



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
Interim Director, Public Works Right of Way Services

ROW #: 2018-VACA-0000003

DATE: May 4, 2018

SUBJECT: Request for an Ordinance to vacate Portions of 17th St, 18th St, Pecos St, and the public alley bounded by 17th St, 18th St, Platte St, Interstate 25, with a partial 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 Public Works, dated March 13, 2018, 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:

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 of the vacated area for the purposes of constructing, operating, maintaining, repairing, upgrading and replacing public or private utilities including, but not limited to, 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 area:

INSERT PARCEL DESCRIPTION ROW 2018-VACA-0000003-001 HERE

With a partial easement (as described above) only over the following described easement area:

INSERT PARCEL DESCRIPTION ROW 2018-VACA-0000003-002 HERE

MB: vw

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, Survey – Warren Ruby
Public Works, Street Maintenance – Brian Roecker

ORDINANCE/RESOLUTION REQUEST

Please email requests to the Angela Casias
at angela.casias@DenverGov.org by **12:00pm on Monday**. Contact the her with questions

Date of Request: May 4, 2018 ___

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 Portions of 17th St, 18th St, Pecos St, and the public alley bounded by 17th St, 18th St, Platte St, Interstate 25, with a partial reservation.

3. Requesting Agency: PW ERA

4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution	Contact person to present item at Mayor-Council and Council
Name: Vanessa West & Warren Ruby	Name: Sarah Stanek
Email: Vanessa.west@denvergov.org ; Warren.ruby@denvergov.org	Email: sarah.stanek@denvergov.org

5. General description or background of proposed request. Attach executive summary if more space needed:

Request for an Ordinance to vacate Portions of 17th St, 18th St, Pecos St, and the public alley bounded by 17th St, 18th St, Platte St, Interstate 25, with a partial reservation.

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

Brent Eisen

7. City Council District:

Dist #1 Espinoza

8. ****For all contracts, fill out and submit accompanying Key Contract Terms worksheet****

N/A

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: 2018-VACA-0000003 Valley Highway - 1701 Platte St

Requestor's name: Public Works

Description of Proposed Project: Request for an Ordinance to vacate Portions of 17th St, 18th St, Pecos St, and the public alley bounded by 17th St, 18th St, Platte St, Interstate 25, with a partial reservation

Explanation of why the public right-of-way must be utilized to accomplish the proposed project: Clean up efforts

Width of area in feet: ~143'

Number of buildings abut said area: 0

The 20-day period for protests has expired, the vacating notice was posted on: March 19, 2018

Adjoining Neighbor and Registered Neighborhood Organization notification was sent on: March 19, 2018

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: Yes, only over a portion for Xcel

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

Background: N/A

Public Notification: No protests were sustained.

Location Map:



**VACATION
LEGAL DESCRIPTION**

ALL OF THOSE PORTIONS OF 17TH ST., 18TH ST., PECOS ST., PLATTE ST., AND THE PUBLIC ALLEY LYING WITHIN THE FOLLOWING DESCRIBED PARCEL OF LAND:

PART OF KASSERMANS ADDITION TO DENVER AND CENTRAL SUBDIVISION LOCATED IN THE SOUTH HALF OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 68 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY AND COUNTY OF DENVER MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE 20.00 FOOT RANGE LINE IN PLATTE STREET AND THE 21.50 FOOT RANGE LINE IN 17TH STREET IN SAID KASSERMAN'S ADDITION, WHENCE SAID 20.00 FOOT RANGE LINE IN PLATTE STREET BEARS NORTH 44°53'40" EAST WITH ALL BEARINGS HEREIN BEING REFERENCED TO SAID 20.00 FOOT RANGE LINE;

THENCE NORTH 25°54'09" EAST, 49.16 FEET TO A POINT BEING 46.50 FEET NORTHEASTERLY OF SAID 21.5 FOOT RANGE LINE AND 16.00 FEET NORTHWESTERLY OF SAID 20.00 FOOT RANGE LINE AND LYING ON THE SOUTHEASTERLY EXTENTION OF THE LINE OF THE VALLEY HIGHWAY AS DEDICATED BY ORDINANCE NO. 3 SERIES OF 1962, AND BEING THE **POINT OF BEGINNING**.

THENCE NORTH 45°08'14" WEST, ALONG SAID EXTENSION AND ALONG SAID VALLEY HIGHWAY, 159.02 FEET;

THENCE DEPARTING SAID VALLEY HIGHWAY, NORTH 47°28'13" EAST, 117.52 FEET;

THENCE NORTH 53°57'06" EAST, 159.85 FEET;

THENCE NORTH 59°37'13" EAST, 88.17 FEET;

THENCE NORTH 65°49'33" EAST, 144.08 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 89.97 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH 84°05'27" EAST;

THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 39°10'10" AN ARC LENGTH OF 61.51 FEET;

THENCE TANGENT TO SAID CURVE, SOUTH 45°04'44" EAST, 8.87 FEET TO A POINT ON SAID VALLEY HIGHWAY;

THENCE ALONG SAID VALLEY HIGHWAY, SOUTH 44°53'40" WEST, 217.43 FEET;

THENCE CONTINUING ALONG SAID VALLEY HIGHWAY, SOUTH 56°59'07" WEST, 52.52 FEET TO A LINE THAT IS PARALLEL WITH AND DISTANT NORTHWESTERLY 16.00 FEET FROM SAID HEREINABOVE DESCRIBED 20.00 FOOT RANGE LINE;

THENCE DEPARTING SAID VALLEY HIGHWAY ALONG SAID PARALLEL LINE, SOUTH 44°53'40" WEST, 205.98 FEET TO THE **POINT OF BEGINNING**.



EXHIBIT A

PARCEL A

A PARCEL OF LAND LOCATED IN THE SOUTH ONE-HALF (S. 1/2) OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE TWENTY (20) FOOT RANGE LINE FOR PLATTE STREET AND THE TWENTY ONE AND ONE HALF (21.5) FOOT RANGE LINE FOR 17TH STREET; THENCE N44°33'13"E, 46.50 FEET ALONG SAID TWENTY (20) FOOT RANGE LINE; THENCE N45°28'41"W, 16.00 FEET TO THE TRUE POINT OF BEGINNING.

THENCE CONTINUING N45°28'41"W, 38.00 FEET;
 THENCE N44°33'13"E, 10.00 FEET;
 THENCE S45°28'41"E, 38.00 FEET;
 THENCE S44°33'13"W, 10.00 FEET TO THE TRUE POINT OF BEGINNING..

PARCEL A CONTAINS 380 SQUARE FEET MORE OR LESS.

AN ILLUSTRATION FOR PARCEL A IS ATTACHED HERETO AND MADE A PART HEREOF.

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS THE TWENTY (20) FOOT RANGE LINE FOR PLATTE STREET, WHICH IS ASSUMED TO BEAR N44°33'13"E

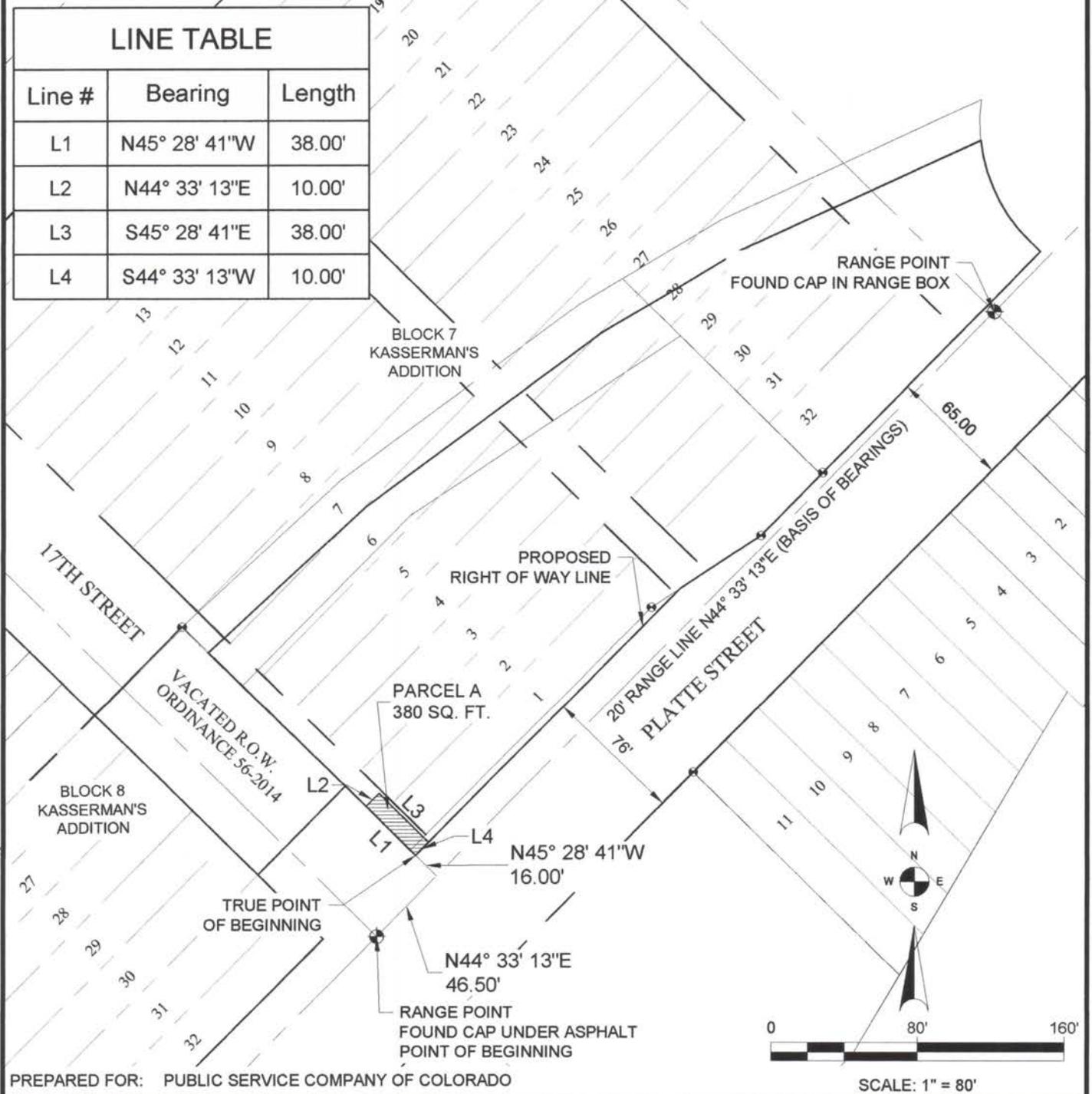
THE AUTHOR OF THIS DESCRIPTION IS MR. JOHN P. MCGUIRE, P.L.S. 28279, PREPARED ON BEHALF OF JPM & ASSOCIATES LLC, 8210 W 40TH AVE. WHEAT RIDGE CO 80033 ON MARCH 28, 2018 UNDER PROJECT NUMBER 2018021-486 FOR PUBLIC SERVICE COMPANY OF COLORADO AND IS NOT TO BE CONSTRUED AS REPRESENTING A MONUMENTED LAND SURVEY.



John P. McGuire P.L.S. 28279

ILLUSTRATION FOR PARCEL A
S 1/2 SEC. 28, T3S, R68W, 6TH P.M.

LINE TABLE		
Line #	Bearing	Length
L1	N45° 28' 41"W	38.00'
L2	N44° 33' 13"E	10.00'
L3	S45° 28' 41"E	38.00'
L4	S44° 33' 13"W	10.00'



PREPARED FOR: PUBLIC SERVICE COMPANY OF COLORADO

SCALE: 1" = 80'

SCALE: 1" = 80'

PARCEL A

JOB NO.: 2018021-486



S 1/2 SEC. 28, T3S, R68W, 6TH P.M.
CITY & COUNTY OF DENVER, COLORADO

2/2