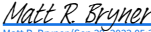


REQUEST FOR VACATION ORDINANCE

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

FROM: Matt R. Bryner, PE
Director, Right of Way Services 
Matt R. Bryner (Sep 25, 2022 05:32 MDT)

ROW #: 2021-VACA-0000014

DATE: September 27, 2022

SUBJECT: Request for an Ordinance to vacate a portion of alley right-of-way bounded by North Cherry Street, East 8th Avenue, North Dexter Street, and East 9th 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 Martin/Martin Consulting Engineering, dated November 23, 2021, on behalf of HCA-HealthOne, 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 Councilperson Sawyer, District 5; Fire Department; Metro Wastewater Reclamation District; Office of Emergency Management; City Forester; Parks & Recreation; DOTI: Construction Engineering, DES Transportation & Wastewater, Survey, Policy & Planning, Street Maintenance, TES Signing & Striping, Solid Waste; CPM Wastewater; Century Link/Lumen; Regional Transportation District; Denver Water; 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 2021-VACA-0000014-001 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
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: **September 27, 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 the alley right-of-way bounded by North Cherry Creek Street, East 8th Avenue, North Dexter Street, and East 9th Avenue, without reservations.

3. Requesting Agency: Department of Transportation & Infrastructure, 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 the alley right-of-way bounded by North Cherry Creek Street, East 8th Avenue, North Dexter Street, and East 9th Avenue, without reservations.

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

7. City Council District: Councilperson Sawyer, District 5

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: 2021-VACA-0000014 880 N Cherry Street Vacation

Requestor's name: HCA-HealthOne, LLC

Description of Proposed Project: Request for an Ordinance to vacate a portion of the alley right-of-way bounded by North Cherry Street, East 8th Avenue, North Dexter Street, and East 9th Avenue, without reservations.

Explanation of why the public right-of-way must be utilized to accomplish the proposed project: Requestor is looking to redevelop the northern portion as one single lot.

Area of proposed right-of-way vacation in square feet: Approximately 2,367 square feet

Number of buildings adjacent to proposed vacation area: None are directly adjacent to proposed vacation area.

Public Notice was posted at the proposed vacation area on: July 29, 2022

Notifications were sent to property owners and Registered Neighborhood Organizations within 200' of the proposed vacation area on: July 29, 2022

The 20-day period for protests expired on: August 18, 2022

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: Land was already dedicated to the City and approved to reconfigure the alley into an L configuration.

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
Phone: 720-865-3003

Background: The requestor is seeking to vacate a portion of the alley in order to redevelop the northern portion of property as one single lot.

Location Map:



EXHIBIT A
SHEET 1 OF 2

LAND DESCRIPTION:

A PORTION OF THE ALLEY THAT WAS CREATED BY ORDINANCE DATED MAY 7 1909, AS SHOWN ON THE PLAT OF CHAMBERLIN'S COLFAX PLACE BEING THE EAST 8.00 FEET OF LOTS 1 THROUGH 6, EXCEPT THE NORTH 2.00 FEET AND THE WEST 8.00 FEET OF LOTS 43 THROUGH 48, EXCEPT THE NORTH 2.00 FEET, BLOCK 3, CHAMBERLIN'S COLFAX PLACE LOCATED IN THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

SAID PARCEL CONTAINS 0.054 ACRES OR 2,367 SQUARE FEET MORE OR LESS.

PREPARED BY ALECSANDER GUEVARA
REVIEWED BY RICHARD A. NOBBE, PLS #23899
FOR AND ON BEHALF OF
MARTIN/MARTIN, INC.
12499 WEST COLFAX AVENUE
LAKEWOOD, COLORADO 80215
303-431-6100
MARCH 7, 2022

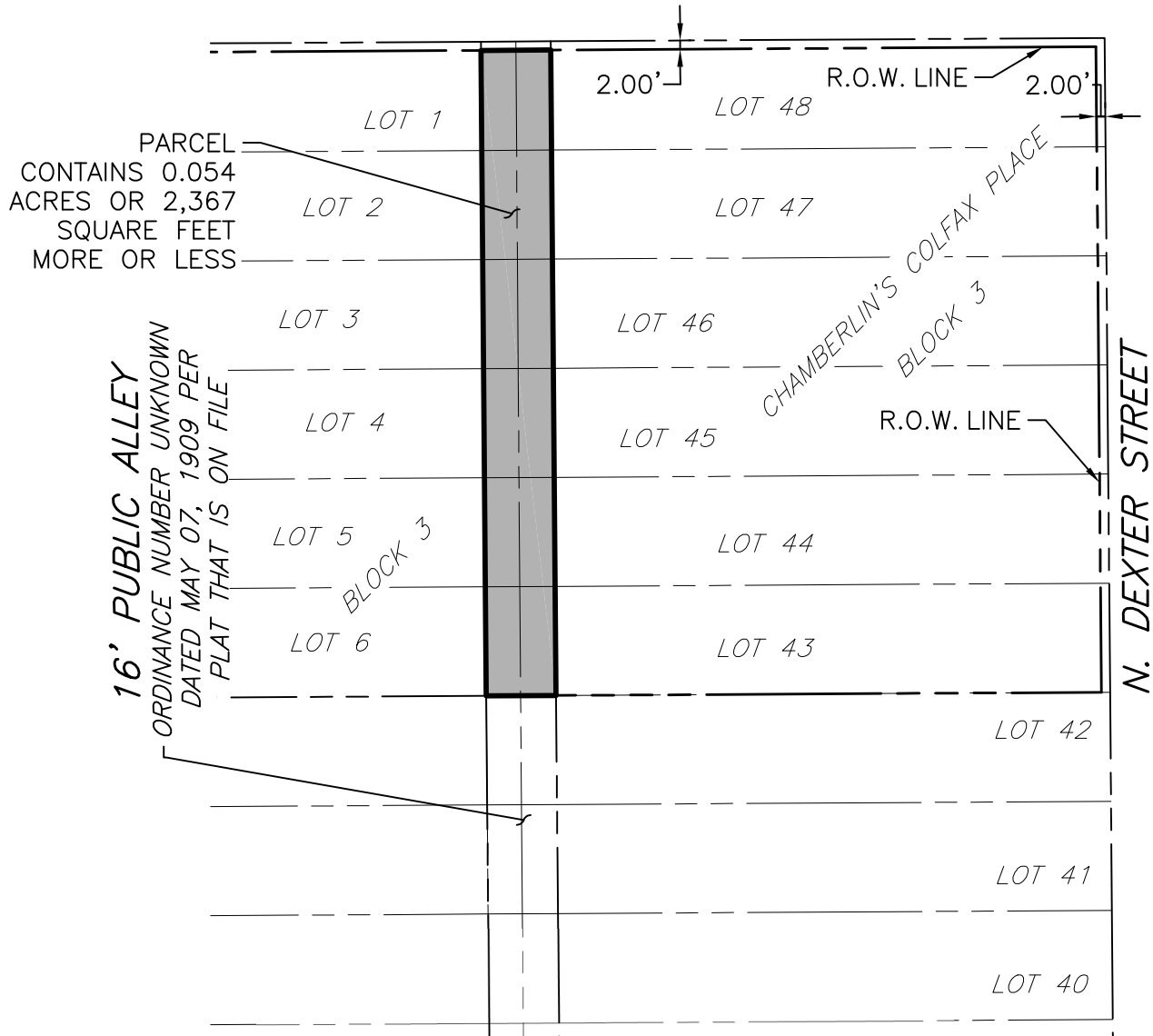


EXHIBIT A

PAGE 2 OF 2

2021-VACA-000014-001

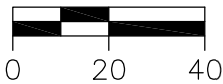
EAST 9TH AVENUE



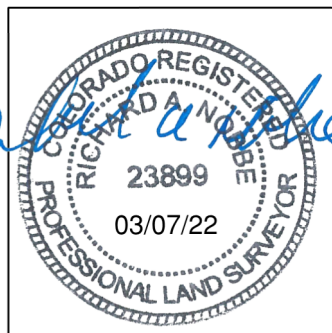
PARCEL
CONTAINS 0.054
ACRES OR 2,367
SQUARE FEET
MORE OR LESS

16' PUBLIC ALLEY
ORDINANCE NUMBER UNKNOWN
DATED MAY 07, 1909 PER
PLAT THAT IS ON FILE

CHAMBERLIN'S COLFAX PLACE
BLOCK 3



SCALE: 1"=40'
ALL DIMENSIONS ARE
U.S. SURVEY FEET



PREPARED BY:

MARTIN/MARTIN, INC.
12499 W. COLFAX AVE.
LAKEWOOD, CO 80215

03/07/22
02/08/22



12499 WEST COLFAX AVENUE, LAKEWOOD, COLORADO 80215
303.431.6100 MARTINMARTIN.COM

THIS EXHIBIT DOES NOT REPRESENT A
MONUMENTED LAND SURVEY. IT IS ONLY
TO DEPICT THE ATTACHED DESCRIPTION.