



DENVER
THE MILE HIGH CITY

CITY AND COUNTY OF DENVER

DEPARTMENT OF PUBLIC WORKS
Engineering Division

PW Right-Of-Way Engineering Services
201 W Colfax Ave, Dept 507
Denver, Colorado 80202
720-865-3003
website: <http://www.denvergov.org/PWpermits>
email: denver.pwera@denvergov.org

Street and Alley Vacation Process Requirements

Authority:	Denver Charter, Section 2.3.3 <i>Powers and Duties of Department of Public Works</i> ; and Department of Public Works, Engineering Division, Policy Statement Number Five, <i>Street and Alley Vacations</i> , dated November 15, 2006.
Action:	A Street or Alley Vacation request is processed as set forth below and reviewed by the Manager of Public Works ("the Manager"). If the Manager decides to proceed, the Manager will file a Vacation Ordinance with City Council for approval.
Document Date:	March 7, 2017
Timing:	The time needed to complete a vacation request varies depending on the responses received during the review and notification process. Expect the process to take a minimum of 12 weeks.
Submittal Information:	<p>The Requestor must submit a request to vacate to:</p> <p style="text-align: center;">Public Works Engineering Regulatory & Analytics Dept 201 W Colfax Ave, Department 507 Denver CO 80202-5329 denver.pwera@denvergov.org (for electronic submittals)</p> <ul style="list-style-type: none"> ➤ It is preferred that all Requests be sent electronically. The following electronic formats are supported: doc, tiff, jpg, and pdf. ➤ The Request shall include: <ol style="list-style-type: none"> 1. <u>Letter of Intent</u> <ul style="list-style-type: none"> • Requestor contact information: name, address, phone number, and email address. • Explanation of why the Requestor wants the right-of-way (ROW) vacated. • Explanation of the current use of the ROW to be vacated including any existing utilities. • If there are utilities, explain whether or not such utilities will be relocated or remain in the vacated ROW. <ul style="list-style-type: none"> ○ Utilities in the proposed vacation area will need to be relocated at the owner's expense. If relocation is not feasible, utility easements may need to be granted to the individual utility companies. The City will reserve an easement for any remaining utilities in the vacation ordinance. The Request shall acknowledge the need and acceptance of such utility easements. 2. <u>Site Plan</u> <ul style="list-style-type: none"> • Dimensioned site plan of the area clearly showing the proposed vacation area and its size, with ROW lines. 3. <u>Legal Description</u> <ul style="list-style-type: none"> • Two (2) original legal descriptions and exhibits of the ROW to be vacated, prepared by a Land Surveyor licensed in the State of Colorado. 4. <u>Initial Processing Fee</u> (see fees below).

**Process
Notification:**

- A Case Manager is assigned and all communication will be handled through the Case Manager.
- The Case Manager forwards the Request to the following (Reviewers):
 - Building Department
 - CenturyLink
 - Channel 8 Television
 - City Forester
 - Colorado Department of Transportation (CDOT) *if vacation impacts State Highways.*
 - Comcast
 - Commission for People with Disabilities
 - Councilmember of the impacted Council District
 - Denver Water
 - Development Services:
 - Project Coordination and Zoning Review
 - Transportation
 - Wastewater
 - Division of Real Estate
 - Fire Department
 - Metro Wastewater Reclamation District
 - Office of Emergency Management
 - Parks and Recreation
 - Project Controls Office (PCO)
 - Transportation
 - Wastewater
 - Public Works
 - Policy and Planning
 - ROW Construction Engineering Services
 - Solid Waste (alley vacations only)
 - Street Maintenance
 - Survey
 - Transportation Engineering Services
 - CPM Wastewater
 - Regional Transportation District (RTD)
 - Xcel Energy
- The Reviewers have 3 weeks to respond.
- Responses are posted on the web site by the Case Manager.
- After the initial 3 week review period expires, the Case Manager prepares a Process Status Summary Report listing all Reviewer comments and will be sent to the Requestor.

Public Notification:

- The public shall be notified of the Request by the posting of a sign for a period of 20 days.
- The Requestor shall make the signs in accordance with PWPRS specifications.
- The Case Manager will provide a map to the customer showing where the signs are to be posted.
- The 20 day sign posting notification commences on the day of posting.
- In addition to posting a sign, the Case Manager will send notification letters to all land owners and Registered Neighborhood Organizations within a 200 foot radius of the proposed vacation area and inform such persons that comments must be received by the Case Manager within the 20 day posting period.
- For an alley vacation request, Solid Waste may respond that the vacation of the alley will require trash pick-up to be moved to the front of adjacent properties. This will be communicated to the adjacent land owners and the Registered Neighborhood Organizations during the notification process in writing.
- The Case Manager will send all comments to the Requestor at the end of the posting period.
- All comments must be addressed by the Requestor before the Request for an Ordinance can proceed, unless otherwise agreed to by the Manager of Public Works.

<p>Additional Process Information:</p>	<ul style="list-style-type: none"> ➤ The Manager will consider Reviewer comments, how those comments can be addressed, and other impacts to affected areas. ➤ If it is determined that improvements are necessary to address the impacts of the Request, those improvements may require a separate review. <ul style="list-style-type: none"> • A Performance Bond may be necessary to cover the cost of any required improvements. The PW ROW Construction Inspection Engineer will address all Performance Bond issues. ➤ The Requestor may be required to install signage per the Manual of Uniform Traffic Control Devices (MUTCD) indicating that the vacated street and/or alley is now private. Any unnecessary signage in the vacated area shall be removed per City requirements. ➤ Once all Reviewers' comments, related impacts, and any required improvements have been considered, the Manager will process the <u>Ordinance Fee</u> (described below) and make a Request for City Council action. ➤ The City Council portion of the process takes approximately 6 weeks. ➤ PWPRS will inform the Requestor of the process, estimated schedules, and of any related actions taken by City Council. 						
<p>Post City Council Process:</p>	<ul style="list-style-type: none"> ➤ Once the Vacation Ordinance is passed by City Council and published, the vacation is effective and the land is no longer ROW. ➤ Title to the vacated ROW vests pursuant to C.R.S. Section 43-2-300 et seq. The City cannot direct who gets the title to vacated land. ➤ The Case Manager will send the Requestor a copy of the Ordinance. ➤ The Vacation Ordinance is automatically recorded in the Denver County Real Property Records with the Denver Clerk and Recorder. 						
<p>Fees:</p>	<table style="margin-left: 40px;"> <tr> <td style="padding-right: 20px;">\$ 1,000.00</td> <td>Initial Processing Fee (<i>non-refundable</i>)</td> </tr> <tr> <td>\$ 300.00</td> <td>Legal Description Review Fee (<i>non-refundable</i>)</td> </tr> <tr> <td>\$ 300.00</td> <td>Ordinance Fee (<i>non-refundable</i>)</td> </tr> </table> <p>Payment Options: Cash, Check, Money Order, Discover, Visa, Master Card, or by using the Over-the-Phone Credit Card Authorization Form</p> <p>Checks or Money Orders must be made payable to <i>Manager of Finance.</i></p>	\$ 1,000.00	Initial Processing Fee (<i>non-refundable</i>)	\$ 300.00	Legal Description Review Fee (<i>non-refundable</i>)	\$ 300.00	Ordinance Fee (<i>non-refundable</i>)
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