



## REQUEST FOR VACATION ORDINANCE

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

**FROM:** Matt R. Bryner, PE *Matt R. Bryner*  
Director, Right of Way Services Matt R. Bryner (Jul 12, 2022 14:25 MDT)

**ROW #:** 2022-VACA-0000001

**DATE:** July 12, 2022

**SUBJECT:** Request for an Ordinance to vacate a portion of right of way in the alley bounded by North Santa Fe Drive and North Inca Street and West 11th Avenue and West 10th Avenue, 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 Raleigh Wood, dated December 22, 2021, on behalf of Holland Acquisition Co., LLC for the subject right of way vacation.

This matter has been coordinated with Asset Management; Building Department; CenturyLink; Colorado Department of Transportation; City Councilperson Torres, District #3; City Forester; Comcast; CPD Development Services; Office of Disability Rights; Denver Water; Denver Fire Department; Landmark; Metro Water Recovery; Office of Emergency Management; Development & Planning Services; Parks & Recreation; DOTI: DES Transportation & Wastewater, ER Transportation & Wastewater, Construction Engineering, Policy & Planning, Street Maintenance, Survey, TES Sign & Stripe, CPM Wastewater, Solid Waste; Regional Transportation District; Xcel Energy, all of whom have indicated no objection.

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

**INSERT PARCEL DESCRIPTION ROW 2022-VACA-0000001-001 HERE**

MB: je

cc: City Councilperson & Aides  
City Council Staff – Zach Rothmier  
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](http://www.denvergov.org/doti)  
Phone: 720-865-3003

**ORDINANCE/RESOLUTION REQUEST**

Please email requests to Jason Gallardo  
at [Jason.Gallardo@denvergov.org](mailto:Jason.Gallardo@denvergov.org) by **12:00pm on Monday**. Contact him with questions.

Date of Request: July 12, 2022

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 right of way in the alley bounded by North Santa Fe Drive and North Inca Street and West 11th Avenue and West 10th Avenue, without reservations.

**3. Requesting Agency:** Department of Transportation & Infrastructure; Right of Way Services; Engineering and 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: <a href="mailto:Jessica.Eusebio@denvergov.org">Jessica.Eusebio@denvergov.org</a>	Email: <a href="mailto:Jason.Gallardo@denvergov.org">Jason.Gallardo@denvergov.org</a>

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

Request for an Ordinance to vacate a portion of right of way in the alley bounded by North Santa Fe Drive and North Inca Street and West 11th Avenue and West 10th Avenue, without reservations.

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

**7. City Council District:** Councilperson Torres, District 3

**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> (A)	<i>Additional Funds</i> (B)	<i>Total Contract Amount</i> (A+B)

<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?

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*To be completed by Mayor's Legislative Team:*

Resolution/Bill Number: \_\_\_\_\_

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



## VACATION EXECUTIVE SUMMARY

**Project Title:** 2022-VACA-0000001 - 1082 N Santa Fe Dr Alley Vacation

**Requestor's name:** Holland Acquisition Co., LLC

**Description of Proposed Project:** Request for an Ordinance to vacate a portion of right of way in the alley bounded by North Santa Fe Drive and North Inca Street and West 11th Avenue and West 10th Avenue, without reservations. Located near 1082 North Santa Fe Drive.

**Explanation of why the public right-of-way must be utilized to accomplish the proposed project:** The centerline of the alley right of way is not straight and there is approximately 5-foot shift between alley centerlines. To eliminate the jog in the alley, a 3.25-foot right of way vacation is required on the west side of the alley. Coupled with right of way dedications occurring separately, the final alley right of way will be 20-feet wide and straight, continuous boundaries throughout the block.

**Area of proposed right-of-way vacation in square feet:** 746 sq ft

**Number of buildings adjacent to proposed vacation area:** 7

**Public Notice was posted at the proposed vacation area on:** May 10, 2022

**Notifications were sent to property owners and Registered Neighborhood Organizations within 200' of the proposed vacation area on:** May 10, 2022

**The 20-day period for protests expired on:** May 31, 2022

**Were comments received from the Public and, if so, explain:** No comments were received during the Public Notification period.

**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:** Yes

**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

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](http://www.denvergov.org/doti)  
Phone: 720-865-3003



**EXHIBIT A**

LOCATED WITHIN THE NORTHEAST QUARTER OF SECTION 4,  
TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M.  
CITY AND COUNTY OF DENVER, STATE OF COLORADO

LAND DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

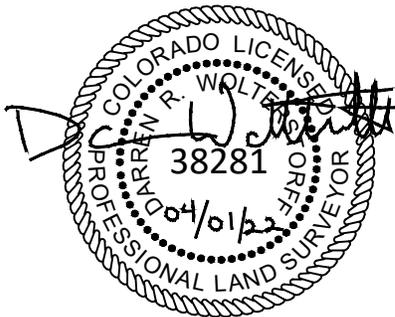
**COMMENCING** AT A DENVER RANGE POINT AT THE INTERSECTION OF 10TH AVENUE AND SANTE FE DR., AS MONUMENTED BY A CHISELED CROSS ON STONE, WHENCE THE DENVER RANGE POINT AT THE INTERSECTION OF W. 10TH AVE. AND INCA ST., AS MONUMENTED BY A 2-1/2" ALUMINUM CAP STAMPED "LS 37969, BEARS NORTH 89°24'37" EAST, A DISTANCE OF 265.85 FEET, ALONG THE 20' RANGE LINE OF W. 10TH AVE., FORMING THE BASIS OF BEARINGS USED IN THIS DESCRIPTION;

THENCE NORTH 21°56'05" EAST, A DISTANCE OF 309.64 FEET TO THE SOUTHEAST CORNER OF LOT 10, BLOCK 39, HALLACK'S SUBDIVISION OF BLOCKS 27, 28, 38, 39, OF WITTERS FIRST ADDITION, AND THE **POINT OF BEGINNING**;

THENCE ALONG THE EAST LINE OF LOTS 1 TO 10 INCLUSIVE, SAID BLOCK 39, NORTH 00°10'40" WEST, A DISTANCE OF 229.59 FEET TO THE NORTHEAST CORNER OF SAID LOT 1 AND TO THE SOUTH RIGHT-OF-WAY LINE OF W. 11TH AVE.; THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE, NORTH 89°46'50" EAST, A DISTANCE OF 3.25 FEET; THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY LINE AND PARALLEL WITH SAID EAST LINE, SOUTH 00°10'40" EAST, A DISTANCE OF 229.59 FEET TO THE EASTERLY EXTENSION LINE OF THE SOUTH LINE OF SAID LOT 10; THENCE ALONG SAID EASTERLY EXTENSION LINE, SOUTH 89°42'26" WEST, A DISTANCE OF 3.25 FEET TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 746 SQ. FT. OR 0.02 ACRES, MORE OR LESS.

I, DARREN R. WOLTERSTORFF, BEING A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THIS EXHIBIT WAS PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE AND IS ACCURATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF. THIS CERTIFICATION IS NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED.



DARREN R. WOLTERSTORFF, PLS 38281  
FOR AND ON BEHALF OF KIMLEY-HORN AND ASSOCIATES, INC.

**NOTES:**

1. ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

2. THIS DOCUMENT IS NOT A LAND SURVEY PLAT OR AN IMPROVEMENT SURVEY PLAT AND DOES NOT REPRESENT A MONUMENTED LAND SURVEY. IT IS INTENDED TO DEPICT THE ATTACHED PARCEL DESCRIPTION ONLY.

# Kimley»Horn

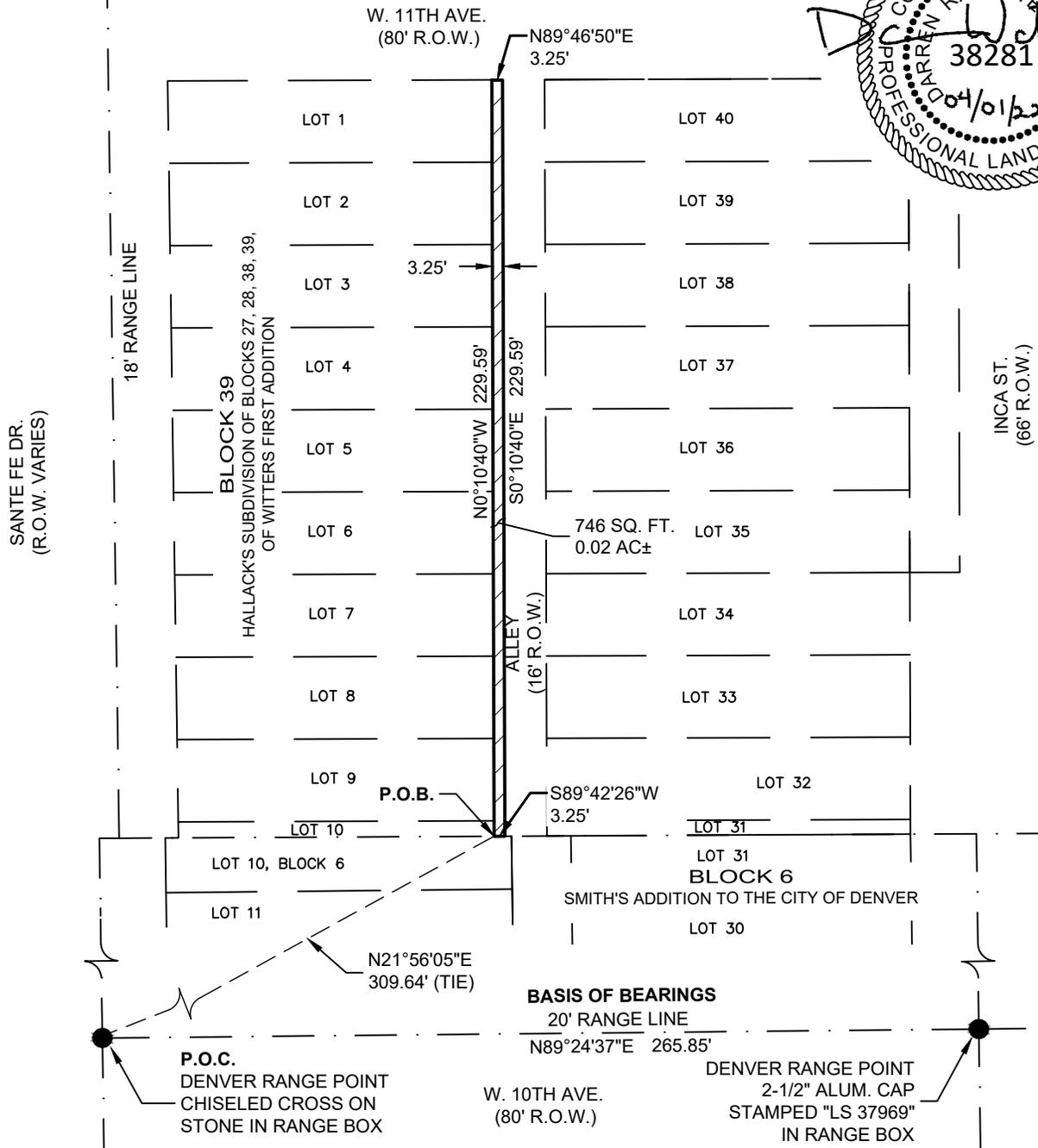
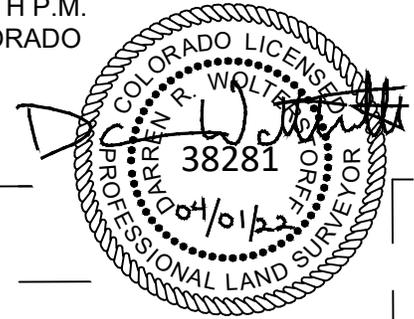
4582 SOUTH ULSTER ST., # 1500  
DENVER, COLORADO 80237

Tel. No. (303) 228-2300  
www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	CAD	DRW	12/14/2021	096528006	1 OF 2

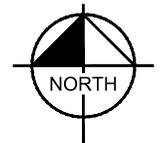
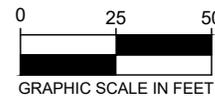
**EXHIBIT A**

LOCATED WITHIN THE NORTHEAST QUARTER OF SECTION 4,  
TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M.  
CITY AND COUNTY OF DENVER, STATE OF COLORADO



P.O.C. = POINT OF COMMENCEMENT  
P.O.B. = POINT OF BEGINNING

PARCEL CONTAINS 746 SQ. FT.  
OR 0.02 ACRES MORE OR LESS



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4582 SOUTH ULSTER ST., # 1500 DENVER, COLORADO 80237 Tel. No. (303) 228-2300 www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 50'	CAD	DRW	12/14/2021	096528006	2 OF 2