




**Department of Public Works**  
Engineering Regulatory & Analytics  
201 W. Colfax Avenue, Dept. 507  
Denver, CO 80202  
720-865-3001  
www.denvergov.org/survey

### REQUEST FOR VACATION ORDINANCE

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

**FROM:** Ted Christianson  
Director, Public Works Right of Way Services 

**ROW #:** 2017-VACA-0000004

**DATE:** September 25, 2017

**SUBJECT:** Request for an Ordinance to vacate a portion of the Right of Way adjacent to 3600 Brighton Blvd, located along 36<sup>th</sup> 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 Cory Rutz, dated April 6<sup>th</sup>, 2017, on behalf of 3600 Brighton Blvd LLC 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:

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 2017-VACA-000004-01 HERE**

TC: bp

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 Angela Casias  
at [angela.casias@DenverGov.org](mailto:angela.casias@DenverGov.org) by 12:00 pm 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: September 25, 2017

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, contract amendment, municipal code change, supplemental request, etc.**)

Request for an Ordinance to vacate a portion of the Right of Way adjacent to 3600 Brighton Blvd, located along 36<sup>th</sup> St., without reservations.

3. **Requesting Agency:** PW Right of Way Services  
**Agency Division:** Engineering, Regulatory & Analytics

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

- **Name:** Brittany Pirtle
- **Phone:** 720-865-3129
- **Email:** Brittany.Pirtle@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:** Angela Casias
- **Phone:** 720-913-8529
- **Email:** angela.casias@denvergov.org

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

Request for an Ordinance to vacate a portion of the Right of Way adjacent to 3600 Brighton Blvd, located along 36<sup>th</sup> St., without reservations.

**\*\*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 – please do not leave blank.)

- a. **Contract Control Number:** N/A
- b. **Contract Term:** N/A
- c. **Location:** 3600 Brighton Blvd.
- d. **Affected Council District:** Dist # 9, Albus Brooks
- e. **Benefits:** N/A
- f. **Contract Amount (indicate amended amount and new contract total):** N/A

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

None.

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To be completed by Mayor's Legislative Team:

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

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



## VACATION EXECUTIVE SUMMARY

**Project Title:** 2017-VACA-0000004 3600 Brighton Blvd

**Owner name:** 3600 Brighton Blvd LLC

**Description of Proposed Project:** Request for an Ordinance to vacate a portion of the Right of Way adjacent to 3600 Brighton Blvd, located along 36<sup>th</sup> St., without reservations.

**Explanation of why the public right-of-way must be utilized to accomplish the proposed project:** The owner intends on redeveloping the property into a mixed-use office and retail space.

**Width of area in feet:** 5 feet

**Number of buildings abut said area:** 0

**The 20-day period for protests has expired, the vacating notice was posted on:** August 4, 2017

**Adjoining Neighbor and Registered Neighborhood Organization notification was sent on:** August 4, 2017

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

**Will land be dedicated to the City if the vacation goes through:** Yes

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

**Will an easement relinquishment be submitted at a later date:** N/A

**Background:** The owner intends to redevelop the property into a mixed-use office and retail space and will be dedicating 8ft of the property along Brighton Blvd frontage to ROW plus providing a 7ft sidewalk easement. The vacation portion of this process needs to be completed first in order to have the Site Development Plans approved, per Survey reviewer Robert Castaneda.

**Public Notification:** There were no objections filed.

**Location Map:**



EXHIBIT A  
LAND DESCRIPTION  
PAGE 1 OF 2

A PARCEL OF LAND SITUATED IN THE SOUTHWEST ONE-QUARTER (SW1/4) OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN; AND LOCATED IN THE CITY AND COUNTY OF DENVER, STATE OF COLORADO; BEING A PORTION OF 36<sup>TH</sup> STREET, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE WESTERLY CORNER OF LOT 32, BLOCK 7, IRONTON AND THE FIRST ADDITION TO IRONTON;

THENCE ALONG THE SOUTHWESTERLY LINE OF SAID LOT 32, S45°00'58"E, 123.34 FEET;

THENCE S44°57'50"W, 5.00 FEET;

THENCE ALONG A LINE PARALLEL WITH AND 5.00 FEET DISTANT FROM THE SOUTHWESTERLY LINE OF LOT 32, N45°00'58"W, 123.34 FEET;

THENCE N44°58'43"E, 5.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 617 SQUARE FEET OR 0.014 ACRES, MORE OR LESS.

BEARINGS USED HEREIN ARE BASED ON A 19.75' RANGE LINE ON 36TH STREET BETWEEN BRIGHTON BLVD. AND WYNKOOP ST., BEING S45°00'58"E USING THE CITY AND COUNTY OF DENVER CONTROL COORDINATES, AS MONUMENTED AT THE NORTHWEST ON BRIGHTON BLVD. BY A FOUND 2.5" ALUMINUM CAP STAMPED PLS 37929 IN RANGE BOX. AND MONUMENTED ON THE SOUTHEAST AT WYNKOOP ST. BY A FOUND AXLE IN RANGE BOX.

LEGAL DESCRIPTION STATEMENT:

I, DOUGLAS H. ORT III, A LICENSED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE ABOVE LEGAL DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, AND ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF, IS CORRECT.

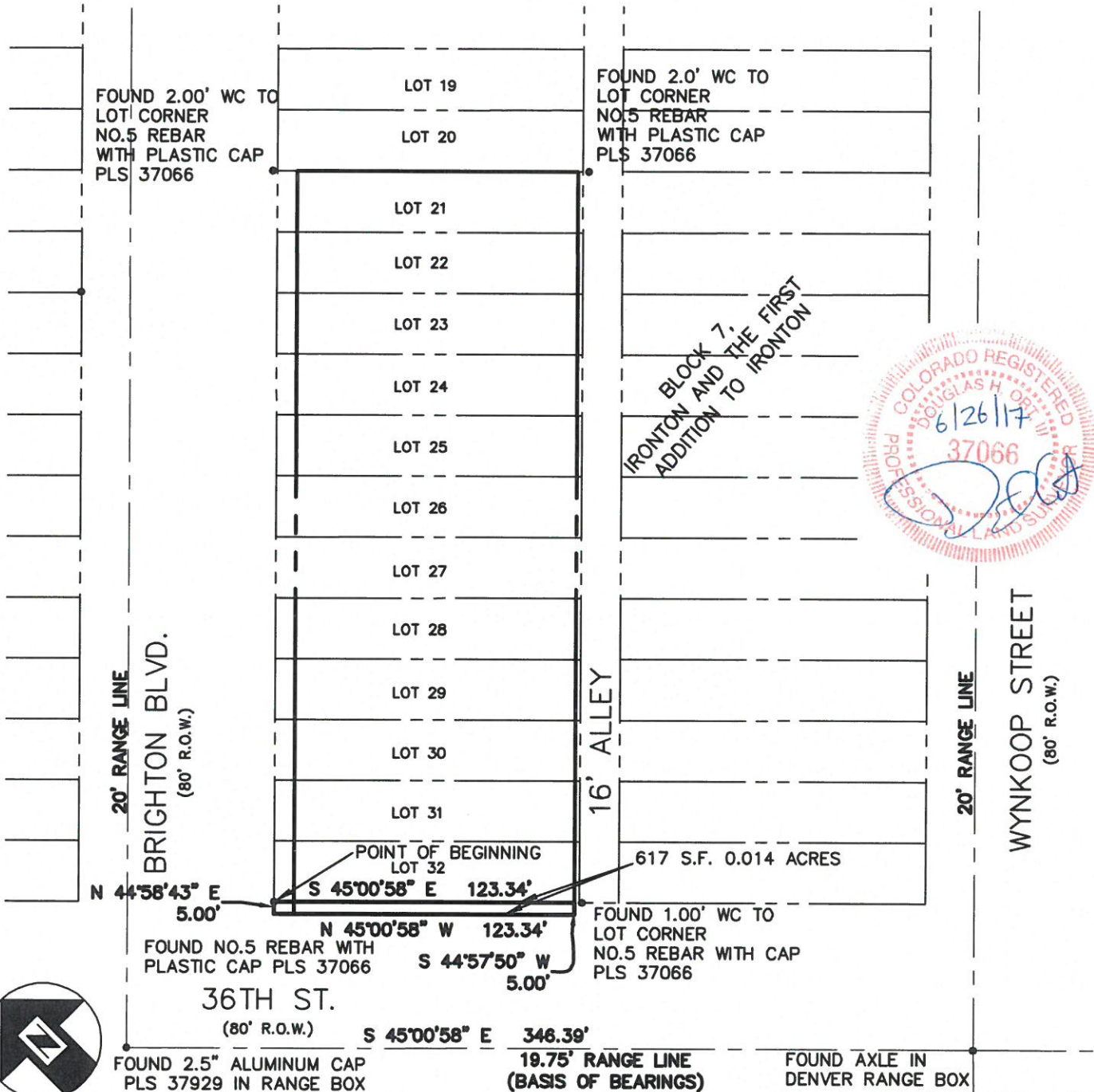
DOUGLAS H. ORT III, COLORADO PLS 37066  
WILSON & COMPANY  
1675 BROADWAY, SUITE 200  
DENVER, CO 80202  
DHORTIII@WILSONCO.COM  
PH 303-501-1221  
FAX 303-297-2693



# EXHIBIT "A"

2017-VACA-0000004-01

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 23, T3S, R68W, OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO  
PAGE 2 OF 2



BLOCK 7.  
IRONTON AND THE FIRST  
ADDITION TO IRONTON



M:\MSD\16-600-405-000\_Disciplines\ SHEETS\Easements\Revolution 360 - easements rev 04-05-2017.dwg Plotted on: May 09, 2017 - 9:35am By: jbriscoe

**16-600-405**

NO.	REVISION-DESCRIPTION	BY	DATE	CHKD	APPD

SHT. NO:	2 OF 2
SCALE:	1" = 60'
DWN. BY:	TJB
DATE:	3-30-2017
CHK. BY:	
PROJ. MGR:	DHO
DATE:	3-30-2017
CLIENT APP:	

**WILSON & COMPANY** 1675 Broadway Suite 200  
Denver, CO 80202  
Phone: 303-297-2976  
Fax: 303-297-2693

3600 BRIGHTON BLVD  
DENVER, CO 80216  
CITY AND COUNTY OF DENVER  
STATE OF COLORADO