



REQUEST FOR ORDINANCE TO VACATE PUBLIC RIGHT-OF-WAY

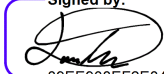
TO: Katie Ehlers, City Attorney's Office

FROM: Darion Mayhorn, PE, Interim Director, Right-of-Way Services

PROJECT NO.: 2025-VACA-0000013

DATE: June 30, 2026

SUBJECT: Request for an Ordinance to vacate a portion of East 49th Avenue at 510 East 51st Avenue, with reservations.

Signed by:

89EE908EF2E84D2...

☐ **AHRT or Prop 123 Fast Track Project**

It is requested that the above subject item be placed on the next available Council Agenda.

This office has investigated the request of Foster Graham Milstein and Calisher, LLP, dated September 24, 2025, on behalf of JRL 51st Street, LLC for the subject right-of-way vacation.

This matter has been coordinated with Asset Management; CPD: Building Department; CenturyLink/Lumen; City Council District 9, Councilmember Watson; City Forester; Comcast; CPD DS Project Coordinator; DOTI ROWS DES Transportation & Wastewater; DOTI ROWS ER Transportation & Wastewater; Office of Disability Rights; Denver Water; Denver Fire Department; Historic Preservation/Landmark; Metro Water Recovery; Office of Emergency Management; CPD Development and Planning Services; Parks and Recreation; DOTI ROWS Construction Engineering; DOTI Policy and Planning; DOTI Street Maintenance; DOTI ROWS Survey; DOTI TES Sign and Stripe; DOTI CPM Wastewater Review; Regional Transportation District; DOTI Solid Waste; Xcel Energy; CPD Zoning Administration, all of whom have indicated no objection.

As a result of these investigations, it has been determined that there is no objection to vacating the subject right-of-way area PROVIDED, HOWEVER, said right-of-way 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 vacated area for the purposes of constructing, operating, maintaining, repairing, upgrading and replacing public or private utilities including, without limitation, 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 right-of-way area:

City and County of Denver Department of Transportation & Infrastructure
Right-of-Way Services | Permitting & Coordination Landuse and Permanent Occupancy
201 W Colfax Ave, Dept 506 | Denver, CO 80202
www.denvergov.org/rowplanreview
Phone: (720) 865-3003



INSERT PARCEL DESCRIPTION ROW 2025-VACA-0000013-001 HERE

DM: je

cc: Mile High Ordinance
City Councilperson & Aides
City Council Staff – Luke Palmisano
Department of Law – Bradley Beck
Department of Law – Megan Waples
Department of Law – Katie Ehlers
Department of Law – Mar’quasa Maes
DOTI, Manager’s Office – Alba Castro
DOTI, ROWS Deputy Director – Darion Mayhorn
DOTI, Ordinance
DOTI, Solid Waste – Ken Arguello
DOTI, Survey – Paul Rogalla
DOTI, Street Maintenance – Lindsey Chieduko

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ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor's Legislative Team

at MileHighOrdinance@DenverGov.org by **9 a.m. Friday**. Contact the Mayor's Legislative team with questionsDate of Request: **June 30, 2026**

1. Please mark one: ☒ Bill Request or ☐ Resolution Request
2. Does this request directly impact property within .5 miles of the South Platte River (Check map [HERE](#)) ☒ Yes ☐ No
3. Does this item fall under XO 66 (Prop 123) requiring it to skip Mayor-Council ☐ Yes ☒ No
4. Do you need to request a Waiver Request for this item ☐ Yes ☒ No
5. Type of Request:
- ☐ Contract/Grant Agreement ☐ Intergovernmental Agreement (IGA) ☐ Rezoning/Text Amendment
- ☒ Dedication/Vacation ☐ Appropriation/Supplemental ☐ DRMC Change ☐ Other:
6. **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.)
- Approves a request for an Ordinance to vacate a portion of East 49th Avenue at 510 East 51st Avenue, with reservations.
7. **Requesting Agency:** Department of Transportation & Infrastructure, Right of Way Services, Landuse & Permanent Occupancy
8. **Contact Person:**
- | | |
|--|---|
| Contact person with knowledge of proposed ordinance/resolution (e.g., subject matter expert) | Contact person for council members or mayor-council |
| Name: | Name: Alaina McWhorter |
| Email: | Email: Alaina.McWhorter@denvergov.org |
9. **General description or background. Attach executive summary if more space needed:** (who, what, why)
- Request for an Ordinance to vacate a portion of East 49th Avenue at 510 East 51st Avenue, with reservations.
10. **City Attorney assigned to this request (if applicable):** Brad Beck
11. **City Council District:** Councilmember Watson, District 9

****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 (including dba):

Contract control number (legacy and new):

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</i> <i>(A)</i>	<i>Additional Funds</i> <i>(B)</i>	<i>Total Contract Amount</i> <i>(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?



RIGHT-OF-WAY VACATION EXECUTIVE SUMMARY

Application Title: 2025-VACA-0000013 510 E 51st Avenue Vacation

Applicant's Name: JRL 51st Street, LLC

Description of Proposed Right-of-Way (ROW) Vacation: Proposing to vacate a portion of East 49th Avenue at 510 East 51st Avenue.

Applicant's explanation of why the ROW is needed to accomplish their proposed project: The proposed vacation area dead ends into the applicants property and is used only by the applicant.

Area of proposed ROW vacation in square feet (SF): Approximately 13,080 SF

Number of buildings adjacent to proposed ROW vacation area: (1) One

Public Notice was posted at the proposed ROW vacation area on: May 28, 2026

Notification letters were sent to property owners and Registered Neighborhood Organizations (RNOs) within 200 feet of the proposed ROW vacation area on: May 28, 2026

The 20-day period for public comment expired on: June 1, 2026

Were public comments received and, if so, explain: None received.

Are all comments with technical merit resolved to the satisfaction of DOTI: N/A

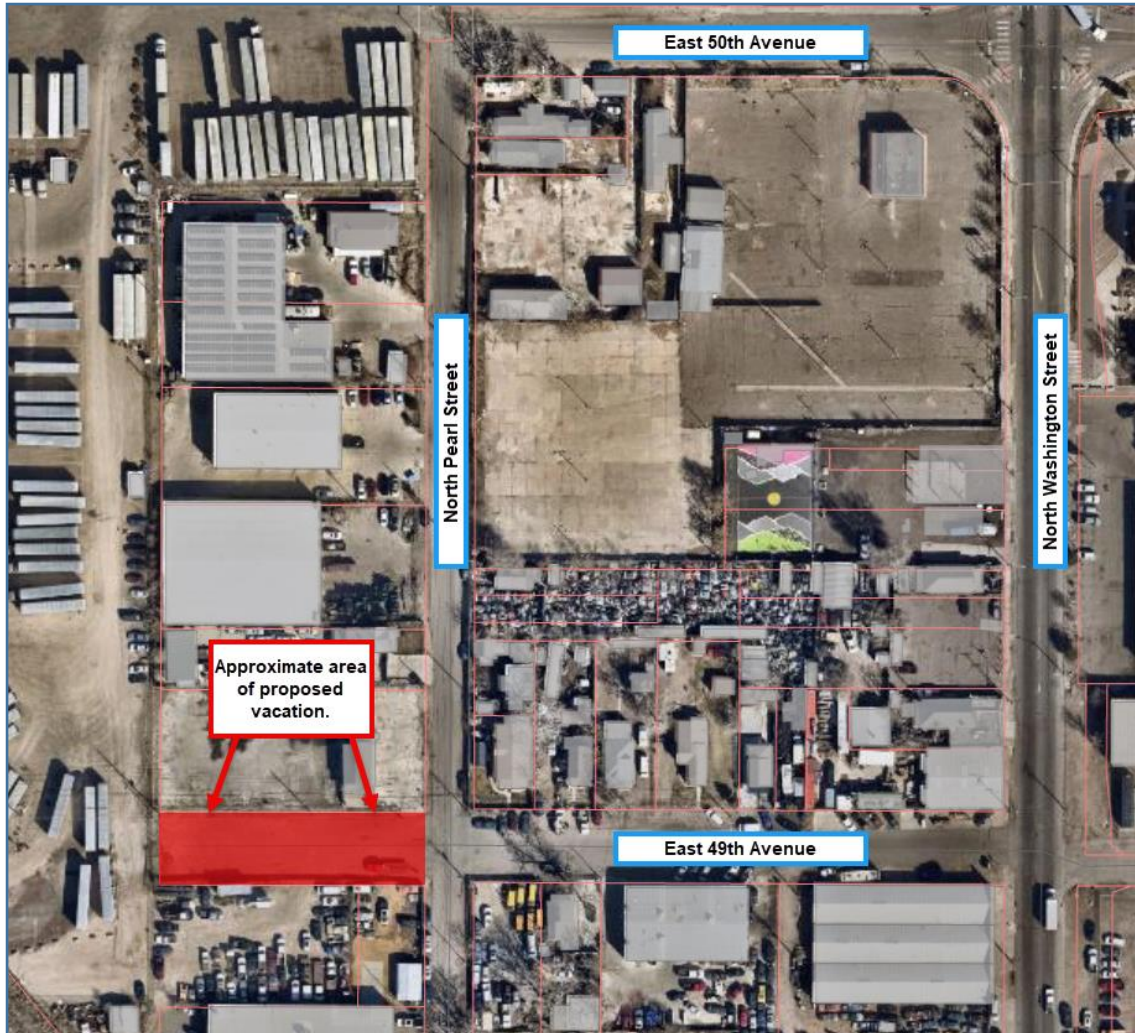
Has land been dedicated to the city as a condition of the ROW vacation and, if so, explain: No land has been dedicated.

Will a utility easement be reserved over the vacated ROW area and, if so, explain: Yes, the standard easement reservation will be held over the vacation area by the City and County of Denver.

Is a request for an easement relinquishment expected later and, if so, explain: No.



Location Map:



City and County of Denver Department of Transportation & Infrastructure
Right-of-Way Services | Permitting & Coordination Landuse and Permanent Occupancy
201 W Colfax Ave, Dept 506 | Denver, CO 80202
www.denvergov.org/rowplanreview
Phone: (720) 865-3003

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2025-VACA-0000013-001

EXHIBIT A

LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING, AT THE NORTHEAST CORNER OF LOT 14 OF THE W.H. CLARK'S SECOND SUBDIVISION, RECORDED AT BOOK 16, PAGE 1, AND A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF E. 49TH AVENUE, ALSO CONSIDERING THE 20.0' RANGE LINE IN PEARL STREET BETWEEN E. 49TH AVENUE, AND E. 50TH AVENUE MONUMENTED AT THE SOUTH END BY A 1" IRON BAR IN RANGE BOX, AND AT THE NORTH END BY A 0.5" REBAR IN RANGE BOX TO BEAR NORTH 00°06'21" WEST, A DISTANCE OF 639.92 FEET (AS MEASURED), WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF E. 49TH AVENUE, SOUTH 89°54'56" WEST A DISTANCE OF 218.00 FEET TO THE SOUTHEAST CORNER OF THE PARCEL DESCRIBED IN ORD.10-1952;

THENCE, ALONG THE EAST LINE OF SAID PARCEL NORTH 00°09'40" WEST A DISTANCE OF 60.00 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID E. 49TH AVENUE, SAID POINT ALSO BEING THE NORTHEAST CORNER OF SAID PARCEL;

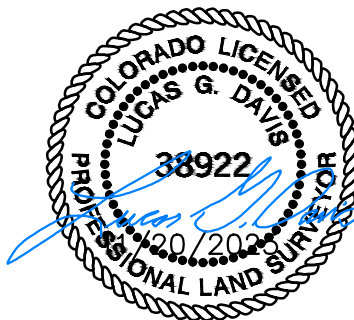
THENCE, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF EAST 49TH AVENUE, NORTH 89°54'56" EAST A DISTANCE OF 218.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF PEARL STREET;

THENCE, SOUTH 00°09'40" EAST A DISTANCE OF 60.00 FEET TO SAID NORTHEAST CORNER OF LOT 14, BEING ON SAID SOUTHERLY RIGHT-OF-WAY LINE, AND THE **POINT OF BEGINNING**, WITH SAID PARCEL CONTAINING AN AREA OF 13,080 SQUARE FEET, OR 0.3003 OF AN ACRE, MORE OR LESS.

THE LINEAL DISTANCE UNIT USED IN THE PREPARATION OF THIS LEGAL DESCRIPTION IS THE UNITED STATES SURVEY FOOT. THE UNITED STATES DEPARTMENT OF COMMERCE, NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY DEFINES THE UNITED STATES SURVEY FOOT AS 1200/3937 METERS.

I, LUCAS G. DAVIS, A SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION AND ATTACHED EXHIBIT WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, IS BASED ON MY KNOWLEDGE, INFORMATION AND BELIEF, IS IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE, AND DOES NOT REPRESENT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

LUCAS G. DAVIS, P.L.S. 38922
FOR AND ON BEHALF OF
WARE MALCOMB
900 SOUTH BROADWAY
SUITE 320
DENVER, COLORADO 80209
P 303.561.3333



900 south broadway suite 320 denver, co 80209 p 303.561.3333 waremalcomb.com WM WARE MALCOMB CIVIL ENGINEERING & SURVEYING	PROJECT NAME: 49THAVE.ROWVACATING			SHEET
	JOB NO.: DCS23-4014		DATE : 11-20-2025	1_OF_2
	DRAWN: TMA	PA/PM: LGD	SCALE: 1"=40'	

EXHIBIT A: ILLUSTRATION

