



Arapahoe County

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Board Summary Report

File #: 25-569

Agenda Date: 10/14/2025

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To: Board of County Commissioners

Through: Michelle Halstead, Acting Director, Facilities and Fleet Management

Prepared By:

Ken Morris, Division Manager - Project Operations, Facilities and Fleet Management

Subject:

Federal Warehouse Shared Access Easements

Purpose and Request:

Adoption of a resolution approving the vacation of an existing reciprocal easement at the Federal Warehouse parcel and authorization to execute a new shared entrance drive reciprocal easement with the owner of the parcel to the north.

Alignment with Strategic Plan: Sustainable Growth and Infrastructure - Maximize use of County facilities and assets.

Background and Discussion: A reciprocal easement agreement was executed on September 12, 1985 between the previous owner of County's Federal Warehouse property and the owner of the property to the north as the respective properties were developed in a manner that caused them to appear as a single retail shopping facility. The reciprocal easement allowed for shared ingress, egress, cross-parking, and access over, upon, and across the parking areas of each property.

In 2023, the County was approached by a developer planning to purchase and redevelop the property to the north of County's property as a 55+ apartment community. That developer and County staff agreed that the intent of the reciprocal easement is no longer valid, and both parties agree that vacation of this reciprocal easement was appropriate. Approximately half of the width of the County's access drive from Federal Boulevard is on property owned by the developer to the north. The developer and County staff agreed that a new easement agreement for a shared entrance drive is necessary and appropriate to maintain ingress and egress for both properties.

On February 27, 2024, the Board authorized the Chair to sign the termination of reciprocal easement and the new shared access easement. Subsequently, the developer failed to close on the purchase of the property and the termination of the reciprocal easement and the shared access easement were not fully executed.

In September 2025, County staff was approached by a new developer that is under contract to purchase the property and continue the redevelopment as a 55+ apartment community. The developer is requesting the termination of the reciprocal easement and the execution of the shared access easement.

The terms of the termination of the reciprocal easement and the shared access easement are the same as previously authorized by the Board.

Alternatives: County could elect to keep the existing reciprocal easement in place, which would allow the developer to the north to use portions of the Warehouse parking lot for access. Additionally, County could elect to construct a new private entrance drive to the south of the existing location. Either of these alternatives would have negative impacts to County as we could potentially have to surrender additional parking spaces or commit capital funding to construct a new private entrance drive.

Fiscal Impact: No funding is sought from the County in relation to this request.

Alignment with Strategic Implementation Strategies: N/A.

Concurrence: N/A.