



**Department of Public Works**  
Engineering Regulatory & Analytics  
201 W. Colfax Avenue, Dept. 507  
Denver, CO 80202  
720-865-3003  
www.denvergov.org/pwpermits

## **REQUEST FOR VACATION ORDINANCE**

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

**FROM:** Matt Bryner  
Director, Public Works Right of Way Services

**ROW #:** 2019-VACA-0000007

**DATE:** September 19, 2019

**SUBJECT:** Request for an Ordinance to vacate N. Decatur St. between W. 32<sup>nd</sup> Ave and W. 33<sup>rd</sup> Ave, and all North-South and East-West alleys between W. 32<sup>nd</sup> Ave, W. 33<sup>rd</sup> Ave, N. Eliot St, and the portion of N. Decatur St proposed to be vacated, 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 Timothy Dressman, dated May 29, 2019, on behalf of CHI Living Communities for requesting 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:

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 2019-VACA-0000007-001 HERE**  
**INSERT PARCEL DESCRIPTION ROW 2019-VACA-0000007-002 HERE**

MB: **vw**

cc: City Councilperson & Aides  
City Council Staff – Zach Rothmier  
Department of Law – Bradley Beck  
Department of Law – Deanne Durfee  
Department of Law – Maureen McGuire  
Department of Law – Martin Plate  
Public Works, Manager's Office – Alba Castro  
Public Works, Legislative Services – Jason Gallardo  
Public Works, Solid Waste – Mike Lutz  
Public Works, Survey – Paul Rogalla  
Public Works, Street Maintenance – Brian Roecker

**ORDINANCE/RESOLUTION REQUEST**

Please email requests to Jason Gallardo  
at [Jason.Gallardo@denvergov.org](mailto:Jason.Gallardo@denvergov.org) by **12:00pm on Monday**. Contact him with questions.

Date of Request: **September 19, 2019** \_\_\_\_\_

Please mark one:     **Bill Request**                    or             **Resolution Request**

**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 N. Decatur St. between W. 32nd Ave and W. 33rd Ave, and all North-South and East-West alleys between W. 32nd Ave, W. 33rd Ave, N. Eliot St, and the portion of N. Decatur St proposed to be vacated, without reservations.

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

**4. Contact Person:**

Contact person with knowledge of proposed ordinance/resolution	Contact person to present item at Mayor-Council and Council
Name: Vanessa West	Name: Jason Gallardo
Email: <a href="mailto:Vanessa.west@denvergov.org">Vanessa.west@denvergov.org</a>	Email: <a href="mailto:Jason.Gallardo@denvergov.org">Jason.Gallardo@denvergov.org</a>

**5. General description or background of proposed request. Attach executive summary if more space needed:**

To vacate N. Decatur St. between W. 32nd Ave and W. 33rd Ave, and all North-South and East-West alleys between W. 32nd Ave, W. 33rd Ave, N. Eliot St, and the portion of N. Decatur St proposed to be vacated, without reservations.

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

Martin Plate

**7. City Council District:**

District # 1, Sandoval

**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:

Contract control number:

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?

---

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

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

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



## VACATION EXECUTIVE SUMMARY

**Project Title:** 2019-VACA-0000007, Gardens at St. Elizabeth at 2845 W. 32<sup>nd</sup> Ave

**Requestor's name:** CHI Living Communities c/o Timothy Dressman

**Description of Proposed Project:** To vacate N. Decatur St. between W. 32nd Ave and W. 33rd Ave, and all North-South and East-West alleys between W. 32nd Ave, W. 33rd Ave, N. Eliot St, and the portion of N. Decatur St proposed to be vacated, without reservations.

**Explanation of why the public right-of-way must be utilized to accomplish the proposed project:** This is a cleanup effort of the property, where the alleys and streets have not been utilized nor constructed for many years. This is to formally vacate the alleys and streets that have a development over them in existence.

**Width of area in feet:** between 12 feet and 20 feet

**Number of buildings about said area:** 6-7

**The 20-day period for protests has expired, the vacating notice was posted on:** August 6, 2019

**Adjoining Neighbor and Registered Neighborhood Organization notification was sent on:** August 6, 2019

**Protests sustained by the manager of Public Works:** Have not been filed

**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

**Background:** This is a cleanup effort of the property, where the alleys and streets have not been utilized nor constructed for many years. This is to formally vacate the alleys and streets that have a development over them in existence.

**Public Notification:** No protests were received.

Location Map:

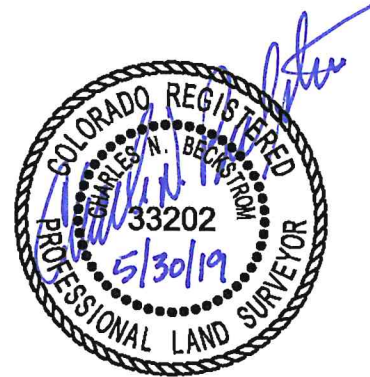


Legal Description  
(Alley Vacation)

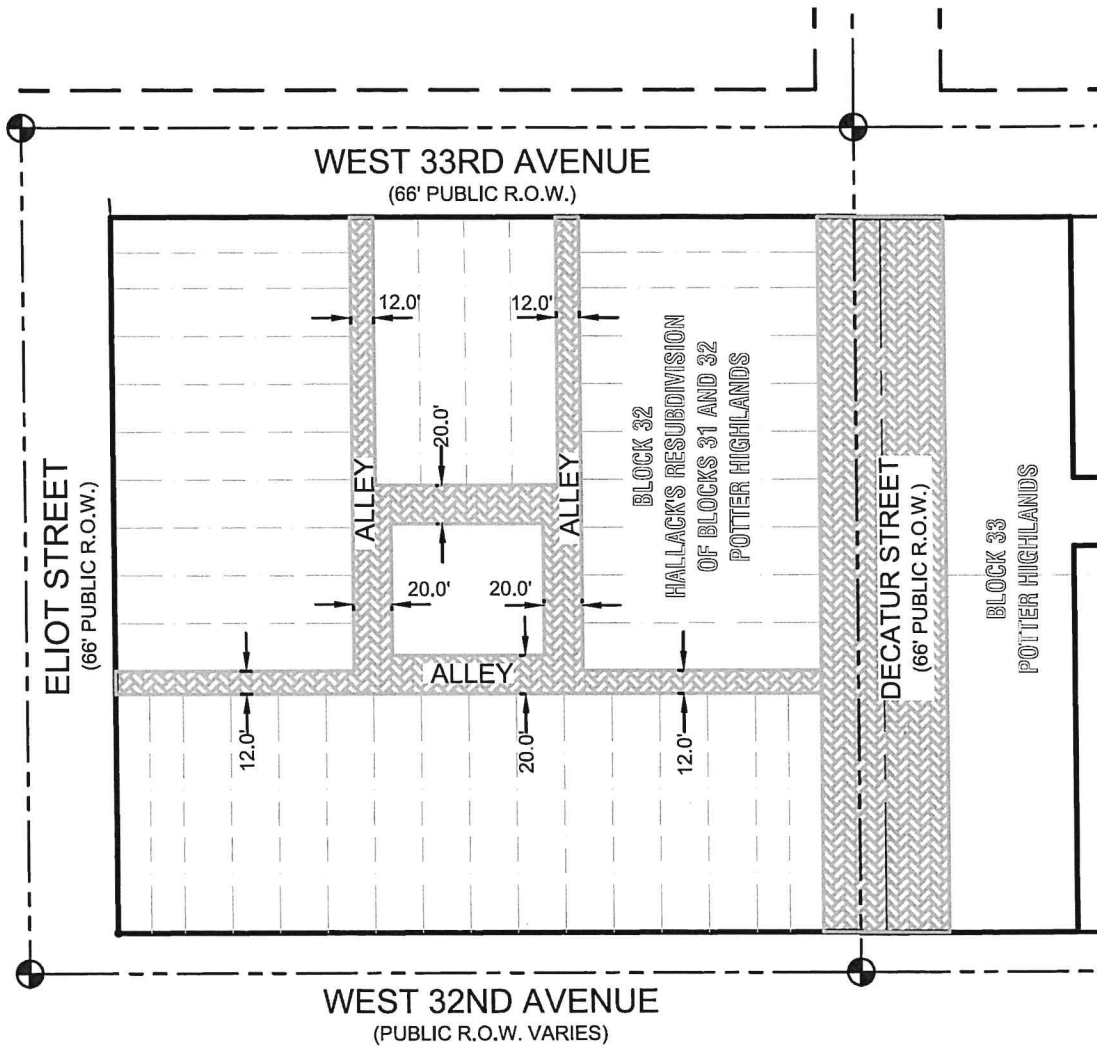
A part of Block 32, Hallack's Resubdivision of Blocks 31 and 32, Potter Highlands, situated in the NE 1/4 of Section 29, T.3S., R.68W., of the 6<sup>th</sup> P.M., City and County of Denver, State of Colorado, and being more particularly described as follows:

All alleys in Block 32, Hallack's Resubdivision of Blocks 31 and 32, Potter Highlands, City and County of Denver, State of Colorado.

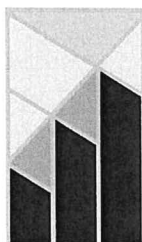
Date prepared: May 30, 2019  
Date of last revision:  
Prepared by: Charles N. Beckstrom, PLS No. 33202  
for and on behalf of  
Engineering Service Company  
14190 East Evans Ave.  
Aurora, Colorado 80014  
Phone: 303-337-1393  
[cbeckstrom@engineeringserviceco.com](mailto:cbeckstrom@engineeringserviceco.com)



# VACATION OF ALLEY & DECATUR STREET



50  
0 100  
Scale: 1" = 100'



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Sapphire Anniversary



14190 East Evans Avenue  
Aurora, Colorado 80014  
P 303.337.1393  
F 303.337.7481  
T/F 1.877.273.0659

Legal Description  
(Decatur Street Vacation)

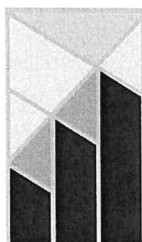
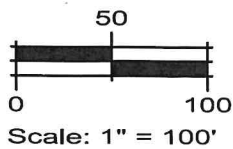
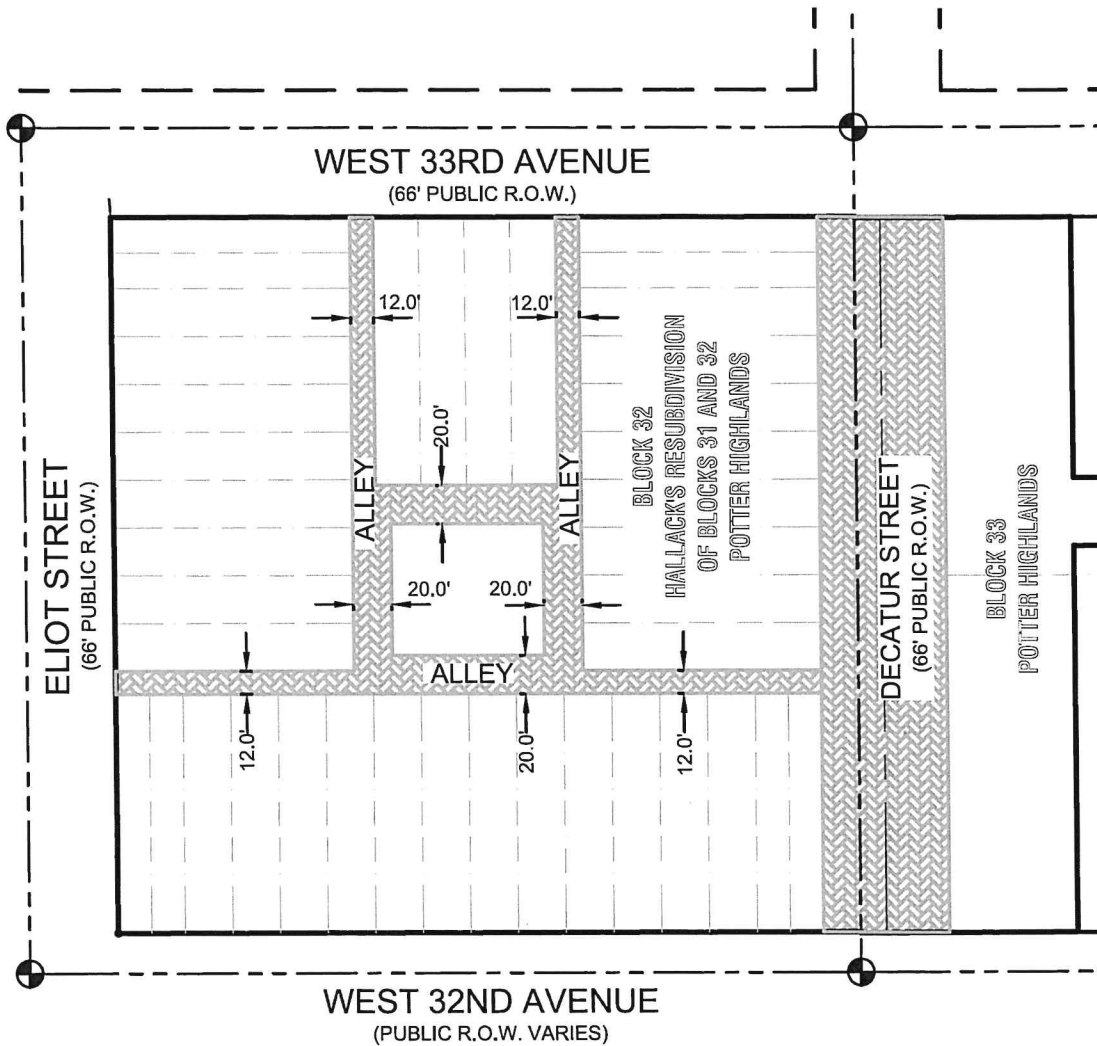
That portion of Decatur Street lying between the North Right of Way Line of West 32<sup>nd</sup> Avenue and the South Right of Way Line of West 33<sup>rd</sup> Avenue, City and County of Denver, State of Colorado.

Date prepared: May 30, 2019  
Date of last revision:  
Prepared by: Charles N. Beckstrom, PLS No. 33202  
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