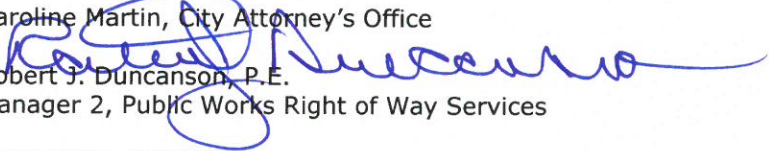




**Department of Public Works**  
Engineering Regulatory & Analytics  
201 W. Colfax Avenue, Dept. 507  
Denver, CO 80202  
720-865-3001  
www.denvergov.org/survey

### REQUEST FOR VACATION ORDINANCE

**TO:** Caroline Martin, City Attorney's Office  
**FROM:** Robert J. Duncanson, P.E.   
Manager 2, Public Works Right of Way Services  
**ROW #:** 2015-VACA-0000006  
**DATE:** January 17, 2017  
**SUBJECT:** Request for an Ordinance to vacate the north-south alley bounded by Park Avenue, E. 17th Avenue, Marion Street, and Lafayette Street.

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

This office has investigated the request of John Stafford, dated September 29, 2015, on behalf of 17<sup>th</sup> Avenue Development Group, LLC 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:

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 2015-VACA-0000006-001 HERE**

RJD: cs

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:** January 17, 2017

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 the north-south alley bounded by Park Avenue, E. 17th Avenue, Marion Street, and Lafayette Street.

**3. Requesting Agency:** PW Right of Way Services  
**Agency Division:** Engineering, Regulatory & Analytics

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

- **Name:** Chaunda Sinn
- **Phone:** 720-865-3031
- **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:**

Request for an Ordinance to vacate the north-south alley bounded by Park Avenue, E. 17th Avenue, Marion Street, and Lafayette Street.

**\*\*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:** Park Avenue and E. 17<sup>th</sup> Avenue
- d. Affected Council District:** Dist # 9, Albus 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:** 2015-VACA-0000006 Park 17 Alley Vacation

**Owner name:** 17TH AVENUE DEVELOPMENT GROUP LLC; Jim Bruner

**Description of Proposed Project:** Request for an Ordinance to vacate the north-south alley bounded by Park Avenue, E. 17th Avenue, Marion Street, and Lafayette Street.

**Explanation of why the public right-of-way must be utilized to accomplish the proposed project:** The customer would like to redevelop the land.

**Width of area in feet:** 16 feet

**Number of buildings abut said area:** 2

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

**Adjoining Neighbor and Registered Neighborhood Organization notification was sent on:** December 20, 2016

**Protests sustained by the manager of Public Works:** One (1) protest has been filed but deemed to have no technical merit by Rob Duncanson.

**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:** The customer would like to vacate this alley in order to redevelop the surrounding land. There were utilities in the alley but since have been relocated.

**Public Notification:** One (1) protest has been filed but deemed to have no technical merit by Rob Duncanson.



Location Map:



# EXHIBIT

PAGE 1 OF 2

## LAND DESCRIPTION

SITUATED IN THE SOUTHWEST 1/4 OF SECTION 35, TOWNSHIP 3 SOUTH,  
RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO

A PARCEL OF LAND BEING THE 16 FOOT WIDE ALLEY IN BLOCK 26, BETWEEN PARK AVENUE AND EAST 17th AVENUE, AS SHOWN ON THE PLAT OF PARK AVENUE ADDITION TO DENVER, SITUATED IN THE SOUTHWEST 1/4 OF SECTION 35, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6th PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID ALLEY, ALSO BEING THE NORTHWEST CORNER OF LOT 1 OF SAID BLOCK 26;

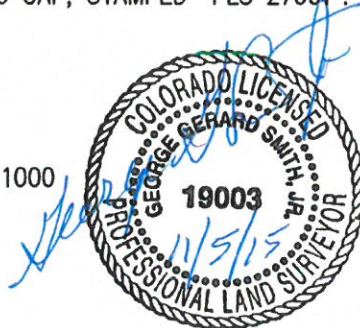
- THENCE SOUTH 00°17'38" WEST, ALONG THE EAST LINE OF SAID ALLEY, A DISTANCE OF 214.19 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SAID PARK AVENUE;
- THENCE NORTH 44°50'02" WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 22.58 FEET TO THE INTERSECTION OF SAID NORTH RIGHT-OF-WAY AND THE WEST LINE OF SAID ALLEY;
- THENCE NORTH 00°17'38" EAST, ALONG SAID WEST LINE, A DISTANCE OF 198.34 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF SAID EAST 17th AVENUE;
- THENCE SOUTH 89°26'43" EAST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 16.00 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 3,300 SQUARE FEET OR 0.07 ACRES, MORE OR LESS.

BASIS OF BEARINGS: BEARINGS ARE BASED ON THE ASSUMPTION THAT THE NORTH LINE OF LOT 1, BLOCK 26, PARK AVENUE ADDITION TO DENVER BEARS NORTH 89°26'43" WEST. THE NORTHWEST CORNER OF SAID LOT 1 IS MONUMENTED WITH A CHISELED CROSS AND BROKEN NAIL, AND THE NORTHEAST CORNER OF SAID LOT 1 IS MONUMENTED BY A REBAR WITH YELLOW PLASTIC CAP, STAMPED "PLS 27601".

PREPARED BY: GEORGE G. SMITH, JR., PLS  
PLS 19003

ON BEHALF OF: HARRIS KOCHER SMITH  
1120 LINCOLN STREET, SUITE 1000  
DENVER, CO 80203  
303.623.6300



FILED IN: P:\150607\VALLEY\VALLEY\HATCHING\ LAYOUT: DESCRIPTION  
DATE PLOTTED: THU 11/05/15 3:52:44P BY: KYLE WELSHDAZE

NO CHANGES ARE TO BE MADE TO THIS DRAWING WITHOUT WRITTEN PERMISSION OF HARRIS KOCHER SMITH

ISSUE DATE: 09-21-15	PROJECT #: 150607
DATE	REVISION COMMENTS
11-05-2015	REVISED PER COMMENTS



PARK 17  
(PARK AVE. & 17th ST.)

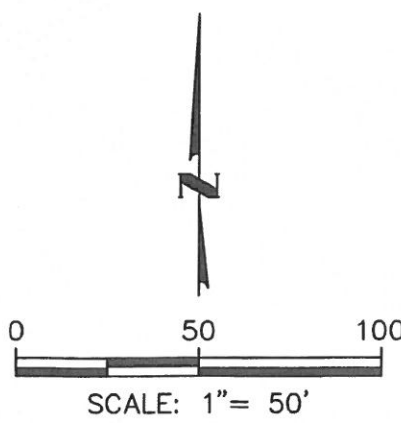
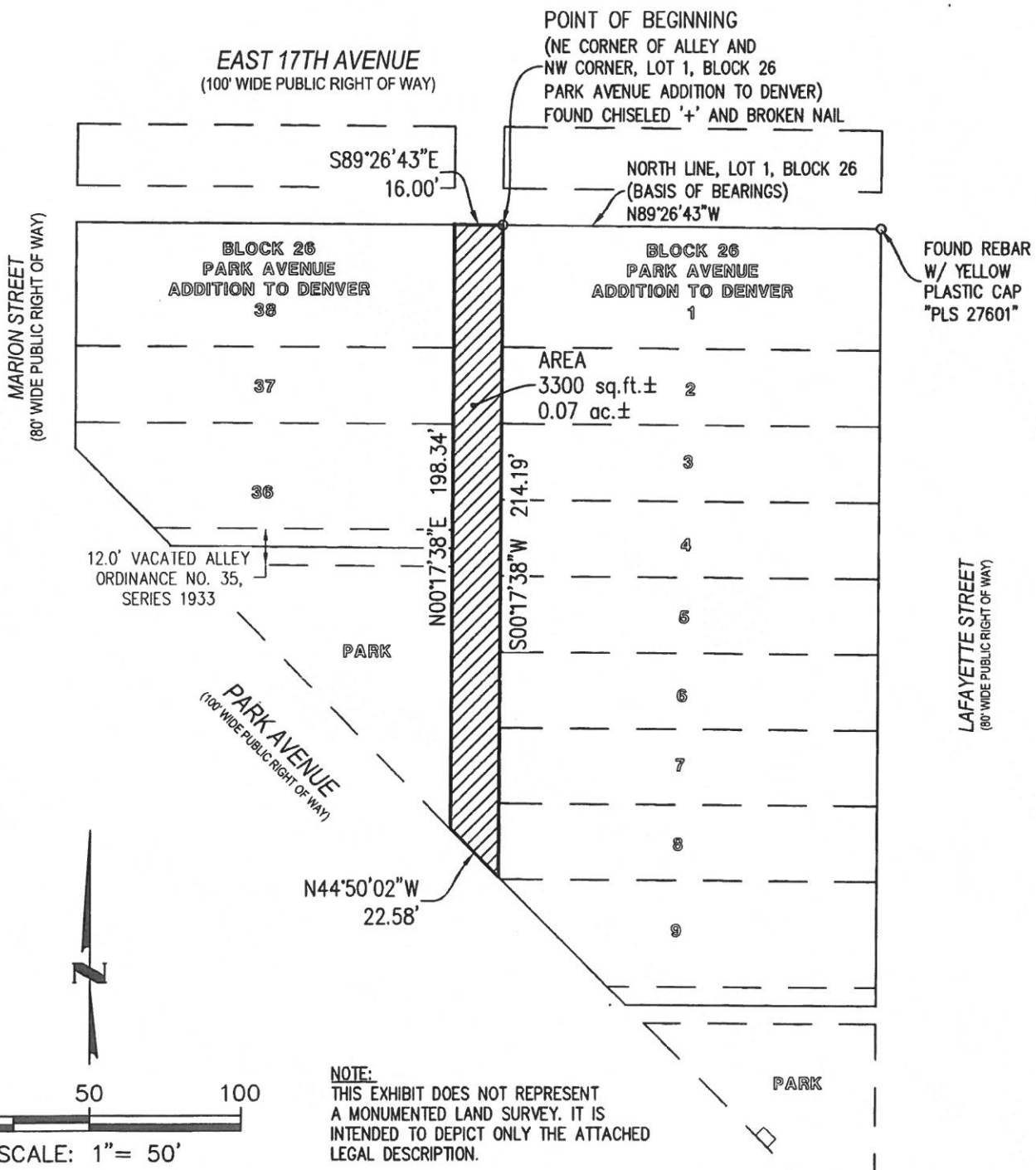
**HKS** HARRIS KOCHER SMITH  
1120 Lincoln Street, Suite 1000  
Denver, Colorado 80203  
P: 303.623.6300 F: 303.623.6311  
HarrisKocherSmith.com

CHKD BY: GGS  
DRAWN BY: RJE

SHEET NO  
**1**  
1 OF 2

# EXHIBIT

PAGE 2 OF 2



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

FILED: P:\150607\SURVEY\VALLEY VACATING.DWG LAYOUT: CHS1  
NO. 8871  
PLOTTER: HPJ 11/06/15 12:13:32P BY: KPW KOLBACH

NO CHANGES ARE TO BE MADE TO THIS DRAWING WITHOUT WRITTEN PERMISSION OF HARRIS KOCHER SMITH.

ISSUE DATE: 09-21-15	PROJECT #: 150607
DATE	REVISION COMMENTS
11-05-2015	REVISED PER COMMENTS



**PARK 17**  
(PARK AVE. & 17th ST.)

**HKS HARRIS KOCHER SMITH**  
 1120 Lincoln Street, Suite 1000  
 Denver, Colorado 80203  
 P: 303.623.6300 F: 303.623.6311  
 HarnsKocherSmith.com

CHKD BY: GGS DRAWN BY: RJE
SHEET NO. <b>2</b>
2 OF 2