



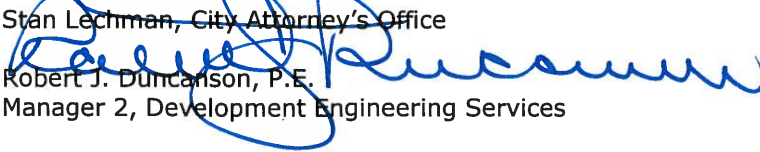
**DENVER**  
THE MILE HIGH CITY

**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:** Stan Lechman, City Attorney's Office

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

**ROW #:** 2015-VACA-0006701

**DATE:** September 30, 2015

**SUBJECT:** Request for an Ordinance to vacate the 15 foot alley between Knox Ct and King St, bounded on the north by W 13th 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 John Lyda on behalf of Rocky Mountain Communities 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; 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:

A perpetual, non-exclusive easement is hereby reserved by the City and County of Denver, its successors and assigns, over, under, across, along, and through the portion of the vacated area as described below ("Easement Area") for the purposes of constructing, operating, maintaining, repairing, upgrading and replacing public or private utilities including, but not limited to, storm drainage, sanitary sewer, and water facilities and all appurtenances to said utilities. A hard surface shall be maintained by the property owner over the entire Easement Area. The City reserves the right to authorize the use of the reserved easement by all utility providers with existing facilities in the Easement Area. No trees, fences, retaining walls, landscaping or structures shall be allowed over, upon or under the Easement Area. Any such obstruction may be removed by the City or the utility provider at the property owner's expense. The property owner shall not re-grade or alter the ground cover in the Easement Area without permission from the City and County of Denver. The property owner shall be liable for all damages to such utilities, including their repair and replacement, at the property owner's sole expense. The City and County of Denver, its successors, assigns, licensees, permittees and other authorized users shall not be liable for any damage to property owner's property due to use of this reserved easement.

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

**INSERT PARCEL DESCRIPTION ROW 2015-VACA-0006701-001 HERE**

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

1. The width of this area is 15 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. Three 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 August 24, 2015, and the 20-day period for protests has expired.
9. Adjoining Neighbor and Registered Neighborhood Organization notification was sent on August 24, 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: City Councilperson & Aides  
City Council Staff - Shelley Smith  
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 30, 2015

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.**)

2015-VACA-0006701: Alley Vacation at Arroyo Village

3. **Requesting Agency:** Public Works – Right of Way Services – Survey

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

- **Name:** Adrienne Lorantos, AICP
- **Phone:** 720-865-3119
- **Email:** [Adrienne.Lorantos@denvergov.org](mailto: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:** Angela Casias
- **Phone:** 720-913-8529
- **Email:** [Angela.Casias@denvergov.org](mailto:Angela.Casias@denvergov.org)

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

This is a request for an Ordinance to vacate the 15 foot alley between Knox Ct and King St, bounded on the north by W 13th Ave, with 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:** 1273 N Knox Ct.
- d. **Affected Council District:** #3-Paul Lopez
- 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.

There were no comments or protests received regarding this proposal.

To be completed by Mayor's Legislative Team:

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

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



# EXECUTIVE SUMMARY

**DENVER**  
THE MILE HIGH CITY

## **Project Title:**

2015-VACA-0006701: Alley Vacation at Arroyo Village.

## **Description of Proposed Project:**

This is a request for an Ordinance to vacate the 15 foot alley between Knox Ct and King St, bounded on the north by W 13th Ave, with reservations.

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

The developer is requesting this vacation of the alley in order to have additional land area for overall lot redevelopment.

## **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, the standard hard surface easement is required over the vacated area.

## **Will an easement relinquishment be submitted at a later date?**

Yes.

## **Additional information:**

There were no comments or protests received regarding this proposal.

**ALLEY VACATION  
LEGAL DESCRIPTION:**

A PARCEL OF LAND LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 5, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO BEING A PORTION OF THE ALLEY LOCATED IN BLOCK 2, VILLA PARK, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 1, BLOCK 2, VILLA PARK, WHENCE THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 5 BEARS N86°37'12"W 518.52 FEET, SAID POINT ALSO BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF WEST 13TH AVENUE;

THENCE S89°59'12"E ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID 13TH AVENUE 15.00 FEET TO THE NORTHWEST CORNER OF LOT 48, BLOCK 2, VILLA PARK;

THENCE S00°08'31"E ALONG THE WEST LINE OF LOTS 38 THROUGH 48, INCLUSIVE, BLOCK 2, VILLA PARK, 274.96 FEET TO THE SOUTHWEST CORNER OF LOT 38, BLOCK 2, VILLA PARK;

THENCE N89°59'39"W 15.00 FEET TO THE SOUTHEAST CORNER OF LOT 11, BLOCK 2, VILLA PARK;

THENCE N00°08'31"W ALONG THE EAST LINE OF LOTS 1 THROUGH 11, INCLUSIVE, BLOCK 2, VILLA PARK, 274.96 FEET TO THE POINT OF BEGINNING.

CONTAINING 4,124 SQUARE FEET OR 0.095 ACRES, MORE OR LESS.

BASIS OF BEARINGS: BEARINGS ARE BASED ON THE WEST LINE OF LOTS 38 THROUGH 48, INCLUSIVE, BLOCK 2, VILLA PARK, BEING S00°08'31"E AS MONUMENTED ON THE NORTH BY A NAIL WITH SHINER, PLS 38162 AND ON THE SOUTH BY A NAIL WITH SHINER, PLS 38162.

DOUGLAS H. ORT III,  
COLORADO PLS 37066



# EXHIBIT A

20' RANGE LINE

6/25/2015 7:07 AM

FOUND 3.25" ALUMINUM CAP IN RANGE BOX, PLS 38026

N86°37'12"W 518.52'

N77°15'30"W 168.52'

POINT OF BEGINNING

WEST 13TH AVENUE

(R.O.W. VARIES)

S89°59'12"E

15.00'

FOUND NAIL AND SHINER PLS 38162

THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 5, TOWNSHIP 4 SOUTH, RANGE 68 WEST, OF THE 6TH P.M. FOUND 3.25" ALUMINUM CAP PLS 34986, IN RANGE BOX

LOT 1

EASEMENT AGREEMENT REC. NO. 2006153729 REC NO. 2007013886

LOT 48

LOT 2

FOUND NAIL AND SHINER PLS 16401

LOT 47

LOT 3

LOT 46

LOT 4

EMERGENCY ACCESS EASEMENT AGREEMENT REC. NO. 2005137036

LOT 45

LOT 5

LOT 44

LOT 6

VILLA PARK BLOCK 2

275'(P)

N0°08'31"W 274.96'

S0°08'31"E 274.96'

275'(P)

LOT 43

LOT 7

LOT 42

LOT 8

15' ALLEY TO BE VACATED 4,124 S.F. 0.095 ACRES

LOT 41

LOT 9

LOT 40

LOT 10

LOT 39

LOT 11

PERMANENT EASEMENT REC. NO. 2010014620

8' RTD EASEMENT REC. NO. 2010103904

LOT 38

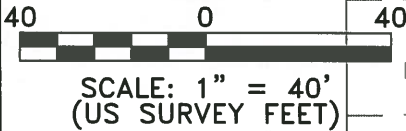
FOUND CDOT MONUMENT #3068 PLS 24942

LOT 12

N89°59'39"W 15.00'

FOUND NAIL AND SHINER PLS 38162

LOT 37



REVISED 06-25-2015

JOB No. RMC.DECO01.00 DRAWN BY: TJB

10835 DOVER ST., SUITE 700 WESTMINSTER, COLORADO 80021 (303)665-5505 FAX: (303)665-5160



ROCKY MOUNTAIN COMMUNITIES 225 EAST 16TH AVE. SUITE 1060 DENVER, CO 80203 (303) 818-6463

P:\Rmcdco01\dwg\RMC.DECO01.00 Delores Project exhibit 1-12-15.dwg



**WILSON  
& COMPANY**

1675 Broadway, Suite. 200  
Denver, CO 80202  
303-297-2976 phone  
303-297-2693 fax

Alaska  
Arizona  
California  
Colorado  
Florida  
Kansas  
Louisiana  
Missouri  
Nebraska  
New Mexico  
Oklahoma  
Texas  
Utah

Public Works Plans Review Services  
201 W Colfax Ave,  
Department 507  
Denver, CO 80202-5329

Wilson & Company Proj. No.: IFS 14-600-435-00  
January 26<sup>th</sup>, 2015

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Regarding: **Letter of Intent to Vacate 4,124 Square Feet of Existing 15' Alley  
Arroyo Village Development (Development Services Number not yet assigned)**

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To Whom It May Concern,

Townview MHA, Ltd. (by Rocky Mountain Mutual Housing Association, Inc) would like to vacate 4,124 square feet of an existing 15' alley located between King Street and Knox Court from 13<sup>th</sup> Ave (northern boundary) to the existing RTD Knox Station (southern boundary) (please see attached Legal Description and Exhibit A)

Rocky Mountain Communities is currently preparing conceptual design reports for the City and County of Denver's review for a proposed 130 unit permanent supportive housing and work force housing development that also includes a 50 bed dormitory shelter. The approval of the request to vacate the above mentioned 15' alley is a crucial component to the conceptual and final civil and architectural design of the proposed Arroyo Village development.

The existing utilities located in the existing 15' alley are limited to overhead utility lines and a sanitary sewer main. Each of these utilities has been accounted for and re-location details will be included in the conceptual and final design of the proposed Arroyo Village project. Two existing easements that are located along the adjoining properties on the East and West side of the southern portion of the existing 15' alley will be extended to be directly adjacent to one another or complimented by a future easement (located within the alley) as directed by the City and County of Denver so that the integrity and purpose of the two original easements is maintained.

The contact person for the Requestor is:

Rocky Mountain Communities  
ATTN: John Lyda  
225 E. 16<sup>th</sup> Ave., Suite 1060  
Denver Co 80203  
Phone: 303-818-6463  
Email: Jlyda@rmcommunities.org

Representing Rocky Mountain Mutual Housing Association:

  
John Lyda

Date: 1/26/15

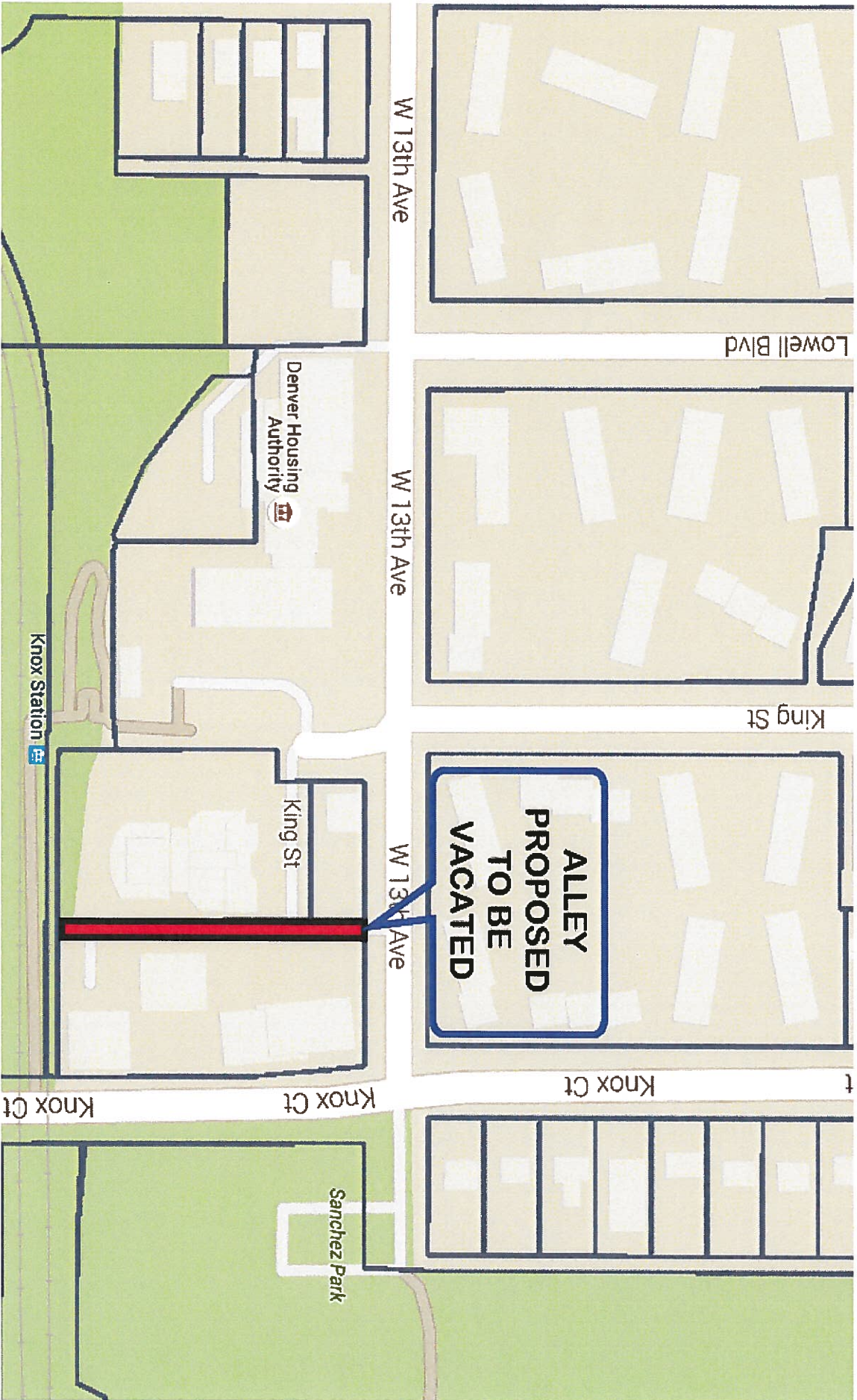


Rocky Mountain Communities...Because it's where you live your life!  
RESIDENTS • HOUSING • OPPORTUNITIES

Wilson & Company, Inc., Engineers & Architects



SHARED OWNERSHIP • COLLABORATION  
INTENSITY • DISCIPLINE • SOLUTIONS



Lowell Blvd

W 13th Ave

Denver Housing Authority

W 13th Ave

King St

ALLEY PROPOSED TO BE VACATED

W 13th Ave

King St

Knox Station

Knox Ct

Knox Ct

Sanchez Park