



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: Caroline Martin, City Attorney's Office
FROM: Robert J. Duncanson, P.E.
Manager 2, Development Engineering Services
ROW #: 2015-VACA-0020801
DATE: June 29, 2015
SUBJECT: Request for an Ordinance to vacate right of way underneath the existing structure at 2298 Clay St, 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 Andre Couvillion of Real Architecture 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.

Therefore, you are requested to initiate Council action to vacate the following area:

INSERT PARCEL DESCRIPTION ROW 2015-VACA-0020801-001

The following information, pertinent to this request action, is submitted:

1. The width of this area varies.
2. Transportation connectivity is preserved so that there will be minimal impacts to the transportation system.
3. The area is not open and is being used.
4. One building abuts said area.
5. The owner of the contiguous area would benefit by being able to make more effective use of their ground; the City would benefit by reduced maintenance responsibility.
6. Grades and drainage are not adversely affected by this action.
7. Replacement area will not be required.
8. The vacating notice was posted on June 3, 2015, and the 20-day period for protests has expired.
9. Adjoining Neighbor and Registered Neighborhood Organization notification was sent on June 3, 2015.
10. Protests sustained by the Manager of Public Works have not been filed.
11. Ordinance action by the City Council is considered to be necessary because the Council is the only City body authorized by the Charter to dispose of City property.

RJD: aal

cc: City Councilperson & Aides
City Council Staff – Shelley Smith
Capital Projects Management – Mike Anderson
Department of Law – Shaun Sullivan
Department of Law – Karen Aviles
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 the Mayor's Legislative Team at MileHighOrdinance@DenverGov.org by **3:00pm on Monday**. For any questions please contact Skye Stuart.

****All fields must be completed.****
Incomplete request forms will be returned to sender which may cause a delay in processing.

Date of Request: June 29, 2015

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.**)*

2015-VACA-0020801: Proposal to vacate right of way underneath an existing structure at 2298 Clay St, without reservations.

3. Requesting Agency: Public Works – Survey

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

- **Name:** Adrienne Lorantos, AICP
- **Phone:** 720-865-3119
- **Email:** Adrienne.Lorantos@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 is a proposal to vacate right of way underneath the existing structure at 2298 Clay St.

****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:** 2298 Clay St
- d. **Affected Council District:** #1 – Susan Shepherd
- 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: _____



EXECUTIVE SUMMARY

DENVER
THE MILE HIGH CITY

Project Title:

2015-VACA-0020801: Proposal to vacate right of way underneath an existing structure at 2298 Clay St, without reservations.

Description of Proposed Project:

This is a proposal to correctly align the boundary of the private property where there are improvements with the right of way.

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

To accurately align where there are private improvements with the public right of way.

Has a Temp MEP been issued, and if so, what work is underway: N/A

What is the known duration of an MEP: N/A

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.

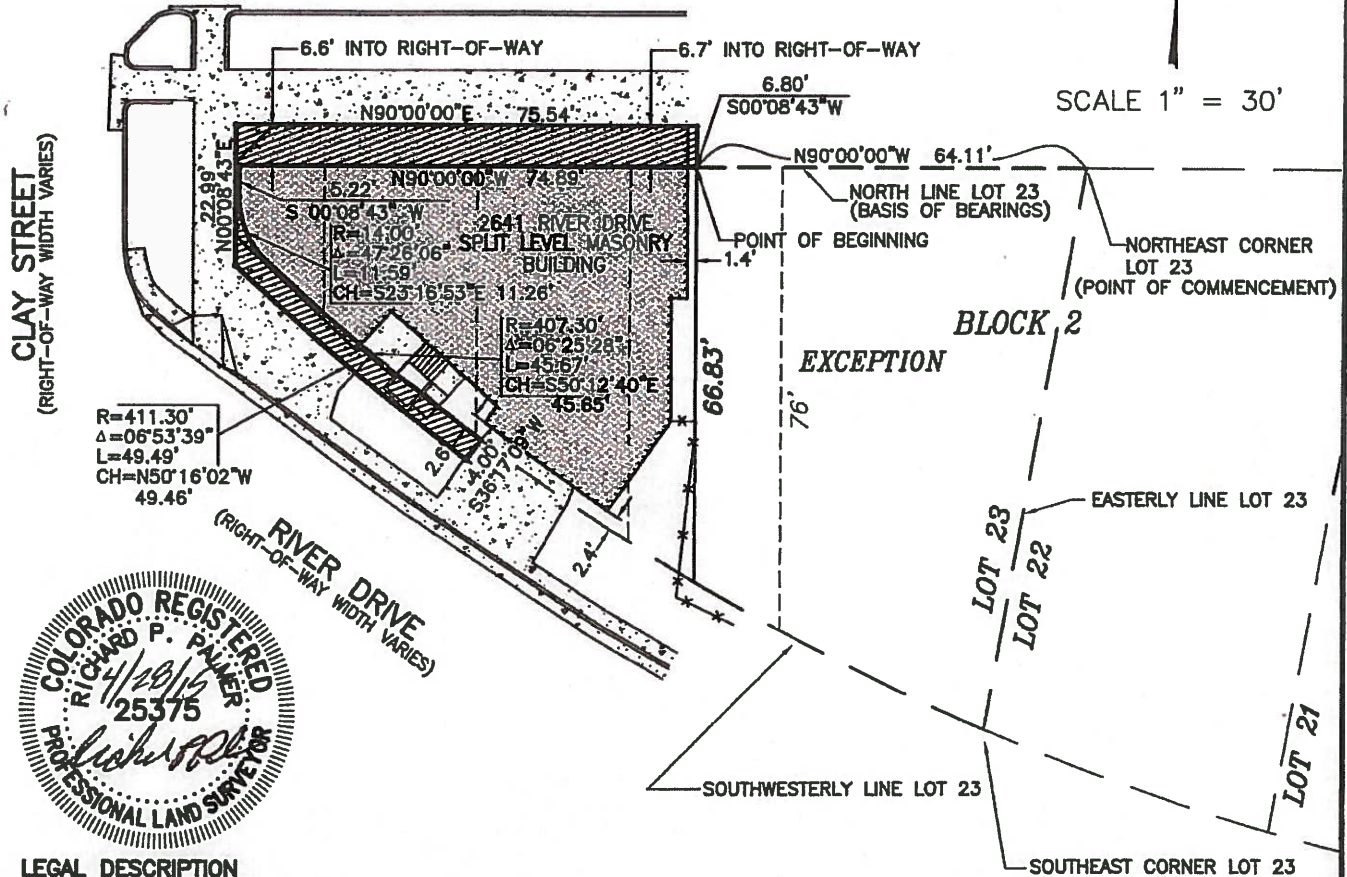
Additional information: None.



Protecting the Present & Building the Future
Accountability, Innovation, Empowerment, Performance, Integrity,
Diversity, Teamwork, Respect, Excellence, Safety

EXHIBIT "A"

WEST 23RD AVENUE
(80' RIGHT-OF-WAY)



SCALE 1" = 30'

CLAY STREET
(RIGHT-OF-WAY WIDTH VARIES)

RIVER DRIVE
(RIGHT-OF-WAY WIDTH VARIES)



LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 23, BLOCK 2, RIVER FRONT IN THE TOWN OF HIGHLANDS, CITY AND COUNTY OF DENVER, STATE OF COLORADO, AND CONSIDERING AN ASSUMED BEARING FOR THE NORTH LINE OF SAID LOT 23 TO BEAR NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID NORTH LINE, A DISTANCE OF 64.11 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTH LINE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 74.89 FEET TO THE NORTHWEST CORNER OF SAID LOT 23, THENCE SOUTH 00 DEGREES 08 MINUTES 43 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 23, A DISTANCE OF 5.22 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 14.00 FEET, A CENTRAL ANGLE OF 47 DEGREES 26 MINUTES 06 SECONDS, WHOSE CHORD BEARS SOUTH 23 DEGREES 16 MINUTES 53 SECONDS EAST, A CHORD DISTANCE OF 11.26 FEET, AN ARC DISTANCE OF 11.59 FEET TO A POINT OF COMPOUND CURVATURE; THENCE ALONG THE SOUTHWESTERLY LINE OF SAID LOT 23 ON THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 407.30 FEET, A CENTRAL ANGLE OF 06 DEGREES 25 MINUTES 28 SECONDS, WHOSE CHORD BEARS SOUTH 50 DEGREES 12 MINUTES 40 SECONDS EAST, A CHORD DISTANCE OF 45.65 FEET, AN ARC DISTANCE OF 45.67 FEET; THENCE SOUTH 36 DEGREES 17 MINUTES 09 SECONDS WEST, A DISTANCE OF 4.00 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT AND PARALLEL WITH THE SOUTHWESTERLY LINE OF SAID LOT 23, SAID CURVE HAVING A RADIUS OF 411.30 FEET, A CENTRAL ANGLE OF 06 DEGREES 53 MINUTES 39 SECONDS, WHOSE CHORDS BEARS NORTH 50 DEGREES 16 MINUTES 02 SECONDS WEST, A CHORD DISTANCE OF 49.46 FEET, AN ARC DISTANCE OF 49.49 FEET; THENCE NORTH 00 DEGREES 08 MINUTES 43 SECONDS EAST AND PARALLEL WITH THE WEST LINE OF SAID LOT 23, A DISTANCE OF 22.99 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST AND PARALLEL WITH THE NORTH LINE OF SAID LOT 23, A DISTANCE OF 75.54 FEET; THENCE SOUTH 00 DEGREES 08 MINUTES 43 SECONDS WEST, A DISTANCE OF 6.80 FEET TO THE POINT OF BEGINNING. CONTAINING 730 SQUARE FEET, MORE OR LESS. CITY AND COUNTY OF DENVER, STATE OF COLORADO.