




REQUEST FOR ROW VACATION ORDINANCE

TO: Ivone Avila-Ponce, City Attorney's Office

FROM: Glen Blackburn, PE
Director, Right of Way Services 

ROW #: 2021-VACA-0000004

DATE: March 1, 2024

SUBJECT: Request for an Ordinance to vacate a portion of alley right-of-way adjacent to 1040 East Colfax Avenue, 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 Consolidated Investment Group, dated April 28, 2021, on behalf of Route 40 RE, LLC for the subject right-of-way vacation.

This matter has been coordinated with Asset Management; CPD: Building and Construction Services, DS Project Coordinator, Dev & Planning Services, and Zoning; CenturyLink/Lumen; Colorado Department of Transportation; City Council District 10; City Forester; Comcast; DOTI: DES Transportation & Wastewater, Construction Engineering, Policy & Planning, Street Maintenance, Survey, TES Sign & Stripe, CPM Wastewater; Division of Disability Rights; Denver Water; Denver Fire Department; Historic Preservation/Landmark; Metro Water Recovery; Office of Emergency Management; Parks & Recreation; RTD; Solid Waste; Xcel Energy, all of whom have indicated no objection.

As a result of these investigations, it has been determined that there is no objection to vacating the subject right-of-way area.

Therefore, you are requested to initiate Council action to vacate the following right-of-way area:

INSERT PARCEL DESCRIPTION ROW 2021-VACA-0000004-001 HERE

GB: bw

cc: City Councilperson & Aides
City Council Staff – Luke Palmisano
Department of Law – Bradley Beck
Department of Law – Deanne Durfee
Department of Law – Maureen McGuire
Department of Law – Martin Plate
DOTI, Manager's Office – Alba Castro
DOTI, Legislative Services – Nicholas Williams
DOTI, Solid Waste – Mike Lutz
DOTI, Survey – Paul Rogalla
DOTI, Street Maintenance – Brian Roecker

City and County of Denver Department of Transportation & Infrastructure
Right-of-Way Services / Engineering & Regulatory
201 W Colfax Ave, Dept 507 | Denver, CO 80202
www.denvergov.org/doti
Phone: 720-865-3003

ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor's Legislative Team
at [MileHighOrdinance@DenverGov.org](mailto: MileHighOrdinance@DenverGov.org) by 9 a.m. Friday. Contact the Mayor's Legislative team with questions

Date of Request: March 1, 2024

Please mark one: Bill Request or Resolution Request

1. Type of Request:

- Contract/Grant Agreement Intergovernmental Agreement (IGA) Rezoning/Text Amendment
 Dedication/Vacation Appropriation/Supplemental DRMC Change
 Other:

2. **Title:** (Start with *approves*, *amends*, *dedicates*, etc., include name of company or contractor and indicate the type of request: grant acceptance, contract execution, contract amendment, municipal code change, supplemental request, etc.)

Request for an Ordinance to vacate a portion of alley right-of-way at 1040 East Colfax Avenue, without reservations.

3. **Requesting Agency:** DOTI: Right-of-Way Services, Engineering and Regulatory

4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution (e.g., subject matter expert)	Contact person for council members or mayor-council
Name: Brianne White	Name: Nicholas Williams
Email: Brianne.white@denvergov.org	Email: Nicholas.Williams@denvergov.org

5. **General description or background of proposed request. Attach executive summary if more space needed:**
(who, what, why)

Route 40 RE, LLC is requesting to vacate a portion of alley right-of-way at 1040 East Colfax Avenue, without reservations. Executive Summary is attached with additional information.

6. **City Attorney assigned to this request (if applicable):** Martin Plate

7. **City Council District:** District 10, Councilperson Hinds

8. ****For all contracts, fill out and submit accompanying Key Contract Terms worksheet****

Key Contract Terms

Type of Contract: (e.g. Professional Services > \$500K; IGA/Grant Agreement, Sale or Lease of Real Property):

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____

Vendor/Contractor Name (including any dba's):

Contract control number (legacy and new):

Location:

Is this a new contract? Yes No Is this an Amendment? Yes No If yes, how many? _____

Contract Term/Duration (for amended contracts, include existing term dates and amended dates):

Contract Amount (indicate existing amount, amended amount and new contract total):

<i>Current Contract Amount</i> <i>(A)</i>	<i>Additional Funds</i> <i>(B)</i>	<i>Total Contract Amount</i> <i>(A+B)</i>

<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>

Scope of work:

Was this contractor selected by competitive process?

If not, why not?

Has this contractor provided these services to the City before? Yes No

Source of funds:

Is this contract subject to: W/MBE DBE SBE XO101 ACDBE N/A

WBE/MBE/DBE commitments (construction, design, Airport concession contracts):

Who are the subcontractors to this contract?

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____



RIGHT-OF-WAY VACATION EXECUTIVE SUMMARY

Application: 2021-VACA-0000004, 1040 E Colfax Ave Vacation

Applicant's name: Route 40 RE, LLC

Description of Proposed Project: Request for an Ordinance to vacate a portion of alley right-of-way adjacent to 1040 East Colfax Avenue.

Applicant's explanation of why the public right-of-way (ROW) is needed to accomplish their proposed project: The 2,591 square feet (SF) of ROW will be used as part of Route 40 RE, LLC's Site Development Plan (SDP) for their adjacent property at 1040 East Colfax Avenue.

Area of proposed ROW vacation in square feet: 2,591 square feet

Number of buildings adjacent to proposed ROW vacation area: 0

Public Notice was posted at the proposed ROW vacation area on: December 7, 2023

Notification letters were sent to property owners and Registered Neighborhood Organizations (RNOs) within 200 feet of the proposed vacation area on: December 6, 2023

The 20-day period for public comment expired on: December 26, 2023.

Were public comments received and, if so, explain: Yes, three (3) public comments were received during the Public Notification period.

Are all comments with technical merit resolved to the satisfaction of DOTI: Yes

Has land been dedicated to the city as a condition of the ROW vacation and, if so, explain: Yes, the applicant dedicated new alley ROW to the city to reconfigure the alley in accordance with DOTI Transportation Standards and support the subject ROW vacation.

Will a utility easement be reserved over the vacated ROW area and, if so, explain: No

Is a request for an easement relinquishment expected at a later date and, if so, explain: No

City and County of Denver Department of Transportation & Infrastructure
Right-of-Way Services / Engineering & Regulatory
201 W Colfax Ave, Dept 507 | Denver, CO 80202
www.denvergov.org/doti
Phone: 720-865-3003

Location Map:



EXHIBIT "A"

LOCATED IN THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 4 SOUTH,
RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN,
CITY AND COUNTY OF DENVER, STATE OF COLORADO
SHEET 1 OF 2

LAND DESCRIPTION:

A PORTION OF THAT PARCEL DESCRIBED IN RESOLUTION NO. CR14-0465 RECORDED AT RECEPTION NO. 2014070527, BEING A PORTION OF LOTS 13 THROUGH 17, BLOCK 37, PARK AVENUE ADDITION TO DENVER, AND OUTLOT B, BLOCK 104, BREWER'S ADDITION TO THE CITY OF DENVER LOCATED IN THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE 18' RANGE LINE OF CORONA STREET TO BEAR SOUTH 00°45'01" EAST, A DISTANCE OF 600.17 FEET BETWEEN A FOUND 2" ALUMINUM CAP STAMPED "PLS 38162" IN CONCRETE WALK AT THE INTERSECTION OF COLFAX AVENUE AND CORONA STREET, AND A FOUND NO. 6 REBAR WITH ILLEGIBLE 2" ALUMINUM CAP IN RANGE BOX AT THE INTERSECTION OF 14TH AVENUE AND CORONA STREET, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT SAID RANGE POINT AT THE INTERSECTION OF COLFAX AVENUE AND CORONA STREET; THENCE SOUTH 75°18'14" EAST A DISTANCE OF 311.56 FEET TO THE NORTHEASTERLY CORNER OF LOT 13, BLOCK 37, PARK AVENUE ADDITION TO DENVER; THENCE ALONG THE EASTERLY LINE OF SAID LOT 13, SOUTH 00°41'41" EAST, A DISTANCE OF 85.10 FEET TO THE NORTHEASTERLY CORNER OF THAT PARCEL DESCRIBED IN RESOLUTION NO. CR14-0465 RECORDED AT RECEPTION NO. 2014070527; THENCE SOUTH 89°30'23" WEST, A DISTANCE OF 2.00 FEET TO A POINT ON THE NORTHERLY LINE OF SAID PARCEL DESCRIBED IN RESOLUTION NO. CR14-0465 AND THE POINT OF BEGINNING;

THENCE ALONG A LINE PARALLEL WITH, AND 2.00 FEET WESTERLY THEREFROM, SAID EASTERLY LINE OF LOT 13, AND THE EASTERLY LINE OF SAID PARCEL DESCRIBED IN RESOLUTION NO. CR14-0465, SOUTH 00°41'41" EAST, A DISTANCE OF 20.00 FEET; THENCE ALONG THE SOUTHERLY LINE OF SAID PARCEL DESCRIBED IN RESOLUTION NO. CR14-0465, SOUTH 89°30'23" WEST, A DISTANCE OF 71.96 FEET; THENCE NORTH 65°45'31" WEST, A DISTANCE OF 1.20 FEET; THENCE SOUTH 89°30'23" WEST A DISTANCE OF 57.98 FEET TO A POINT ON THE WESTERLY LINE OF OUTLOT B, BLOCK 104, BREWER'S ADDITION TO THE CITY OF DENVER, AND A POINT ON THE WESTERLY LINE OF SAID PARCEL DESCRIBED IN RESOLUTION NO. CR14-0465; THENCE ALONG SAID WESTERLY LINE OF SAID OUTLOT B, AND SAID PARCEL DESCRIBED IN RESOLUTION NO. CR14-0465, NORTH 00°43'18" WEST, A DISTANCE OF 19.49 FEET; THENCE ALONG THE NORTHERLY LINE OF SAID PARCEL DESCRIBED IN RESOLUTION NO. CR14-0465, NORTH 89°30'23" EAST, A DISTANCE OF 131.03 TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 2,591 SQ. FT. OR 0.06 ACRES, MORE OR LESS

I, JOSHUA BREEDLOVE, A LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY STATE FOR AND ON BEHALF OF FLATIRONS, INC., THAT THIS PARCEL DESCRIPTION AND ATTACHED EXHIBIT, BEING MADE A PART THEREOF, WERE PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE, ARE ACCURATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, ARE IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE AND ARE NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED. SAID PARCEL DESCRIPTION AND EXHIBIT WERE PREPARED AT THE REQUEST OF THE CLIENT AND ARE NOT INTENDED TO REPRESENT A MONUMENTED LAND SURVEY OR SUBDIVIDE LAND IN VIOLATION OF STATE STATUTE.



JOSHUA BREEDLOVE
COLORADO P.L.S. #38174
BRANCH MANAGER, FLATIRONS, INC.

JOB NUMBER: 20-74,610
DRAWN BY: P. KLUPAR
DATE: JULY 6, 2021

THIS IS NOT A "LAND SURVEY PLAT" OR "IMPROVEMENT SURVEY PLAT" AND THIS EXHIBIT IS NOT INTENDED FOR PURPOSES OF TRANSFER OF TITLE OR SUBDIVISIONS OF LAND. RECORD INFORMATION SHOWN HEREON IS BASED ON INFORMATION PROVIDED BY CLIENT.

Flatirons, Inc.
Land Surveying Services

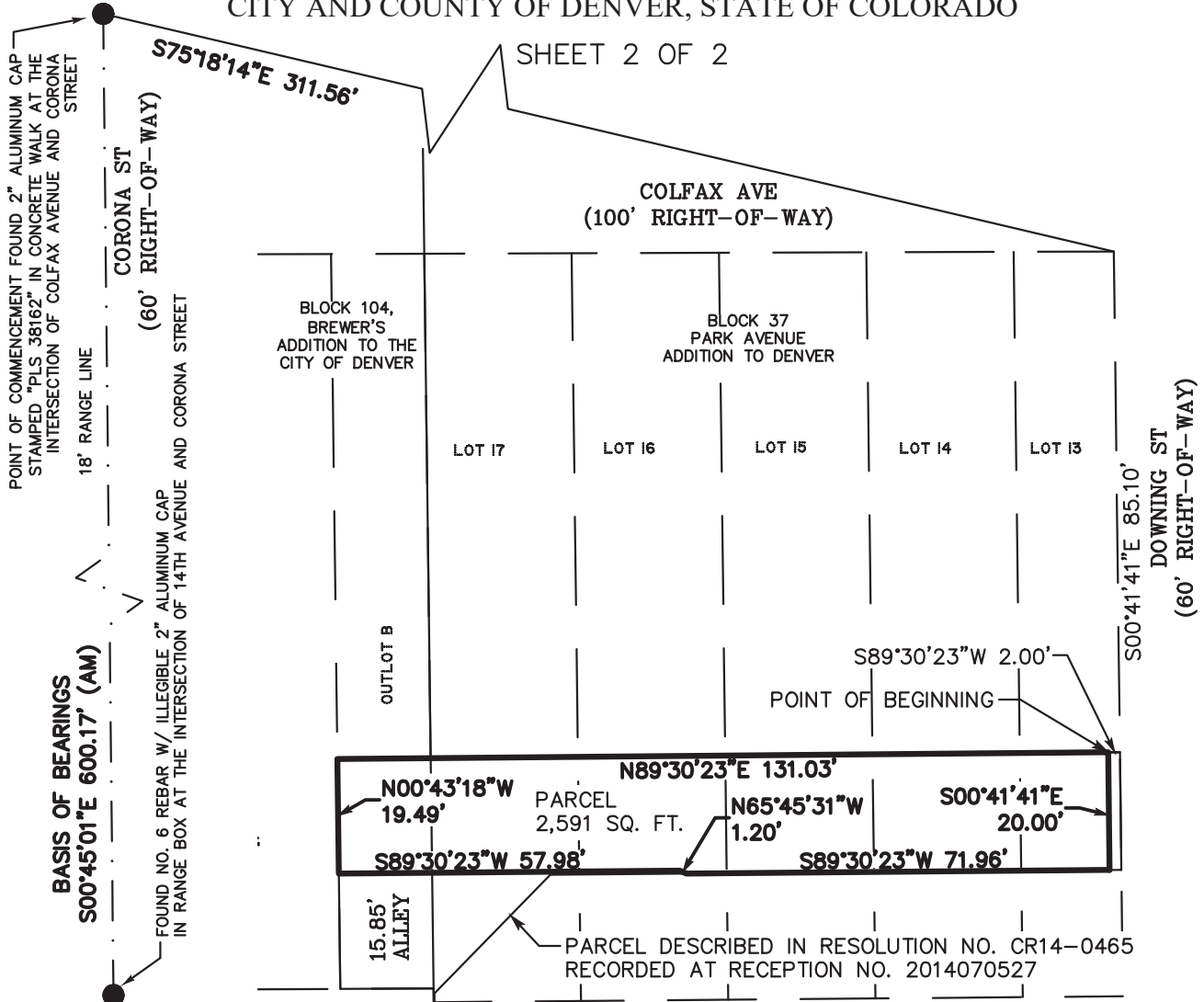


4501 LOGAN ST.
DENVER, CO 80216
PH: (303) 936-6997
FAX: (303) 923-3180
www.FlatironsInc.com

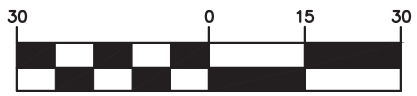
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SHEET 2 OF 2



GRAPHIC SCALE



(IN FEET)
 1 inch = 30 ft.

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