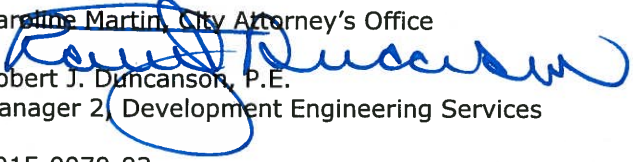




## REQUEST FOR VACATION ORDINANCE

**TO:** Caroline Martin, City Attorney's Office

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

**ROW #:** 2015-0070-02

**DATE:** June 5, 2015

**SUBJECT:** Request for an Ordinance to vacate a portion of the alley to the east of 2326 and 2330 N Clay St, 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 Adams Development, LLC, on behalf of the Rasmussen Estate 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, it has been determined that there is no objection to vacating the said area.

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

### INSERT PARCEL DESCRIPTION ROW 2015-0070-02-001 HERE

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 open and is being used.
4. Two 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 May 6, 2015, and the 20-day period for protests has expired.
9. Adjoining Neighbor and Registered Neighborhood Organization notification was sent on May 6, 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](mailto: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 5, 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.**)

2015-0070-02: Proposal to vacate an area of open alley in order to redevelop the lots at 2326 and 2330 N Clay St.

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 a portion of the alley in order to have additional land area for overall lot redevelopment.

**\*\*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:** 2326 and 2330 N 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.

There was some concern about keeping connectivity through the alleys for use by the residents during Broncos games. This proposal does not block any existing alleys.

To be completed by Mayor’s Legislative Team:

SIRE Tracking Number: \_\_\_\_\_

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



# EXECUTIVE SUMMARY

**DENVER**  
THE MILE HIGH CITY

**Project Title:**

2015-0070-02: Proposal to vacate a portion of the right-of-way to the east of 2326 and 2330 N Clay St.

**Description of Proposed Project:**

This is a proposal to vacate an area of open alley in order to redevelop the lots at 2326 and 2330 N Clay St.

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

In order to have additional land area for overall lot redevelopment.

**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.**

**DESCRIPTION**

SITUATED IN THE NORTHEAST ¼ OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN  
CITY AND COUNTY OF DENVER, STATE OF COLORADO  
ALLEY VACATION

A PARCEL OF LAND BEING A PORTION OF THE BLOCK 11 "INNER COURT" AS SHOWN ON THE PLAT OF HIGHLAND TERRACE RECORDED IN PLAT BOOK 3 AT PAGE 6B IN THE RECORDS OF THE DENVER COUNTY CLERK AND RECORDER, LOCATED IN THE NORTHEAST ¼ OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS. FOLLOWS:

BASIS OF BEARINGS: THE EASTERLY LINE OF LOTS 23-26, BLOCK 11, HIGHLAND TERRACE, BEING ASSUMED TO BEAR N00°00'22"E.

COMMENCING AT THE NORTHEAST CORNER OF LOT 26, BLOCK 11, HIGHLAND TERRACE AS SHOWN ON THE PLAT RECORDED IN PLAT BOOK 3 AT PAGE 6B IN THE RECORDS OF THE DENVER COUNTY CLERK AND RECORDER;

THENCE ON THE EASTERLY LINE OF SAID LOT 26, BLOCK 11, S00°00'22"W A DISTANCE OF 3.00 FEET, TO THE POINT OF BEGINNING;

THENCE ON A LINE BEING 3.00 FEET SOUTHERLY OF AND PARALLEL WITH THE EXTENSION OF THE NORTHERLY LINE OF SAID LOT 26, BLOCK 11, N89°54'19"E A DISTANCE OF 18.00 FEET;

THENCE S45°02'40"E A DISTANCE OF 28.26 FEET;

THENCE ON A LINE BEING 16.00 FEET WESTERLY OF AND PARALLEL WITH THE WESTERLY LINE OF LOTS 6-9, BLOCK 11 OF SAID HIGHLAND TERRACE, S00°00'22"W A DISTANCE OF 46.00 FEET;

THENCE S44°57'19"W A DISTANCE OF 28.31 FEET;

THENCE ON A LINE BEING 3.00 NORTHERLY OF AND PARALLEL WITH THE EXTENSION OF THE SOUTHERLY LINE OF LOT 23, BLOCK 11 OF SAID HIGHLAND TERRACE, S89°54'16"W A DISTANCE OF 18.00 FEET;

THENCE ON THE EASTERLY LINE OF SAID LOTS 23-26, BLOCK 11, HIGHLAND TERRACE, N00°00'22"E A DISTANCE OF 86.01 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 2,868 SQUARE FEET OR 0.0658 ACRES.

**PROPERTY DESCRIPTION STATEMENT**

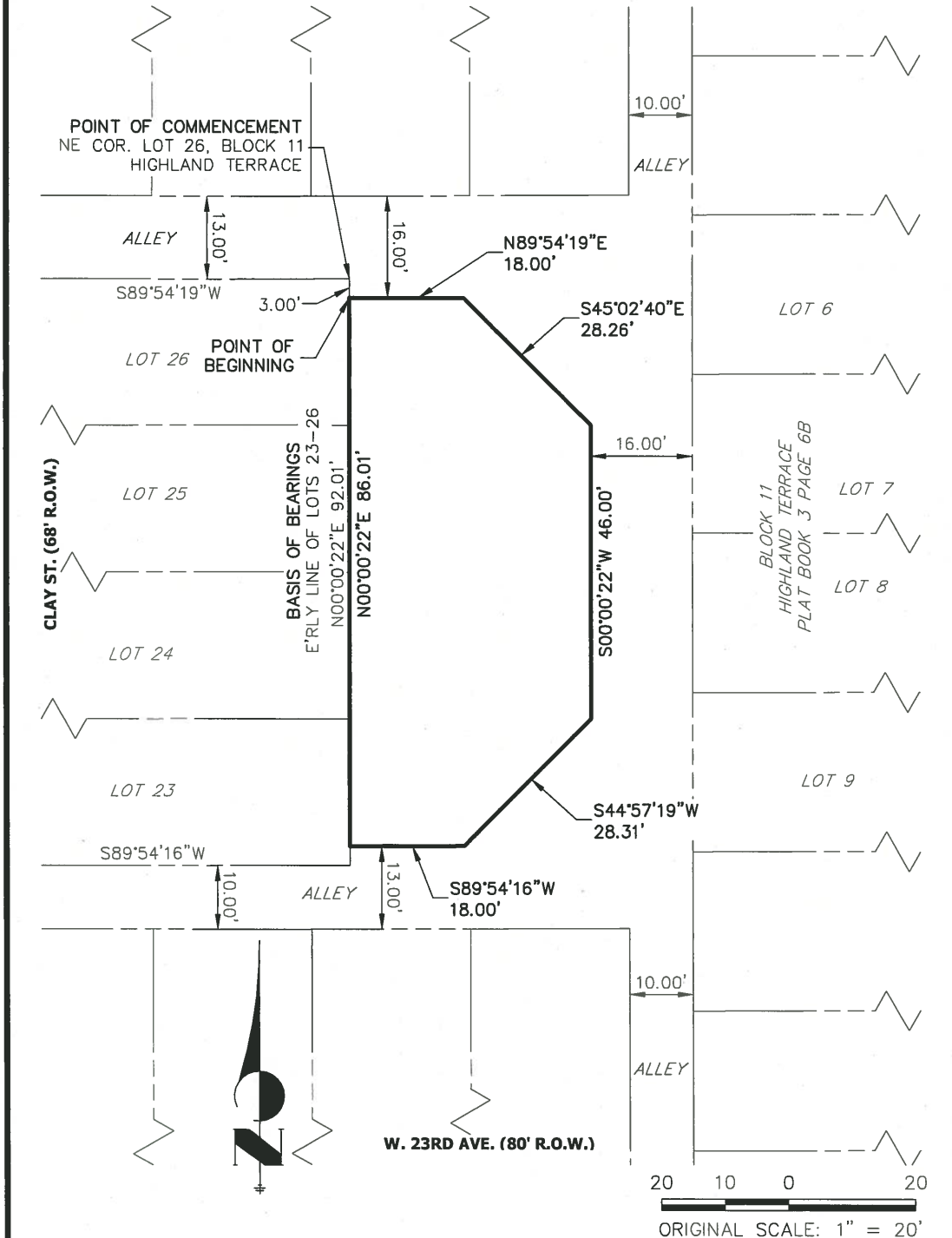
I, JARROD ADAMS, A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE ABOVE PROPERTY DESCRIPTION AND ATTACHED EXHIBIT WERE PREPARED UNDER MY RESPONSIBLE CHARGE, AND ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF, ARE CORRECT.

JARROD ADAMS, PROFESSIONAL LAND SURVEYOR  
COLORADO NO. 38252  
FOR AND ON BEHALF OF JR ENGINEERING, LLC



# EXHIBIT

SITUATED IN THE NORTHEAST 1/4 OF SECTION 32, TOWNSHIP 3 SOUTH,  
RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN  
CITY AND COUNTY OF DENVER, STATE OF COLORADO



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

ALLEY VACATION  
CLAY STREET  
PROJECT NO.: 15822.00  
DATE: 04/02/2015



Centennial 303-740-9393 • Colorado Springs 719-593-2593  
Fort Collins 970-491-9888 • www.jrengineering.com

X:\15822000\Drawings\Legal Exhibits\1582200LX01.dwg, 8.5x14 Legal Portrait, 4/22/2015 3:03:41 PM, Killingsworth.J