

REQUEST FOR VACATION ORDINANCE

TO: Caroline Martin, City Attorney's Office

FROM: Matt Bryner
Interim Director, Public Works Right of Way Services

ROW #: 2018-VACA-0000004

DATE: June 29, 2018

SUBJECT: Request for an Ordinance to vacate a portion of the alley bounded by 1st St., Walnut St., Larimer St. and the South Platte River at 1338 1st 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 Matt Mahoney, dated February 19, 2018, on behalf of Revesco Properties for requesting 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, 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 2018-VACA-0000004-001 HERE

MB: bp

cc: City Councilperson & Aides – Albus Brooks, District 9
City Council Staff – Zach Rothmier
Department of Law – Deanne Durfee
Department of Law – Brent Eisen
Public Works, Manager's Office – Alba Castro
Public Works, Legislative Services – Sarah Stanek
Public Works, Solid Waste – Mike Lutz
Public Works, Survey – Paul Rogalla
Public Works, Street Maintenance – Brian Roecker

ORDINANCE/RESOLUTION REQUEST

Please email requests to Sarah Stanek

at Sarah.Stanek@DenverGov.org by **12:00pm on Monday**. Contact her with questions.

Date of Request: June 29, 2018

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.)

Revesco Properties c/o Matt Mahoney requests for an Ordinance to vacate a portion of the alley bounded by 1st St., Walnut St., Larimer St. and the South Platte River at 1338 1st St., without reservations.

3. Requesting Agency: Public Works; Engineering, Regulatory, and Analytics Dept.

4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution	Contact person to present item at Mayor-Council and Council
Name: Brittany Pirtle	Name: Sarah Stanek
Email: Brittany.Pirtle@denvergov.org	Email: Sarah.Stanek@denvergov.org

5. General description or background of proposed request. Attach executive summary if more space needed:

Revesco Properties c/o Matt Mahoney requests for an Ordinance to vacate a portion of the alley bounded by 1st St., Walnut St., Larimer St. and the South Platte River at 1338 1st St., without reservations.

6. City Attorney assigned to this request (if applicable): Brent Eisen

7. City Council District: District 9, Councilman Albus Brooks

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

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____

Key Contract Terms

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

Vendor/Contractor Name:

Contract control number:

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



VACATION EXECUTIVE SUMMARY

Project Title: 2018-VACA-0000004, Meow Wolf Alley Vacation, 1338 1st St.

Requestor's name: Revesco Properties c/o Matt Mahoney

Description of Proposed Project: Redevelopment

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

Width of area in feet: 32.73' x 5.50' x 19.12' x 43.42'; 404 sq. ft.

Number of buildings abut said area: Two (2)

The 20-day period for protests has expired, the vacating notice was posted on: 5/30/18

Adjoining Neighbor and Registered Neighborhood Organization notification was sent on: 5/30/18

Protests sustained by the manager of Public Works: Have not been filed; not applicable.

Will land be dedicated to the City if the vacation goes through: No.

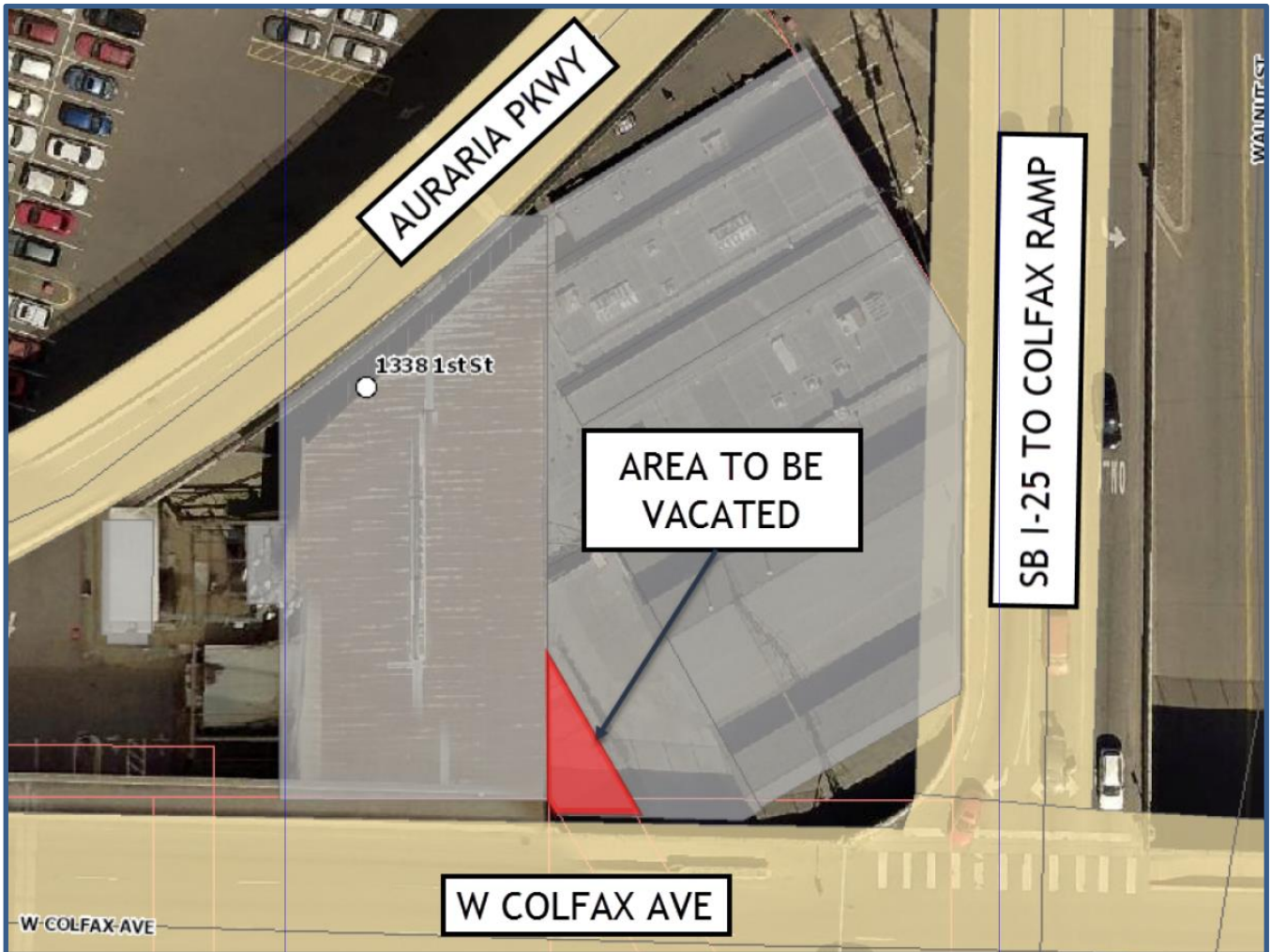
Will an easement be placed over a vacated area, and if so explain: No.

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

Background: Revesco Properties is wanting to redevelop and construct a new building as part of the Meow Wolf Denver project at 1338 1st St. and will need to vacate the proposed right of way area without reservations in order to accomplish this.

Public Notification: No protests were received.

Location Map:



LEGAL DESCRIPTION

A PORTION OF THE 16.50 FOOT ALLEY SITUATED IN BLOCK 284, WEST DENVER RECORDED JUNE 29, 1865 IN BOOK 1, AT PAGE 1B IN THE OFFICIAL RECORDS OF THE CLERK AND RECORDER, THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, LYING IN THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, SAID COUNTY AND STATE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 33;

THENCE ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER NORTH $00^{\circ}17'33''$ WEST, A DISTANCE OF 99.75 FEET TO THE SOUTHWESTERLY RIGHT-OF-WAY OF SAID 16.50 FOOT ALLEY, AND THE **POINT OF BEGINNING**;

THENCE CONTINUING ALONG SAID WEST LINE DEPARTING SAID SOUTHWESTERLY RIGHT-OF-WAY, NORTH $00^{\circ}17'33''$ WEST, A DISTANCE OF 32.73 FEET TO THE NORTHEASTERLY RIGHT-OF-WAY OF SAID 16.50 FOOT ALLEY;

THENCE DEPARTING SAID WEST LINE ALONG SAID NORTHEASTERLY RIGHT-OF-WAY, SOUTH $30^{\circ}34'03''$ EAST, A DISTANCE OF 43.42 FEET TO THE NORTHERLY RIGHT-OF-WAY OF THE COLFAX-LARIMER VIADUCT AND A LINE PARALLEL WITH AND DISTANT 95.00 FEET NORTHERLY TO THE SOUTH LINE OF SAID SOUTHWEST QUARTER;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY AND SAID PARALLEL LINE SOUTH $89^{\circ}45'55''$ WEST, A DISTANCE OF 19.12 FEET TO SAID SOUTHWESTERLY RIGHT-OF-WAY;

THENCE DEPARTING SAID NORTHERLY RIGHT-OF-WAY AND SAID PARALLEL LINE ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY NORTH $30^{\circ}34'03''$ WEST, A DISTANCE OF 5.50 FEET TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 0.009 ACRES, (404 SQUARE FEET), MORE OR LESS.

EXHIBIT ATTACHED AND MADE A PART HEREOF.



DANIEL E. DAVIS, PLS 38256
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVENUE, SUITE 1
LITTLETON, CO 80122

NW CORNER SECTION 33

SE 1/4 SEC. 32,
T.3S., R.68W., SIXTH P.M.

SW 1/4 SEC. 33,
T.3S., R.68W., SIXTH P.M.

BLOCK
280

SPECIAL WARRANTY DEED
REC. NO. 2015075788

ASSIGNMENT &
ASSUMPTION OF LEASE
REC NO. 2008048678

42.58' PERMANENT ESMT.
REC NO. 028997

AURARIA PARKWAY
(BRIDGE DECK)

ASSIGNMENT &
ASSUMPTION OF LEASE
REC NO. 2008048678

PARCEL CONTAINS
404 (SQ.FT.)
0.009 ACRES
MORE OR LESS

N00°17'33"W
32.73'

N00°17'33"W 5278.45'
WEST LINE OF THE SW 1/4 OF SEC. 33
(BASIS OF BEARINGS)

WEST DENVER
BOOK 1, PAGE 1B

BLOCK 284

S30°34'03"E
43.42'

FIRST STREET
(80' PUBLIC ROW)

INTERSTATE I-25
(BRIDGE DECK)

RULE & ORDER
PE-301
REC NO. 89-0040909

POINT OF BEGINNING

N30°34'03"W
5.50'

S89°45'55"W
19.12'

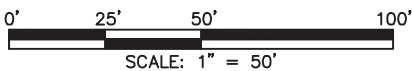
COLFAX - LARIMER VIADUCT
(73' PUBLIC ROW)

N00°17'33"W 99.75' (TIE)

16.50'

16.5' WIDE ALLEY

95.00'



SOUTH LINE OF THE SW 1/4 OF SEC. 33

POINT OF COMMENCEMENT
SW CORNER SECTION 33



NOTE: THIS DRAWING DOES NOT REPRESENT A MONUMENTED LAND SURVEY AND IS ONLY INTENDED TO DEPICT THE ATTACHED LEGAL DESCRIPTION.

PATH: Q:\23417-54\DWG\EXHIBITS\
DWG NAME: Triangle Parcel
DWG: BJM CHK: DED
DATE: 2018-04-23
SCALE: 1" = 50'



300 East Mineral Ave,
Suite 1
Littleton, Colorado 80122
Phone: (303)713-1898
Fax: (303)713-1897
www.aztecconsultants.com

EXHIBIT

SW 1/4 SEC. 33, T3S, R68W, 6TH P.M.
CITY AND COUNTY OF DENVER, COLORADO

JOB NUMBER 23417-54

2 OF 2 SHEETS