


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.: 2023-VACA-0000002

DATE: May 7, 2025

SUBJECT: Request for an Ordinance to vacate a portion of alley bounded by West 29th Avenue, North Fifth Court, North Speer Boulevard, and North Bryant 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 Kimley-Horn, dated May 14, 2024, on behalf of Jan M. Christensen for the subject right-of-way vacation.

This matter has been coordinated with Asset Management; CPD: Building Department; CenturyLink/Lumen; CDOT; City Council District 1; City Forester; Comcast; CPD DS Project Coordinator; DOTI ROWS DES Transportation & Wastewater; DOTI ROWS ER 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 ER Transportation & Wastewater; 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(s) 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(s):

INSERT PARCEL DESCRIPTION ROW 2023-VACA-0000002 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: bw

cc: City Councilperson & Aides
City Council Staff – Luke Palmisano
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 – Alaina McWhorter
DOTI, Solid Waste – Mike Lutz
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: May 7, 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 alley bounded by West 29th Avenue, North Firth Court, North Speer Boulevard, and North Bryant Street, with reservations.

3. **Requesting Agency:** DOTI: Right-of-Way Services, Engineering and 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: Brianne White	Name: Alaina McWhorter
Email: Brianne.white@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 alley bounded by West 29th Avenue, North Firth Court, North Speer Boulevard, and North Bryant Street, with reservations.

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

7. **City Council District:** District 1, Councilperson Sandoval

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: 2023-VACA-0000002, 29th and Speer

Applicant's Name: Jan M. Christensen

Description of Proposed Right-of-Way (ROW) Vacation: Request for an Ordinance to vacate a portion of alley bounded by West 29th Avenue, North Firth Court, North Speer Boulevard, and North Bryant Street, with reservations.

Applicant's explanation of why the ROW is needed to accomplish their proposed project: The applicant is requesting this vacation area to build a 200-unit apartment building.

Area of proposed ROW vacation in square feet (SF): 3,116 square feet

Number of buildings adjacent to proposed ROW vacation area: 6

Public Notice was posted at the proposed ROW vacation area on: December 16, 2024

Notification letters were sent to property owners and Registered Neighborhood Organizations (RNOs) within 200 feet of the proposed ROW vacation area on: December 16, 2024

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

Were public comments received and, if so, explain: Yes

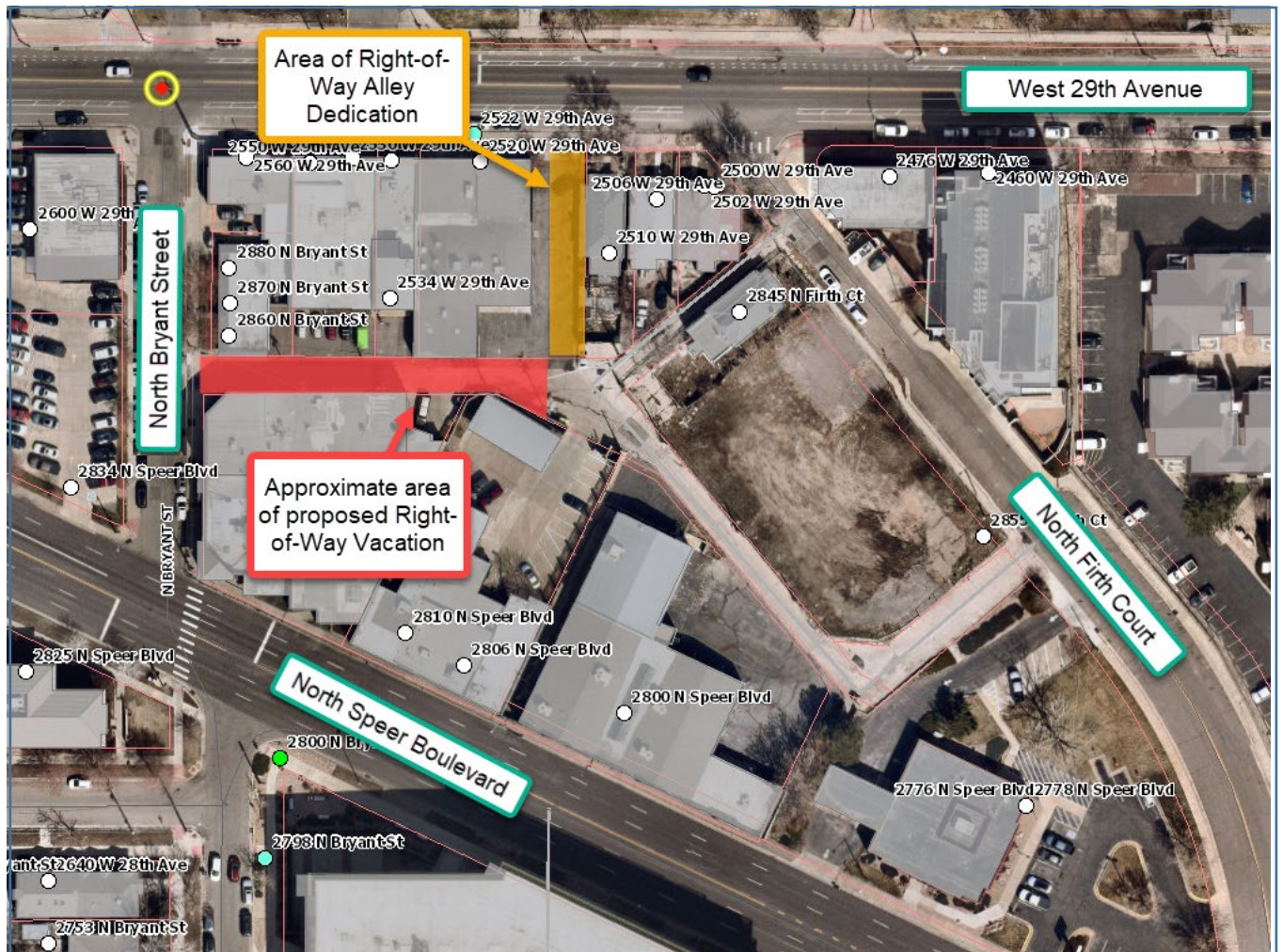
Are all comments with technical merit resolved to the satisfaction of DOTI: Yes

Has land been dedicated to the city as a condition of the ROW vacation and, if so, explain: Yes, to provide continued access to the alley and allow turning movements for utility vehicles.

Will a utility easement be reserved over the vacated ROW area and, if so, explain: Yes, to accommodate existing utilities.

Is a request for an easement relinquishment expected later and, if so, explain: Yes, the project intends to relocate existing utilities and apply for an easement relinquishment thereafter.

Location Map:



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 Right-of-Way Services | Engineering & Regulatory
 201 W Colfax Ave, Dept 507 | Denver, CO 80202
www.denvergov.org/rowplanreview
 Phone: (720) 865-3003

LAND DESCRIPTION

A TRACT OR PARCEL OF LAND SITUATED IN RE-SUBDIVISION OF LOTS 1,2,3,4,5 & 6 BLOCK 15 HIGHLAND PARK, IN THE SOUTHEAST ONE-QUARTER OF SECTION 29, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 30, BLOCK 15 OF SAID RE-SUBDIVISION FROM WHENCE AN AXLE IN A CITY AND COUNTY OF DENVER RANGE BOX AT THE INTERSECTION OF WEST 29TH AVENUE AND BRYANT STREET BEARS N00°10'41"W, 185.02 FEET:

THENCE S89°20'54"E, ALONG THE SOUTH LINE OF LOTS 22 THROUGH 30 OF SAID BLOCK 15, 205.00 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 22;

THENCE S00°36'50"W, 27.35 FEET TO A POINT ON THE NORTH LINE OF LOT 40 OF SAID BLOCK 15.

THENCE N64°35'40"W, ALONG THE NORTH LINE OF LOTS 39 AND 40 OF SAID BLOCK 15, 31.18 FEET;

THENCE N89°20'54"W, ALONG THE NORTH LINE OF LOTS 34 THROUGH 39 OF SAID BLOCK 15, 176.69 FEET TO A POINT 15.00 FEET EAST OF THE NORTHWEST CORNER OF SAID LOT 34 AND ON THE EAST LINE OF BRYANT STREET AS CONVEYED TO THE CITY AND COUNTY OF DENVER IN DEED RECORDED DECEMBER 23, 1908 IN BOOK 2048 AT PAGE 474,

THENCE N00°36'49"E ALONG SAID EAST LINE, 14.30 FEET TO THE POINT OF BEGINNING.

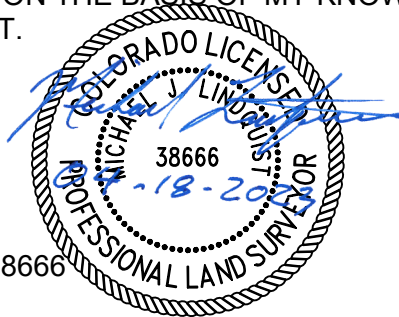
CONTAINING 3,116 SQUARE FEET OR 0.072 ACRES, MORE OR LESS.

SHEET 2 OF 3

BASIS OF BEARING: BEARINGS USED HEREIN ARE BASED ON A 20' RANGE LINE ON WEST 29TH AVENUE BETWEEN BRYANT STREET AND FIRTH COURT., BEING N89°20'54"W USING THE CITY AND COUNTY OF DENVER CONTROL COORDINATES, AS MONUMENTED AT THE WEST ON BRYANT STREET AND WEST 29TH AVE BY A FOUND AXLE IN RANGE BOX. AND MONUMENTED AT THE EAST AT FIRTH COURT AND WEST 29TH AVE BY A FOUND AXLE IN RANGE BOX.

LEGAL DESCRIPTION STATEMENT:

I, MICHAEL LINDQUIST, A LICENSED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE ABOVE LEGAL DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, AND ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF, IS CORRECT.

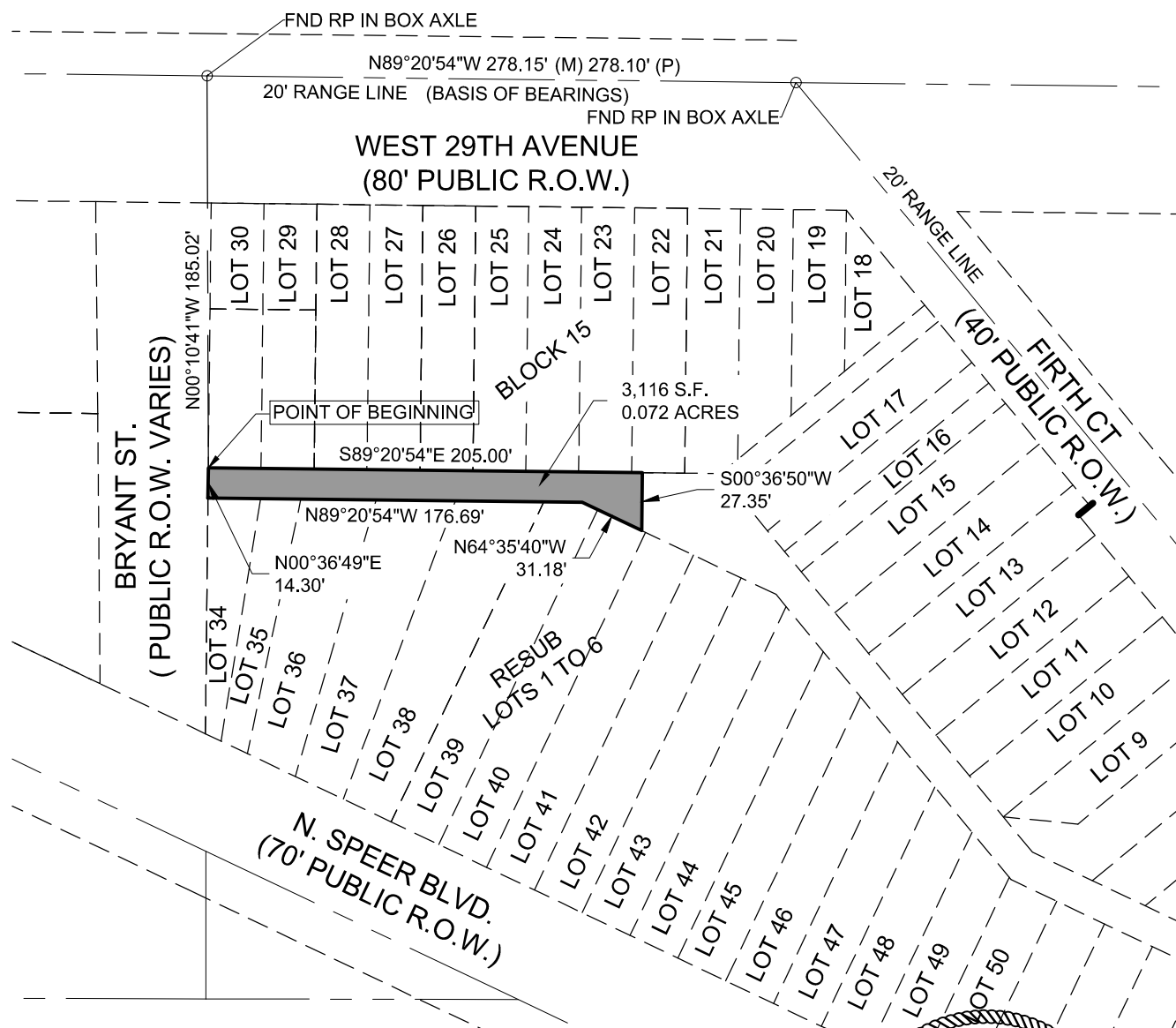


MICHAEL LINDQUIST, COLORADO PLS 38666
WILSON & COMPANY
990 S. BROADWAY, SUITE 220
DENVER, CO 80209
(303) 297-2976

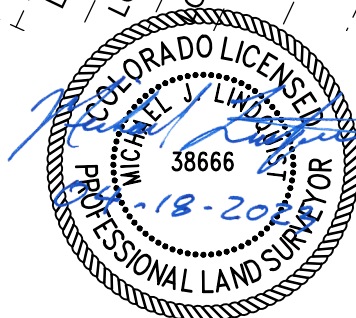


EXHIBIT A

A PARCEL OF LAND LOCATED IN THE RE-SUBDIVISION OF LOTS 1,2,3,4,5 & 6 BLOCK 15
HIGHLAND PARK, IN THE SOUTHEAST 1/4 OF SECTION 29, TOWNSHIP 3 SOUTH, RANGE 68 WEST
OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO.



BASIS OF BEARING: BEARINGS USED HEREIN ARE BASED ON A 20' RANGE LINE ON WEST 29TH AVENUE BETWEEN BRYANT STREET AND FIRTH COURT., BEING N89°20'54"W USING THE CITY AND COUNTY OF DENVER CONTROL COORDINATES, AS MONUMENTED AT THE WEST ON BRYANT STREET AND WEST 29TH AVE BY A FOUND AXLE IN RANGE BOX. AND MONUMENTED AT THE EAST AT FIRTH COURT AND WEST 29TH AVE BY BY A FOUND AXLE IN RANGE BOX.



						SHT. NO:	3 OF 3	WILSON & COMPANY 990 South Broadway Suite 220 Denver, CO 80209 Phone: 303-297-2976 Fax: 303-297-2693	
						SCALE:	1" = 80'		
						OWN. BY:	TJB	DATE:	2-14-2023
						CHK. BY:			
						PROJ. MGR:	MJL	4-3-2023	
						CLIENT APP:			
01						EXHIBIT A 29th AND SPEER BLVD DENVER CO 80202 STATE OF COLORADO			
NO.	REVISION-DESCRIPTION	BY	DATE	CHK'D	APP'D				