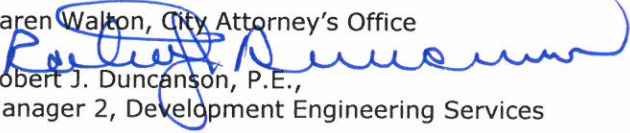




REQUEST FOR VACATION ORDINANCE

TO: Karen Walton, City Attorney's Office

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

ROW NO.: 2013-0588-02

DATE: February 24, 2014

SUBJECT: Request for an Ordinance to vacate Kensing Ct between Boulder St and Hirshorn Park, 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 Sprocket Design Build Inc., on behalf of Resurrection Properties 3 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; Councilperson Judy 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, hereby approved and the described area is hereby vacated and declared vacated; PROVIDED, HOWEVER, said vacation shall be subject to the following reservations:

OR 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 2013-0588-02-001 HERE 

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

1. The width of this area is 20 feet.
2. Transportation connectivity is preserved so that there will be minimal impacts to the transportation system.
3. The area is open and is being used.
4. **1** building 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 January 27, 2014, and the 20-day period for protests has expired.
9. Adjoining Neighbor and Registered Neighborhood Organization notification **was** sent on January 27, 2014.
10. Protests, sustained by the Manager of Public Works 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: bja

cc: Asset Management, Steve Wirth
City Councilperson Judy Montero & 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 Maint. William Kennedy
Project File # 2013-0588-02

Property Owner:
Resurrection Properties 3 LLC
3222 Tejon St., Suite A
Denver, CO 80211-3471

Property Owner
City and County of denver
201 W Colfax Ave., Dept 401
Denver, CO 80202-5330

Property Owner
Mark Camacho
1643 Boulder St., Suite 201
Denver, CO 80211-3980

ORDINANCE/RESOLUTION REQUEST

Please email requests to Nancy Kuhn at daelene.mix@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: February 24, 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.)

Request for an Ordinance to vacate Kensing Ct between Boulder Street and Hirshorn Park, without reservations.

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

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

- **Name:** Beverly J Aragon
- **Phone:** 720-865-3115
- **Email:** Beverly.Aragon@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:**

To vacate Kensing Ct between Boulder Street and Hirshorn Park, 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.)

- a. **Contract Control Number:** N/A
- b. **Duration:** Permanent
- c. **Location:** Kensing Ct bounded by Boulder St and Hirshorn Park
- d. **Affected Council District:** Judy 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.**

None

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: _____

Date Entered: _____



DENVER
THE MILE HIGH CITY

EXECUTIVE SUMMARY

Project Title: 2013-0588-02 Vacate Kensing Ct between Boulder St and Hirshorn Park

Description of Proposed Project: Vacate Kensing Ct between Boulder St and Hirshorn Park

Explanation of why the public right-of-way must be utilized to accomplish the proposed project: For Redevelopment

Has a Temp MEP been issued, and if so, what work is underway: No

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: No

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

Additional information: The area would be developed as a multi-use building .

DESCRIPTION FOR A RIGHT-OF-WAY VACATION

A parcel located in Block 19, Kasserman's Addition to Denver, as recorded in Book 1 at Page 21 in the records of the County of Arapahoe, situated in the Southwest Quarter of Section 28, Township 3 South, Range 68 West of the 6th Principal Meridian, City and County of Denver, State of Colorado more particularly described as follows:

Beginning at the most Easterly corner of Lot 1, said Block 19, Thence Northwesterly along the Northeasterly line of Lots 1 through 4 and along the Northeasterly line of the Southeasterly 20 feet of Lot 5 as dedicated by Ordinance 272, Series 1952, Thence Northeasterly along a line and parallel to the Northwesterly right-of-way line of Boulder Street to a point on the Southwesterly line of Lot 28 of said Block 19; Thence Southeasterly along the Southwesterly line of Lots 28 through 32 to a point on the Northwesterly right-of-way line of Boulder Street; Thence Southwesterly along said Northwesterly right-of-way line of Boulder Street to the Point of Beginning.

Said Parcel contains 2,400 square feet or 0.055 acres more or less.


Richard E. Heinz, 1615716116

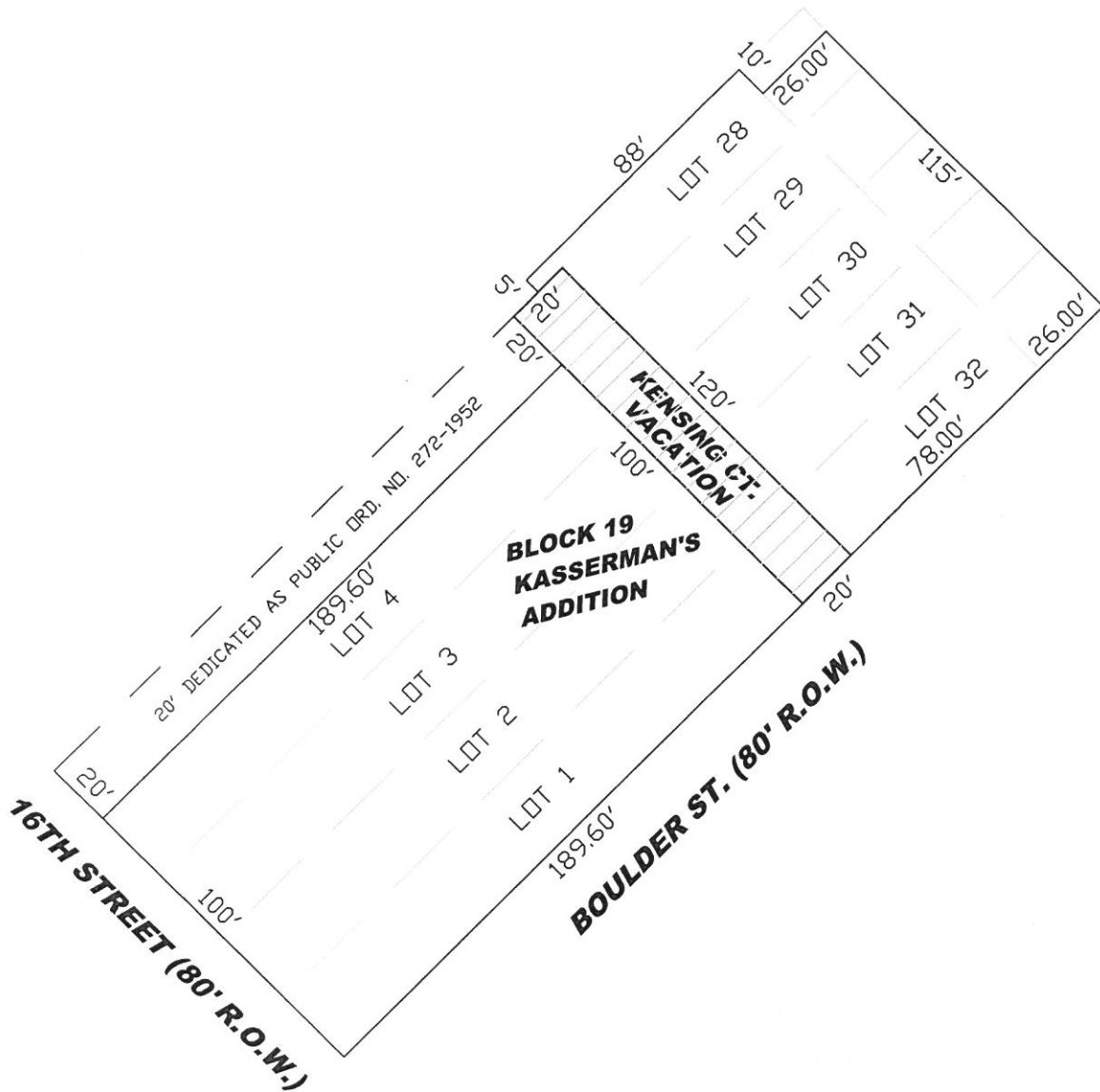




ROW PROJECT NO. 2013-0588
DES PARCEL NO. 2013-0588-02-002

**EXHIBIT FOR KENSING COURT VACATION
SW 1/4, SECTON 28, T3S, R68W, 6TH P.M.
CITY AND COUNTY OF DENVER, STATE OF COLORADO**

Scale 1" = 50'



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. 13-0308

PAGE 2 OF 2

DATE: 09/02/2013

SCALE 1"=50'