



**CITY AND COUNTY OF DENVER
DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION**

Policy Statement

Subject: Street and Alley Vacations	
Number: 5	Effective Date: November 15, 2006
Approved: <i>Lesley B. Thomas</i>	Lesley B. Thomas, P.E., City Engineer

The City of Denver through the Public Works Department maintains a system of rights-of-way including approximately 1,870 centerline miles of roadways and 5,135 public alley segments. The Development Engineering Services section receive about two requests per month to consider returning areas the applicants consider surplus or not being used in the highest and best manner. To be taken from this public system and returned to a private property status. This is called a "vacation." The entrance requirements for a vacation delineate the steps of the process. Under current state law, vacation of right-of-way is the only legitimate method of changing the status of dedicated right-of-way. Vacation of right-of-way vests the ownership of the right-of-way by law in certain property owners (usually, but not always, the adjacent property owners), and therefore the City may not sell dedicated right-of-way upon vacation.

In general the city seeks a thorough technical review by all parties with standing to consider the need to use these rights-of-way. The City Public Works Department gives the highest regard to the technical considerations required in determination of these decisions regarding possible vacations.

As an example, the applicant is responsible to accommodate to the satisfaction (document in writing) of any party with transportation, storm, sanitary or utility needs, for the vacation request to be successfully completed. In addition the applicant must understand that the service level of the remaining rights-of-way must be maintained or improve the existing condition. In a transportation sense this may require dedication of properties to allow the construction of alternative paths of travel (an "L" out) or construction of properly engineered turn around conditions.

In rare cases the city is asked to consider vacation of some sections that were never completed because of historic or topographic considerations. Examples could be an alley section bisected by a tributary or railroad. Some have been in this partial condition for 60 to 100 plus years. In these cases after due consideration the city may allow a partial vacation without replacement property if the resulting configuration does not worsen the local conditions in terms of transportation or utility functionality. In all cases the City of Denver Public Works Department will strive to be amicable to the applicants' desires while protecting these rights-of-way for the public use and benefit.