



DENVER
THE MILE HIGH CITY

EXECUTIVE SUMMARY

Project Title: 2007-0044-01 Vacation alley, bounded by 18th Ave. and 19th Ave. and Pennsylvania St. and Logan St.

Description of Proposed Project: Vacate alley, bounded by 18th Ave. and 19th Ave. and Pennsylvania St. and Logan St.

Explanation of why the public right-of-way must be utilized to accomplish the proposed project: RedPeak is in the design phase for the development of this property for an approximately 300 unit market rate apartments and will include retail space.

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

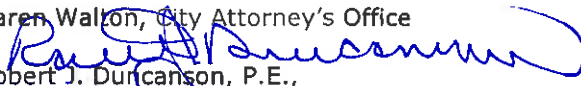
Will an easement be placed over a vacated area, and if so explain: NO

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

Additional information: RedPeak has the support of Hospital District Urban Design Form (HDUDF).



REQUEST FOR VACATION ORDINANCE

TO: Karen Walton, City Attorney's Office
FROM: 
Robert J. Durcanson, P.E.,
Manager 2, Development Engineering Services
ROW NO.: 2007-0044-01
DATE: December 1, 2011
SUBJECT: Request for an Ordinance to vacate alley bounded by 18th Ave. and 19th Ave. and Pennsylvania St. and Logan 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 Evan Lichtenfels, on behalf of RedPeak Properties, 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, # 8, Albus Brooks; 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:

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 2007-0044-001 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 being used.
4. 0 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 October 17, 2011, and the 20-day period for protests has expired.
9. Adjoining Neighbor and Registered Neighborhood Organization notification was sent on October 17, 2011.
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: LRA 

cc: Asset Management, Steve Wirth
City Councilperson # 8, "Albus Brooks
Council Aides: Chy Montoya and Brande Micheau
City Council Staff, Gretchen Williams
CPM, Mike Anderson,
Department of Law, Arlene Dykstra
Department of Law, Karen Aviles
Department of Law, Karen Walton
Public Works, Manager's Office, Stacie Loucks
Public Works, Manager's Office, Alba Castro
Public Works, Manager's Office, Christine Downs
Public Works Solid Waste, Mike Lutz
Public Works Survey, Paul Rogalla
Public Works Street Maint. William Kennedy,
Project File # 2007-0044-01

Property Owner:
RedPeak Properties, LLC
1600 Glenarm Place, Suite # 200
Denver, CO 80202

ORDINANCE/RESOLUTION REQUEST

Please email requests to Daelene Mix 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: **November 16, 2011**

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 alley between 18th Ave. and 19th Ave. and Pennsylvania St. and Logan St., without reservations.

3. **Requesting Agency:** Public Works, Right-of-Way Engineering Services

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

- **Name:** Lisa R. Ayala
- **Phone:** 720-865-3153
- **Email:** lisa.ayala@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:** Stacie Loucks
- **Phone:** 720-865-8720
- **Email:** Stacie.loucks@denvergov.org

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

To vacate alley between 18th Ave. and 19th Ave and Pennsylvania St and Logan 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:** Alley, Block 263 bounded by 18th Ave. and 19th Ave., and Pennsylvania St. and Logan St.
- d. **Affected Council District:** # 8, Albus Brooks
- 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: _____

ROW PROJECT NO. 2007-0044
DES PARCEL NO. 2007-0044-001

**LEGAL DESCRIPTION FOR
ALLEY VACATION**

A PARCEL OF LAND LOCATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 34, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO AND BEING A PORTION OF BLOCK 263, CLEMENTS ADDITION TO THE CITY OF DENVER RECORDED IN BOOK OF PLATS PAGE 11, COUNTY OF ARAPAHOE, TERRITORY OF COLORADO ON JANUARY 13, 1870 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

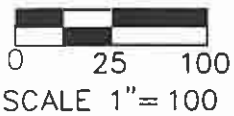
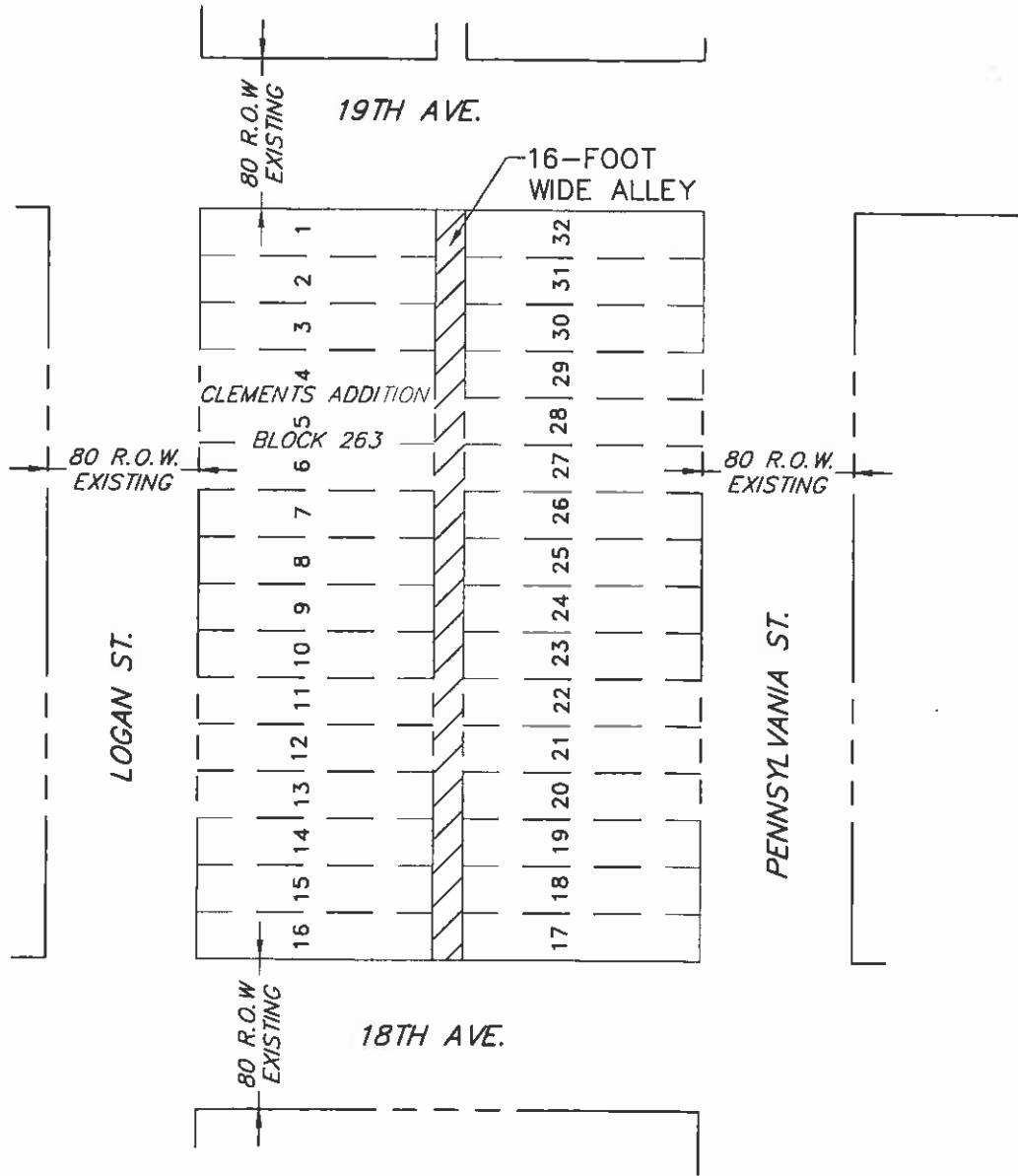
ALL OF THE PLATTED 16-FOOT WIDE ALLEY LOCATED WITHIN SAID BLOCK 263.

SAID PARCEL CONTAINS 6400 SQ. FEET OR 0.147 ACRES MORE OR LESS.

PREPARED BY: RANDALL P. KENNEDY, PE
REVIEWED BY: RICHARD A. NOBBE, PLS
FOR AND ON BEHALF OF
MARTIN/MARTIN INC.
12499 WEST COLFAX AVENUE
LAKEWOOD, COLORADO 80215
PROJECT NO. 19661.C.01
April 9, 2007



EXHIBIT "A" DESCRIPTION OF ALLEY VACATION LOCATED IN BLOCK 263, CLEMENTS ADDITION



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

APRIL 9, 2007

MARTIN / MARTIN
 CONSULTING ENGINEERS

12499 WEST DOLFAV AVE.
 P.O. BOX 151500
 LAKEWOOD, CO 80215
 303.431.6100
 FAX 303.431.4028