


REQUEST FOR ROW VACATION ORDINANCE

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

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

ROW #: 2023-VACA-0000009

DATE: 1/11/2024

SUBJECT: Request for an Ordinance to vacate a portion of right-of-way adjacent to 4889 South Quebec 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 Katherine Reinhart, dated November 20, 2023, on behalf of the City and County of Denver for the subject right-of-way vacation.

This matter has been coordinated with Asset Management; CPD: Building and Construction Services, DS Project Coordinator, Dev & Planning Services, and Zoning; CenturyLink/Lumen; Colorado Department of Transportation; City Council District 4; City Forester; Comcast; DOTI: DES Transportation & Wastewater, ER Transportation & Wastewater, Construction Engineering, Policy & Planning, Street Maintenance, Survey, TES Sign & Stripe, CPM Wastewater; Division of Disability Rights; Denver Water; Denver Fire Department; Historic Preservation/Landmark; Metro Water Recovery; Office of Emergency Management; Parks & Recreation; RTD; 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 subject right-of-way area(s). Therefore, you are requested to initiate Council action to vacate the following right-of-way area(s):

INSERT PARCEL DESCRIPTION ROW 2023-VACA-0000009-001 HERE

GB: bw

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 – Nicholas Williams
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/doti
Phone: 720-865-3003

ORDINANCE/RESOLUTION REQUEST

Please email requests to Jason Gallardo
at nicholas.williams@denvergov.org by **12:00pm on Monday**. Contact him with questions.

Date of Request: **January 11, 2024**

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 a portion of right-of-way adjacent to 4889 South Quebec Street, without reservations.

3. Requesting Agency: DOTI: 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: Brianne White	Name: Nicholas Williams
Email: Brianne.white@denvergov.org	Email: nicholas.williams@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 adjacent to 4889 South Quebec Street, without reservations.

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

7. City Council District: District 4; Councilperson Romero Campbell

8. ****For all contracts, fill out and submit accompanying Key Contract Terms worksheet****

Key Contract Terms

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____

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: 2023-VACA-0000009, 4889 S. Quebec St.

Requestor's name: City and County of Denver

Description of Proposed Project: A request to vacate a portion of right-of-way (ROW) adjacent to 4889 South Quebec Street.

Explanation of why the public right-of-way must be utilized to accomplish the proposed project: The 152 square feet (SF) of ROW will be used as part of the Site Development Plan (SDP) of Two Fifty Master, LLC for their adjacent property at 4855 S. Quebec St.

Area of proposed right-of-way vacation in square feet: 152 square feet

Number of buildings adjacent to proposed vacation area: 0

Public Notice was posted at the proposed vacation area on: December 22, 2023

Notifications were sent to property owners and Registered Neighborhood Organizations within 200' of the proposed vacation area on: December 22, 2023

The 20-day period for protests expired on: January 10, 2024

Were protests received from the Public and, if so, explain: No public comments were received.

Are all protests containing technical merit resolved to the satisfaction of DOTI: N/A

Will land be dedicated to the City if the vacation is approved: No

Will an easement be placed over a vacated area and, if so, explain: No

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

Background: The abutting property owner purchased the neighboring parcel from the City in 2021 that included the subject area. However, the 152 SF portion was not conveyed as intended due to the portion being Right-of-Way.

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/doti
Phone: 720-865-3003

Location Map:



LAND DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF SOUTH QUEBEC STREET PER ORDINANCE NO. 317, SERIES OF 1989 LOCATED IN THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 5 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 8; THENCE ALONG THE EASTERLY LINE OF SAID SOUTHEAST QUARTER OF SECTION 8, S00°18'04"E A DISTANCE OF 1643.49 FEET; THENCE S89°34'32"W A DISTANCE OF 40.00 FEET TO THE NORTHEAST CORNER OF THE NORTHERLY MOST PORTION OF THE QUITCLAIM DEED RECORDED AT RECEPTION NO. 2013045270; THENCE ALONG THE NORTHERLY AND WESTERLY LINES OF SAID NORTHERLY MOST PORTION THE FOLLOWING TWO (2) CONSECUTIVE COURSES:

- 1) CONTINUING S89°34'32"W A DISTANCE OF 55.63 FEET TO THE NORTHWEST CORNER OF SAID NORTHERLY MOST PORTION;
 - 2) S28°11'32"E A DISTANCE OF 50.03 FEET TO THE SOUTHERLY CORNER OF SAID NORTHERLY MOST PORTION AND A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SOUTH QUEBEC STREET, SAID POINT BEING THE POINT OF BEGINNING;
- THENCE S28°11'32"E A DISTANCE OF 15.25 FEET;
 THENCE S09°12'30"E A DISTANCE OF 22.65 FEET TO A POINT ON SAID WESTERLY RIGHT-OF-WAY LINE;
 THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE, 38.42 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 48.00 FEET, A CENTRAL ANGLE OF 45°51'34" AND A CHORD WHICH BEARS N16°49'57"W A DISTANCE OF 37.40 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 152 SQUARE FEET MORE OR LESS.

ALL LINEAL DIMENSIONS ARE IN U.S. SURVEY FEET.

BASIS OF BEARINGS

BEARINGS ARE BASED ON THE EASTERLY LINE OF THE SOUTHEAST QUARTER OF SECTION 8 ASSUMED TO BEAR N00°18'04"W AND BEING MONUMENTED BY A FOUND 3-1/4" ALUMINUM CAP PLS #28666 IN RANGE BOX AT THE SOUTHEAST CORNER OF SAID SECTION 8 AND THE POSITION OF THE EAST QUARTER CORNER OF SAID SECTION 8 AS ESTABLISHED FROM THE 190 FOOT WITNESS CORNER TO THE NORTH BEING A FOUND 3-1/4" ALUMINUM CAP PLS # 22103 AND A 170 FOOT WITNESS CORNER TO THE WEST BEING A 3-1/4" ALUMINUM CAP PLS #24673.

PREPARED BY SCOTT A. AREHART, PLS
 FOR AND ON BEHALF OF
 MARTIN/MARTIN, INC.
 12499 WEST COLFAX AVEUNUE
 LAKEWOOD, CO. 80215
 303-431-6100
 DECEMBER 08, 2023
 JOB. NO. 21.0552

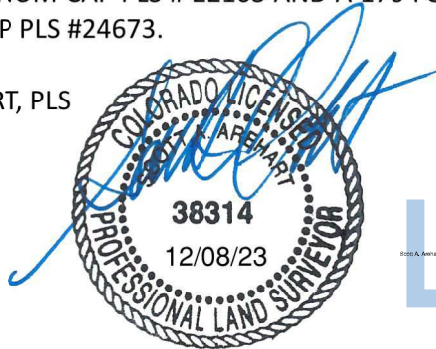


ILLUSTRATION FOR
EXHIBIT A

E1/4 COR. SEC. 8
T5S, R67W, 6TH P.M.
POSITION ESTABLISHED UTILIZING THE 170' W.C.
TO THE WEST AND A 190' W.C. TO THE NORTH PER
MONUMENT RECORD PREPARED BY PLS #22103 IN 1999
W.C.'S ARE 3-1/4" ALUM. CAPS
PLS #22103
(P.O.C.)

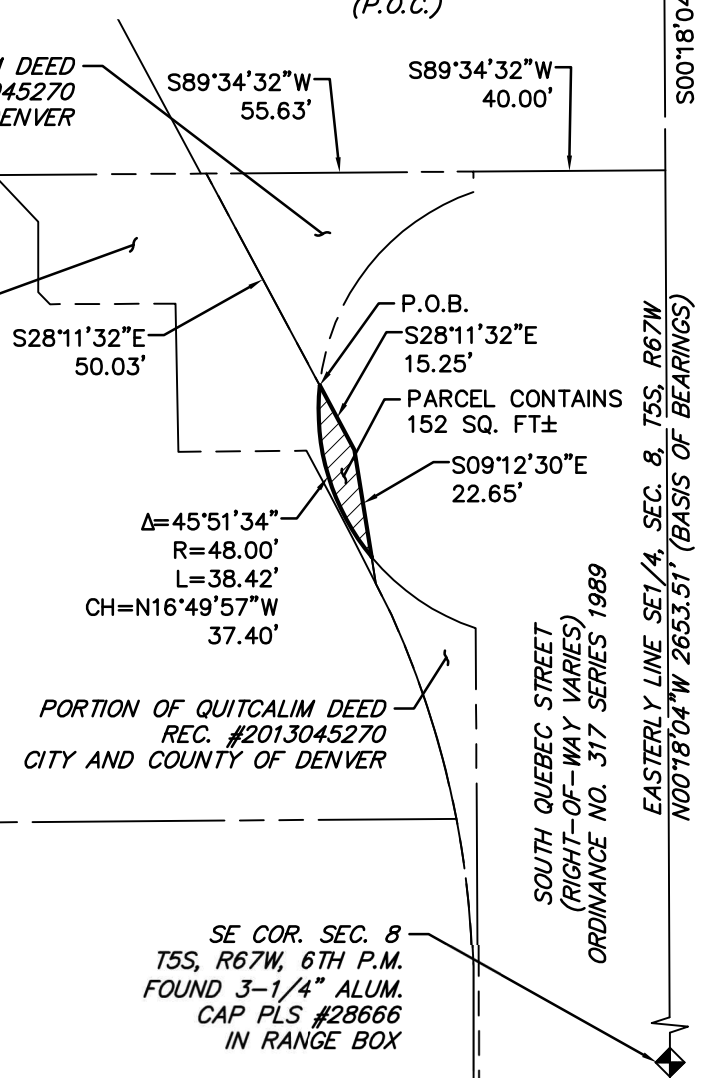
PORTION OF QUITCALIM DEED
REC. #2013045270
CITY AND COUNTY OF DENVER

QUITCLAIM DEED
REC. #2021088650

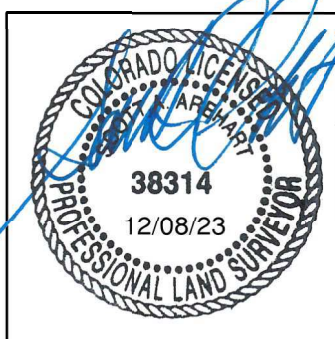
PORTION OF QUITCALIM DEED
REC. #2013045270
CITY AND COUNTY OF DENVER

HOMESTEAD VILLAGE
REC. # 1995051274
CITY & COUNTY OF DENVER

SE COR. SEC. 8
T5S, R67W, 6TH P.M.
FOUND 3-1/4" ALUM.
CAP PLS #28666
IN RANGE BOX



0 20 40
SCALE: 1"=40'
ALL LINEAL
DIMENSIONS ARE IN
U.S. SURVEY FEET



P.O.C. = POINT OF COMMENCEMENT
P.O.B. = POINT OF BEGINNING

DECEMBER 08, 2023



12499 WEST COLFAX AVENUE, LAKEWOOD, COLORADO 80215
MAIN 303.431.6100 MARTINMARTIN.COM

THIS EXHIBIT DOES NOT REPRESENT A
MONUMENTED LAND SURVEY. IT IS ONLY
TO DEPICT THE ATTACHED DESCRIPTION.