

## REQUEST FOR ORDINANCE TO VACATE PUBLIC RIGHT-OF-WAY

**TO:** Ivone Avila-Ponce, City Attorney's Office

**FROM:** Glen Blackburn, PE, Director, Right-of-Way Services

**PROJECT NO.:** 2024-VACA-0000004

**DATE:** September 5, 2024

**SUBJECT:** Request for an Ordinance to vacate a portion of right-of-way at 901 North Navajo Street, without 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 Matrix Design Group, dated February 23, 2024, on behalf of Denver Housing Authority for the subject right-of-way vacation.

This matter has been coordinated with Asset Management; CPD: Building Department; CenturyLink/Lumen; CDOT; City Councilperson Torres, District 3; City Forester; Comcast; CPD DS Project Coordinator; DOTI ROWS DES 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 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.**

Therefore, you are requested to initiate Council action to vacate the following right-of-way area:

**INSERT PARCEL DESCRIPTION ROW 2024-VACA-0000004-001 HERE**

GB: je

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

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](http://www.denvergov.org/rowplanreview)  
Phone: (720) 865-3003

# ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor's Legislative Team  
at [MileHighOrdinance@DenverGov.org](mailto: MileHighOrdinance@DenverGov.org) by 9 a.m. Friday. Contact the Mayor's Legislative team with questions

Date of Request: September 5, 2024

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.)

Request for an Ordinance to vacate a portion of right-of-way at 901 North Navajo Street, without reservations.

**3. Requesting Agency:** Department of Transportation & Infrastructure, Right-of-Way Services, Engineering & 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: Jessica Eusebio	Name: Alaina McWhorter
Email: Jessica.Eusebio@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 right-of-way at 901 North Navajo Street, without reservations.

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

**7. City Council District:** Councilperson Torres, District 3

**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 (A)</i>	<i>Additional Funds (B)</i>	<i>Total Contract Amount (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?

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*To be completed by Mayor's Legislative Team:*

Resolution/Bill Number: \_\_\_\_\_

Date Entered: \_\_\_\_\_

## **RIGHT-OF-WAY VACATION EXECUTIVE SUMMARY**

**Application Title:** 2024-VACA-0000004 - 901 Navajo Street - Mercy Housing

**Applicant's Name:** Denver Housing Authority

**Description of Proposed Right-of-Way (ROW) Vacation:** Request for an Ordinance to vacate a portion of right-of-way at 901 North Navajo Street, without reservations.

**Applicant's explanation of why the ROW is needed to accomplish their proposed project:** The property owner is redeveloping the area to provide affordable housing and a medical clinic.

**Area of proposed ROW vacation in square feet (SF):** Approximately 1,479 square feet.

**Number of buildings adjacent to proposed ROW vacation area:** Two

**Public Notice was posted at the proposed ROW vacation area on:** July 31, 2024

**Notification letters were sent to property owners and Registered Neighborhood Organizations (RNOs) within 200 feet of the proposed ROW vacation area on:** July 31, 2024

**The 20-day period for public comment expired on:** August 20, 2024

**Were public comments received and, if so, explain:** No comments were received.

**Are all comments with technical merit resolved to the satisfaction of DOTI:** N/A

**Has land been dedicated to the city as a condition of the ROW vacation and, if so, explain:** Yes, land will be dedicated for North Osage Street and West 9<sup>th</sup> Avenue.

**Will a utility easement be reserved over the vacated ROW area and, if so, explain:** No

**Is a request for an easement relinquishment expected later and, if so, explain:** N/A

**Additional Information:** This is a new affordable housing project that includes a medical clinic.

**Location Map:**



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](http://www.denvergov.org/rowplanreview)  
Phone: (720) 865-3003



Matrix Design Group, Inc.  
707 N 17<sup>th</sup> Street, Suite 3150  
Denver, CO 80202  
O 303.572.0200  
F 303.572.0202  
matrixdesigngroup.com

## EXHIBIT A LAND DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF W 9TH AVE AS SHOWN ON HUNT'S ADDITION TO DENVER AS RECORDED IN THE CLERK AND RECORDER'S OFFICE OF THE CITY AND COUNTY OF DENVER, SITUATED IN THE SOUTHEAST ONE-QUARTER (SE1/4) OF SECTION 4, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN; CITY AND COUNTY OF DENVER, STATE OF COLORADO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT A FOUND 1-1/4" YELLOW PLASTIC CAP (ILLEGIBLE) FOR THE NORTHWESTERLY CORNER OF THE PARCEL DESCRIBED IN THE PUBLIC RECORDS OF THE CITY AND COUNTY OF DENVER ON OCTOBER 02, 2020 UNDER RECEPTION NUMBER 2020161811, FROM WHENCE A FOUND 1-1/4" BLUE PLASTIC CAP STAMPED "LS 38410" FOR THE NORTHEASTERLY CORNER OF SAID PARCEL BEARS N89°48'43"E A DISTANCE OF 230.46 FEET, BEING THE BASIS OF BEARINGS OF THIS DESCRIPTION;

THENCE SOUTH 52°08'24" EAST, A DISTANCE OF 292.35 FEET TO THE SOUTHWEST CORNER OF LOT 21, BLOCK 28 OF HUNTS ADDITION TO DENVER, SAID POINT BEING THE **POINT OF BEGINNING**;

THENCE, ALONG THE SOUTH LINE OF SAID LOT 21, SOUTH 89°41'34" EAST, A DISTANCE OF 70.51 FEET TO THE WEST RIGHT-OF-WAY LINE OF N NAVAJO STREET;

THENCE, ALONG SAID RIGHT-OF-WAY, SOUTH 00°08'29" EAST, A DISTANCE OF 14.60 FEET;

THENCE SOUTH 79°51'00" WEST, A DISTANCE OF 54.42 FEET TO A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 296.35 FEET, WHOSE CENTER BEARS NORTH 08°32'26" WEST;

THENCE, WESTERLY AND COINCIDENT WITH SAID NON-TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 03°17'31", AN ARC DISTANCE OF 17.03 FEET AND HAVING A CHORD THAT BEARS SOUTH 83°06'19" WEST, A DISTANCE OF 17.03 FEET TO THE EAST LINE OF SAID PARCEL DESCRIBED UNDER RECEPTION NO. 2020161811;

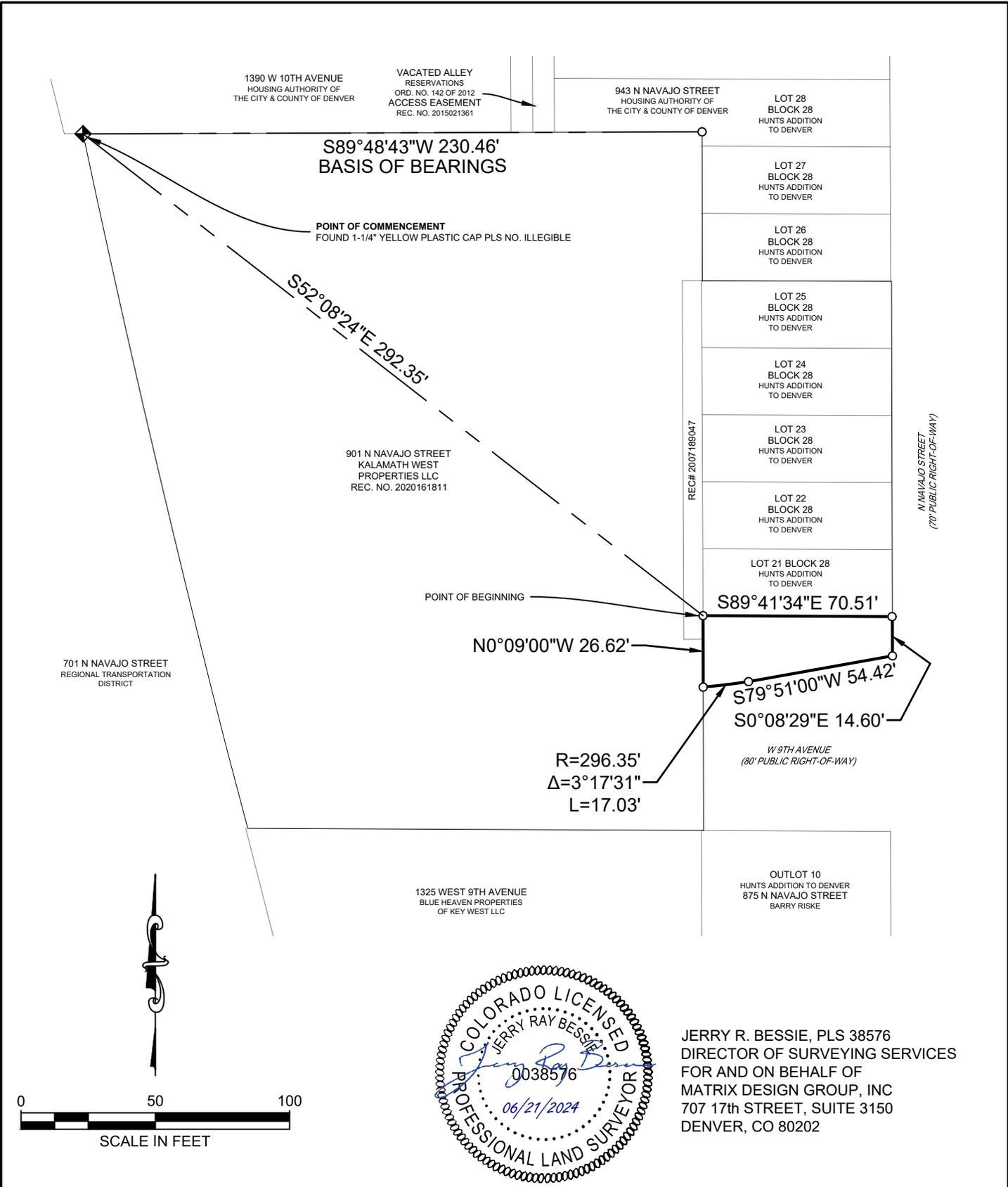
THENCE, ALONG THE WEST RIGHT-OF-WAY LINE OF W 9TH AVENUE, NORTH 00°09'00" WEST AND COINCIDENT WITH SAID LINE, A DISTANCE OF 26.62 FEET TO THE **POINT OF BEGINNING**.

THE ABOVE DESCRIPTION CONTAINS A CALCULATED AREA OF 1,479 SQUARE FEET OR (0.034 ACRES), MORE OR LESS, AND IS DEPICTED ON THE ATTACHED GRAPHICAL EXHIBIT FOR REFERENCE.



JERRY R. BESSIE, PLS 38576  
PREPARED FOR AND ON BEHALF OF MATRIX DESIGN GROUP  
707 N 17<sup>TH</sup> STREET, SUITE 3150  
COLORADO SPRINGS, CO. 80202

FILE LOCATION: R:\23.1377.001 Mercy - 901 Navajo400 Survey\400 CADD\405 EXHIBITS\1377.001-SURV-EXHIBIT-ROW VACATION.dwg



AREA: 1,479 SQUARE FEET (0.034 ACRES), MORE OR LESS

PREPARED BY: 	CHECKED BY: JRB	EXHIBIT A
	SCALE: 1"=50'	ILLUSTRATION
	DATE: 03/28/24	SHEET: 2 OF 2