



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
Acting Director, Public Works Right of Way Services

ROW #: 2017-VACA-0000015

DATE: March 19, 2018

SUBJECT: Request for an Ordinance to vacate the alley bounded by South University Boulevard, East Vassar Avenue, South Josephine Street, and Harvard Gulch, with 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 Plan West, Inc., dated August 16, 2017, on behalf of Vassar Ventures, Inc. 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:

A perpetual, non-exclusive easement is hereby reserved by the City and County of Denver, its successors and assigns, over, under, across, along, and through the of the vacated area for the purposes of constructing, operating, maintaining, repairing, upgrading and replacing public or private utilities including, but not limited to, storm drainage, sanitary sewer, and water facilities and all appurtenances to said utilities. A hard surface shall be maintained by the property owner over the entire Easement Area. The City reserves the right to authorize the use of the reserved easement by all utility providers with existing facilities in the easement area. No trees, fences, retaining walls, landscaping or structures shall be allowed over, upon or under the Easement Area. Any such obstruction may be removed by the City or the utility provider at the property owner's expense. The property owner shall not re-grade or alter the ground cover in the easement area without permission from the City and County of Denver. The property owner shall be liable for all damages to such utilities, including their repair and replacement, at the property owner's sole expense. The City and County of Denver, its successors, assigns, licensees, permittees and other authorized users shall not be liable for any damage to property owner's property due to use of this reserved easement.

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

INSERT PARCEL DESCRIPTION ROW 2017-VACA-0000015-001 HERE

MB: cs

cc: City Councilperson & Aides

City Council Staff – Zach Rothmier
Department of Law – Shaun Sullivan
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 Angela Casias

at angela.casias@DenverGov.org by **12:00pm on Monday**. Contact the her with questions

Date of Request: **March 19, 2018**

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 the alley bounded by South University Boulevard, East Vassar Avenue, South Josephine Street, and Harvard Gulch, with reservations.

3. Requesting Agency: Public Works Engineering and Regulatory & Analytics

4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution	Contact person to present item at Mayor-Council and Council
Name: Chaunda Sinn	Name: Angela Casias
Email: Chaunda.sinn@denvergov.org	Email: Angela.casias@denvergov.org

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

Request for an Ordinance to vacate the alley bounded by South University Boulevard, East Vassar Avenue, South Josephine Street, and Harvard Gulch, with reservations.

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

N/A

7. City Council District:

Councilman Kashmann, Dist. 6

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: _____



VACATION EXECUTIVE SUMMARY

Project Title: 2017-VACA-0000015 2350 Vassar Ave

Adjacent Property Owner name: Vassar Ventures, Inc.

Description of Proposed Project: Request for an Ordinance to vacate the alley bounded by South University Boulevard, East Vassar Avenue, South Josephine Street, and Harvard Gulch, with reservations.

Explanation of why the public right-of-way must be utilized to accomplish the proposed project: The customer would like to prevent cars from blocking access to the adjacent apartment building

Width of area in feet: 20'

Number of buildings abut said area: 2

The 20-day period for protests has expired, the vacating notice was posted on: February 21, 2018

Adjoining Neighbor and Registered Neighborhood Organization notification was sent on: February 21, 2018

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: Yes, a hard surface easement will be placed over the entire vacated area

Will an easement relinquishment be submitted at a later date: Unknown

Background: The customer has had issues with cars and moving trucks blocking access and they would like this alley to become private to better monitor unauthorized cars

Public Notification: No Objections were filed

Location Map:



EXHIBIT

LOCATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 25,
TOWNSHIP 4 SOUTH, RANGE 68 WEST, 6TH PRINCIPAL MERIDIAN,
CITY AND COUNTY OF DENVER, COLORADO.

SHEET 1 OF 2

LAND DESCRIPTION

THE 20' ALLEY EAST OF AND ADJACENT TO BOTH LOTS 1 THROUGH 4 AND THE NORTHERLY 12.76' OF LOT 5, TOGETHER WITH THE EASTERLY 10' OF THE 20' ALLEY WEST OF AND ADJACENT TO THE SOUTHERLY 12.24' OF LOT 44, ALL IN BLOCK 22, ILIFF'S UNIVERSITY ADDITION, CITY AND COUNTY OF DENVER, COLORADO, CONTAINING 2,377.6 SQ. FT., MORE OR LESS.



ROBERT L. BELL, JR., PROFESSIONAL LAND SURVEYOR
COLORADO P.L.S. NO. 31545

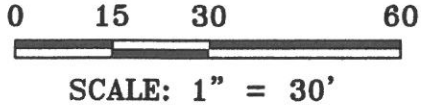
10/23/17
DATE OF SURVEY

DRAWN BY: RLB
JOB NO. 99.222
DATE: 10/23/17

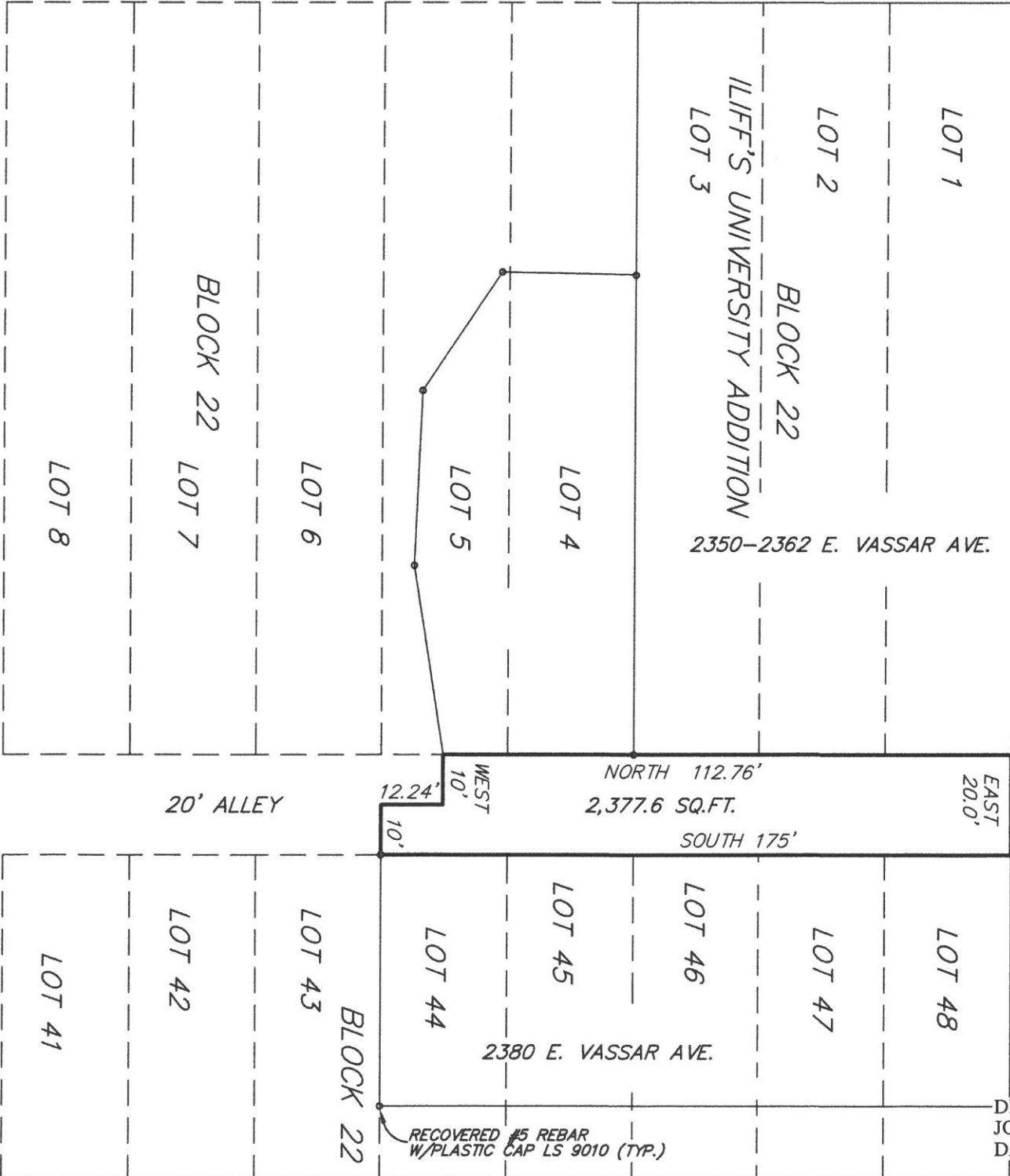
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SHEET 2 OF 2



S. UNIVERSITY BLVD.
(80' ROW)



E. VASSAR AVE.
(60' ROW)

DRAWN BY: RLB
JOB NO. 99.222
DATE: 10/23/17