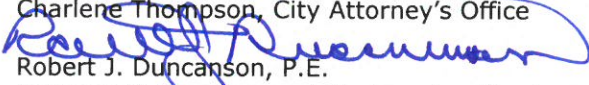




**Denver Public Works**  
Right-of-Way Services

201 W Colfax Ave, Dept. 507  
Denver, CO 80202  
720.865.3001  
Denver.ROW@denvergov.org  
www.denvergov.org/survey

## REQUEST FOR VACATION ORDINANCE

**TO:** Charlene Thompson, City Attorney's Office  
**FROM:**   
Robert J. Duncanson, P.E.  
Manager 2, Development Engineering Services  
**ROW #:** 2016-VACA-0000010  
**DATE:** May 23, 2016  
**SUBJECT:** Request for an Ordinance to vacate six (6) inches of sidewalk adjacent to the building at 1601 Wewatta Street along Chestnut Place at 16<sup>th</sup> Street, without reservation

It is requested that the above subject item be placed on the next available Mayor Council Agenda.

This office has investigated the request of Matt Greenberg, on behalf of HSMPT 1601 Wewatta LLC for granting of 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 2016-PROJMSTR-0000119-VACA-001 HERE**

RJD: ad

cc: City Councilperson & Aides  
City Council Staff – Shelley Smith  
Department of Law – Shaun Sullivan  
Department of Law – Brent Eisen  
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](mailto: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: May 23, 2016

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 six (6) inches of sidewalk adjacent to the building at 1601 Wewatta Street along Chestnut Place at 16th Street, without reservation

3. **Requesting Agency:** Public Works Engineering and Regulatory & Analytics

4. **Contact Person:** (With actual knowledge of proposed ordinance/resolution.)

- **Name:** Ann DeHerrera
- **Phone:** 720-865-3129
- **Email:** Ann.deherrera@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:**

During construction of the building it was noticed that the pillars are 6" into the Right-of-Way. They are trying to rectify the mistake by requesting this vacation.

**\*\*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:** 1601 Wewatta Street
- d. **Affected Council District:** D9 Brooks
- 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.

None.

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: \_\_\_\_\_

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



## VACATION EXECUTIVE SUMMARY

**Project Title:** 2016-VACA-0000010, HSMPT 1601 Wewatta LLC at 1601 Wewatta

**Owner name:** HSMPT 1601 Wewatta LLC

**Description of Proposed Project:** Request for an Ordinance to vacate six (6) inches of sidewalk adjacent to the building at 1601 Wewatta Street along Chestnut Place at 16<sup>th</sup> Street, without reservation

**Explanation of why the public right-of-way must be utilized to accomplish the proposed project:** The stone pillars located along Chestnut Place at 16<sup>th</sup> Street have already been constructed and are located six (6) inches into the Right-of-Way

**Width of area in feet:** 6"

**Number of buildings abut said area:** 1

**The 20-day period for protests has expired, the vacating notice was posted on:** April 27, 2016

**Adjoining Neighbor and Registered Neighborhood Organization notification was sent on:** April 27, 2016

**Protests sustained by the manager of Public Works:** Have not been filed

**Will land be dedicated to the City if the vacation goes through:** No

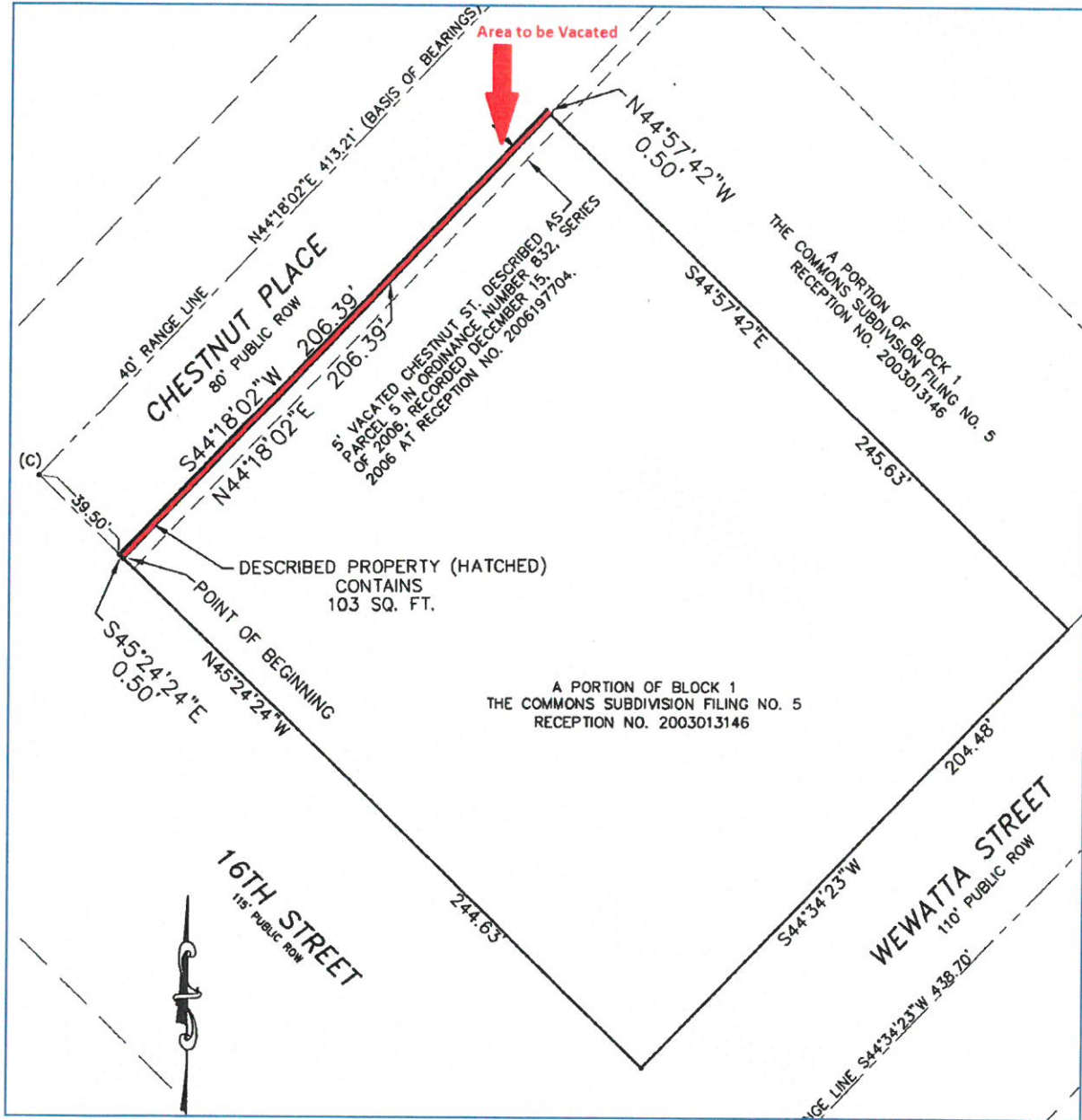
**Will an easement be placed over a vacated area, and if so explain:** No

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

**Background:** During construction of the building it was noticed that the pillars are 6" into the Right-of-Way. They are trying to rectify the mistake by requesting this vacation.

**Public Notification:** The vacating notice was posted at the site on April 27, 2016. Adjacent property owners and Registered Neighborhood Organizations were notified on April 27, 2016. There were no objections.

Location Map:



## EXHIBIT A

NE 1/4 SECTION 33, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M.  
CITY AND COUNTY OF DENVER, STATE OF COLORADO

A PARCEL OF LAND BEING A PART OF CHESTNUT PLACE ROW LYING ADJACENT TO AND NORTHWESTERLY OF VACATED CHESTNUT PLACE DESCRIBED AS PARCEL 5 IN ORDINANCE NUMBER 832, SERIES OF 2006, RECORDED DECEMBER 15, 2006 AT RECEPTION NO. 2006197704 IN SAID RECORDS, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING LOCATED IN THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHEASTERLY ROW LINE OF 16TH STREET AND THE WESTERLY MOST CORNER OF SAID PARCEL 5:

THENCE N44°18'02"E ALONG THE NORTHWESTERLY LINE OF SAID PARCEL 5 AND PARALLEL WITH THE 40' DENVER RANGE LINE FOR CHESTNUT PLACE BETWEEN 16TH STREET AND 17TH STREET WHICH IS THE BASIS OF BEARINGS FOR ALL BEARINGS STATED HEREIN, A DISTANCE OF 206.39 FEET;

THENCE N44°57'42"W, A DISTANCE OF 0.50 FEET;

THENCE S44°18'02"W AND PARALLEL WITH THE NORTHWESTERLY LINE OF SAID PARCEL 5, A DISTANCE OF 206.39 FEET;

THENCE S45°24'24"E, A DISTANCE OF 0.50 FEET TO THE POINT OF BEGINNING.

THE DESCRIBED PARCEL CONTAINS 103 SQUARE FEET, MORE OR LESS.



prepared by:  
ROBERT J. RUBINO  
RUBINO SURVEYING  
3312 AIRPORT ROAD  
BOULDER, CO 80301  
(303)464-9515 FAX (303)464-7792  
E-MAIL: rubinosurveying@aol.com

15178EXHIBIT\_P1

DRAWN BY: BR

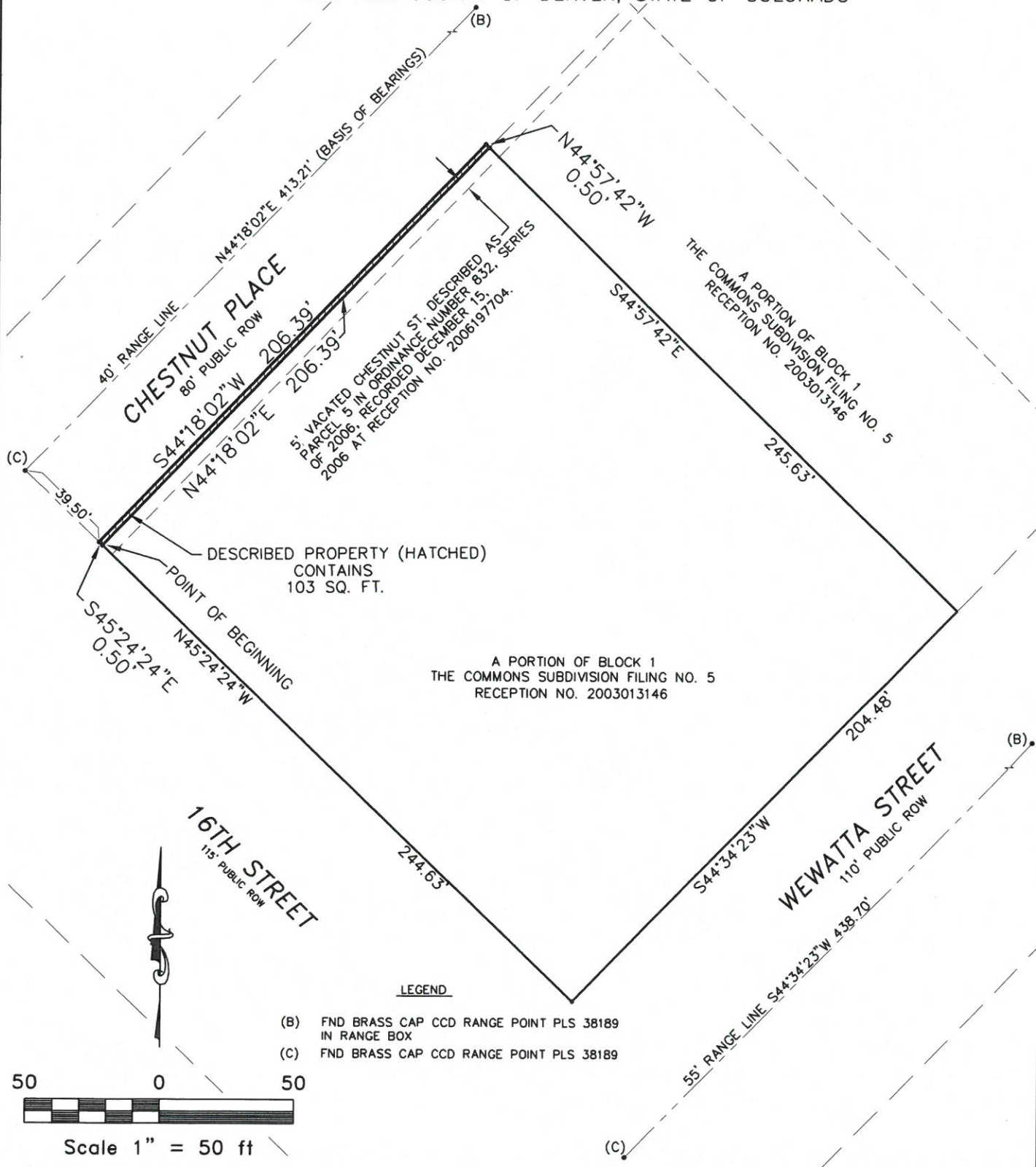
APPROVED BY: RJR

DATE: MARCH 30, 2016

JOB NO. 15178

EXHIBIT A

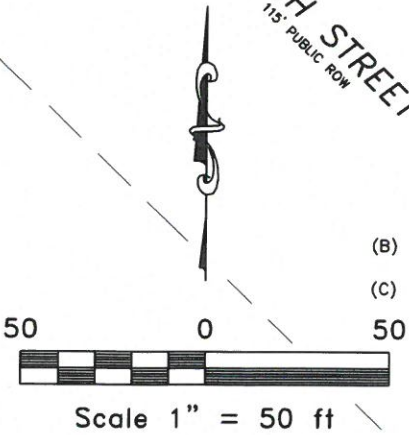
NE 1/4 SECTION 33, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M.  
CITY AND COUNTY OF DENVER, STATE OF COLORADO



A PORTION OF BLOCK 1  
THE COMMONS SUBDIVISION FILING NO. 5  
RECEPTION NO. 2003013146

DESCRIBED PROPERTY (HATCHED)  
CONTAINS  
103 SQ. FT.

- LEGEND**
- (B) FND BRASS CAP CCD RANGE POINT PLS 38189 IN RANGE BOX
  - (C) FND BRASS CAP CCD RANGE POINT PLS 38189



RUBINO SURVEYING  
3312 AIRPORT ROAD  
BOULDER, CO 80301  
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E-MAIL: rubinosurveying@aol.com

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

15178EXHIBIT\_P2

DRAWN BY: BR	APPROVED BY: RJR	DATE: MARCH 30, 2016	JOB NO. 15178
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