



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: December 5, 2013
ROW #: 2013-0532-01 **SCHEDULE #:** 0627400001000
TITLE: This request is to dedicate a City owned land as S Dayton Way.
Located near the intersection of S. Dayton Way between Iliff Ave. & Harvard Ave.
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 S Dayton 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 existing City owned land for Public Right-of-Way purposes as S. Dayton Way. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW (Parcel #-2013-0532-01-001) HERE.

A map of the area to be dedicated is attached.

RD/JL/BA

cc: Asset Management, Steve Wirth
City Councilperson & Aides, Peggy Lehmann District # 4
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 2013-0532-01

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: December 5, 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.)

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3. **Requesting Agency:** PW Right of Way Engineering Services

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

- **Name:** Beverly Aragon
- **Phone:** 720-865-8720
- **Email:** Beverly.Aragon@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 S Dayton 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.)

- a. **Contract Control Number:** N/A
- b. **Duration:** Permanent
- c. **Location:** S. Dayton Way between Iliff Ave & Harvard Ave
- d. **Affected Council District:** Peggy Lehmann, District #4
- 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: 2013-0532-01 Dedication of right of way at S Dayton Way

Description of Proposed Project: This request is to dedicate a City owned land as S Dayton Way. Located near the intersection of S. Dayton Way between Iliff Ave. & Harvard Ave.

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: N/A

S. Dayton Way



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

Map generated 10/22/2012. 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.

PW Legal Description No. 2013-0532-01-001

A parcel of land located in the Southwest 1/4 of Section 27, Township 4 South, Range 67 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado.

A parcel of land conveyed by Warranty Deed to the City & County of Denver, recorded on the 23rd of June 1971, in Book 341, Page 66, in the City and County of Denver Clerk & Recorder's Office being more particularly described as follows:

That part of the South Half of Section 27, Township 4, South, Range 67 West of the 6th P.M., described as follows: Commencing at the Northwest corner of the SE1/4 of said Section 27, thence South 0°16'00" West and along the North-South Centerline of said Section 27, a distance of 30.0 feet to a point on the South right-of-way line of East Iliff Avenue, which point is the true point of beginning: Thence continuing along the last described course a distance of 964.59 feet; thence North 89°53'00" West, 35.0 feet, thence North 0°16'00" East and parallel to the North-South Centerline of said Section 27, 964.59 feet to a point on the South right-of-way line of said East Iliff Avenue; thence South 89°53'00" East and along the said South right-of-way line 35.0 feet to the true point of beginning. Containing .775 acres.

81916

MAY 27 1971

081916

1230841

MARJORIE PAGE

THIS DEED, Made this 16th day of February in the year of our Lord one thousand nine hundred and seventy-one between Morbo Land Co., a partnership of the City and County of Denver.

STATE OF COLORADO
COUNTY OF ARAPAHO
RECORDED IN 341 86
F. J. SARAVINI
CLERK AND RECORDER
JUN 23 11 38 AM '71

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

WITNESSETH, That the said party of the first part, for and in consideration of the sum of Ten dollars and other good and valuable considerations to the said party of the first part to hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, have granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell, convey and confirm, unto the said party of the second part, heirs and assigns forever, all the following described lot or parcel of land, situate, lying and being in the County of Arapahoe That part of the South Half of Section 27, Township 4 South, Range 67 West of the 6th P.M., described as follows: Commencing at the Northwest corner of the SE 1/4 of said Section 27, thence South 0°16'00" West and along the North-South Centerline of said Section 27, a distance of 30.0 feet to a point on the South right-of-way line of East Iliff Avenue, which point is the true point of beginning; Thence continuing along the last described course a distance of 964.59 feet; thence North 89°53'00" West, 35.0 feet, thence North 0°16'00" East and parallel to the North-South Centerline of said Section 27, 964.59 feet to a point on the South right-of-way line of said East Iliff Avenue; thence South 89°53'00" East and along the said South right-of-way line 35.0 feet to the true point of beginning. Containing .771 acres for street purposes only.

TOGETHER with all and singular the hereditaments and appurtenances thereto in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, claim and demand whatsoever of the said party 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 party of the second part, heirs and assigns forever. And the said party of the first part, for themselves, their heirs, executors, and administrators, do covenant, grant, bargain, and agree to and with the said party of the second part, heirs and assigns, that at the time of the conveying and delivery of these presents, they are well seized of the premises above conveyed, as of good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and in full good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments and encumbrances of whatever kind or nature soever.

State Documentary Fee
Date May 27, 1971
\$ 6.00

and the above bargained premises in the quiet and peaceable possession of the said party of the second part, its heirs and assigns against all and every person or persons lawfully claiming or to claim the whole or any part thereof, the said party of the first part shall and will WARRANT AND FOREVER DEFEND. IN WITNESS WHEREOF, the said party of the first part has hereunto set its hand and seal the day and year first above written.

MORBO LAND COMPANY (SEAL)
George H. Morrison (SEAL)
A member of the management committee (SEAL)

NOTARY PUBLIC
STATE OF COLORADO

STATE OF COLORADO City and County of Denver
The foregoing instrument was acknowledged before me this 23rd day of February 1971, by George H. Morrison, a Member of the Management Committee of Morbo Land Co.
My commission expires October 20 1973. Witness my hand and official seal.

Betty August
Notary Public

AS TO FORM
APPROVED FOR RECORDING
LAND OFFICE
EXEMPT, 137-13-9 (C)

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I FILED
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