



DENVER
THE MILE HIGH CITY

Department of Public Works
Permit Operations and Right of Way Enforcement
201 W. Colfax Avenue, Dept. 507
Denver, CO 80202
P: 720-865-2782
F: 720-865-3280
www.denvergov.org/pwpr

REQUEST FOR VACATION ORDINANCE

TO: Karen Walton, City Attorney's Office

FROM: Robert J. Duncanson, P.E.,
Manager 2, Development Engineering Services

ROW NO.: 2008-0514-07

DATE: February 6, 2012

SUBJECT: Request for an Ordinance to vacate a portion of the western side of Central Street, between Kensing Ct. and 17th St., without reservations.

FOR [Signature]

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

This office has investigated the request of **The Mulhern Group, LTD**, on behalf of **Central Street Development LLC** for granting of the above requested vacation. This matter has been field inspected and has been coordinated with Asset Management; Colorado Department of Transportation [if State Highway]; Comcast Corporation; Commission for People with Disabilities; Community Planning & Development – Building Inspections, Planning and Zoning; Councilperson **Judy Montero**; Fire Department; Metro Wastewater Reclamation District; Office of Emergency Management; Office of Telecommunications; Parks & Recreation; Public Works – DES - Construction Engineering, DES Engineering – Transportation & Wastewater, DES Survey, IPP Infrastructure Engineering and Street Maintenance; Qwest Corporation; Regional Transportation District; Denver Water Department; Xcel Energy, all of whom have returned our questionnaires indicating 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 2008-0514-07-001 HERE



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

1. The width of this area is **2** feet.
2. Transportation connectivity is preserved so that there will be minimal impacts to the transportation system.
3. The area is open and is not being used.
4. **0** buildings abut on 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 January 6, 2012 and the 20-day period for protests has expired.
9. Adjoining Neighbor and Registered Neighborhood Organization notification **was** sent on January 6, 2012.
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: **bvs** 

cc: Asset Management, Steve Wirth
City Councilperson, Judy Montero, Dist. #9
Council Aide, Stephanie Syner
Council Aide, Nathan Batchelder
City Council Staff, Gretchen Williams
CPM, Mike Anderson,
Department of Law, Arlene Dykstra
Department of Law, Karen Aviles
Department of Law, Karen Walton
Public Works, Manager's Office, Alba Castro
Public Works, Manager's Office, Christine Downs
Public Works, Manager's Office, Stacie Loucks
Public Works Solid Waste, Mike Lutz
Public Works Survey, Paul Rogalla
Public Works Street Maintenance William Kennedy,
Project File #2008-0514-07

Property Owner: Central Street Development
2500 17th Street
Denver, CO 80211

ORDINANCE/RESOLUTION REQUEST

Please email requests to Stacy Loucks at
Stacy.Loucks@denvergov.org by NOON 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: February 6, 2012

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, amendment, municipal code change, supplemental request, etc.)*

Request for an Ordinance to vacate a portion of the western side of Central Street, between Kensing Court and 17th St.

3. Requesting Agency: Public Works, Right-Of-Way Engineering Services

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

- Name: Beverly Van Slyke
- Phone: 720-865-3125
- Email: Beverly.VanSlyke@denvergov.org

5. Contact Person: *(With actual knowledge of proposed ordinance/resolution who will present the item at Mavor-Council and who will be available for first and second reading, if necessary.)*

- Name: Stacie Loucks
- Phone: 720-865-8720
- Email: Stacy.Loucks@denvergov.org

6. General description of proposed ordinance including contract scope of work if applicable:

To vacate a portion of the western side of Central Street, between Kensing Court and 17th 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.)*

- a. Contract Control Number: N/A
- b. Duration: Permanent
- c. Location: 2 Ft on Central Street between Kensing Ct. and 17th St.
- d. Affected Council District:
- e. Benefits: N/A
- f. Costs: 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: _____



DENVER
THE MILE HIGH CITY

EXECUTIVE SUMMARY

Project Title: 2008-0514-07 Vacation - Highland Crossing Phase 3

Description of Proposed Project: Vacate a portion of the western side of Central Street, between Kensing Court and 17th St.

Explanation of why the public right-of-way must be utilized to accomplish the proposed project: This new development needed additional 2 ft to complete the project.

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: N/A

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

PROPERTY DESCRIPTION RIGHT-OF-WAY VACATION

A PARCEL OF LAND BEING A PORTION OF THE PUBLIC RIGHT OF WAY IN CENTRAL STREET BETWEEN KENSING COURT AND 17th STREET ADJACENT TO LOT 32, BLOCK 14, KASSERMAN'S ADDITION TO DENVER; SAID PARCEL BEING SITUATED IN THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTH CORNER OF SAID LOT 32, BLOCK 14; THENCE NORTHEASTERLY ALONG THE SOUTHEAST LINE OF SAID LOT 32 A DISTANCE OF 173.91 FEET TO THE EAST CORNER OF SAID LOT 32; THENCE SOUTHEASTERLY, PARALLEL WITH THE NORTHEAST LINE OF SAID BLOCK 14, A DISTANCE OF 2.00 FEET; THENCE SOUTHWESTERLY, PARALLEL WITH THE SOUTHEAST LINE OF SAID LOT 32, A DISTANCE OF 173.91 FEET; THENCE NORTHWESTERLY, PARALLEL WITH THE SOUTHWEST LINE OF SAID LOT 32, A DISTANCE OF 2.00 FEET TO THE POINT OF BEGINNING;

SAID PARCEL CONTAINS 349 SQUARE FEET, MORE OR LESS.

THIS LEGAL DESCRIPTION WAS PREPARED BY:

DON LAMBERT, PLS 30830
FOR AND ON BEHALF OF FRONTIER SURVEYING, INC.
352 NORFOLK STREET, AURORA, CO 80011

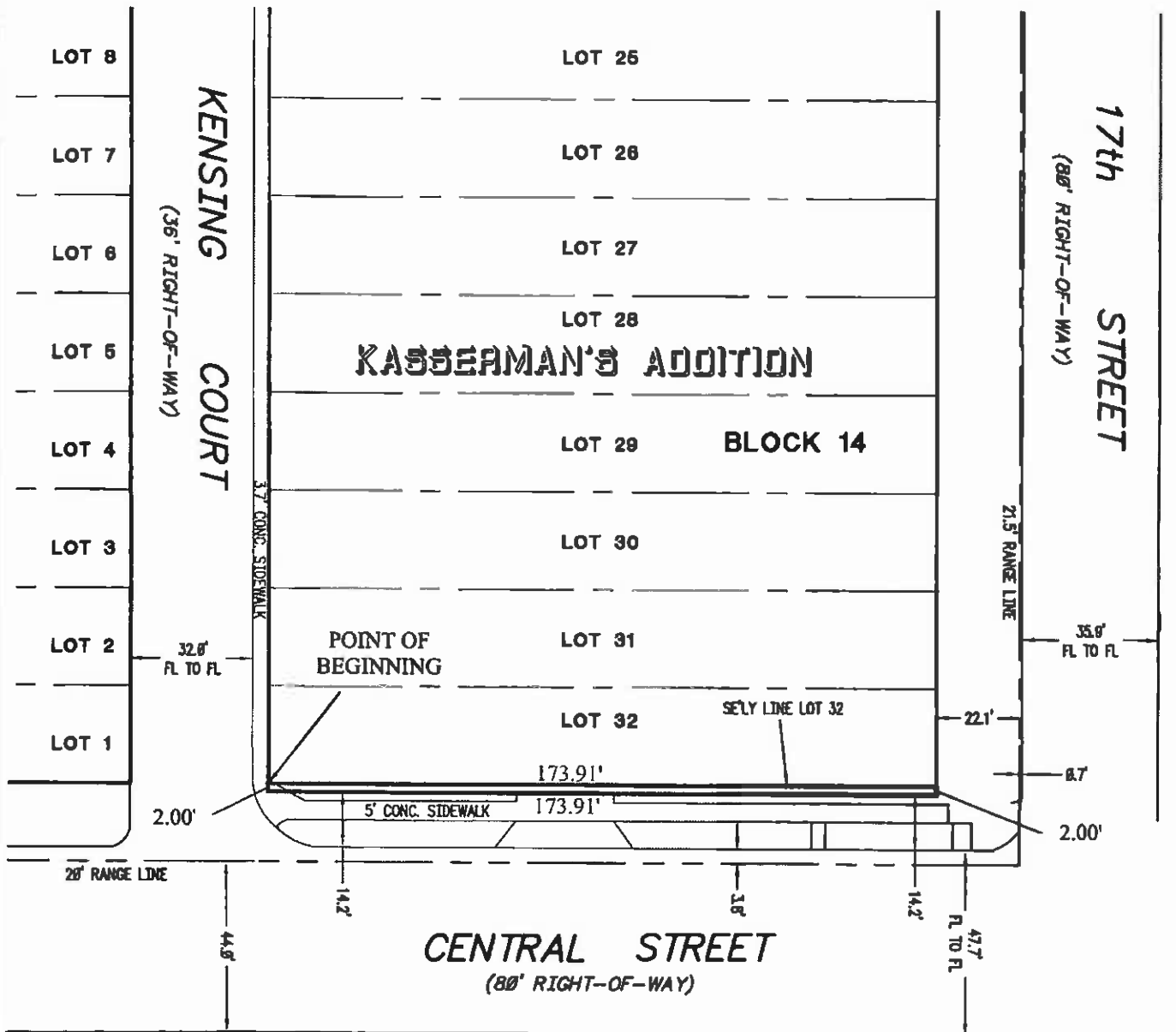


SHEET 1 OF 2


**FRONTIER
SURVEYING, INC.**
352 Norfolk Street
Aurora, CO 80011
Ofc. 303-340-0113
Fax. 303-340-0114

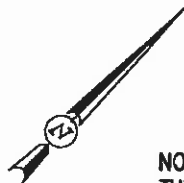
EXHIBIT A

PW ROW PROJECT NO. 2008-0514
 PW LEGAL DESCRIPTION NO. 2008-0514-07-001



INTERSTATE HWY 25
 (CDOT' RIGHT-OF-WAY)

SHEET 2 OF 2



NOTE:
 THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED LAND SURVEY. THE
 PURPOSE OF THIS EXHIBIT IS SOLEY TO DEPICT THE ATTACHED PROPERTY
 DESCRIPTION.

FRONTIER SURVEYING, INC.
 352 Norfolk Street
 Aurora, CO 80011
 Ofc. 303-340-0113
 Fax. 303-340-0114