



## REQUEST FOR VACATION ORDINANCE

**TO:** Karen Walton, City Attorney's Office

**FROM:** Robert J. Duncanson, P.E.,  
Manager 2, Development Engineering Services

**ROW NO.:** 2013-0472-06

**DATE:** June 9, 2014

**SUBJECT:** Request for an Ordinance to vacate a portion of the alley at 1090 N Osage St, 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 Nanci Kerr of Sky to Ground LLC, on behalf of the Housing Authority for the City and County of Denver 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 Montero; 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, 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 2013-0472-06-002 HERE

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

1. The width of this area is 16 feet.
2. Transportation connectivity is preserved so that there will be minimal impacts to the transportation system.
3. The area is open and is not being used.
4. Six buildings abut on said area.
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 not be required.
8. The vacating notice **was** posted on May 16, 2014, and the 20-day period for protests has expired.
9. Adjoining Neighbor and Registered Neighborhood Organization notification **was** sent on May 16, 2014.
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: aal

cc: Asset Management, Steve Wirth  
City Councilperson & Aides  
City Council Staff, Gretchen Williams  
CPM, Mike Anderson  
Department of Law, Shaun Sullivan  
Department of Law, Karen Aviles  
Department of Law, Karen Walton  
Department of Law, Brent Eisen  
Public Works, Manager's Office, Alba Castro  
Public Works, Manager's Office, Nancy Kuhn  
Public Works Solid Waste, Mike Lutz  
Public Works Survey, Paul Rogalla  
Public Works Street Maintenance

Property Owner:  
Denver Housing Authority  
PO Box 40305  
Santa Fe Drive Station  
Denver, CO 80204

**ORDINANCE/RESOLUTION REQUEST**

Please email requests to Nancy Kuhn at  
Nancy.Kuhn@denvergov.org by **NOON on Monday.**

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

**Date of Request: June 9, 2014**

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 – please 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.)*

2013-0472-06 Mariposa Phase 6 Vacation

**3. Requesting Agency:** Public Works Survey

**4. Contact Person:** *(With actual knowledge of proposed ordinance/resolution.)*

- **Name:** Adrienne Lorantos, AICP
- **Phone:** 720-865-3119
- **Email:** [Adrienne.Lorantos@denvergov.org](mailto:Adrienne.Lorantos@denvergov.org)

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

- **Name:** Nancy Kuhn
- **Phone:** 720-865-8720
- **Email:** [nancy.kuhn@denvergov.org](mailto:nancy.kuhn@denvergov.org)

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

Proposal to vacate a portion of the alley currently running north to south from 10th to 11th Avenue in Hunt's Addition, Block 25 – near 1090 Osage St.

**\*\*Please complete the following fields:** *(Incomplete fields may result in a delay in processing. If a field is not applicable, please enter N/A for that field.)*

- a. **Contract Control Number:** N/A
- b. **Duration:** Permanent
- c. **Location:** 1090 Osage St
- d. **Affected Council District:** Montero – District #9
- e. **Benefits:** N/A
- f. **Costs:** N/A

**7. Is there any controversy surrounding this ordinance?** *(Groups or individuals who may have concerns about it?)* **Please explain.**

There were no complaints.

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

SIRE Tracking Number: \_\_\_\_\_

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



## EXECUTIVE SUMMARY

**DENVER**  
THE MILE HIGH CITY

**Project Title: 2013-0472-06 Mariposa Phase 6 Vacation**

**Description of Proposed Project: Proposal to vacate a portion of the alley currently running north to south from 10th to 11th Avenue in Hunt's Addition, Block 25 - near 1090 Osage St.**

**Explanation of why the public right-of-way must be utilized to accomplish the proposed project: It is needed for overall lot redevelopment.**

**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: No, however there will be a utility and access easement provided.**

**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: There was no controversy regarding this proposal.**

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
**DATE: April 29, 2014**

A parcel of land containing 5,494 Sq. Ft., more or less, being a portion of Block 25 Hunt's Addition to Denver, located in the NE ¼, Section 4, Township 4 South, Range 68 West, City and County of Denver, State of Colorado, being more particularly described as follows:

**BASIS OF BEARINGS:** For the purpose of this description the northerly line of Block 25, Hunt's Addition to Denver being monumented at the NW Corner of said block 25, by a 1.5" aluminum cap stamped "JFSA PLS 34591" and on the NE corner of said block 25, by a 1.5" aluminum cap stamped "JFSA PLS 34591". Northerly line of said Block 25, said line bears N 89°51'36" E.

Commencing at the NW corner of said Block 25, thence along the northerly line of said Block 25, N 89°51'36" E a distance of 125.01 feet to a point being the northwest corner of the 16 feet wide alley of said Block 25 said point also being the **TRUE POINT OF BEGINNING;**

Thence continuing along said northerly line N 89°51'36" E a distance of 16.00 feet to the northeast corner of said alley;

Thence departing said northerly line and along the easterly line of said alley, S 00°10'34" E a distance of 343.35 feet;

Thence departing said easterly line S 89°51'29" W a distance of 16.00 feet to point being on the westerly line of said alley;

Thence along the westerly line of said alley N 00°10'34" W a distance of 343.35 feet to the **TRUE POINT OF BEGINNING.**

The above-described parcel contains 5,494 square feet (0.126 acres), of land, more or less.

Legal Description prepared by:



Kevin J Kucharczyk, PLS 34591  
For and on Behalf of  
J.F. Sato and Associates  
5878 S. Rapp St. Littleton, CO 80120

**JFS&A**  
**J.F. SATO AND ASSOCIATES**  
 Consulting Engineers  
 Project Managers, Planners & Surveyors  
 5878 So. Rapp St. • Littleton, CO 80120 • (303) 797-1200

JOB. NO. JF 1140  
 DESC. DHA SOUTH LINCOLN PHASE VI  
 DATE: April 29, 2014 BY JL  
 SCALE: 1" = 100' CHECKED KJK  
 NOTES: EXHIBIT A  
ALLEY VACATION

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

PARCEL:  
 5,494 sf (0.126 acres)



Scale: 1" = 100'

