



Department of Public Works
Engineering Regulatory & Analytics
201 W. Colfax Avenue, Dept. 507
Denver, CO 80202
720-865-3001
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-0000015
DATE: July 18, 2016
SUBJECT: Request for an Ordinance to vacate a portion of the alley bounded by Steele Street, 2nd Avenue, and Saint Paul Street at 155 Steele 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 Randall Phelps, dated April 22, 2016, on behalf of Cherry Creek Residential, 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-VACA-0000015-001 HERE

A map of the area is attached.

RJD: cs

cc: City Councilperson & Aides – District No. 10 Councilman W. New
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



VACATION EXECUTIVE SUMMARY

Project Title: 2016-VACA-0000015, 155 Steele St Condominiums

Owner name: Cherry Creek Residential, LLC

Description of Proposed Project: To vacate a portion of the alley bounded by Steele Street, 2nd Avenue, and Saint Paul Street with Reservations.

Explanation of why the public right-of-way must be utilized to accomplish the proposed project: The customer is proposing a redevelopment project to develop a mixed-use retail/residential building in which a portion of the public alley behind said address will need to be vacated.

Width of area in feet: 9.88 feet

Number of buildings abut said area: 2

The 20-day period for protests has expired, the vacating notice was posted on: 6/23/2016

Adjoining Neighbor and Registered Neighborhood Organization notification was sent on: 6/23/2016

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

Will land be dedicated to the City if the vacation goes through: Yes

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

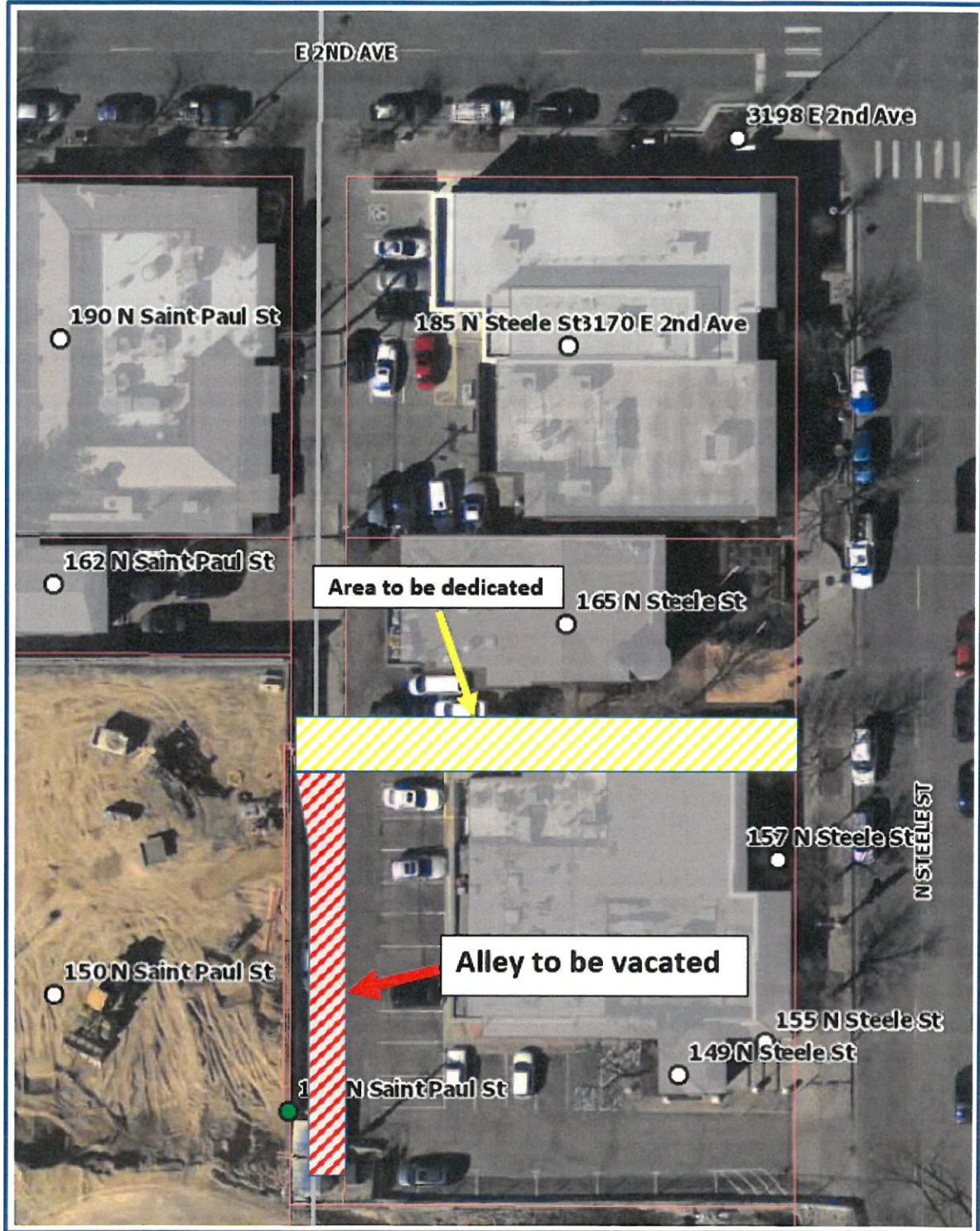
Will an easement relinquishment be submitted at a later date: No

Background: This project is linked to a dedication in which an "L-out" will be dedicated to Right-of-Way to avoid a dead ended alley. (2016-DEDICATION-0000078, 2015D00241)

It is also associated with an easement relinquishment where the easement was for access purposes through the parking lot of First Bank to exit/enter the alley way, since there wasn't an 'L-out alley previously. (2016-RELINQ-0000006)

Public Notification: During the Public Notification period, no objections were received.

Location Map:



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: July 18, 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.**)

To vacate a portion of the alley bounded by Steele Street, 2nd Avenue, and Saint Paul Street without reservations.

3. **Requesting Agency:** Public Works Engineering and 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:**

This project is linked to a dedication in which an “L-out” will be dedicated to Right-of-Way to avoid a dead ended alley. (2016-DEDICATION-0000078, 2015D00241)

It is also associated with an easement relinquishment where the easement was for access purposes through the parking lot of First Bank to exit/enter the alley way, since there wasn't an ‘L-out alley previously. (2016-RELINQ-0000006)

****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:** 155 Steele Street
- d. **Affected Council District:**
- 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: _____

EXHIBIT A

A PARCEL OF LAND BEING A PORTION OF THE 15.00 FOOT WIDE ALLEY LYING WITHIN BLOCK 72, HARMANS SUBDIVISION, IN THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, PER PLAT RECORDED IN BOOK 1, PAGE 98 OF PLATS, RECORDS OF ARAPAHOE COUNTY COLORADO, LYING WITHIN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 4 SOUTH, RANGE 68 WEST, 6TH PRINCIPAL MERIDIAN, SAID CITY, COUNTY AND STATE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEASTERLY CORNER OF PLOT 4, BLOCK 72, SAID HARMANS SUBDIVISION;

THENCE ALONG THE EASTERLY LINE OF SAID BLOCK 72 AND THE WESTERLY RIGHT-OF-WAY OF STEELE STREET, SOUTH 00°01'33" WEST, 165.85;

THENCE DEPARTING SAID EASTERLY LINE AND SAID WESTERLY RIGHT-OF-WAY, NORTH 89°57'48" WEST, 125.06 FEET TO THE WESTERLY LINE OF SAID PLOT 5 AND THE EASTERLY RIGHT-OF-WAY OF SAID 15.00 FOOT WIDE ALLEY AND THE **POINT OF BEGINNING**;

THENCE ALONG THE WESTERLY LINE OF PLOTS 5 AND 6, BLOCK 72, SAID HARMANS SUBDIVISION AND SAID EASTERLY RIGHT-OF-WAY, SOUTH 00°01'53 WEST, 110.46 FEET TO THE NORTHEASTERLY CORNER OF THE ALLEY VACATED BY ORDINANCE NO. 244, SERIES OF 2011, RECORDED MAY 6, 2011 AT RECEPTION NO. 2011050220, IN THE OFFICE OF CLERK RECORDER OF SAID CITY AND COUNTY OF DENVER;

THENCE DEPARTING SAID WESTERLY LINE AND SAID EASTERLY RIGHT-OF-WAY AND ALONG THE NORTHERLY AND EASTERLY LINES OF SAID VACATED ALLEY THE FOLLOWING 3 COURSES:

NORTH 89°58'07" WEST, 9.88 FEET;

NORTH 00°01'53" EAST, 90.36 FEET;

NORTH 09°58'07" WEST, 20.41 FEET TO A LINE THAT BEARS NORTH 89°57'48" WEST AND PASSES THROUGH THE POINT OF BEGINNING;

THENCE DEPARTING SAID EASTERLY LINE, SOUTH 89°57'48" EAST, 13.43 FEET TO THE **POINT OF BEGINNING**.

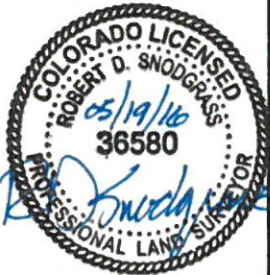
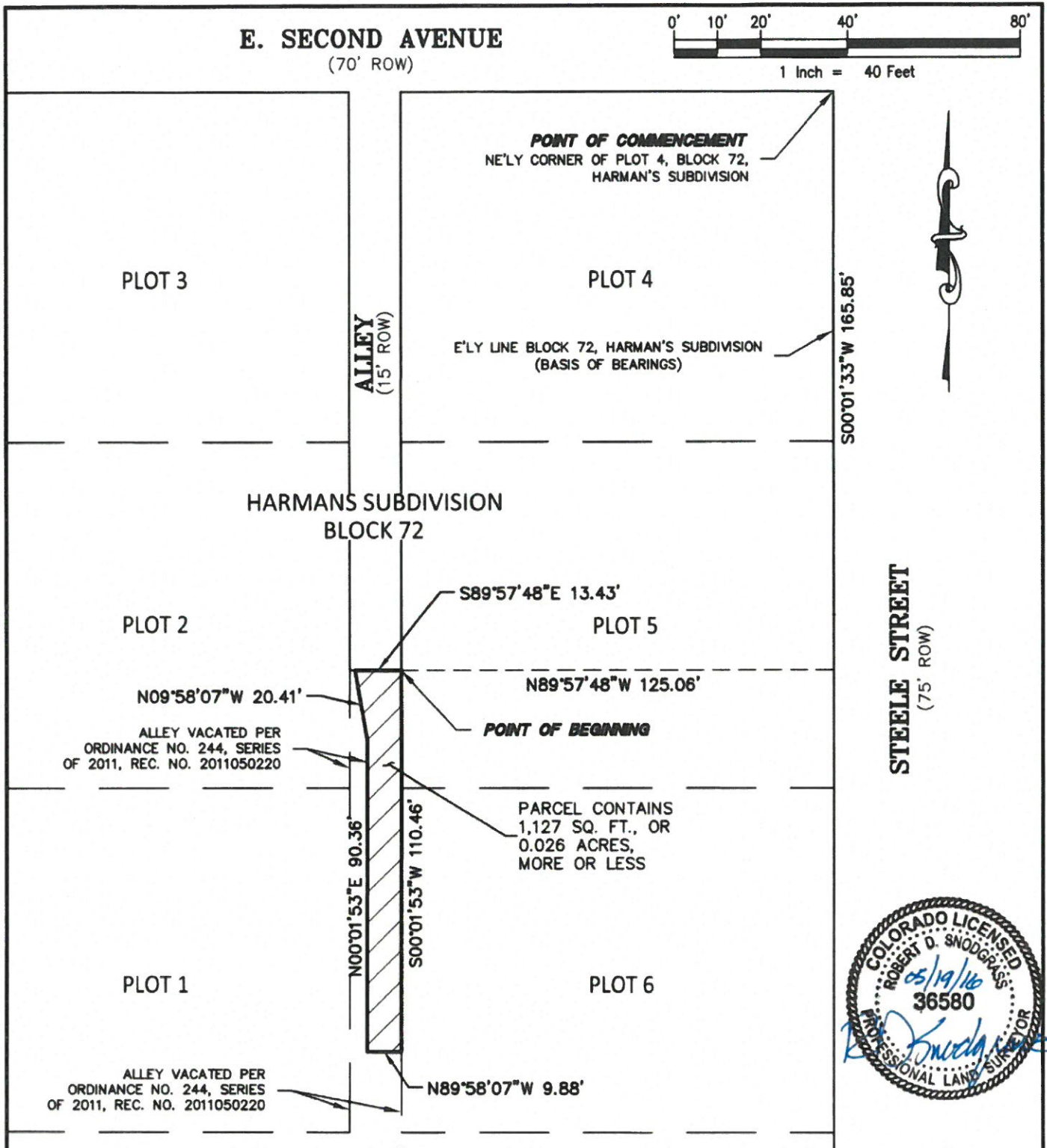
PARCEL CONTAINS 1,127 SQUARE FEET OR 0.026 ACRES.

AS SHOWN ON THE ILLUSTRATION TO ACCOMPANY LEGAL DESCRIPTION ATTACHED HERETO.

ROBERT D. SNODGRASS, PLS 36580
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR
FOR AND BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVENUE, LITTLETON, CO 80122



ILLUSTRATION TO ACCOMPANY LEGAL DESCRIPTION



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

PATH: V:\48115-22-149 STEELE ST.DWG
 DWG NAME: ALLEY VACATION.DWG
 DWG: RDS CHK: DED
 DATE: 01/05/2016
 SCALE: 1" = 40'



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

EXHIBIT A
 CITY AND COUNTY OF DENVER
 COLORADO