



Department of Public Works
Permit Operations and Right of Way Enforcement
201 W. Colfax Avenue, Dept. 507
Denver, CO 80202
P: 720-865-2782
F: 720-865-3280
www.denvergov.org/pwprs

REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Karen Walton, City Attorney's Office

FROM: Robert J. Duncanson P.E., Engineering Manager II
Right-of-Way Services

DATE: November 4, 2013

ROW #: 2013-0513-01 **SCHEDULE #:** No Schedule numbers, Decree Quieting Title 08/18/1948
Book 6445, Page 19

TITLE: This request is to dedicate a City owned land as Public Alley. A Public Alley bounded by 13th Ave. to 14th Ave. and Holly St. to Hudson 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.

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 existing City owned land for Public Right-of-Way purposes as Public Alley. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW 2013-0513-01-001 HERE.

A map of the area to be dedicated is attached.

RD/JL/LRA

cc: Asset Management, Steve Wirth
City Councilperson & Aides, District # 5, Mary Beth Susman
City Council Staff, Gretchen Williams
Environmental Services, David Erickson
Public Works, Manager's Office, Alba Castro
Public Works, Manager's Office, Nancy Kuhn
Public Works, Right-of-Way Engineering Services, Rob Duncanson
Department of Law, Karen Aviles
Department of Law, Brent Eisen
Department of Law, Karen Walton
Public Works Survey, Ralph Pettit
Public Works Survey, Paul Rogalla
Owner: City and County of Denver
Project file folder 2013-0513-01

ORDINANCE/RESOLUTION REQUEST

Please email requests to Nancy Kuhn at
Nancy.Kuhn@Denvergov.org by **NOON 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 4, 2013

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, amendment, municipal code change, supplemental request, etc.)

This request is to dedicate a City owned land as Public Alley. Bounded by 13th Ave. to 14th Ave. and Holly St. to Hudson St.

3. **Requesting Agency:** Public Works, Right of Way Engineering Services

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

- **Name:** Lisa R. Ayala
- **Phone:** 720-865-3153
- **Email:** lisa.ayala@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:** Nancy Kuhn
- **Phone:** 720-865-8720
- **Email:** Nancy.Kuhn@denvergov.org

6. **General description 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.

****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.)

- a. **Contract Control Number:** NO
- b. **Duration:** Permanent
- c. **Location:** Public Alley: bounded by 13th Ave. to 14th Ave. and Holly St. to Hudson St.
- d. **Affected Council District:** # 5, Mary Beth Susman
- e. **Benefits:** N/A
- f. **Costs:** 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: _____



DENVER
THE MILE HIGH CITY

EXECUTIVE SUMMARY

Project Title: 2013-0513-01 Dedication in the Public Alley bounded by 13th Ave. to 14th Ave. and Holly St. to Hudson St.

Description of Proposed Project: This request is to dedicate a City owned land as Public Alley. Bounded by 13th Ave. to 14th Ave. and Holly St. to Hudson 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.

Public Alley 13th Ave to 14th Ave & Hudson St to Holly St



- Denver County (Boundary)
- Street Centerline
- Interstate
- US Highway
- Other
- Parcels
- mask
- 2010_Denver.jp2.lrl
- Denver County (Shaded)
- Denver County
- Adams County
- Arapahoe County
- Jefferson County

PW Legal Description No. 2013-0513-01-001

A parcel of land located in the Northeast 1/4 of Section 6, Township 4 South, Range 67 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado.

A parcel of land conveyed to the City & County of Denver by Decree Quieting Title recorded on the 18th of September 1948 in Book 6445 Page 19 in the City and County of Denver Clerk & Records Office being more particularly described as follows.

The rear or East 7 ½ feet of Lots numbered One (1) to Twenty-four (24), inclusive, and the rear or West 7 ½ feet of Lots numbered Twenty-five (25) to Forty-eight (48), inclusive, in Block numbered Thirteen (13), Bellevue, also known as Cochrane's Resubdivision of Block Thirteen (13) Bellevue.

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IN THE DISTRICT COURT IN AND FOR THE
CITY AND COUNTY OF DENVER AND
STATE OF COLORADO

CIVIL ACTION NO. A-59904 DIV. 4

CITY AND COUNTY OF DENVER, a
municipal corporation,

Plaintiff,

vs.

CLARICE ELEANORE MOFFETT, LENORE S.
MOFFETT, as widow and sole heir of
John L. Moffett, deceased, GERTRUDE
ELLA MOFFETT, ALEXANDER C. THOMSON,
FLORENCE ANN THOMSON, LEONARD M.
FULMER, MABEL VICENT FULMER, HERMAN
F. SCHMID, ALMA E. SCHMID, THE REGAL
CORPORATION, a Colorado Corporation,
MORRISON SHAYROTH, EDGAR HEINY, OSIE
IONE HEINY, LEON H. LIPPARD, GRACE
MOORE LIPPARD, HENRY W. STODDARD,
BLANCHE M. STODDARD, JOHN A. STERLING,
CELIA STERLING, WALKER A. GARROTT,
OCA CUSHMAN, NANCY L. YEAGER, VICTOR
E. YEAGER, MERLE P. LE GRAND, MERCE
E. LE GRAND, R. A. EDWARDS, JOSEPH
A. MANCUSO, MARIE MANCUSO, JOHN W.
THOMPSON, CHARLOTTE T. THOMPSON,
ALFRED HOFUND, ALYCE H. HOFUND,
DAVID H. ZELINGER, LOUISE L. ZELINGER,
RONALD R. BELL, MARION H. BELL, ROBERT
D. JONES, SHIRLEY O. JONES, WILLIAM
T. PITTS, JANE P. PITTS, ROBERT T.
McCALMON, DOROTHY McCALMON, ROY A.
ARNHEIMER, ETHEL J. ARNSMEYER, MARIE
YOUNG GARROTT,

Defendants.

FILED IN DISTRICT COURT
CITY & COUNTY OF DENVER
COLO
Sep 14 1948
HORACE T. MONTAGUE, CLERK
DECREE

QUIETING TITLE

This matter coming on for hearing on this 14th
day of September, 1948 on the application of the plaintiff
for a decree herein and it appearing to the court and the
court finding:

(a) That all defendants herein have been
served in a manner provided by law.

(b) That the time for answer herein has expired
and the default of the defendants, and each of them, except
the defendants Joseph A. Mancuso, Marie Mancuso, Robert
T. McCalmon, Dorothy McCalmon, Ronald R. Bell, Marion
H. Bell, John W. Thompson, Charlotte T. Thompson, David
H. Zelinger, Louise L. Zelinger, The Regal Corporation,
Alexander C. Thomson, Florence A. Thomson, Alyce Hoflund,
Alfred Hoflund, Victor E. Yeager, Nancy L. Yeager, Herman

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Schmid, Alma E. Schmid, R. A. Edmondson, Robert D. Jones, Shirley O. Jones, Maxene E. Le Grand, Merle F. Le Grand, William T. Pitts, Jane P. Pitts, Grace Moore Lippard, Leon H. Lippard, Roy A. Arnsmeier, Ethel J. Arnsmeier, Osie Ione Heiny, Edgar Heiny, Habel Vicent Fulmer, and Leonard M. Fulmer who have filed a disclaimer herein, has been duly entered according to law, no appearance, motion or pleading having been filed by or on behalf of any of the defendants except the defendants herein above named who filed disclaimers therein.

(c) That the plaintiff has filed its affidavit herein showing the facts to be that none of the defendants are in the military service of the United States;

And the plaintiff herein coming by its attorneys and the Court having heard the evidence and being fully advised in the premises:

It is ordered, adjudged and decreed by the Court:

1. That this Court has jurisdiction of the subject matter and of the persons of the defendants and that all the requirements of law have been complied with in order to enable the Court to give this decree.

2. That the allegations of fact set forth in the complaint are true and that the plaintiff is the owner and in possession of the following described real property situate in the City and County of Denver, State of Colorado, to-wit:

The rear or East $7\frac{1}{2}$ feet of Lots numbered One (1) to Twenty-four (24), inclusive, and the rear or West $7\frac{1}{2}$ feet of Lots numbered Twenty-five (25) to Forty-eight (48), inclusive, in Block numbered Thirteen (13), Bellevue, also known as Cochrane's Resubdivision of Block Thirteen (13), Bellevue.

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3. That the defendants, and each of them, have no claim, right, title or interest whatsoever in and to said property or any part thereof or any lien thereon or any right of possession thereto.

4. That the defendants, and each of them, and all persons claiming or to claim by, through or under them or any of them, be, and they hereby are, forever debarred from asserting any claim whatsoever to said real property or any interest therein or any lien thereon or any right of possession thereto.

5. This decree shall operate to secure all the relief sought in this action to the plaintiff herein:

By the Court:

HENRY S. LINDSLEY
Judge

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STATE OF COLORADO
CITY AND COUNTY OF DENVER

Single Certificate

HORACE T. MONTAGUE
I, ~~JOHN H. WINCHELL~~, Clerk of the District Court of the City and County of Denver, State

aforesaid, do hereby certify the above and foregoing to be a true, complete and perfect transcript and

copy of DEGREE QUIETING TITLE

had and entered of record in a certain cause in said Court lately depending wherein

CITY AND COUNTY OF DENVER is Plaintiff

and CLARICE ELEANORE MOFFETT, et al are Defendant

as the same now remains on file and of record in this office.

HORACE T. MONTAGUE

Witness, ~~JOHN H. WINCHELL~~, Clerk of said Court, with the seal thereof
hereunto affixed at his office, in the City and County of Denver, State of

Colorado, this 18th day of September, A. D. 1948

HORACE T. MONTAGUE

CLERK.

By May C. Lawson
DEPUTY CLERK.

