offices at 480 South Allison Parkway, Lakewood, Colorado 80226.



6035  
 NORTH QUARTER CORNER  
 OF SEC 35 T4S R69W  
 FOUND 3.25" ALUMINUM CAP  
 N:668,822.52  
 E:118,686.80  
 EL:5393.61

**POINT OF COMMENCEMENT**  
 6031 CENTER QUARTER CORNER  
 OF SEC 35 T4S R69W  
 FOUND 3.25" ALUMINUM CAP  
 N:666,184.34  
 E:118,702.44  
 EL:5398.10

$N0^{\circ} 20' 23'' W$  659.56'

$N0^{\circ} 20' 23'' W$  1978.67'

75.00'  
 $S89^{\circ} 35' 22'' W$

EXHIBIT PE-1