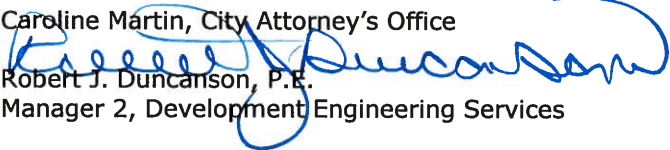




REQUEST FOR VACATION ORDINANCE

TO: Caroline Martin, City Attorney's Office

FROM: 
Robert J. Duncanson, P.E.
Manager 2, Development Engineering Services

ROW #: 2014-1126-01

DATE: May 4, 2015

SUBJECT: Request for an Ordinance to vacate the 16 foot alley between Lawrence Arapahoe, 26th, and 27th Streets, with reservations.

It is requested that the above subject item be placed on the next available Mayor Council Agenda.

This office has investigated the request of Tres Birds Workshop, on behalf of Denver Housing Authority for granting of the above requested vacation. This matter has been inspected and has been coordinated with Asset Management; Colorado Department of Transportation [if State Highway]; Comcast; Commission for People with Disabilities; Community Planning & Development – Building Inspections, Planning and Zoning; City Councilperson; Fire Department; Metro Wastewater Reclamation District; Office of Emergency Management; Parks & Recreation; Public Works – DES - Construction Engineering, DES Engineering – Transportation & Wastewater, Survey, Public Works – Policy and Planning; Public Works – Street Maintenance; CenturyLink; Regional Transportation District; Denver Water Department; Xcel Energy, all of whom have indicated their agreement.

As a result of these investigations, hereby approved and the described area is hereby vacated and declared vacated; 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 portion of the vacated area as described below ("Easement Area") for the purposes of constructing, operating, maintaining, repairing, upgrading and replacing public or private utilities including, but not limited to, storm drainage, sanitary sewer, and water 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.

Therefore, you are requested to initiate Council action to vacate the following area:

INSERT PARCEL DESCRIPTION ROW 2014-1126-01-001 HERE

The following information, pertinent to this request action, is submitted:

1. The width of this area is 16 feet.
2. Transportation connectivity is preserved so that there will be minimal impacts to the transportation system.
3. The area is open and is not being used.
4. No buildings abut said area.
5. The owner of the contiguous area would benefit by being able to make more effective use of their ground; the City would benefit by reduced maintenance responsibility.
6. Grades and drainage are not adversely affected by this action.
7. Replacement area will not be required.
8. The vacating notice was posted on March 17, 2015, and the 20-day period for protests has expired.
9. Adjoining Neighbor and Registered Neighborhood Organization notification was sent on March 17, 2015.
10. Protests sustained by the Manager of Public Works have not been filed.
11. Ordinance action by the City Council is considered to be necessary because the Council is the only City body authorized by the Charter to dispose of City property.

RJD: aal

cc: City Councilperson & Aides
City Council Staff – Shelley Smith
Capital Projects Management – Mike Anderson
Department of Law – Shaun Sullivan
Department of Law – Karen Aviles
Department of Law – Brent Eisen
Public Works, Manager’s Office – Alba Castro
Public Works, Legislative Services – Angela Casias
Public Works, Solid Waste – Mike Lutz
Public Works, Survey – Paul Rogalla
Public Works, Street Maintenance – Brian Roecker

ORDINANCE/RESOLUTION REQUEST

Please email requests to Angela Casias
at Angela.Casias@DenverGov.org by 12:00 pm on Monday.

Date of Request: May 4, 2015

Please mark one: Bill Request or Resolution Request

Is this request: A new contract* A contract amendment* or Neither

*If this request is a contract or an amendment, is it:

A revenue agreement or An expenditure agreement

Contract Control Number:

Contract Terms/Dates:

Costs (if this is a contract amendment please include the original cost, additional cost and new total. *Failure to provide this information may delay processing*):

1. **Bill Description for the City Council Agenda:** (please give a one sentence description of the ordinance request. Describe if the request is a contract, amendment, lease, grant, change to code, rezoning, etc. and any other information that Council needs to approve the request)

2014-1126-01: Vacation of alley at 2626 Lawrence St – Sustainability Park

2. **Requesting Agency:** Public Works - Survey

3. **Contact Person:** (Subject Matter Expert on the request)

- **Name:** Adrienne Lorantos, AICP
- **Phone:** 720-865-3119
- **Email:** Adrienne.Lorantos@denvergov.org

4. **Contact Person:** (Please list the person who will read this item at Mayor Council and attend first and second reading to answer questions)

- **Name:** Angela Casias
- **Phone:** 720-913-8529
- **Email:** Angela.Casias@denvergov.org

5. **Background on the request:**

TreeHouse Brokerage and Development is redeveloping several blocks in the area. This block will serve as “Sustainability Park” and will utilize the area that is currently recognized by the City and County of Denver as an alley.

6. **Please complete the following fields:**

- A. **Location:** 2626 Lawrence St.
- B. **Affected Council District:** #8 – Albus Brooks
- C. **Benefits:** N/A

7. **Is there any controversy surrounding this ordinance? Please explain.**

No.

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: _____

Date Entered: _____



EXECUTIVE SUMMARY

DENVER
THE MILE HIGH CITY

Project Title: 2014-1126-01 Vacation at 2626 Lawrence St - Sustainability Park

Description of Proposed Project: This is a proposal to vacate an alley between Lawrence, Arapahoe, 26th, 27th Streets, with reservations.

Explanation of why the public right-of-way must be utilized to accomplish the proposed project: For overall lot redevelopment.

Has a Temp MEP been issued, and if so, what work is underway: N/A

What is the known duration of an MEP: N/A

Will land be dedicated to the City if the vacation goes through: No.

Will an easement be placed over a vacated area, and if so explain: Yes, a standard hard surface easment is required.

Will an easement relinquishment be submitted at a later date: No.

Additional information: None.

2014-1126-01-001

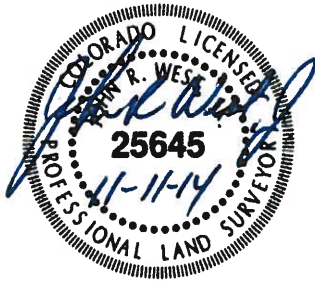
**EXHIBIT A
LEGAL DESCRIPTION**

A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF THE 16 FOOT WIDE PUBLIC ALLEY COINCIDENT WITH BLOCK 86, CURTIS AND CLARKE'S ADDITION TO THE CITY OF DENVER, BLOCK 47, CASE AND EBERT'S ADDITION TO THE CITY OF DENVER, BLOCK 86, STORY AND APPLETON'S ADDITION TO DENVER AND BLOCK 86, GEO. W. BROWN'S ADDITION TO DENVER.

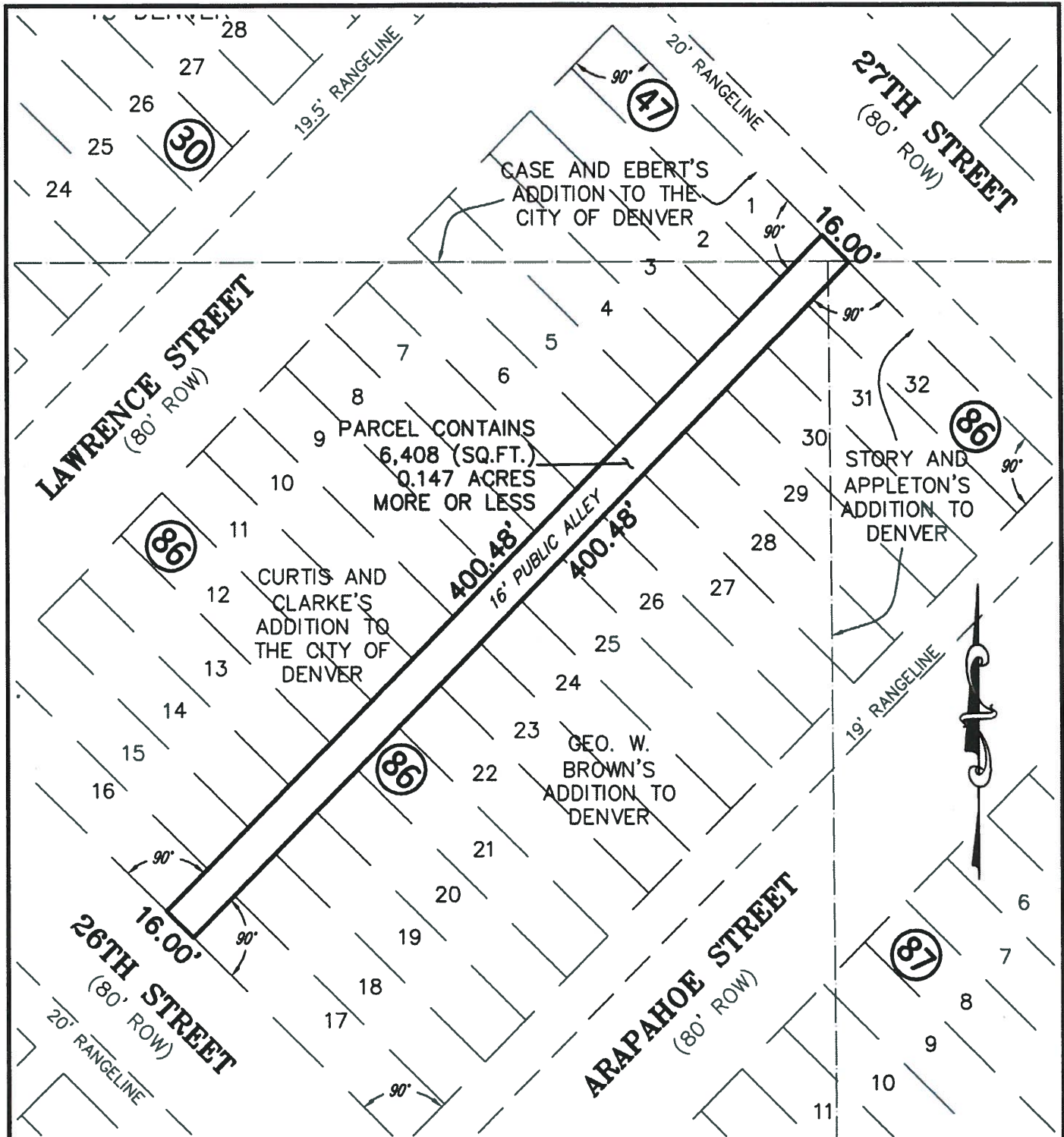
CONTAINING AN AREA OF 0.147 ACRES, (6,408 SQUARE FEET), MORE OR LESS.

EXHIBIT ATTACHED AND MADE A PART HEREOF.

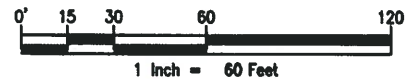


JOHN R. WEST, JR.
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR NO. 25645
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVE., SUITE 1, LITTLETON, CO 80122

ILLUSTRATION TO EXHIBIT A



NOTE: THIS DRAWING DOES NOT REPRESENT A FIELD MONUMENTED SURVEY AND IS ONLY INTENDED TO DEPICT THE ATTACHED LEGAL DESCRIPTION.



PATH: V:\88514-01\DWG
 DWG NAME: _____
 DWG: JRW CHK: JEL
 DATE: 2014-11-10
 SCALE: 1" = 60'



300 East Mineral Ave.
 Suite 1
 Littleton, Colorado 80122
 Phone: (303)713-1898
 Fax: (303)713-1897
 www.aztecconsultants.com

BLOCK 86 ALLEY VACATION.DWG

ALLEY VACATION

SE 1/4 SEC 27, T3S, R68W, 6TH PM
 CITY & COUNTY OF DENVER, COLORADO
 JOB NUMBER 88514-01

2 OF 2 SHEETS