



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
Acting Director, Public Works Right of Way Services

ROW #: 2017-VACA-0000022

DATE: March 14, 2018

SUBJECT: Request for an Ordinance to vacate the northernmost east/west alley bounded by West 16th Avenue, West Conejos Place, North Lowell Boulevard, and North King 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 Cameron Livermore, dated December 19, 2017, on behalf of Ben Greene 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 2017-VACA-0000022-001 HERE

MB: cs

cc: City Councilperson & Aides
City Council Staff – Zach Rothmier
Department of Law – Shaun Sullivan
Department of Law – Brad Beck
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 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: March 14, 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 the northernmost east/west alley bounded by West 16th Avenue, West Conejos Place, North Lowell Boulevard, and North King Street, without 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 the northernmost east/west alley bounded by West 16th Avenue, West Conejos Place, North Lowell Boulevard, and North King Street, without 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:** 3625 W 16th 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.**

One letter of objection had concerns about the townhomes but not the vacation, itself. It was determined to have no technical merit by Matt Bryner, Acting Director of Public Works Right of Way Services.

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: _____

Date Entered: _____



VACATION EXECUTIVE SUMMARY

Project Title: 2017-VACA-0000022 16th Ave Townhomes at 3625 W 16th Ave

Requestor's name: Ben Greene

Description of Proposed Project: Request to vacate the northernmost east/west alley bounded by West 16th Avenue, West Conejos Place, North Lowell Boulevard, and North King Street, without reservations.

Explanation of why the public right-of-way must be utilized to accomplish the proposed project: The customer intends to redevelop the land into townhomes.

Width of area in feet: 17.64 feet

Number of buildings abut said area: 1

The 20-day period for protests has expired, the vacating notice was posted on: February 12, 2018

Adjoining Neighbor and Registered Neighborhood Organization notification was sent on: February 12, 2018

Protests sustained by the manager of Public Works: Have 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: No

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

Background: The customer would like to vacate the alley to combine the lots in order to develop townhomes.

Public Notification: There was one objection that was sent to the Executive Direction of Public Works but was determined to not hold technical merit.

Location Map:

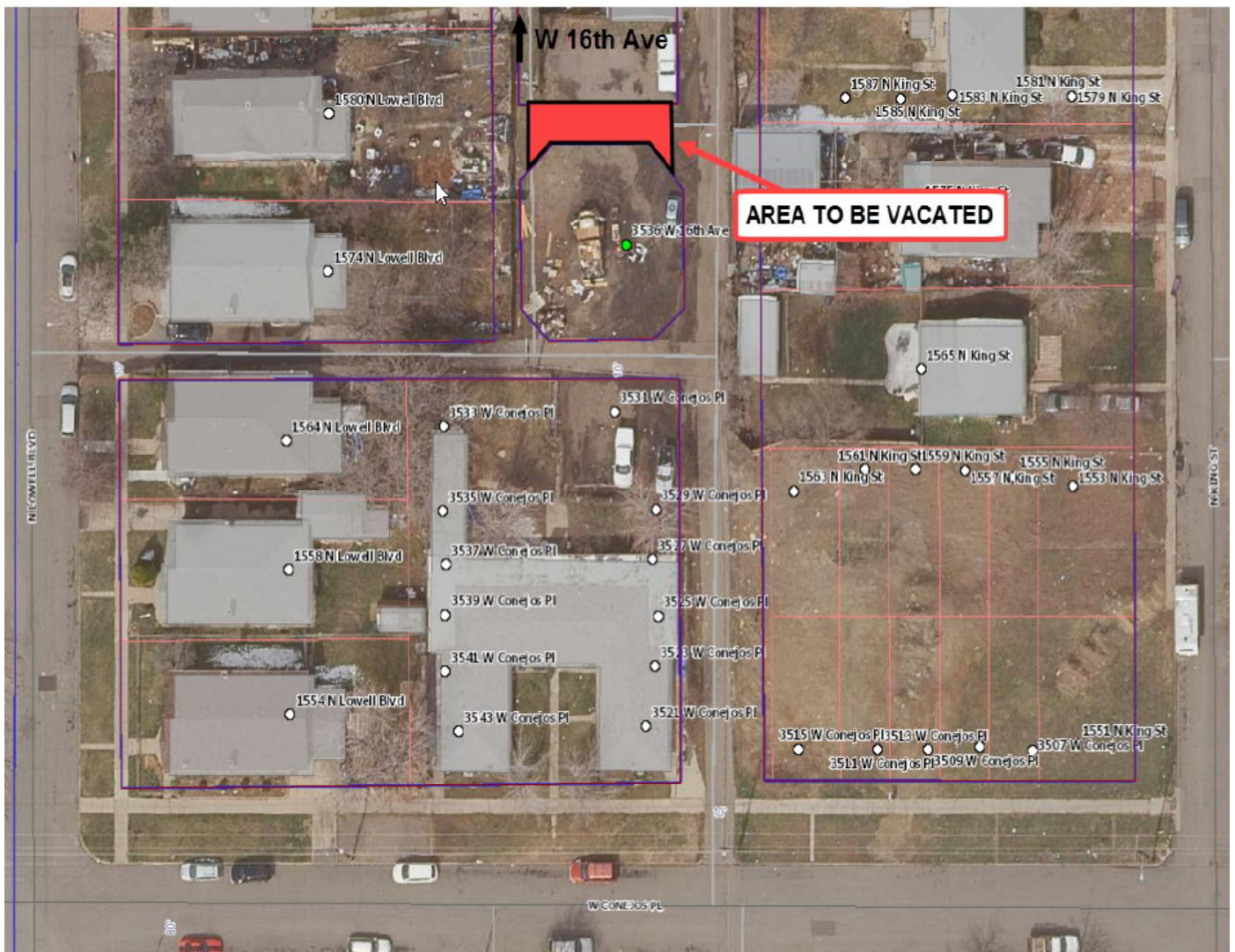


EXHIBIT A
LEGAL DESCRIPTION
Page 1 of 2

A PARCEL OF LAND SITUATED IN THE SOUTHWEST ONE-QUARTER (NE1/4) OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN; AND LOCATED IN THE CITY AND COUNTY OF DENVER, STATE OF COLORADO; BEING A PORTION OF THE ALLEY LOCATED IN BLOCK 30, RESUBDIVISION OF BLOCKS 7, 14, 18, 20, 30 AND 36, CHELTENHAM HEIGHTS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY LINE OF LOT 32, BLOCK 30, OF SAID RESUBDIVISION, BEING N89°46'43"W, 3.00 FEET;

THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 32 AND 33, S89°46'43"E, 53.98 FEET TO A POINT 3.00 FEET DISTANT FROM THE SOUTHEASTERLY CORNER OF SAID LOT 33;

THENCE ALONG A LINE PARALLEL WITH THE EASTERLY LINE OF SAID LOT 33, S00°07'47"W, 17.56 FEET TO A POINT IN THE NORTHEASTERLY LINE OF LOT 34, BLOCK 30;

THENCE ALONG THE NORTHEASTERLY LINE OF SAID LOT 34, N45°05'11"W, 10.76 FEET TO THE EASTERLY END OF THE NORTHERLY LINE OF SAID LOT 34;

THENCE ALONG THE NORTHERLY LINE OF SAID LOT 34, N89°46'43"W, 38.75 FEET TO THE WESTERLY END OF THE NORTHERLY LINE OF SAID LOT 34;

THENCE ALONG THE NORTHWESTERLY LINE OF SAID LOT 34, S44°57'44"W, 10.76 FEET;

THENCE ALONG A LINE PARALLEL WITH THE WESTERLY LINE OF SAID LOT 32, N00°07'47"E, 17.64 FEET TO THE POINT OF BEGINNING.

CONTAINING 598 SQUARE FEET OR 0.014 ACRES, MORE OR LESS.

BASIS OF BEARINGS: BEARINGS USED HEREIN ARE BASED ON A 19' RANGE LINE ON KING STREET BETWEEN W. 16TH AVE. AND W. CONEJOS AVE., BEING N00°05'50"E USING THE CITY AND COUNTY OF DENVER CONTROL COORDINATES, AS MONUMENTED AT W. 16TH AVE. BY A FOUND 2" ALUMINUM CAP PLS 9489 IN CONCRETE. AND MONUMENTED AT W. CONEJOS AVE. BY TWO CHISELED CROSSES, BEING 0.5' WITNESS CORNERS.

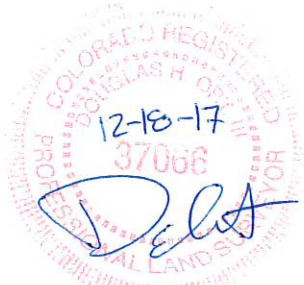
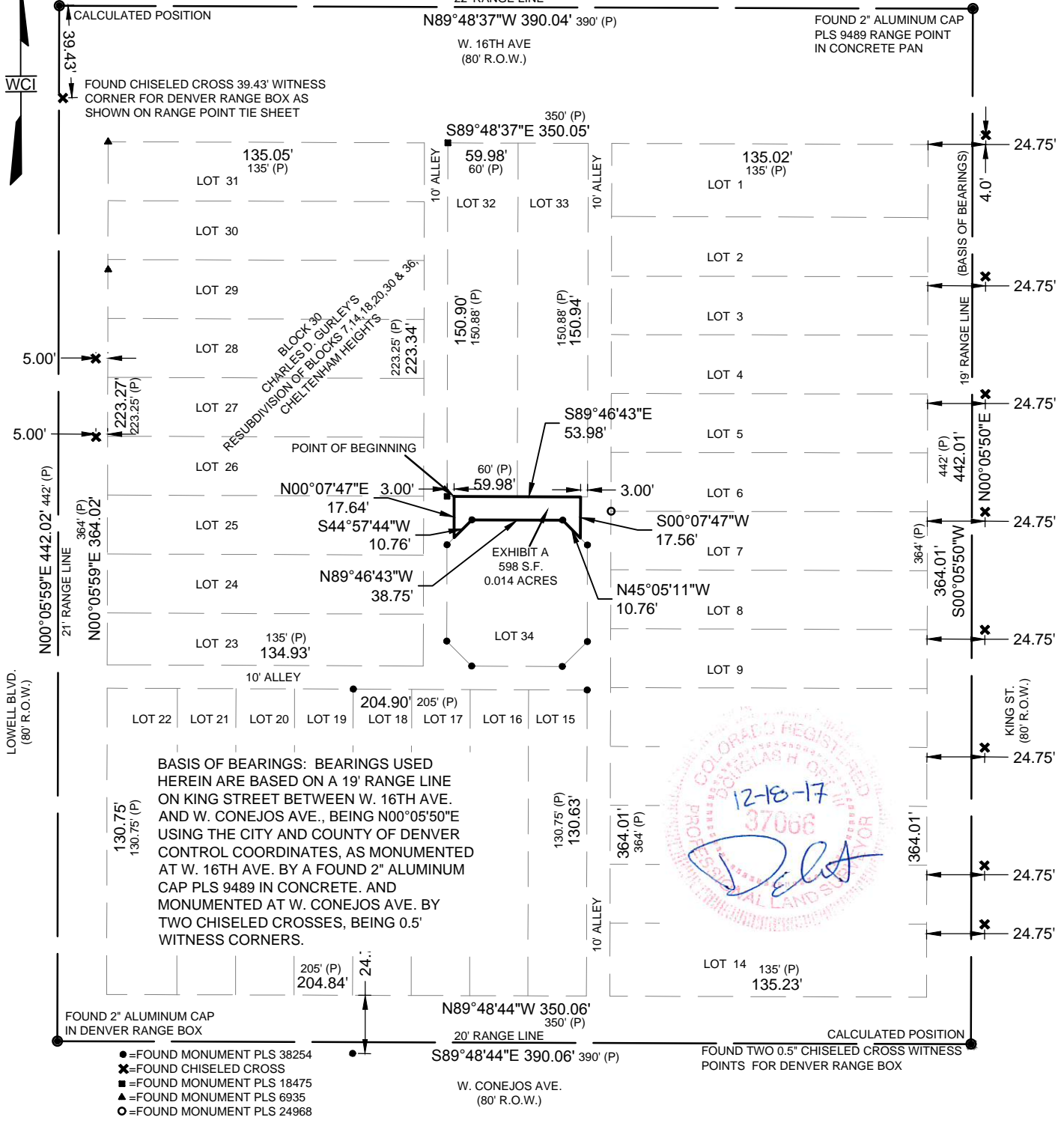
LEGAL DESCRIPTION STATEMENT:

I, DOUGLAS H. ORT III, A LICENSED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE ABOVE LEGAL DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, AND ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF, IS CORRECT.

DOUGLAS H. ORT III, COLORADO PLS 37066
WILSON & COMPANY
1675 BROADWAY, SUITE 200
DENVER, CO 80202
DHORTIII@WILSONCO.COM
PH 303-501-1221
FAX 303-297-2693



EXHIBIT A
SW1/4 OF SEC 32, T3S, R68W OF THE 6TH P.M.,
CITY AND COUNTY OF DENVER, STATE OF COLORADO
 22' RANGE LINE



17-600-431

						SHT. NO: 2 OF 2	 1675 Broadway Suite 200 Denver, CO 80202 Phone: 303-297-2976 Fax: 303-297-2693
						SCALE: 1" = 60'	
						DWN. BY: TJB DATE: 12-5-2017	
						CHK. BY:	
						PROJ. MGR: DHO 12-12-2017	
NO.	REVISION-DESCRIPTION	BY	DATE	CHK'D	APP'D	CLIENT APP:	EXHIBIT A CITY AND COUNTY OF DENVER STATE OF COLORADO