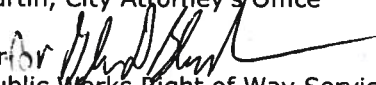




**Department of Public Works**  
Engineering Regulatory & Analytics  
201 W. Colfax Avenue, Dept. 507  
Denver, CO 80202  
720-865-3003  
www.denvergov.org/pwpermits

## REQUEST FOR VACATION ORDINANCE

**TO:** Caroline Martin, City Attorney's Office  
**FROM:** Matt Bryner   
Director, Public Works Right of Way Services  
**ROW #:** 2019-VACA-0000004  
**DATE:** September 19, 2019  
**SUBJECT:** Request for an Ordinance to vacate a portion of the street of the North East corner of Shoshone St and W. 32<sup>nd</sup> Ave, 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 Chris Jedd, dated February 14, 2019, on behalf of Denver Housing Authority 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:

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

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

**INSERT PARCEL DESCRIPTION ROW 2019-VACA-0000004-001 HERE**

MB: **vw**

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  
Public Works, Manager's Office – Alba Castro  
Public Works, Legislative Services – Jason Gallardo  
Public Works, Solid Waste – Mike Lutz  
Public Works, Survey – Paul Rogalla  
Public Works, Street Maintenance – Brian Roecker

**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: September 19, 2019

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 the street of the North East corner of Shoshone St and W. 32<sup>nd</sup> Ave, without reservations.

**3. Requesting Agency:** PW 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: Vanessa West	Name: Jason Gallardo
Email: 720-913-0719	Email: Jason.Gallardo@denvergov.org

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

To vacate a portion of the street of the North East corner of Shoshone St and W. 32<sup>nd</sup> Ave, without reservations. The purpose of this is to vacate this area for the redevelopment of affordable housing Located at 3220 N. Shoshone St. and to improve the intersection for safety

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

Martin Plate

**7. City Council District:**

District #1 Sandoval

**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?

---

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

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

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



## VACATION EXECUTIVE SUMMARY

**Project Title:** 2019-VACA-0000004, Denver Housing Authority Vacation of 32<sup>nd</sup> and Shoshone St

**Requestor's name:** Denver Housing Authority, c/o Chris Jedd

**Description of Proposed Project:** To vacate a portion of the street for redevelopment of affordable housing located at 3220 N Shoshone St, and to improve the safety of the 5 point intersection.

**Explanation of why the public right-of-way must be utilized to accomplish the proposed project:** To vacate a portion of the street for redevelopment of affordable housing located at 3220 N Shoshone St, and to improve the safety of the 5 point intersection

**Width of area in feet:** the total area of the triangular piece is 3,523 square feet

**Number of buildings abut said area:** 3

**The 20-day period for protests has expired, the vacating notice was posted on:** July 12, 2019

**Adjoining Neighbor and Registered Neighborhood Organization notification was sent on:** July 12, 2019

**Protests sustained by the manager of Public Works:** 1 protest has been filed, and has been resolved.

**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:** No

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

**Background:** N/A

**Public Notification:** There was 1 protest pertaining to the traffic patterns. After the City has worked with the protestor, to ensure that the traffic patterns are being dealt with, with street improvements, he removed his protest.

Location Map: *Pull from GIS. Delete this text when finished.*



**LEGAL DESCRIPTION:**

THAT PORTION OF LOT 2, BLOCK 2, H.WITTER'S NORTH DENVER ADDITION LYING SOUTHWEST OF THE NORTHEAST LINE OF 18TH STREET PROJECTED NORTHWESTERLY, AS SAID STREET NOW EXISTS BETWEEN BLOCKS 17 AND 18 OF KASSERMAN'S ADDITION TO DENVER AND DESCRIBED IN THE WARRANTY DEED RECORDED JULY 15, 1887 IN BOOK 344 AT PAGE 135 IN THE RECORDS OF THE CLERK AND RECORDER'S OFFICE OF THE COUNTY OF ARAPAHOE, STATE OF COLORADO, SITUATED IN THE NORTHWEST 1/4 OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY & COUNTY OF DENVER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 2, BLOCK 2;

THENCE SOUTH 00°04'23" EAST, ALONG THE WEST LINE OF SAID LOT 2 AND ALONG THE EAST RIGHT-OF-WAY LINE OF SHOSHONE STREET, A DISTANCE OF 100.02 FEET TO THE POINT OF BEGINNING, SAID POINT ALSO LIES ON THE NORTHWESTERLY EXTENSION OF SAID NORTHEAST LINE OF 18TH STREET;

THENCE SOUTH 45°06'59" EAST, DEPARTING SAID WEST LINE OF LOT 2 AND ALONG THE NORTHWEST EXTENSION OF THE NORTHEAST LINE OF 18TH STREET, A DISTANCE OF 118.79 FEET TO A POINT THREE FEET (3') NORTH OF THE WESTERLY EXTENSION OF THE SOUTH LINE OF SAID LOT 2, BLOCK 2 AND THE WESTERLY EXTENSION OF THE NORTH RIGHT-OF-WAY LINE OF WEST 32ND AVENUE;

THENCE SOUTH 89°59'58" WEST, DEPARTING SAID NORTHWEST PROJECTION OF THE NORTHEAST LINE OF 18TH STREET AND ALONG A LINE THREE FEET (3') NORTH OF AND PARALLEL WITH SAID WESTERLY EXTENSION OF THE NORTH RIGHT-OF-WAY LINE OF WEST 32ND AVENUE, A DISTANCE OF 84.06 FEET TO A POINT ON THE WEST LINE OF SAID LOT 2, BLOCK 2 AND A POINT ON THE EAST RIGHT-OF-WAY LINE OF SHOSHONE STREET;

THENCE NORTH 00°04'23" WEST, DEPARTING SAID THREE FOOT (3') PARALLEL LINE WITH THE NORTH RIGHT-OF-WAY LINE AND ALONG THE EAST RIGHT-OF-WAY LINE FOR SHOSHONE STREET, A DISTANCE OF 83.83 FEET TO THE POINT OF BEGINNING.

CONTAINING 3,523 SQUARE FEET OR 0.08 ACRES, MORE OR LESS

FOR THE PURPOSE OF THIS DESCRIPTION THE BEARINGS ARE BASED ON THE WEST LINE OF SAID LOT 2, BLOCK 2, H. WITTER'S NORTH DENVER ADDITION AS MONUMENTED BY A NAIL WITH A 1" BRASS TAG LS 23689 AT A 18.5' OFFSET TO THE NORTHWEST CORNER OF SAID LOT 2 AND BY A #5 REBAR WITH 1-1/4 OARANGE PLASTIC CAP STAMPED LS 38026 AT THE SOUTH END AND BEARS SOUTH 0°04'23" EAST.