


REQUEST FOR VACATION ORDINANCE

TO: Ivone Avila-Ponce, City Attorney's Office

FROM: Glen Blackburn, PE
Director, Right of Way Services 

ROW #: 2022-VACA-0000010

DATE: July 18, 2023

SUBJECT: Request for an Ordinance to vacate a portion of Wewatta Street at Wewatta Street and 21st Street, 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 Fred Schultz, dated March 16, 2022, on behalf of Light Bulb Supply Building, LLC for the subject right of way vacation.

This matter has been coordinated with Asset Management; Colorado Department of Transportation; Comcast; Division of Disability Rights; Community Planning & Development: Building and Construction Services, Planning Services, and Zoning & Development Review; Historic Preservation/Landmark; City Council District 9; Denver Fire Department; Metro Water Recovery; Office of Emergency Management; City Forester; Parks & Recreation; DOTI: Construction Engineering, DES Transportation & Wastewater, ER Transportation & Wastewater, Policy & Planning, Street Maintenance, Survey, TES Sign & Stripe, CPM Wastewater; CenturyLink/Lumen; Regional Transportation District; Denver Water; Solid Waste; Xcel Energy, all of whom have indicated no objection.

As a result of these investigations, it has been determined that there is no objection to vacating said area(s)

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

INSERT PARCEL DESCRIPTION ROW 2022-VACA-0000010-001 HERE

GB: je

cc: City Councilperson & Aides
City Council Staff – Luke Palmisano
Department of Law – Bradley Beck
Department of Law – Deanne Durfee
Department of Law – Maureen McGuire
Department of Law – Martin Plate
DOTI, Manager's Office – Alba Castro
DOTI, Legislative Services – Jason Gallardo
DOTI, Solid Waste – Mike Lutz
DOTI, Survey – Paul Rogalla
DOTI, Street Maintenance – Brian Roecker

City and County of Denver Department of Transportation & Infrastructure
Right-of-Way Services / Engineering & Regulatory
201 W Colfax Ave, Dept 507 | Denver, CO 80202
www.denvergov.org/doti
Phone: 720-865-3003

ORDINANCE/RESOLUTION REQUEST

Please email requests to Jason Gallardo

at Jason.Gallardo@denvergov.org by **12:00pm on Monday**. Contact him with questions.

Date of Request: July 18, 2023

Please mark one: Bill Request or Resolution Request

1. Type of Request:

Contract/Grant Agreement Intergovernmental Agreement (IGA) Rezoning/Text Amendment

Dedication/Vacation Appropriation/Supplemental DRMC Change

Other:

2. **Title:** (Start with *approves*, *amends*, *dedicates*, etc., include name of company or contractor and indicate 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 Wewatta Street at Wewatta Street and 21st Street, without reservations.

3. **Requesting Agency:** Department of Transportation & Infrastructure, Right-of-Way Services, Engineering & Regulatory

4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution	Contact person to present item at Mayor-Council and Council
Name: Jessica Eusebio	Name: Jason Gallardo
Email: Jessica.Eusebio@denvergov.org	Email: Jason.Gallardo@denvergov.org

5. **General description or background of proposed request. Attach executive summary if more space needed:**

Request for an Ordinance to vacate a portion of Wewatta Street at Wewatta Street and 21st Street, without reservations.

6. **City Attorney assigned to this request (if applicable):** Martin Plate

7. **City Council District:** Councilperson Watson, District 9

8. ****For all contracts, fill out and submit accompanying Key Contract Terms worksheet****

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____

Key Contract Terms

Type of Contract: (e.g. Professional Services > \$500K; IGA/Grant Agreement, Sale or Lease of Real Property):

Vendor/Contractor Name:

Contract control number:

Location:

Is this a new contract? Yes No Is this an Amendment? Yes No If yes, how many? _____

Contract Term/Duration (for amended contracts, include existing term dates and amended dates):

Contract Amount (indicate existing amount, amended amount and new contract total):

<i>Current Contract Amount</i> <i>(A)</i>	<i>Additional Funds</i> <i>(B)</i>	<i>Total Contract Amount</i> <i>(A+B)</i>
<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>

Scope of work:

Was this contractor selected by competitive process?

If not, why not?

Has this contractor provided these services to the City before? Yes No

Source of funds:

Is this contract subject to: W/MBE DBE SBE XO101 ACDBE N/A

WBE/MBE/DBE commitments (construction, design, Airport concession contracts):

Who are the subcontractors to this contract?

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____



VACATION EXECUTIVE SUMMARY

Project Title: 2022-VACA-0000010 - 1800 21st St Parcel B Vacation

Requestor's name: Light Bulb Supply Building, LLC

Description of Proposed Project: Request for an Ordinance to vacate a portion of Wewatta Street at Wewatta Street and 21st Street, without reservations.

Explanation of why the public right-of-way must be utilized to accomplish the proposed project: The owner is planning to redevelop the area.

Area of proposed right-of-way vacation in square feet: Approximately 3,231 square feet.

Number of buildings adjacent to proposed vacation area: (2) Two

Public Notice was posted at the proposed vacation area on: June 14, 2023

Notifications were sent to property owners and Registered Neighborhood Organizations within 200' of the proposed vacation area on: June 14, 2023

The 20-day period for protests expired on: July 5, 2023

Were protests received from the Public and, if so, explain: None were received.

Are all protests containing technical merit resolved to the satisfaction of DOTI: N/A

Will land be dedicated to the City if the vacation is approved: No.

Will an easement be placed over a vacated area and, if so, explain: No.

Is a request for an easement relinquishment expected at a later date and, if so, explain: N/A

Background: The owner is planning to redevelop the area and this request would assist in cleaning up the property lines.

City and County of Denver Department of Transportation & Infrastructure
Right-of-Way Services / Engineering & Regulatory
201 W Colfax Ave, Dept 507 | Denver, CO 80202
www.denvergov.org/doti
Phone: 720-865-3003

Location Map:



EXHIBIT

PARCEL B

Part of Wewatta Street Right-of-Way Established by Ordinance 98, Series 2007
 And Part of 20th Street Right-of-Way Established by Ordinance 732, Series 2003
 Within Block 9, GASTON'S ADDITION TO THE CITY OF DENVER
 SW 1/4 of Sec. 27 and SE 1/4 of Sec. 28-T3S-R68W of the 6th P.M.

Description (See sheet 2 for Map)

DESCRIPTION OF PARCEL B - Part of Wewatta Street and Part of 20th Street

A Tract of land being a portion of Wewatta Street Right-of-Way, AND part of 20th Street Right-of-Way, located in Block 9, GASTON'S ADDITION TO THE CITY OF DENVER, a subdivision of land in the Southwest Quarter of Section 27 and the Southeast Quarter of Section 28, Township 3 South, Range 68 West of the 6th Principal Meridian, City and County of Denver, State of Colorado, the plat of said subdivision recorded in Book 1 at Page 49 in the Office of the Clerk and Recorder of the City and County of Denver (also filed in Book 1 at Page 27A of Engineering Images), said Wewatta Street Right-of-Way established by City and County of Denver Ordinance Number 98, Series 2007 and described in a Quit-claim deed recorded as Reception Number 1993156938 in said Clerk and Recorder's Office, said 20th Street Right-of-Way established by City and County of Denver Ordinance Number 732, Series 2003 and described therein on page 23 as Parcel No. TK 22787-17-005, said Tract more particularly described as follows:

Commencing at a 5/8 inch rebar with a yellow plastic cap marked "LS 38567" at a point on the center line of the vacated alley adjoining the Southeast lines of Lots 8 through 14, inclusive, in said Block 9, said alley vacated by Ordinance 619, Series 2006 and recorded as Reception Number 2006155052 in said Clerk and Recorder's Office, said point also being the South corner of a parcel of land described in a special warranty deed recorded as Reception Number 2016061169 in said Clerk and Recorder's Office, from whence a 5/8 inch rebar with a 2 inch aluminum cap marked "LS 38567 WC 10' SW" and lying on said center line bears North 44° 55' 28" East a distance of 141.11 feet, said center line being the basis of bearings of this description and all bearings herein are relative thereto, said rebar and aluminum cap being a witness monument lying 10.00 feet southwesterly of the East corner of said parcel; thence South 45° 13' 14" East 8.00 feet on the Southwest line of said vacated alley to a point on the Northwest Right-of-Way line of said Wewatta Street and the POINT OF BEGINNING of the Tract of land herein described; Thence North 44° 55' 28" East 155.09 feet on said Northwest Right-of-Way line being coterminous with the Southeast line of said vacated alley and its northeasterly extension to a point lying 4.00 feet northeasterly of (as measured perpendicular to) the Southwest Right-of-Way line of 21st Street established by City and County of Denver Ordinance Number 98, Series 2007, said point also lying on the northwesterly line of Lot 26 in said Block 9; Thence South 45° 04' 32" East 12.48 feet parallel with the southeasterly extension of said Southwest Right-of-Way line of 21st Street; Thence leaving said extension South 44°58'37" West 8.41 feet; Thence South 01°06'48" West 10.81 feet; Thence South 42°45'01" East 8.08 feet to the beginning of a curve to the left non-tangent to the last described course and concave northwesterly; Thence southwesterly on said curve an arc length of 139.88 feet, said curve having a radius of 685.50 feet, a chord bearing of South 52°11'42" West, a chord distance of 139.64 feet and an interior angle of 11°41'31, to its intersection with the southeasterly extension of the northeasterly line of the parcel of land conveyed to Regional Transportation District in a Warranty Deed recorded April 15, 1993 as Reception No. R-93-0047852; Thence North 45° 13' 14" West 10.36 feet on said southeasterly extension, non-tangent to last described curve, to the POINT OF BEGINNING; said Tract containing 3,231 square feet or 0.074 acre.



EXHIBIT – PARCEL B

Date:	5/4/2023	Sheet 1 of 2
Drawn:	DD	
Checked:	KJK	
Job No.:	LB22043	



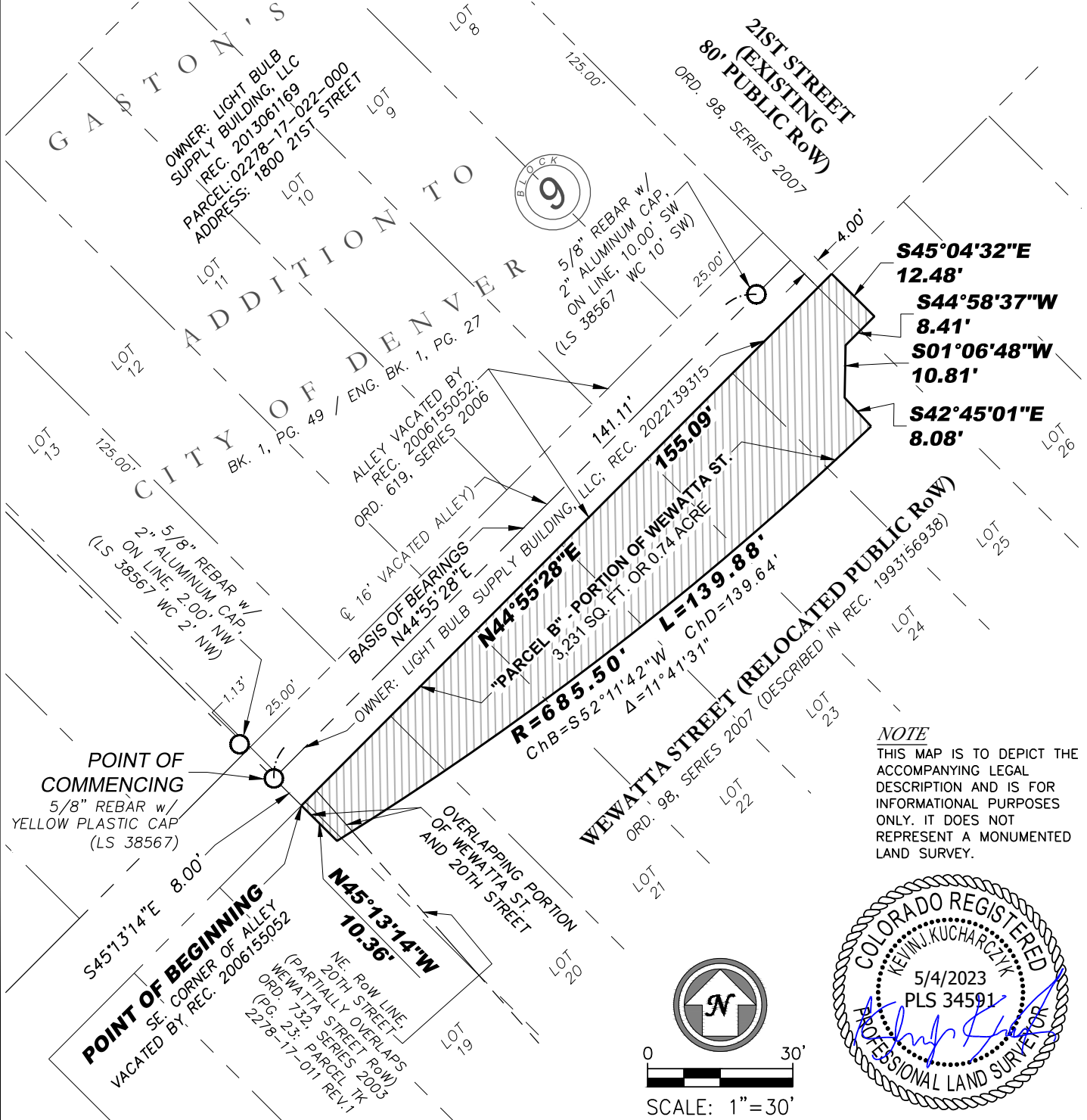
R&R ENGINEERS-SURVEYORS, INC.
 1635 W. 13TH AVENUE, SUITE 310
 DENVER, COLORADO 80204
 PH: 303-753-6730
 WWW.RRENGINEERS.COM

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(PARCEL B)

Part of Wewatta Street Right-of-Way Established by Ordinance 98, Series 2007
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Map (See sheet 1 for Description)



NOTE
 THIS MAP IS TO DEPICT THE ACCOMPANYING LEGAL DESCRIPTION AND IS FOR INFORMATIONAL PURPOSES ONLY. IT DOES NOT REPRESENT A MONUMENTED LAND SURVEY.



EXHIBIT - PARCEL B

Date:	5/4/2023	Sheet 2 of 2
Drawn:	DD	
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May 04, 2023 - 10:53am Plotted by: ddelap C:\Users\ddelap\AppData\Local\Temp\AcPublish_22588\LB22043-EXH_Parcel B_Rev3.dwg