


REQUEST FOR ORDINANCE TO VACATE PUBLIC RIGHT-OF-WAY

TO: Katie Ehlers, City Attorney's Office

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

PROJECT NO.: 2024-VACA-0000009

DATE: August 26, 2025

SUBJECT: Request for an Ordinance to vacate a portion of the alley abutting 190 North Saint Paul Street, 162 North Saint Paul Street, 3160 East 2nd Avenue, and 165 North Steele Street, with 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, Inc, dated November 18, 2024, on behalf of 2nd & Steele, LLC for the subject right-of-way vacation.

This matter has been coordinated with Asset Management; CPD: Building Department; CenturyLink/Lumen; Colorado Department of Transportation; City Council District 5; City Forester; Comcast; CPD DS Project Coordinator; DOTI ROWS DES Transportation & Wastewater; Office of Disability Rights; Denver Water; Denver Fire Department; Historic Preservation/Landmark; Metro Water Recovery; Office of Emergency Management; CPD Development and Planning Services; Parks and Recreation; DOTI ROWS Construction Engineering; DOTI Policy and Planning; DOTI Street Maintenance; DOTI ROWS Survey; DOTI TES Sign and Stripe; DOTI CPM Wastewater Review; Regional Transportation District; DOTI 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 the subject right-of-way area PROVIDED, HOWEVER, said right-of-way vacation shall be subject to the following reservations:

A perpetual, non-exclusive easement is hereby reserved by the City and County of Denver, its successors and assigns, over, under, across, along, and through the vacated area for the purposes of constructing, operating, maintaining, repairing, upgrading and replacing public or private utilities including, without limitation, storm drainage, sanitary sewer, and water facilities and all appurtenances to said utilities. A hard surface shall be maintained by the property owner over the entire Easement Area. The City reserves the right to authorize the use of the reserved easement by all utility providers with existing facilities in the easement area. No trees, fences, retaining walls, landscaping or structures shall be allowed over, upon or under the Easement Area. Any such obstruction may be removed by the City or the utility provider at the property owner's expense. The property owner shall not re-grade or alter the ground cover in the easement area without permission from the City and County of Denver. The property owner shall be liable for all damages to such utilities, including their repair and replacement, at the property owner's sole expense. The City and County of Denver, its successors, assigns, licensees, permittees and other authorized users shall not be liable for any damage to property owner's property due to use of this reserved easement.

Therefore, you are requested to initiate Council action to vacate the following right-of-way area:

INSERT PARCEL DESCRIPTION ROW 2024-VACA-0000009-001 HERE

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/rowplanreview
Phone: (720) 865-3003



GB: je

cc: City Councilperson & Aides
City Council Staff – Luke Palmisano
Department of Law – Bradley Beck
Department of Law – Martin Plate
Department of Law – Katie Ehlers
DOTI, Manager’s Office – Alba Castro
DOTI, ROWS Manager – Darion Mayhorn
DOTI, Ordinance
DOTI, Solid Waste – Ken Arguello
DOTI, Survey – Paul Rogalla
DOTI, Street Maintenance – Brian Roecker

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ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor's Legislative Team

at MileHighOrdinance@DenverGov.org by 9 a.m. Friday. Contact the Mayor's Legislative team with questions

Date of Request: August 26, 2025

Please mark one: ☒ Bill Request or ☐ Resolution Request

Please mark one: The request directly impacts developments, projects, contracts, resolutions, or bills that involve property and impact within .5 miles of the South Platte River from Denver's northern to southern boundary? (Check map [HERE](#))

☐ Yes ☒ No

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.)

Approves an Ordinance to vacate a portion of the alley abutting 190 North Saint Paul Street, 162 North Saint Paul Street, 3160 East 2nd Avenue, and 165 North Steele Street, with 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 (e.g., subject matter expert)	Contact person for council members or mayor-council
Name: Jessica Eusebio	Name: Alaina McWhorter
Email: Jessica.eusebio@denvergov.org	Email: Alaina.mcwhorter@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 abutting 190 North Saint Paul Street, 162 North Saint Paul Street, 3160 East 2nd Avenue, and 165 North Steele Street, with 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 (including any dba's):

Contract control number (legacy and new):

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: _____



RIGHT-OF-WAY VACATION EXECUTIVE SUMMARY

Application Title: 2024-VACA-0000009 - 2nd and Steele Alley Vacation

Applicant's Name: 2nd & Steele, LLC

Description of Proposed Right-of-Way (ROW) Vacation: Request for an Ordinance to vacate a portion of the alley abutting 190 North Saint Paul Street, 162 North Saint Paul Street, 3160 East 2nd Avenue, and 165 North Steele Street, with reservations.

Applicant's explanation of why the ROW is needed to accomplish their proposed project: The property owner is redeveloping the area. The proposed vacation would allow the properties on either side of the alley to be combined and a single building to be built.

Area of proposed ROW vacation in square feet (SF): Approximately 1,620 square feet.

Number of buildings adjacent to proposed ROW vacation area: Four

Public Notice was posted at the proposed ROW vacation area on: July 16, 2025

Notification letters were sent to property owners and Registered Neighborhood Organizations (RNOs) within 200 feet of the proposed ROW vacation area on: July 16, 2025

The 20-day period for public comment expired on: August 5, 2025

Were public comments received and, if so, explain: One comment in support of the proposed vacation was received.

Are all comments with technical merit resolved to the satisfaction of DOTI: N/A

Has land been dedicated to the city as a condition of the ROW vacation and, if so, explain: A new alley was dedicated with Resolution No. 20250365, Reception No. 2025030997 providing continued access to the proposed parking garage and provide parking garage access for the residents of a multi-family housing development to the south.

Will a utility easement be reserved over the vacated ROW area and, if so, explain: Yes, the standard easement reservation will be held over the vacation area by the City and County of Denver.

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Is a request for an easement relinquishment expected later and, if so, explain: Yes, the applicant is planning to remove the utilities that are currently located within the requested vacation area.

Location Map:



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EXHIBIT A**LEGAL DESCRIPTION****PAGE 1 OF 2**

A PARCEL OF LAND SITUATED IN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN; CITY AND COUNTY OF DENVER, STATE OF COLORADO; BEING A PART OF THE PLATTED 15-FOOT ALLEY OF BLOCK 72, HARMANS SUBDIVISION RECORDED IN BOOK 5, PAGE 18 IN THE BOOK OF PLATS IN THE OFFICE OF THE CLERK AND RECORDER OF THE CITY AND COUNTY OF DENVER, STATE OF COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: EASTERLY LINE OF SAID BLOCK 72, HARMAN'S SUBDIVISION, BEARS SOUTH 00°02'52" WEST, A DISTANCE OF 165.84 FEET BETWEEN A FOUND 1" BRASS TAG STAMPED "LS 31158" AT THE NORTHEASTERLY CORNER OF SAID BLOCK 72 AND A FOUND 1" BRASS TAG STAMPED "AZTEC LS 25645" AT A POINT 16.00 FEET SOUTHERLY OF THE NORTHEASTERLY CORNER OF THE SOUTH HALF OF SAID PLOT 5.

BEGINNING AT THE NORTHWEST CORNER OF SAID PLOT 4, BLOCK 72, HARMANS SUBDIVISION;

THENCE SOUTH 00°02'08" WEST, ALONG THE EASTERLY BOUNDARY OF SAID PLATTED 15-FOOT ALLEY, A DISTANCE OF 107.98 FEET TO THE NORTHWEST CORNER OF ALLEY PARCEL 2 AS DESCRIBED UNDER RECEPTION NUMBER 2025008780 IN SAID RECORDS;

THENCE NORTH 89°56'10" WEST, A DISTANCE OF 15.00 FEET TO A POINT OF THE WESTERLY BOUNDARY OF SAID PLATTED 15-FOOT ALLEY, ALSO BEING THE NORTHEAST CORNER OF ALLEY PARCEL 1 AS DESCRIBED UNDER RECEPTION NUMBER 2025008780 IN SAID RECORDS;

THENCE NORTH 00°02'08" EAST, ALONG SAID WESTERLY BOUNDARY, A DISTANCE OF 107.98 FEET TO THE NORTHEAST CORNER OF PLOT 3, SAID BLOCK 72, HARMANS SUBDIVISION;

THENCE SOUTH 89°56'15" EAST, A DISTANCE OF 15.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 0.037 ACRES, (1,620 SQUARE FEET), MORE OR LESS.

ILLUSTRATION ATTACHED AND MADE A PART HEREOF.

JAMES E. LYNCH, PLS 37933
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 EAST MINERAL AVE., SUITE 1, LITTLETON, CO 80122
303-713-1898

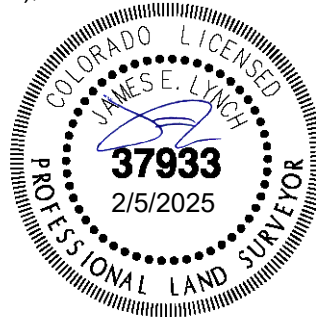


EXHIBIT A
ILLUSTRATION

PAGE 2 OF 2

POINT OF
BEGINNING
NW COR., PLOT 4

E. SECOND AVENUE
(70' ROW)

S89°56'15"E
15.00'

- 1. FOUND 1" BRASS TAG STAMPED "LS 31158"
- 3. FOUND 1" BRASS TAG STAMPED "AZTEC LS 25645"

NW 1/4 SEC. 12,
T.4S., R.68W.,
SIXTH P.M.

PLOT 3

PARCEL CONTAINS
1,620 (SQ.FT.)
0.037 ACRES
MORE OR LESS

ALLEY PARCEL 1
REC. NO. 2025008780

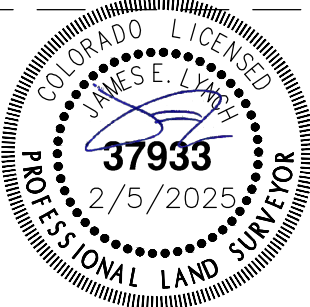
BLOCK 72
HARMANS SUBDIVISION
PLAT BOOK 5, PAGE 18

S'LY LINE NORTH
33- 1/3 FEET OF PLOT 2

ALLEY
REC. NO.
2016084990
RES. 2016 0506

PLOT 2

PLOT 1



0' 20' 40' 80'
SCALE: 1" = 40'

N00°02'08"E 107.98'

S00°02'08"W 107.98'

BLOCK 72
HARMANS SUBDIVISION
PLAT BOOK 5, PAGE 18

PLOT 4

S89°59'16"W 125.00'

N89°56'10"W
15.00'

PLOT 5

ALLEY PARCEL 2
REC. NO. 2025008780

16' ALLEY
REC. NO.
2016084990
RES. 2016 0506

N'LY LINE SOUTH 1/2
PLOT 5

ALLEY VACATED PER ORDINANCE NO. 538,
SERIES OF 2016, REC. NO. 201109067

ALLEY VACATED PER ORDINANCE NO. 244,
SERIES OF 2011, REC. NO. 2011050220

BLOCK 72
HARMANS SUBDIVISION
PLAT BOOK 5, PAGE 18

PLOT 6

(BASIS OF BEARINGS)
S00°02'52"W 165.84'

N. STEELE STREET (75' ROW)

N. ST. PAUL STREET (75' ROW)

NOTE: THIS ILLUSTRATION DOES NOT REPRESENT A MONUMENTED LAND SURVEY AND IS ONLY INTENDED TO DEPICT THE ATTACHED LEGAL DESCRIPTION.

AzTEC
CONSULTANTS, INC.
300 East Mineral Ave, Suite 1
Littleton, Colorado 80122
Phone: (303)713-1898
Fax: (303)713-1897
www.aztecconsultants.com

PARCEL EXHIBIT
BLOCK 72, HARMANS SUBDIVISION
DENVER, COLORADO

PATH: Q:\163821-01 - 185 N STEELE ST\DWG\EXHIBITS\
JOB NUMBER: 163821-01 DATE: 2/5/2025 DWG: JEL CHK: RDS 2 OF 2 SHEETS