



**Department of Public Works**  
Engineering Regulatory & Analytics  
201 W. Colfax Avenue, Dept. 507  
Denver, CO 80202  
720-865-3003  
[www.denvergov.org/pwpermits](http://www.denvergov.org/pwpermits)

## REQUEST FOR VACATION ORDINANCE

**TO:** Caroline Martin, City Attorney's Office

**FROM:** Ted Christianson  
Director, Public Works Right of Way Services

**ROW #:** 2017-VACA-0000012 1622 Julian St

**DATE:** January 5, 2018

**SUBJECT:** Request for an Ordinance to vacate a portion of the alley bounded by Julian Street, Irving Street, 17th Avenue, and 16th Avenue, 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 Kevin Wulfekuhler, dated June 19, 2017, on behalf of Kevin Amolsch for requesting 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 of the vacated 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 2017-VACA-0000012-001 HERE**

TC:cs

cc: City Councilperson & Aides

City Council Staff – Zach Rothmier  
Department of Law – Shaun Sullivan  
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](mailto:angela.casias@DenverGov.org) by **12:00 pm on Monday**.

**\*All fields must be completed.\***

*Incomplete request forms will be returned to sender which may cause a delay in processing.*

Date of Request: January 5, 2018

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.**)

Request for an Ordinance to vacate a portion of the alley bounded by Julian Street, Irving Street, 17th Avenue, and 16th Avenue, with reservations.

**3. Requesting Agency:** PW Right of Way Services  
**Agency Division:** Engineering, Regulatory & Analytics

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

- **Name:** Chaunda Sinn
- **Phone:** 720-865-3036
- **Email:** Chaunda.sinn@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:**

Request for an Ordinance to vacate a portion of the alley bounded by Julian Street, Irving Street, 17th Avenue, and 16th Avenue, with reservations.

**\*\*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:** 1622 Julian St
- d. **Affected Council District:** Dist # 3, Paul Lopez
- 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: \_\_\_\_\_



## VACATION EXECUTIVE SUMMARY

**Project Title:** 2017-VACA-0000012 1622 Julian St

**Requestor's name:** Kevin Amolsch

**Description of Proposed Project:** Request for an Ordinance to vacate a portion of the alley bounded by Julian Street, Irving Street, 17th Avenue, and 16th Avenue, with reservations.

**Explanation of why the public right-of-way must be utilized to accomplish the proposed project:** The customer would like to combine adjacent lots that they own in which this portion of the ROW separates.

**Width of area in feet:** 16 feet

**Number of buildings abut said area:** 1

**The 20-day period for protests has expired, the vacating notice was posted on:** December 13, 2017

**Adjoining Neighbor and Registered Neighborhood Organization notification was sent on:** December 13, 2017

**Protests sustained by the manager of Public Works:** Have not been filed

**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 hard surface easement shall be maintained over the vacated area

**Will an easement relinquishment be submitted at a later date:** unknown

**Background:** The customer owns the two lots separated by the right of way area requesting to be vacated and would like to combine them. There are Xcel lines and wastewater line that runs through this area however, the customer has agreed to a hard surface easement.

**Public Notification:** There were no Public objections for this vacation request.

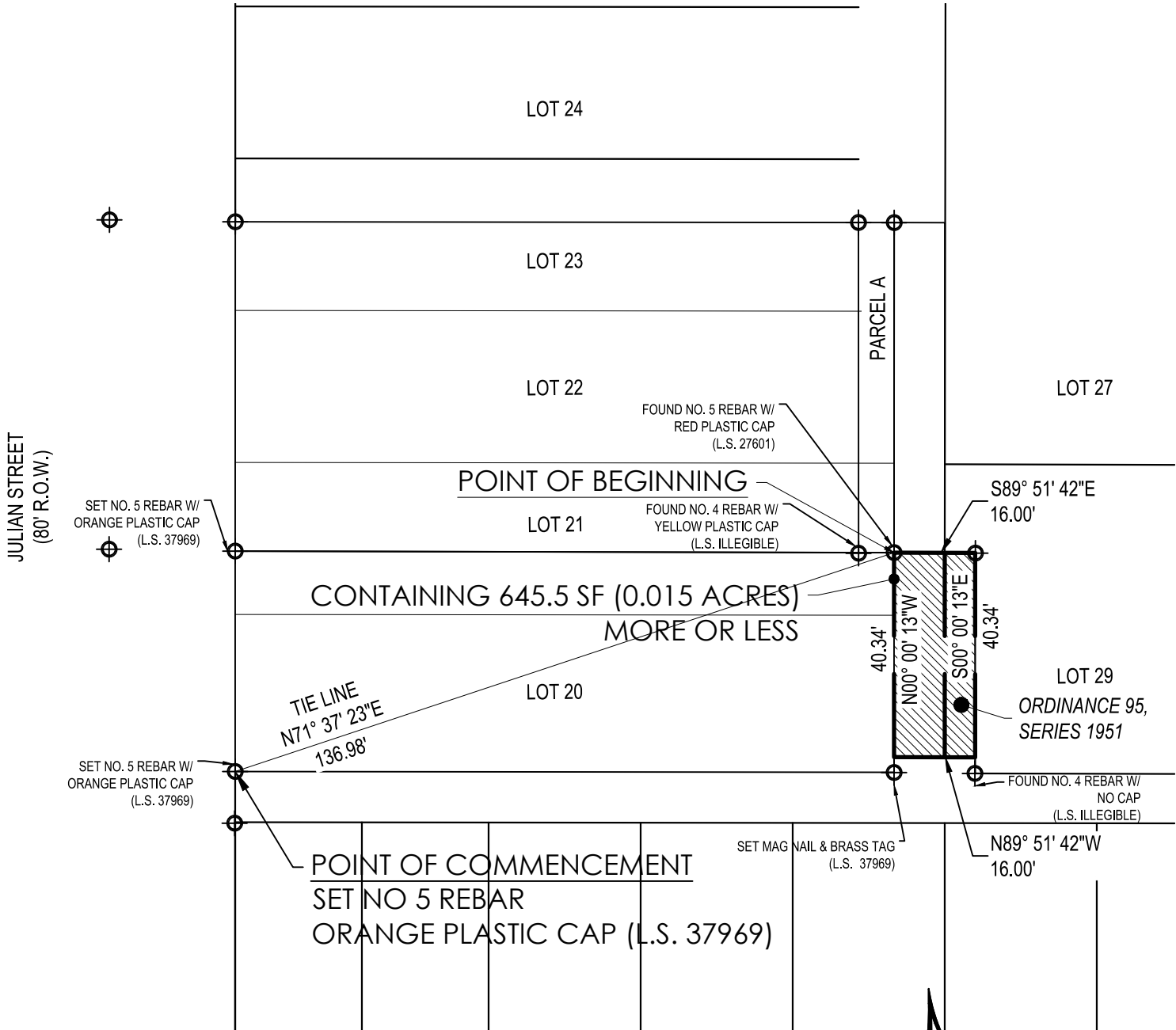
**Location Map:**



# RIGHT-OF-WAY VACATION

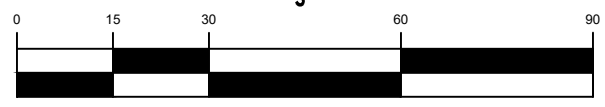
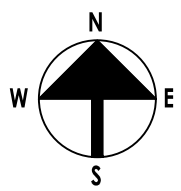
LOCATED IN THE SOUTHWEST ¼ OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M.  
CHELTENHAM HEIGHTS SUBDIVISION, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

EXHIBIT A  
PAGE 2 OF 2



**Legend:**

- Right-Of-Way Vacation
- Property Corner as Described



**ALTITUDE**  
LAND CONSULTANTS

CIVIL | SURVEY | PLANNING | LANDSCAPE

3461 Ringsby Court, Suite 125  
Denver, CO 80216

2727 N. Cascade Ave.  
Colorado Springs, CO 80907

720.413.9691  
Info@AltitudeLandCo.com  
www.AltitudeLandCo.com

Date: 11/21/17  
Job No. 17-066



# RIGHT-OF-WAY VACATION

LOCATED IN THE SOUTHWEST  $\frac{1}{4}$  OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M.  
CHELTENHAM HEIGHTS SUBDIVISION, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

EXHIBIT A  
PAGE 1 OF 2

## LAND DESCRIPTION:

BEING A PORTION OF THE SOUTH 43.5 FEET OF THE NORTH AND SOUTH ALLEY BOUNDED ON THE WEST BY LOTS 20 AND 21 AND LOT 29 ON THE EAST. TOGETHER WITH A PORTION OF THE WEST 6 FEET OF THE SOUTH 43.5 FEET OF LOT 29, BLOCK 21 AS DESCRIBED IN ORDINANCE 95, SERIES 1951 IN THE RESUBDIVISION OF BLOCKS 16, 19, 21, 31 CHELTENHAM HEIGHTS, LOCATED IN THE SOUTHWEST  $\frac{1}{4}$  OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 68 WEST, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A SET NO 5 REBAR ORANGE PLASTIC CAP (L.S. 37969), ALSO BEING THE SOUTHWEST CORNER OF LOT 20, CHELTENHAM HEIGHTS SUBDIVISION;

THENCE N71°37'23"E, A DISTANCE OF 136.98 FEET TO A POINT ON THE EAST LOT LINE OF LOT 21, BLOCK 21, CHELTENHAM HEIGHTS SUBDIVISION MONUMENTED BY A FOUND NO. 5 REBAR W/ RED PLASTIC CAP (L.S. 27601) ALSO BEING **THE POINT OF BEGINNING**;

THENCE S89°51'42"E, A DISTANCE OF 16.00 FEET;

THENCE S00°00'13"E, A DISTANCE OF 40.34 FEET;

THENCE N89°51'42"W, A DISTANCE OF 16.00 FEET TO THE SOUTHEAST CORNER OF LOT 20 MONUMENTED BY A MAG NAIL AND BRASS TAG (L.S. 37969);

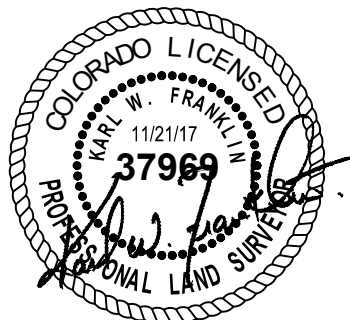
THENCE N00°00'13"W, A DISTANCE OF 40.34 FEET MORE OR LESS TO **THE POINT OF BEGINNING**;

CONTAINING 645.5 SQUARE FEET (0.015 ACRES) MORE OR LESS.

**BASIS OF BEARINGS:** BEARINGS ARE BASED OF THE NORTHERLY RANGE LINE OF BLOCK 21 OF CHELTENHAM HEIGHTS SUBDIVISION BETWEEN THE FOUND 3" ALUMINUM CAP INSIDE A RANGE BOX (L.S. 16801) AND THE FOUND 3" BRASS CAP INSIDE A RANGE BOX. ASSUMED TO BEAR S89°55'49"E.

Prepared By:  
**Altitude Land Consultants, Inc**  
Karl W. Franklin, PE-PLS-EXW  
Colorado PLS 37969

Date: 11/21/17  
Job No. 17-066



3461 Ringsby Court, Suite 125  
Denver, CO 80216

2727 N. Cascade Ave.  
Colorado Springs, CO 80907

720.413.9691  
Info@AltitudeLandCo.com  
www.AltitudeLandCo.com