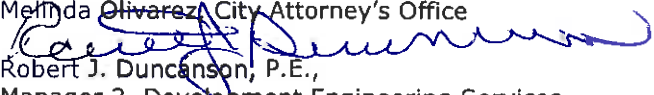




Department of Public Works
Permit Operations and Right of Way
Enforcement
201 W. Colfax Avenue, Dept. 507
Denver, CO 80202
P: 720-865-2782
F: 720-865-3280
www.denvergov.org/pwprs

REQUEST FOR VACATION ORDINANCE

TO: Melinda Olivarez, City Attorney's Office
FROM: 
Robert J. Duncanson, P.E.,
Manager 2, Development Engineering Services
ROW NO.: 2009-0186-06
DATE: November 24, 2010
SUBJECT: Request for an Ordinance to vacate a portion of an alley bounded by Zenobia St, Yates St, and W. 14th Ave and W. Colfax Ave, 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 **Sarah Buhr, with the Colorado Coalition for the Homeless**, on behalf of **West End Flats Housing Corporation** 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 Sandoval; 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 2009-0186-001 HERE

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

1. The width of this area is 15 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. 2 buildings abut on said area.



CT\2000s\2009\2009-0186\PWPRS\Vacation\2009-0186-06 Vacation\Request For

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 be required.
8. The vacating notice **was** posted on 11/2/2010, and the 20-day period for protests has expired.
9. Adjoining Neighbor and Registered Neighborhood Organization notification **was** sent on 11/2/2010.
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: **VLH**



cc: Asset Management, Steve Wirth
City Councilperson Sandoval
City Council Aides,
City Council Staff, Gretchen Williams
CPM, Mike Anderson,
Department of Law, Arlene Dykstra
Department of Law, Karen Aviles
Department of Law, Melinda Olivarez
Public Works, Manager's Office, Daelene Mix
Public Works, Manager's Office, Christine
Downs
Public Works Solid Waste, Mike Lutz
Public Works Survey, Paul Rogalla
Public Works Street Maint. William Kennedy,
Public Works ROWE, Lindsey Strudwick
Project File #2009-0186-06

Property Owner:
West End Flats Housing Corporation
2111 Champa St
Denver Co 80205

Agent for owner:
Colorado Coalition for the Homeless
c/o Sarah Buhr
2111 Champa St
Denver Co 80205

ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor's Legislative Team
at MailHighOrdinance@DenverGov.org by NOON on Tuesday.

**All fields must be completed.*
Incomplete request forms will be returned to sender which may cause a delay in processing.*

Date of Request: November 24, 2010

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 - 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 **an alley bounded by Zenobia St, Yates St, and W. 14th Ave and W. Colfax Ave, without reservations.**

3. **Requesting Agency:** PW Right of Way Engineering Services

4. **Contact Person:** *(with actual knowledge of proposed ordinance)*

- **Name:** Vanessa Herman
- **Phone:** 720-913-0719
- **Email:** vanessa.herman@denvergov.org

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

- **Name:** Daelene Mix
- **Phone:** 720-865-8720
- **Email:** daelene.mix@denvergov.org

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

Vacate an alley bounded by Zenobia St, Yates St, and W. 14th Ave and W. Colfax Ave, without reservations

Please include the following:

- a. **Duration:** Permanent
- b. **Location:** **alley bounded by Zenobia St, Yates St, and W. 14th Ave and W. Colfax Ave**
- c. **Affected Council District:** Dist # 1 Sandoval
- d. **Benefits:** N/A
- e. **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: _____

Ordinance Request Number: _____

Date: _____



EXECUTIVE SUMMARY

DENVER
THE MILE HIGH CITY

Project Title: 2009-0186-06, Renaissance West End Flats Housing

Description of Proposed Project: Vacate a portion of the N/S alley bounded by Zenobia St/N Yates St, W Colfax Ave/W. 14th Ave.

Explanation of why the public right-of-way must be utilized to accomplish the proposed project: They will be constructing a building over the alley

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: Yes, The owners will, be providing the city and 'L-out alley' to accommodate the neighbors, and the facilities that use the alley

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: The owner and the City has agreed to a Permanent easement that is being placed over the to be vacated alley, that will be held until certain stipulations will be complete. This permanent easement will be recorded right after the vacation ordinance has been recorded. This easement will be forever UNLESS the stipulations set forth within in will be executed, then the permanent easement will be voided

LEGAL DESCRIPTION

ROW PROJECT NO. 2009-0186
DES PARCEL NO. 2009-0186-001

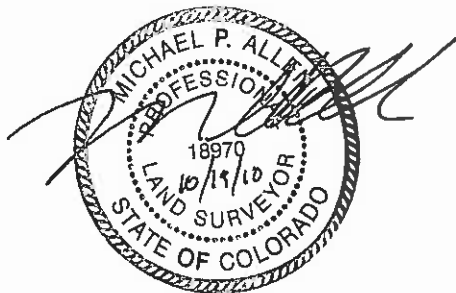
PARCEL D

LOCATED IN THE NORTHWEST 1/4 OF SECTION 6,
TOWNSHIP 4 SOUTH, RANGE 68 WEST, OF THE 6th P.M.
CITY AND COUNTY OF DENVER, STATE OF COLORADO

LEGAL DESCRIPTION PARCEL D

A STRIP OF LAND BEING 15 FEET IN WIDTH LYING BETWEEN AND BEING CONTIGUOUS TO LOTS 1 THROUGH 5 AND LOTS 44 THROUGH 48, BLOCK 1, EDGEFIELD SUBDIVISION, RECORDED MARCH 13, 1889; BOOK 7, PAGE 21, ORIGINALLY IN ARAPAHOE COUNTY, COLORADO, BEING IN THE NW1/4, SECTION 6, TOWNSHIP 4 SOUTH, RANGE 68 WEST, OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO, AS FURTHER DESCRIBED;

COMMENCING AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY OF W. COLFAX AVE. AND THE EAST RIGHT-OF-WAY OF ZENOBIA ST. ALSO KNOWN AS THE NORTHWEST CORNER OF BLOCK 1 OF SAID SUBDIVISION BEING A PK/WASHER AND CONSIDERING THE SOUTH RIGHT- OF-WAY OF W. COLFAX AVE. TO BEAR N 89 47' 55" E WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;
THENCE N 89 47' 55" E ALONG SAID SOUTH RIGHT-OF-WAY LINE OF W. COLFAX AVE. TO THE NORTHEAST CORNER OF SAID LOT 1, A DISTANCE OF 124.97 FEET TO A PK/WASHER;
THENCE S 00 14' 52" E ALONG EAST LINE OF LOT 1, BLOCK 1, OF SAID SUBDIVISION A DISTANCE OF 6.00 FEET TO THE TRUE POINT OF BEGINNING;
THENCE N 89 58' 23" E A DISTANCE OF 15.08 FEET TO A POINT ON THE WEST LINE OF LOT 48, BLOCK 1, OF SAID SUBDIVISION;
THENCE S 00 12' 34" E A DISTANCE OF 119.00 FEET TO A POINT BEING THE NORTHWEST CORNER OF LOT 43, BLOCK 1, OF SAID SUBDIVISION;
THENCE S 89 58' 26" W A DISTANCE OF 15.00 FEET TO A POINT BEING THE NORTHEAST CORNER OF LOT 6, BLOCK 1, OF SAID SUBDIVISION;
THENCE N 00 14' 52" W ALONG EAST LINES OF LOTS 5, 4, 3, 2, & 1, BLOCK 1, OF SAID SUBDIVISION A DISTANCE OF 119.00 FEET TO THE TRUE POINT OF BEGINNING.
CONTAINING 0.041 ACRES AND/OR 1785 SQUARE FEET OF LAND MORE OR LESS.



JOB NO. 10005

DATE: 08/31/10

PREPARED BY:



F.R.D. PACIFIC CONSTRUCTION INC.
(303) 840-9421

EXHIBIT MAP

ROW PROJECT NO. 2009-0186
DES PARCEL NO. 2009-0186-001

PARCEL D
LOCATED IN THE NORTHWEST 1/4 OF SECTION 6,
TOWNSHIP 4 SOUTH, RANGE 68 WEST, OF THE 6th P.M.
CITY AND COUNTY OF DENVER, STATE OF COLORADO

W. COLFAX AVE.

(90' WIDE PUBLIC DEDICATED RIGHT OF WAY)

POINT OF COMMENCEMENT

(BASIS OF BEARING)

PK/WASHER
LS 26958

PK/WASHER

N89°47'55"E 124.97'

PK/WASHER
LS 26958

S00°14'52"E
6.00'

NOTE:
BEARINGS ARE BASED ON THE FOUND AND MEASURED MONUMENTS, BOTH
MONUMENTS BEING PK/WASHER PLS ILLEGABLE ON THE NORTH LOT LINE
OF LOT 1, BLOCK 1, EDGEFIELD SUBDIVISION BEARING N89°47'55"E AS SHOWN
AND MONUMENTED HEREON.

LOT 1
LOT 2

ADDRESS: 5050 W. COLFAX AVE.
ONE STORY STUCCO FRAME & STONE
BUSINESS BUILDING

N89°58'23"E
15.08'

LOT 48
LOT 47

ADDRESS: 5000 W.
COLFAX AVE.

LOT 2
LOT 3

BLOCK 1

LOT 47
LOT 46

LOT 46
LOT 45

LOT 46
LOT 45

LOT 45
LOT 44

LOT 44
LOT 43

LOT 43
LOT 42

LOT 42
LOT 41

LOT 41
LOT 40

LOT 40
LOT 39

LOT 39
LOT 38

LOT 38
LOT 37

LOT 37
LOT 36

LOT 36
LOT 35

LOT 35
LOT 34

LOT 34
LOT 33

ZENOBIA ST.
(48.42' WIDE PUBLIC DEDICATED RIGHT OF WAY)

N00°11'23"W
200.00'

LOT 3
LOT 4

LOT 4
LOT 5

LOT 5
LOT 6

LOT 6
LOT 7

LOT 7
LOT 8

LOT 8
LOT 9

LOT 9
LOT 10

LOT 10
LOT 11

LOT 11
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LOT 12
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LOT 13
LOT 14

LOT 14
LOT 15

LOT 15
LOT 16

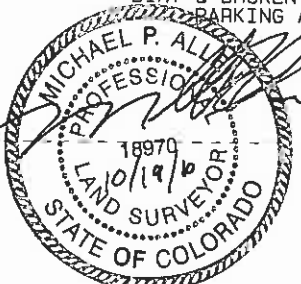
ASPHALT ACCESS &
PARKING AREA

CONCRETE ACCESS &
MOTOR CYCLE PARKING AREA

ASPHALT ACCESS AND
PARKING AREA

EDGEFIELD SUBDIVISION

DIRT & BROKEN ASPHALT
PARKING AREA



PK/WASHER
LS 26958

LOT 8
LOT 9

S89°49'55"W

125.18'

RESIDENCE

EX. SHED

EX. GARAGE

1/2" RED CAP
LS 26958

LOT 9
LOT 10

LOT 10
LOT 11

LOT 11
LOT 12

LOT 12
LOT 13

LOT 13
LOT 14

GARCIA, ARDEN & CLIFTON, STEVEN SCOTT
1460 ZENOBIA ST
DENVER, CO 80204

1 INCH = 30 FT

NOTE:

BEARINGS AND DISTANCES
ARE PER FOUND MONUMENTS.

- AREA TO BE VACATED

JOB NO. 10005

DATE: 04/26/10
REV 08/31/10

PREPARED BY:



F.R.D. PACIFIC CONSTRUCTION INC.
(303) 840-9421