

RESOLUTION NO. 1671

**A RESOLUTION OF THE GOLDEN CITY COUNCIL
ADOPTING CRITERIA FOR THE EVALUATION OF RIGHT OF
WAY VACATION REQUESTS TO NARROW EXISTING
RIGHTS OF WAY**

WHEREAS, City Council periodically receives requests to vacate surplus portions of right of way in the areas of Golden where local streets were originally platted with sixty-six (66) foot wide rights of way; and

WHEREAS, City Council desires to define criteria to evaluate such right of way vacation requests.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GOLDEN, COLORADO:

Section 1. City Council hereby adopts the following criteria to be used in evaluating requests to vacate existing right of way for the purpose of narrowing the surplus portion of the right of way outside of the street area. Council will consider such vacation requests on a case by case basis and will not require strict compliance with all criteria in every case. Rather, the below criteria will be used as a guideline to Planning Commission and City Council in evaluating requests.

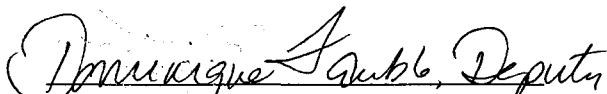
- a. If the request is for an individual property, there should be a specific demonstrated use for the surplus right of way, such as an existing encroachment, non-conforming setback, or proposed change to the property.
- b. There should be a reasonable minimum length involved in the request. Unless specific conditions warrant otherwise for an individual property, the typical minimum length should be one block face.
- c. There should currently exist an attached sidewalk, or no sidewalk, with topographic or other constraints that would likely prevent construction of a detached sidewalk (thereby lessening the likelihood for a public use of the outermost right of way area).
- d. The subject street is a "local" street where there is little or no likelihood of street widening to utilize the area requested for vacation.
- e. Unless there are exceptional circumstances, both sides of a street should be included in the request to prevent a possible undue hardship on one side of the right of way if future use is necessary, or the opposite owner should file their written support of the request.
- f. There should be no current utilities in the area, and little likelihood that the City (or other legitimate utility provider) would need the area in the future.

Adopted this 11th day of May, 2006.



Charles J. Baroch
Mayor

ATTEST:



Susan M. Bropks, MMC
City Clerk

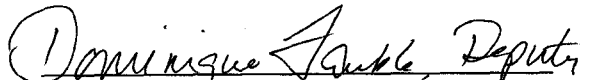
APPROVED AS TO FORM:

 GJAW

James A. Windholz
City Attorney

I, Susan M. Brooks, City Clerk of the City of Golden, Colorado, do hereby certify that the foregoing is a true copy of a certain Resolution adopted by the City Council of the City of Golden, Colorado at a regular meeting thereof held on the 11th day of May, A.D., 2006.

(SEAL)

ATTEST: 
Susan M. Brooks, City Clerk of the City of
Golden, Colorado