



REQUEST FOR VACATION ORDINANCE

TO: Karen Walton, City Attorney's Office

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

ROW #: **2013-0585-01**

DATE: **April 1, 2014**

SUBJECT: Request for an Ordinance to vacate the alley south of the property at 3124 W 20th Ave, 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 David Burcham, on behalf of 20th Ave LLC, 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; the Councilperson; 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.

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

INSERT PARCEL DESCRIPTION ROW 2013-0585-01-001 HERE

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

1. The width of this area is 80 feet.
2. Transportation connectivity is preserved so that there will be minimal impacts to the transportation system.
3. The area is open and is minimally being used.
4. **No** buildings abut 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 March 5, 2014, and the 20-day period for protest has expired.
9. Adjoining Neighbor and Registered Neighborhood Organization notification was sent on March 5, 2014.
10. No protests have 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: Real Estate & Asset Management - Steve Wirth
City Councilperson - Susan Shepherd
City Council Staff - Jenn Hughes
Capital Projects Management - Mike Anderson
Department of Law - Shaun Sullivan
Department of Law - Karen Aviles
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 - Brian Roecker

Property Owner:

20th Ave LLC
10046 Brisbane Ln
Highlands Ranch, CO 80130

Agent:

David Burcham

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: April 1, 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.)*

2013-0585-01: A proposal to vacate the alley south of 3124 W 20th Ave, with reservations.

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

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

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

***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:** The alley south of 3124 W 20th Ave.
- d. Affected Council District:** 1 – Susan Shepherd
- 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.

No comments, questions, or concerns were received during the public notification portion of this process.

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: _____

Date Entered: _____



EXECUTIVE SUMMARY

DENVER
THE MILE HIGH CITY

Project Title: 2013-0585-01 - A proposal to vacate the alley south of 3124 W 20th Ave.

Description of Proposed Project: This is a request for an Ordinance to vacate the alley south of the property at 3124 W 20th Ave., with reservations.

Explanation of why the public right-of-way must be utilized to accomplish the proposed project: This area is needed in order to accommodate the overall lot redevelopment.

Has a Temp MEP been issued, and if so, what work is underway:N/A

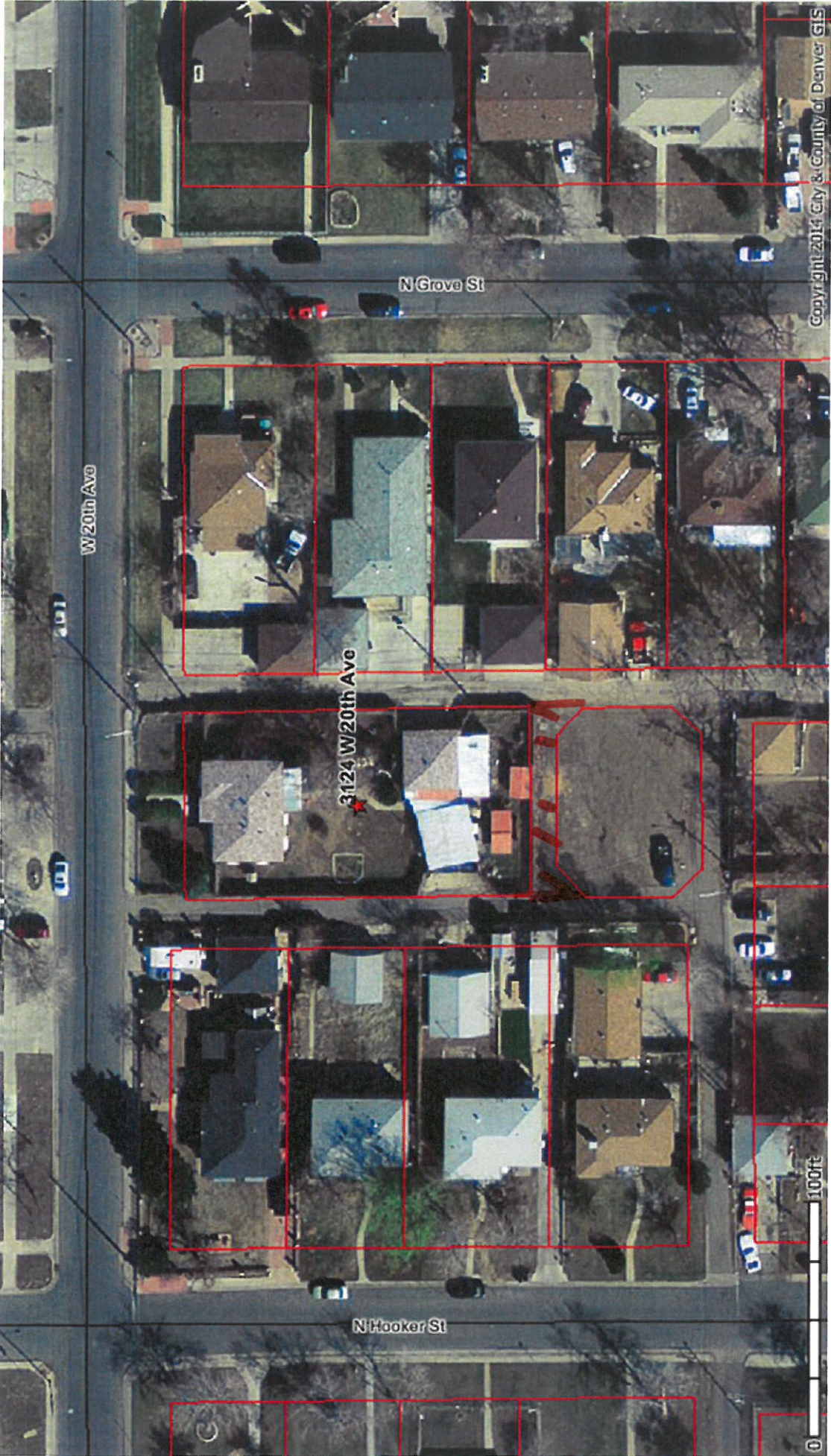
What is the known duration of an MEP:N/A

Will land be dedicated to the City if the vacation goes through: No.

Will an easement be placed over a vacated area, and if so explain: Yes, a typical hard surface easement is required.

Will an easement relinquishment be submitted at a later date: No.

Additional information: No comments, questions, or concerns were received during the public notification portion of this process.



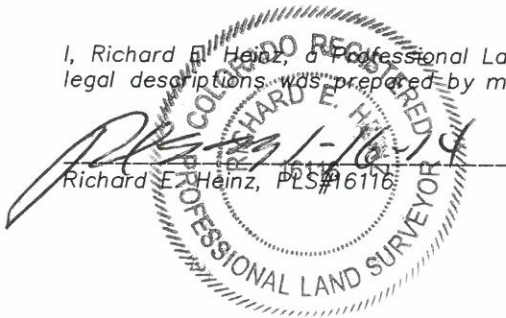
2013-0585-01-001

ROW PROJECT NO. 2013-0585
DES PARCEL NO. 2013-0585-01-00

**LEGAL DESCRIPTION FOR ALLEY VACATION
SW 1/4, SECTION 32, T3S, R68W, 6TH P.M.
CITY AND COUNTY OF DENVER, STATE OF COLORADO**

A PARCEL OF LAND(ALLEY) SITUATED IN THE SOUTHWEST 1/4 OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN AND A PART OF BLOCK 2, GRAHAM'S RESUBDIVISION OF BLOCK 2 CHELTENHAM HEIGHTS, CITY AND COUNTY OF DENVER, STATE OF COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF LOT 35 OF SAID BLOCK 2; THENCE N89°55'50"W ALONG THE SOUTH LINE OF SAID LOT 35, 3.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N89°55'50"W ALONG THE SOUTH LINE OF LOTS 33, 34, AND 35 OF SAID BLOCK 2, 74.00' TO A POINT 3.00 FEET EAST OF THE WEST LINE OF LOT 33 OF SAID BLOCK 2; THENCE S00°00'47"E, 17.00 FEET TO A POINT ON THE NORTH LINE OF LOT 36 OF SAID BLOCK 2; THENCE ALONG SAID NORTH LINE FOR THE FOLLOWING 3 COURSES; THENCE N45°04'10"E, 9.90 FEET; THENCE S89°55'50"E, 60.00 FEET; THENCE S44°55'50"E, 9.90 FEET; THENCE N00°00'47"W, 17.00 FEET TO THE POINT OF BEGINNING. SAID DESCRIBED PARCEL CONTAINS 789 SQUARE FEET MORE OR LESS. BEARINGS ARE BASED ON THE SOUTH LINE OF LOTS 33 TO 35 OF SAID BLOCK 2, ASSUMED TO BEAR N89°55'50"W.

I, Richard E. Heinz, a Professional Land Surveyor, Registered in the State of Colorado, do hereby certify that the above legal descriptions was prepared by me or under my direct supervision.



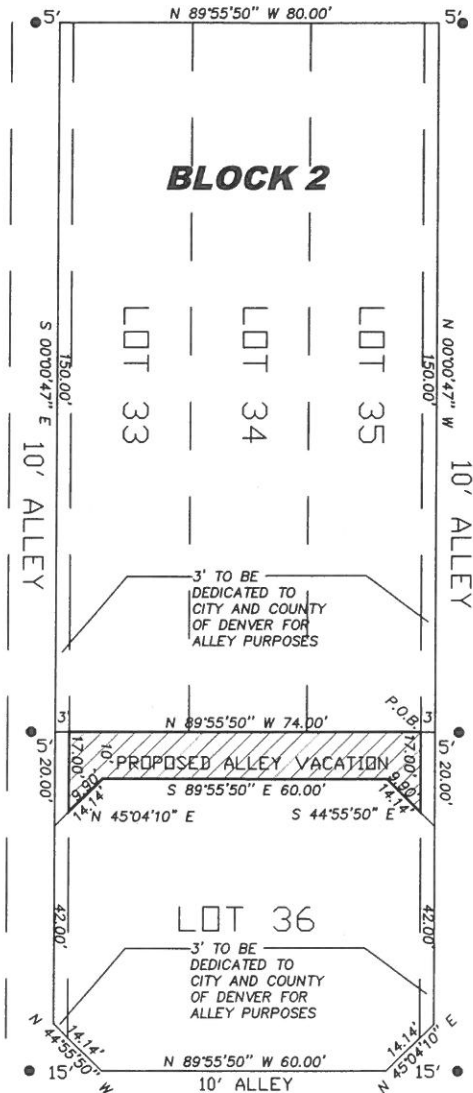
Richard E. Heinz, PLS #16116



EXHIBIT FOR ALLEY VACATION
SW 1/4, SECTION 32, T3S, R68W, 6TH P.M.
CITY AND COUNTY OF DENVER, STATE OF COLORADO

Scale 1" = 40'

W. 20TH AVE. R.O.W. VARIES



GROVE ST. (80' R.O.W.)

THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED SURVEY. IT IS INTENDED ONLY TO DEPICT THE ABOVE VACATION.

AAA SURVEYING SERVICES, LLC

P.O. BOX 2055 ARVADA, CO 80001-2055
303-519-7015/FAX 303-940-4927

JOB NO. 13-0350

PAGE 2 OF 2

DATE: 12/02/2013

SCALE 1"=40'