



**Denver Public Works**  
Right-of-Way Services

201 W Colfax Ave, Dept. 507  
Denver, CO 80202  
720.865.3001  
Denver.ROW@denvergov.org  
www.denvergov.org/survey

## REQUEST FOR VACATION ORDINANCE

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

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

**ROW #:** 2014-1049-01

**DATE:** February 9, 2015

**SUBJECT:** Request for an Ordinance to vacate right-of-way to the south of 1060 S Meade 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 Chris Tschiffely for granting of 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; Office of Telecommunications; 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, it has been determined that there is no objection to vacating the said area.

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

**INSERT PARCEL DESCRIPTION ROW 2014-1049-01-001 HERE**

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

1. The width of this area varies – it is approximately 35 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. Two 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 January 21, 2015, and the 20-day period for protests has expired.
9. Adjoining Neighbor and Registered Neighborhood Organization notification was sent on January 21, 2015.
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 – Shelley Smith  
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, Legislative Services – Angela Casias  
Public Works, Solid Waste – Mike Lutz  
Public Works, Survey – Paul Rogalla  
Public Works, Street Maintenance – Brian Roecker

Property Owner:  
Chris Tschiffely  
1060 S Meade St  
Denver, CO 80219

**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.

**Date of Request: February 9, 2015**

Please mark one:  Bill Request or  Resolution Request

Is this request:  A new contract\*  A contract amendment\* or  Neither

**\*If this request is a contract or an amendment, is it:**

A revenue agreement or  An expenditure agreement

**Contract Control Number:**

**Contract Terms/Dates:**

**Costs (if this is a contract amendment please include the original cost, additional cost and new total. *Failure to provide this information may delay processing*):**

**1. Bill Description for the City Council Agenda:** (please give a one **sentence** description of the ordinance request. Describe if the request is a contract, amendment, lease, grant, change to code, rezoning, etc. and any other information that Council needs to approve the request)

2014-1049-01: This is a request to vacate right-of-way south of the property at 1060 S Meade St.

**2. Requesting Agency:** Public Works - Survey

**3. Contact Person:** (Subject Matter Expert on the request)

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

**4. Contact Person:** (Please list the person who will read this item at Mayor Council and attend first and second reading to answer questions)

- **Name:** Angela Casias
- **Phone:** 720-913-8529
- **Email:** [Angela.Casias@denvergov.org](mailto:Angela.Casias@denvergov.org)

**5. Background on the request:**

This is a request to vacate right-of-way to the south of the property at 1060 S Meade St

**6. Please complete the following fields:**

- A. Location:** 1060 S Mead St
- B. Affected Council District:** #3 – Paul Lopez
- C. Benefits:** N/A

**7. Is there any controversy surrounding this ordinance? Please explain.**

There were four letters submitted that were protesting based on concerns about blight and the preservation of public space. It has been determined that those protests did not have any technical merit.

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

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

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



## EXECUTIVE SUMMARY

**DENVER**  
THE MILE HIGH CITY

**Project Title: 2014-1049-01 Vacation at 1060 S Meade St**

**Description of Proposed Project: This is a proposal to vacate the area to the south of the property at 1060 S Meade St.**

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

**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: No.**

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

**Additional information: There were four letters submitted that were protesting based on concerns about blight and the preservation of public space. It has been determined that those protests did not have any technical merit.**

2014-1049-01-001

R.O.W. Project No. 2014-1049

### Mississippi Avenue Vacation Exhibit

A Portion of the SE1/4 of Section 18, T. 4 S., R. 68 W. of the 6th P.M.  
City and County of Denver, State of Colorado

#### LEGAL DESCRIPTION:

A parcel of land being a portion of the W. Mississippi Avenue Right-of-way lying 12.0 Feet north of the northerly curb flowline of said W. Mississippi Avenue, as it exists on the 4th Day of December, 2014, and south of the southeasterly line of Lot 15, Block 4 of Lakewood (Westwood), and bounded on the west by the west line of said Block 4 and on the east by the west line of the alleyway within said Block 4, both lines extended southerly, being a portion of Southeast Quarter of Section 18, Township 4 South, Range 68 West of the 6th Principal Meridian, City and County of Denver, State of Colorado, particularly described as follows:

Beginning at the southwest corner of said Lot 15, Block 4; thence along the west line of said Block 4 extended southerly, 29.19 feet to a point lying 12.0 Feet north, when measured perpendicularly from, said northerly curb flowline; thence easterly along a non-tangent curve to the right, the beginning tangent of said curve being on an angle right from the previous course of 78°29'56", having a central angle of 14°40'19" and a radius of 435.25 feet, an arc length of 111.46 feet to a point of intersection with the southerly extension of the west line of the alleyway platted in said Block 4; thence northerly along said southerly extension on an angle right from the ending tangent of the previous curve, 41.55 feet to the southeast corner of said Lot 15; thence southwesterly on an angle right of 79°34'39" and along the southeasterly line of said Lot 15, 112.71 feet to the Point of Beginning.

The above description and attached exhibit was prepared by me, or under my direct supervision, on the 9th Day of December, 2014.

  
James W. Rogers, L.S. No. 9655



Not Valid Without  
Signature And Date

2014-1049-01-001

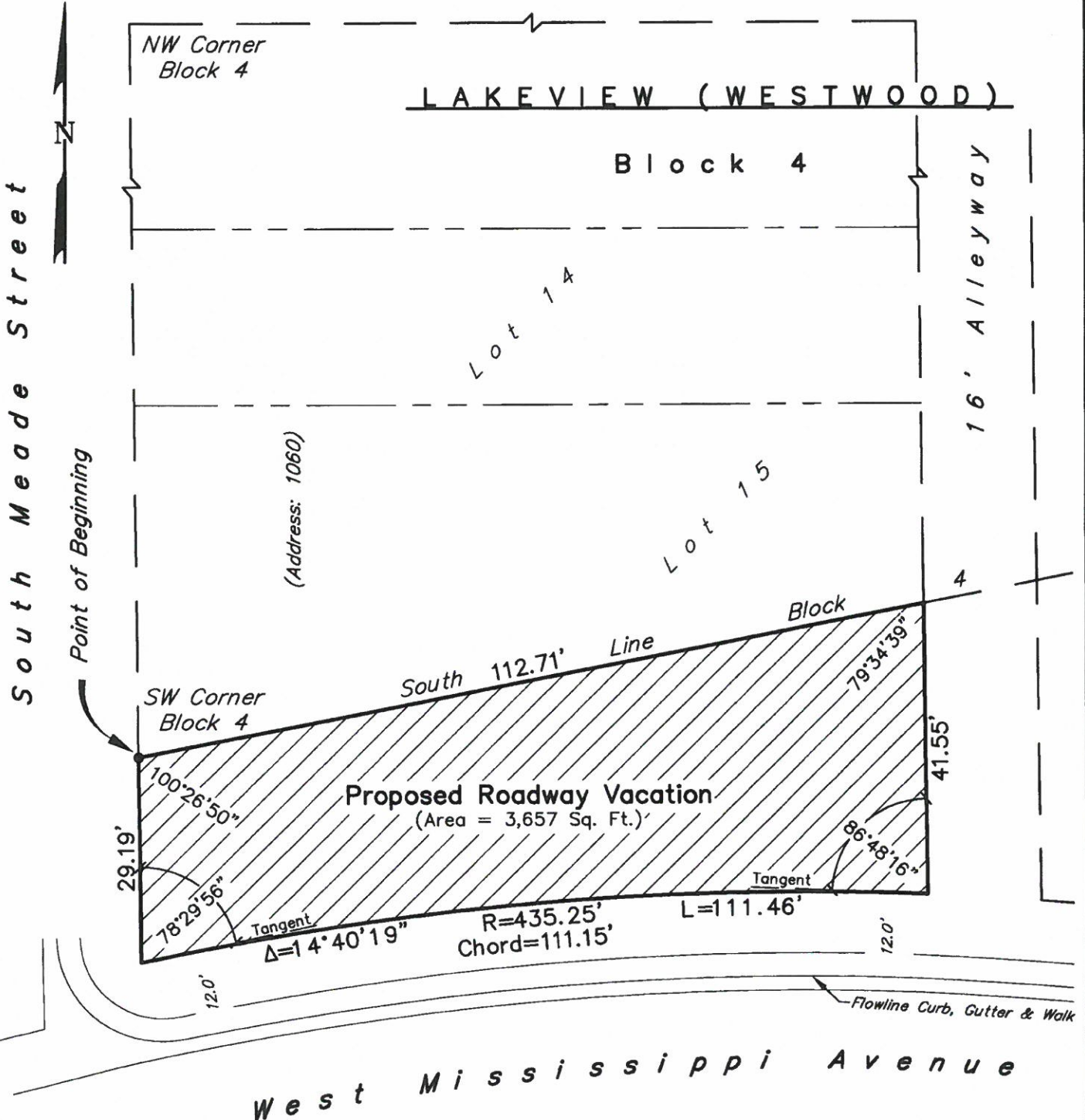
R.O.W. Project No. 2014-1049

# Mississippi Avenue Vacation Exhibit

A Portion of the SE1/4 of Section 18, T. 4 S., R. 68 W. of the 6th P.M.  
City and County of Denver, State of Colorado

Scale: 1"=20'

West Tennessee Avenue



Proj.: LakeV-Ww

J.N.: 13503

Sheet 2 of 2

Date: December 17, 2014

**AEGIS** Surveying, Inc.

3395 Yates Street

Denver, Colorado 80212

(303)477-9319

Christopher Tschiffely

1060 S Meade ST

Denver, Co. 80219

720-934-4496

Tschiffelysrides@gmail.com

To whom it may concern,

This letter is written to express my interest in requesting the vacation of a right-of-way parcel adjacent to my home at 1060 S Meade St. 80219. I purchased this property over a year and a half ago and since then, my family has been inconvenienced and disrespected on a number of levels, all related the public use of the aforementioned "right of way" parcel which my family and I must use/cross to access our driveway and home.

Reasons it would benefit our family to have the right-of-way vacated:

- To have easier and safer access to our home, and gain the ability to pave a driveway at some point.
- To clean, develop and maintain the land to suit our needs and tastes, hence adding equity and curb appeal to our home.
- To increase privacy, security and improve the parking situation of the property.
- To eliminate strangers walking, driving, and selling items on the ROW parcel.

Issues surrounding this parcel of land since we moved into the home:

-The land has not been maintained or Policed by the city, leading to excessive accumulation of garbage, steady growth of wild grass and weeds, unpaved entrance/exit leaving our vehicles dirty and muddy (depending on the season), excessive and accelerated erosion of the soil (tire tracks, water drainage paths worn into the ground), and unregulated use by the public.

The current use of the ROW to be vacated has been:

- Our family MUST cross the parcel in order to access our driveway/home.
- Public dumpster; (loose trash, broken glass, alcohol containers, dead animals etc.)
- Parking lot for neighbors and park visitors (Despite "NO PARKING IN THIS AREA" signs placed in two locations by the City of Denver)
- Place for public junk sales.

I have had utility locates performed on the ROW parcel, and no utilities have been flagged (Denver Water, Denver Wastewater, Xcel Energy, Comcast).