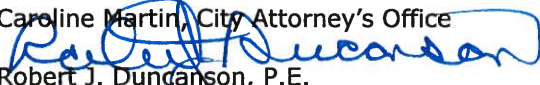




REQUEST FOR VACATION ORDINANCE

TO: Caroline Martin, City Attorney's Office
FROM: 
Robert J. Duncan, P.E.
Manager 2, Development Engineering Services
ROW #: 2014-0061-04
DATE: March 2, 2015
SUBJECT: Request for an Ordinance to vacate an area at 55^s Zuni St, 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 Julie Krogh, on behalf of Florence Crittenton Services of Colorado 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:

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 portion of the vacated area as described below ("Easement 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 2014-0061-04-001 HERE

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

1. The width of this area is approximately 60 feet.
2. Transportation connectivity is preserved so that there will be minimal impacts to the transportation system.
3. The area is open and is being used.
4. Three buildings abut 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 February 5, 2015, and the 20-day period for protests has expired.
9. Adjoining Neighbor and Registered Neighborhood Organization notification was sent on February 5, 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: Asset Management – Steve Wirth
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 Angela Casias
at Angela.Casias@DenverGov.org by 12:00 pm on Monday.

Date of Request: March 2, 2015

Please mark one: Bill Request or Resolution Request

Is this request: A new contract* A contract amendment* or Neither

*If this request is a contract or an amendment, is it:

A revenue agreement or An expenditure agreement

Contract Control Number:

Contract Terms/Dates:

Costs (if this is a contract amendment please include the original cost, additional cost and new total. *Failure to provide this information may delay processing*):

1. **Bill Description for the City Council Agenda:** (please give a one sentence description of the ordinance request. Describe if the request is a contract, amendment, lease, grant, change to code, rezoning, etc. and any other information that Council needs to approve the request)

2014-0061-04: Vacation at 55 S Zuni St.

2. **Requesting Agency:**

3. **Contact Person:** (Subject Matter Expert on the request)

- Name: Adrienne Lorantos, AICP
- Phone: 720-865-3119
- Email: Adrienne.Lorantos@denvergov.org

4. **Contact Person:** (Please list the person who will read this item at Mayor Council and attend first and second reading to answer questions)

- Name: Angela Casias
- Phone: 720-913-8529
- Email: Angela.Casias@denvergov.org

5. **Background on the request:**

This is a request to vacate a cul-de-sac at 55 and 96 S Zuni St.

6. **Please complete the following fields:**

- A. Location: 55 S Zuni St
- B. Affected Council District: #9 - Montero
- C. Benefits: N/A

7. **Is there any controversy surrounding this ordinance? 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: 2014-0061-04: Vacation of cul-de-sac at 55 S Zuni St

Description of Proposed Project: This is a proposal to vacate the cul-de-sac at 55 S Zuni St.

Explanation of why the public right-of-way must be utilized to accomplish the proposed project: For overall lot development.

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: Yes, a typical hard surface easement is required.

Will an easement relinquishment be submitted at a later date: Unknown.

Additional information: None.

2014-0061-04-001

DPS FLORENCE CRITTENTON SCHOOL
SOUTH ZUNI ST. RIGHT-OF-WAY VACATION

LAND DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF S. ZUNI ST. LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8 AND THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 8; THENCE N44°56'36"W A DISTANCE OF 42.37 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF W. BAYAUD AVE. AND THE WESTERLY RIGHT-OF-WAY LINE OF S. ZUNI ST. SAID POINT BEING THE POINT OF BEGINNING; THENCE ALONG THE WESTERLY AND EASTERLY RIGHT-OF-WAY LINES OF SAID S. ZUNI ST. THE FOLLOWING SIX (6) CONSECUTIVE COURSES;

- 1.) THENCE N00°08'15"E A DISTANCE OF 130.00 FEET;
 - 2.) THENCE S89°58'34"W A DISTANCE OF 20.00 FEET;
 - 3.) THENCE N00°08'15"E A DISTANCE OF 100.16 FEET;
 - 4.) THENCE S44°51'47"E A DISTANCE OF 20.71 FEET;
 - 5.) THENCE 164.17 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 188°07'48", AND A CHORD WHICH BEARS S40°47'51"E A DISTANCE OF 99.75 FEET;
 - 6.) THENCE ALONG A NON-TANGENT LINE S00°08'15"W A DISTANCE OF 139.93 FEET TO A POINT ON THE NORTHERLY LINE OF SAID W. BAYAUD AVE.;
- THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY S89°58'34"W A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 16,558 SQUARE FEET OR 0.380 ACRES MORE OR LESS.

BASIS OF BEARINGS

BEARINGS ARE BASED ON EASTERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN ASSUMED TO BEAR S00°08'15"W AND BEING MONUMENTED BY A FOUND #6 REBAR WITH 2" ALUMINUM CAP IN RANGE BOX PLS #14112 AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER AND A FOUND 6" SQUARE SAND STONE WITH A CROSS CHISELED IN THE TOP SET IN RANGE BOX AT THE EAST QUARTER CORNER.

PREPARED BY SCOTT A. AREHART, PLS
FOR AND ON BEHALF OF
MARTIN/MARTIN, INC.
12499 WEST COLFAX AVENUE
LAKEWOOD, CO. 80215
June 25, 2014
Revised January 16, 2015

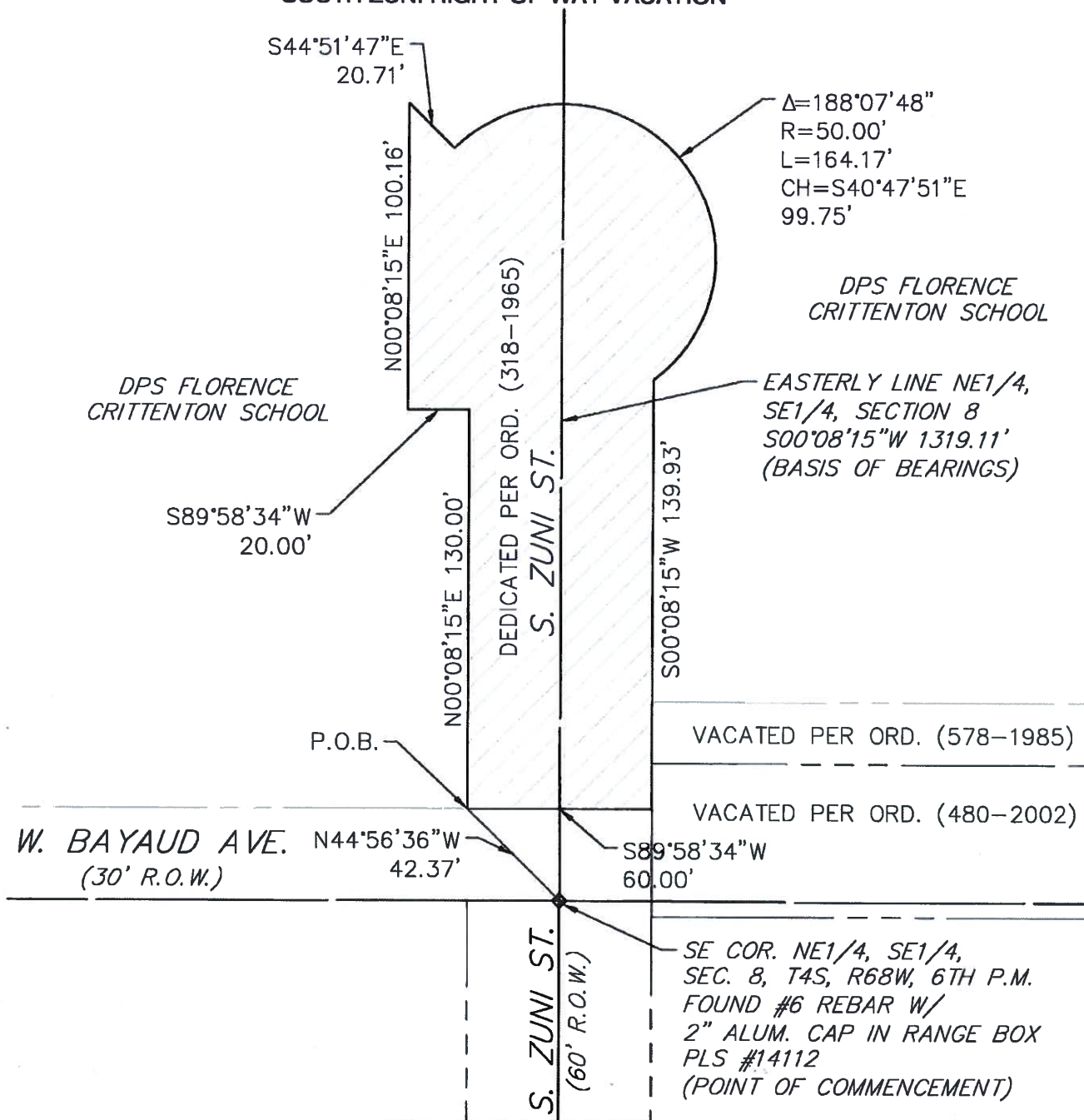


2014-0061-04-001

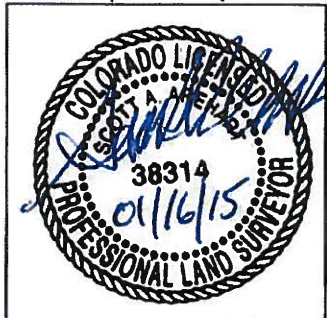
ROW Project No. 2014-0061
Legal Description No. 2014-0061-004-002

EXHIBIT A

SOUTH ZUNI RIGHT-OF-WAY VACATION



0 25 50
 SCALE: 1"=50'
 ALL DIMENSIONS ARE
 U.S. SURVEY FEET



REV. JANUARY 16, 2015
 JUNE 25, 2014

MARTIN/MARTIN
 CONSULTING ENGINEERS
 12499 WEST COLFAX AVENUE, LAKEWOOD, COLORADO 80215
 MAIN 303.431.6100 MARTINMARTIN.COM

DRAWING LOCATION: G:\SURVEY\14-0411-Florence Crittenton School\SURVEY\Exhibit\Zuni_vacation.dwg

THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED LAND SURVEY. IT IS ONLY TO DEPICT THE ATTACHED DESCRIPTION.