



### REQUEST FOR VACATION ORDINANCE

**TO:** Caroline Martin, City Attorney's Office  
**FROM:** Robert J. Duncanison, P.E.  
Manager 2, Development Engineering Services  
**ROW #:** 2015-VACA-0000001  
**DATE:** June 22, 2015  
**SUBJECT:** Request for an Ordinance to vacate the right-of-way between 1209 N Perry St and the RTD Perry Light Rail Station, without 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 the Kingsbury Group, LLC 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, it has been determined that there is no objection to vacating the said area.

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

**INSERT PARCEL DESCRIPTION ROW 2015-VACA-0000001-001 HERE**

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

1. The width of this area is 125 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. Zero 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 was required.
8. The vacating notice was posted on May 30, 2015, and the 20-day period for protests has expired.
9. Adjoining Neighbor and Registered Neighborhood Organization notification was sent on May 30, 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 the Mayor's Legislative Team  
at [MileHighOrdinance@DenverGov.org](mailto:MileHighOrdinance@DenverGov.org) by **3:00pm on Monday**. For any questions please contact Skye Stuart.

**\*All fields must be completed.\***  
*Incomplete request forms will be returned to sender which may cause a delay in processing.*

Date of Request: June 22, 2015

Please mark one:  Bill Request or  Resolution Request

1. Has your agency submitted this request in the last 12 months?

Yes  No

If yes, please explain:

2. **Title:** (Include a concise, one sentence description – please include name of company or contractor and contract control number - that clearly indicates the type of request: **grant acceptance, contract execution, contract amendment, municipal code change, supplemental request, etc.**)

2015-VACA-0000001: Proposal to vacate the right-of-way between 1209 N Perry St and the RTD Perry Light Rail Station, without reservations.

3. **Requesting Agency:** Public Works – Survey

4. **Contact Person:** (With actual knowledge of proposed ordinance/resolution.)

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

5. **Contact Person:** (With actual knowledge of proposed ordinance/resolution who will present the item at Mayor-Council and who will be available for first and second reading, if necessary.)

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

6. **General description/background of proposed ordinance including contract scope of work if applicable:**

This is a proposal to vacate the right-of-way in order to have additional land area for overall lot redevelopment.

**\*\*Please complete the following fields:** (Incomplete fields may result in a delay in processing. If a field is not applicable, please enter N/A for that field – please do not leave blank.)

- a. **Contract Control Number:** N/A
- b. **Contract Term:** N/A
- c. **Location:** 1209 N Perry St
- d. **Affected Council District:** #1 – Susan Shepherd
- e. **Benefits:** N/A
- f. **Contract Amount (indicate amended amount and new contract total):** N/A

7. **Is there any controversy surrounding this ordinance?** (Groups or individuals who may have concerns about it?)  
Please explain.

None.

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: \_\_\_\_\_

Date Entered: \_\_\_\_\_



# EXECUTIVE SUMMARY

**DENVER**  
THE MILE HIGH CITY

**Project Title:**

2015-VACA-0000001: Proposal to vacate the right-of-way between 1209 N Perry St and the RTD Perry Light Rail Station, without reservations.

**Description of Proposed Project:**

This is a proposal to vacate the right-of-way between 1209 N Perry St and the RTD Perry Light Rail Station, without reservations. This project is related to 2014-VACA-0087001, which is the alley that is adjacent that is proposed to be vacated with reservations.

**Explanation of why the public right-of-way must be utilized to accomplish the proposed project:**

In order to have additional land area 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: It already has been.**

**Will an easement be placed over a vacated area, and if so explain:**

No.

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

**Additional information: None.**

# DESCRIPTION

A PARCEL OF LAND LOCATED IN THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

## RIGHT OF WAY TO BE VACATED (2005)

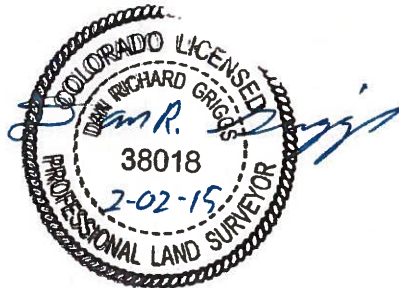
All of Lot 25, Block 5 West Villa Park and that portion of Lot 26, Block 5, West Villa Park as dedicated per Ordinance 798 Series of 2005 contained within the following boundary:

Beginning at the Northwest corner of said Lot 26, thence S45°00'00"E a distance of 28.39 feet, thence S89°59'00"E a distance of 105.00 feet to a point on the West Right-of-Way line of Perry Street, thence following the West Right-of-Way line of Perry Street S00°00'00"E a distance of 5.00 feet to the Southeast corner of said Lot 26, thence following the South line of said Lot 26 N89°59'00"W a distance of 125.00 feet to the Southwest corner of Said Lot 26, thence following the West line of said Lot 26 N0°00'00"W a distance of 25.00 feet to the Point of Beginning.  
City and County of Denver,  
State of Colorado.

containing 3950 square feet more or less.

## BASIS OF BEARINGS

The West right of way line of Perry Street is assumed to bear South 0°00'00" West with all other bearings being relative thereto.



PREPARED BY: CONTRACT SURVEYORS, LTD.  
2133 S. BELLAIRE ST. #14  
DENVER, CO. 80222  
303-756-3695

DATE: 12/01/2014

2015-VAC-A-0000001-03

EXHIBIT

A PARCEL OF LAND LOCATED IN THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

LOT 31  
ROW Project No. 2014-0870-01  
Legal Description No. 2014-0870-01-001

BLOCK 5, WEST VILLA PARK

LOT 30

LOT 29

LOT 28

LOT 27

LOT 26

PARCEL A  
KINGSBURY GROUP, LLC  
LOT 27

CITY AND COUNTY OF DENVER  
TO BE EXCHANGED FOR FUTURE ALLEY (SEPARATE DOCUMENT)  
LOT 26

TO BE VACATED  
DEDICATED PER ORDINANCE 738A, SERIES OF 2005,  
LOT 25



PREPARED BY: CONTRACT SURVEYORS, L.T.D.  
2133 S. BELLAIRE ST. #14  
DENVER, CO. 80222  
303-756-3695

DATE: 1/30/2015

REMAINS OF 12TH AVE. R.O.W.  
FOOT PATH

RTD LIGHT RAIL STATION

N89°57'42\"/>

PERRY ST. 60' PUBLIC R.O.W.

500'00\"/>

RTD R.O.W. MARKER

EXISTING ALLEY ROW, ord. near 1988  
TO BE VACATED WITH easements  
N00°00'00\"/>

OTHER PER SURVEY ELECTRICAL LINES PER WATER LOCATION RECORD

12.57'