



REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Charlene Thompson, City Attorney's Office
FROM: Robert J. Duncanson P.E., Engineering Manager II
Right-of-Way Services
DATE: November 16, 2015
ROW #: 2015-Dedication-0000098 **SCHEDULE #:** Adjacent to 0510127031000 & 0510127041000
TITLE: This request is to dedicate a parcel of land as Public Right of Way as Public Alley.
Located at the intersection of E. 1st Ave. and Clarkson St.
SUMMARY: Request for a Resolution for laying out, opening and establishing certain real property as part of the system of thoroughfares of the municipality; i.e. as Public Alley. This parcel(s) of land is being dedicated to the City and County of Denver for Public Right-of-Way.

It is requested that the above subject item be placed on the Mayor-Council Agenda for the next available date.

Therefore, you are requested to initiate Council action to dedicate a parcel of land for Public Right-of-Way purposes as Public Alley. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2015-Dedication-0000098-001 & 002) HERE.

A map of the area to be dedicated is attached.

RD/JL/BLV

cc: Asset Management, Steve Wirth
City Councilperson & Aides, Jolon Clarke District # 7
Council Aide Maggie Thompson
Council Aide Anita Banuelos
City Council Staff, Shelley Smith
Environmental Services, David Erickson
Public Works, Manager's Office, Alba Castro
Public Works, Manager's Office, Angela Casias
Public Works, Right-of-Way Engineering Services, Rob Duncanson
Department of Law, Brent Eisen
Department of Law, Charlene Thompson
Department of Law, Adam Hernandez
Department of Law, Angela Garcia
Public Works Survey, John Lautenschlager
Public Works Survey, Paul Rogalla
Owner: City and County of Denver
Project file folder 2015-Dedication-0000098



EXECUTIVE SUMMARY

DENVER
THE MILE HIGH CITY

Project Title: 2015-Dedication-0000098 E. 1st and Clarkson St.

Description of Proposed Project: This request is to dedicate a City owned land as Public Alley. Located near the intersection of W. E. 1st and Clarkson St.

Explanation of why the public right-of-way must be utilized to accomplish the proposed project: Dedicating City owned land to Public Right of Way, from the vacant parcel program approved through City Council.

Has a Temp MEP been issued, and if so, what work is underway: N/A

What is the known duration of an MEP: N/A

Will land be dedicated to the City if the vacation goes through: N/A

Will an easement be placed over a vacated area, and if so explain: N/A

Will an easement relinquishment be submitted at a later date: N/A

Additional information: This land was deeded to the City and County of Denver for the purpose of dedicating it as Public Right-of-Way.

ORDINANCE/RESOLUTION REQUEST

Please email requests to Angela Casias
at angela.casias@DenverGov.org by 12:00 pm on **Monday**.

**All fields must be completed.*
Incomplete request forms will be returned to sender which may cause a delay in processing.*

Date of Request: November 16, 2015

Please mark one: Bill Request or Resolution Request

1. Has your agency submitted this request in the last 12 months?

Yes No

If yes, please explain:

2. Title: (Include a concise, one sentence description – please include name of company or contractor and contract control number – that clearly indicates the type of request: **grant acceptance, contract execution, contract amendment, municipal code change, supplemental request, etc.**)

This request is to dedicate a parcel of land as Public Right of Way as Public Alley.
Located at the intersection of E. 1st Ave. and Clarkson St. k

3. Requesting Agency: Public Works – Right-of-Way Services / Survey

4. Contact Person: (With actual knowledge of proposed ordinance/resolution.)

- Name: Barbara Valdez
- Phone: 720-865-3153
- Email: Barbara.Valdez@denvergov.org

5. Contact Person: (With actual knowledge of proposed ordinance/resolution who will present the item at Mayor-Council and who will be available for first and second reading, if necessary.)

- Name: Angela Casias
- Phone: 720-913-8529
- Email: Angela.Casias@denvergov.org

6. General description/background of proposed ordinance including contract scope of work if applicable:

Request for a Resolution for laying out, opening and establishing certain real property as part of the system of thoroughfares of the municipality; i.e. as Public Alley. This parcel(s) of land is being dedicated to the City and County of Denver for Public Right-of-Way.

****Please complete the following fields:** (Incomplete fields may result in a delay in processing. If a field is not applicable, please enter N/A for that field – please do not leave blank.)

- a. Contract Control Number: N/A
- b. Contract Term: N/A
- c. Location: E. 1st and Clarkson St.
- d. Affected Council District: Jolon Clarke Dist. #7
- e. Benefits: N/A
- f. Contract Amount (indicate amended amount and new contract total): N/A

7. Is there any controversy surrounding this ordinance? (Groups or individuals who may have concerns about it?) Please explain.

None.

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: _____

Date Entered: _____

PW Legal Description No. 2015-Dedication-000098-001 & 002

Parcel 1

A portion of the land conveyed by Treasurer's Tax Deed to the City & County of Denver, recorded on the 23rd of March 1932, in Book 4657, Page 56, in the City and County of Denver Clerk & Recorder's Office, State of Colorado, being more particularly described as follows:

The East Seven and One-Half (7 1/2) feet of Lots Thirteen (13) to Seventeen (17) inclusive, in Block Twenty-Two (22), Kettles Addition Second Filing.

Said Parcel is located in the NE 1/4, of Section 10, Township 4 South, Range 68 West, of the 6th Principal Meridian, State of Colorado.

Parcel 2

A portion of the land conveyed by Warranty Deed to the City & County of Denver, recorded on the 6th of January 1921, in Book 2769, Page 25, in the City and County of Denver Clerk & Recorder's Office, State of Colorado, being more particularly described as follows:

Commencing at a point on the north line of First Avenue, 120 feet west from a corner formed by the intersection of the west line of Clarkson Street with the north line of First Avenue in Arlington Park Annex in the City and County of Denver, running thence north 300 feet to a point in the south line of Second Avenue, which is situated 120 feet west of the corner formed by the intersection of the west line of Clarkson Street with the south line of Second Avenue; thence west along the south line of said Second Ave 9.28 feet; thence south 300 feet to the north line of First Avenue; thence east along the north line of First Avenue 9.1 feet to the place of beginning.

Except that portion vacated by Ordinance 576 Series of 1974, as described as follows: The alley in Block 11, Arlington Park Annex, lying west of & adjoining Lots 1 to 6, inclusive, said Block 11.

Said Parcel is located in the NW 1/4, of Section 11, Township 4 South, Range 68 West, of the 6th Principal Meridian, State of Colorado.

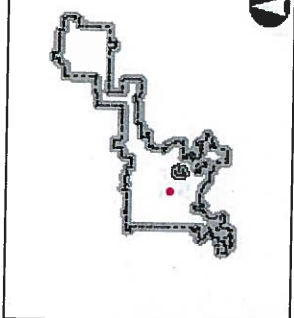
Parcel 1 Public Alley 1st & Clarkson



Parcel 1 to be Dedicated

Legend

- Active Addresses
 - Associated
 - Land
 - Structure
 - Utility
- Streams
- Irrigation Ditches Reconstruct (Gardens)
- Irrigation Ditches
- Buildings
- Streets
- Alleys
- Railroads
 - Main
 - Yard
 - Spur
 - Siding
 - Interchange track
 - Other
- Bridges
- Rail Transit Stations
 - Existing
 - Planned
- Park-N-Ride Locations
- Lakes
- County Boundary
- Parcels
- Parks
 - Mountain Parks
 - All Other Parks



75 Feet

37.5

0

75

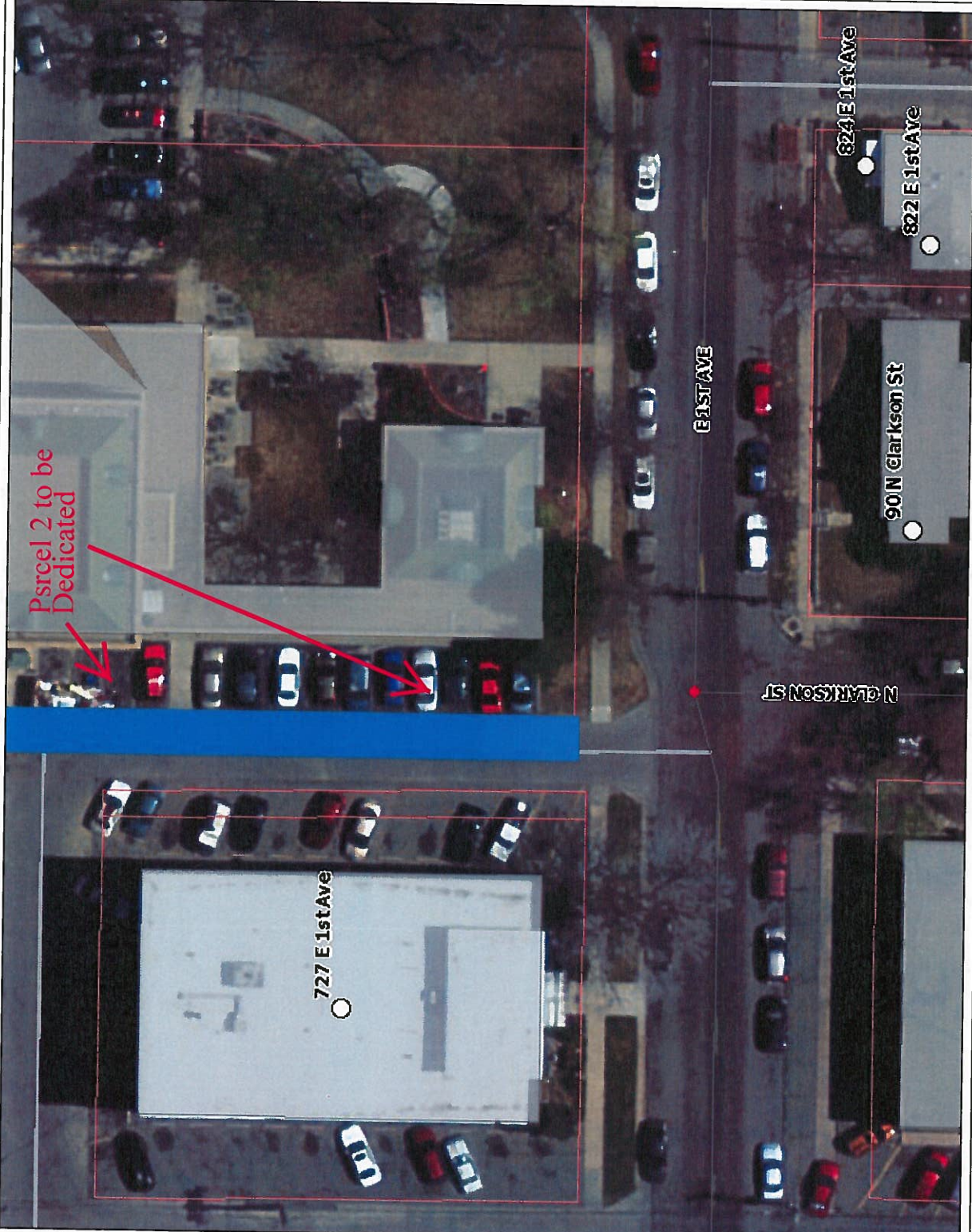
The City and County of Denver shall not be liable for damages of any kind arising out of the use of this information. The information is provided "as is" without warranty of any kind, express or implied, including, but not limited to, the fitness for a particular use.

THIS IS NOT A LEGAL DOCUMENT.

1: 588

Map Generated 11/16/2015

Parcel 2 Public Alley 1st & Clarkson



Parcel 2 to be Dedicated

727 E 1st Ave

EAST AVE

N CLARKSON ST

824 E 1st Ave

822 E 1st Ave

90 N Clarkson St



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Legend

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 - + Other
- Bridges
- Rail Transit Stations
 - Existing
 - Planned
- Park-N-Ride Locations
- Lakes
- County Boundary
- Parcels
- Parks
 - Mountain Parks
 - All Other Parks



This Deed

3rd

1901

In the year of our Lord and thousand...

hundred and eighty between The Arlington Park Realty Company

Reception No. 1103232
WARRANTY DEED
The Arlington Park Realty Co.
 TO
The City and County of Denver
 Filled for Record at 3:30 o'clock P.M.,
Jan 6 1901
Charles Morrison
 Clerk and Recorder.

a corporation duly organized and existing under and by virtue of the laws of the State of Colorado, of the first part, and the City and County of Denver

of the City and County of Denver, a State of Colorado, of the second part:

Witnesseth, That the said part of the first part, for and in consideration of the sum of One dollar Dollars,

to the said part of the first part in hand paid by the said part of the second part, the receipt whereof is hereby confessed and acknowledged, hath granted, bargained, sold and conveyed, and by these presents doth grant, bargain, sell, convey and confirm unto the said part of the second part, its successors heirs and assigns forever, all the following described lot or parcel of land, situate, lying, and being in the City and County of Denver and State of Colorado, to wit: Commencing

at a point on the north line of First Avenue, 120 ft. west from the corner formed by the intersection of the west line of Jackson Street with the north line of First Avenue; thence North 300 feet to a point on the south line of Second Avenue, which is situated 120 feet east of the corner formed by the intersection of the west line of Jackson Street with the south line of Second Avenue; thence west along the south line of said Second Avenue, 9.28 feet; thence South 300 feet to the North line of First Avenue; thence East along the North line of First Avenue 9.11 feet to the place of beginning, so to read in the further of no ality.

Together with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the revenues and reversions, franchises and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, claim and demand whatsoever of the said part of the first part, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

To Have and to hold the said premises above bargained and described, with the appurtenances unto

the said part of the second part, its successors heirs and assigns forever. And the said The Arlington Park Realty Company of the first part, for its successors and assigns,

doth covenant, grant, bargain and agree to and with the said part of the second part, its successors heirs and assigns, that as to the covenants and delivery of these premises, it well intend of the premises above conveyed, as of a grant, use, partake, share and inheritance, in law, in fee simple, and in its successors full power and lawful authority to grant hereunto, sell and convey the same to parties and heirs hereunto, and that the same are free and clear from all former and other grants, bargain, sales, uses, taxes, assessments and incumbrances of whatever kind or nature now or

and the above bargained premises in the quiet and peaceful possession of the said part of the second part, it successors heirs and assigns, against all and every person or persons lawfully claiming or to claim the whole or any part thereof. The said part of the first part shall and will WARRANT AND FOREVER DEFEND.

In Witness Whereof, The said part of the first part has caused its corporate name to be hereunto subscribed by its president, and its corporate seal to be hereunto affixed, attested by its secretary, the day and year first above written.

ATTEST:
Richard H. Malone
Secretary



The Arlington Park Realty Company
By Philip A. Lang
President

BY AUTHORITY

ORDINANCE NO. 576
SERIES OF 1974

COUNCILMAN'S BILL NO. 605

INTRODUCED BY COUNCILMEN

Reisenberg, Hook, MacLuteh,
Nolan, Perry

A BILL

FOR AN ORDINANCE VACATING A CERTAIN PART OF THE SYSTEM OF THOROUGHFARES OF THE MUNICIPALITY; i. e., VACATING THE DESCRIBED ALLEY IN BLOCK 11, ARLINGTON PARK ANNEX, WITHOUT RESERVATIONS.

WHEREAS, the Manager of Public Works of the City and County of Denver has found and determined that the public use, convenience and necessity no longer require that certain alley in the system of thoroughfares of the municipality hereinafter described and, subject to approval by ordinance, has vacated the same without reservations; now, therefore,

BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:

Section 1. That the action of the Manager of Public Works in vacating the following described alley in Arlington Park Annex in the City and County of Denver and State of Colorado, to-wit:

The alley in Block 11, Arlington Park Annex, lying West of and adjoining Lots 1 to 6, inclusive, said Block 11;

be and the same is hereby approved and said portion of real property is hereby vacated and declared vacated, without reservations.

Section 2. The Council finds this Ordinance is necessary for the immediate preservation of the public health and public safety, and determines that it shall take effect immediately upon its final passage and publication.

PASSED BY the Council August 19, 1974
Doneymon President

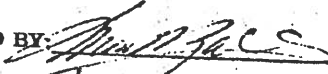
APPROVED: W. J. [unclear] Mayor August 20, 1974

ATTEST: J. P. [unclear] Clerk and Recorder, Ex-Officio Clerk of the City and County of Denver

PUBLISHED IN The Daily Journal Aug. 16, 1974 and Aug. 23, 1974

I have made the findings and determinations set forth in the above and foregoing draft or form of a proposed Bill for An Ordinance, and subject to approval by Ordinance, have vacated and do hereby vacate the described portion of that certain alley, without reservations, and request the Council of the City and County of Denver to approve such vacation, without reservations, by the enactment of an appropriate Ordinance. I approve said draft or form of a proposed Bill for An Ordinance and recommend the introduction and passage thereof.

Manager of Public Works

PREPARED BY:  City Attorney