



DENVER
THE MILE HIGH CITY

Department of Public Works
Capital Projects Management
Permit Operations and Right of Way Enforcement
Infrastructure Planning & Programming
Traffic Engineering Services
201 W. Colfax Avenue
Denver, CO 80202
www.denvergov.org

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: February 19, 2013

ROW #: 2011-0523-05 **SCHEDULE #:** A Part of 0606210001000

TITLE: This request is to dedicate a parcel of land as Public Right of Way as 13th Ave.
Located at the intersection of 13th Ave. between Colorado Blvd and Ash 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 13th Ave. This parcel(s) of land is being dedicated to the City and County of Denver for Public Right-of-Way, as part of the development project (National Jewish/Gove School Parking Lot).

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 13th Ave. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (Parcel #-2011-0523-05-001) HERE.

A map of the area to be dedicated is attached.

RD/JL/LRA

- cc: Asset Management, Steve Wirth
- City Councilperson & Aides, Jeanne Robb District # 10
- 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
- Department of Law, Arlene Dykstra
- Public Works Survey, John Lautenschlager
- Public Works Survey, Paul Rogalla
- Owner: City and County of Denver
- Project file folder 2011-0523-05



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: February 19, 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 parcel of land as Public Right of Way as 13th Ave.
Located at the intersection of 13th Ave. between Colorado Blvd and Ash St.

3. **Requesting Agency:** PW 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 13th Ave. This parcel(s) of land is being dedicated to the City and County of Denver for Public Right-of-Way, as part of the development project (National Jewish/Gove School Parking Lot).

****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:** 13th Ave between Colorado Blvd and Ash St.
- d. **Affected Council District:** # 10, Jeanne Robb
- 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: _____



EXECUTIVE SUMMARY

DENVER
THE MILE HIGH CITY

Project Title: 2011-0523-05 Dedication at 13th Ave. between Colorado Blvd and Ash St.

Description of Proposed Project: This request is to dedicate a parcel of land as Public Right of Way as 13th Ave. Located at the intersection of 13th Ave. between Colorado Blvd and Ash St.

Explanation of why the public right-of-way must be utilized to accomplish the proposed project: The City and County of Denver was deeded this land to dedicate as Public Right of Way 13th Ave.

Has a Temp MEP been issued, and if so, what work is underway: NO

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 to dedicate it as Public Right-of-Way, as a part of a development project called, (National Jewis/Gove School Parking Lot).

2011-0523_Dedication_13th_Ave_Gove_School



- 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

Approximate location of dedication.

Map generated 01/16/2012 - The City and County of Denver shall not be liable for damages or any loss 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. That is not a legal document.

LEGAL DESCRIPTION:

A PARCEL OF LAND BEING THE SOUTHERLY FOUR FEET OF BLOCK 7, TOGETHER WITH A PORTION OF THE SOUTHERLY FOUR FEET OF ALBION STREET AS VACATED BY ORDINANCE #25, SERIES OF 1924 RECORDED IN BOOK 1 AT PAGE 191, BELLEVUE WEST, LOCATED IN THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE 6TH. PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID BLOCK 7, SAID POINT ALSO BEING THE POINT OF BEGINNING;
THENCE S89°34'23"W ALONG THE SOUTHERLY LINE OF SAID BLOCK 7 AND SAID VACATED STREET, A DISTANCE OF 306.96 FEET;
THENCE N00°10'40"W A DISTANCE OF 4.00 FEET;
THENCE N89°34'23"E A DISTANCE OF 306.96 FEET TO THE EASTERLY LINE OF SAID BLOCK 7;
THENCE S00°10'40"E A DISTANCE OF 4.00 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 1,228 SQUARE FEET (0.028 ACRES), MORE OR LESS

BASIS OF BEARINGS

BEARINGS ARE BASED ON THE NORTHERLY LINE OF BLOCK 7 AND BLOCK 8, BELLEVUE WEST RECORDED IN BOOK 1 AT PAGE 191 BEARING N89°34'47"E AND BEING MONUMENTED BY A 5 FOOT CHISELED "X" WITNESS CORNER AT THE NORTHWEST CORNER OF SAID BLOCK 8 AND A 6 FOOT CHISELED "X" WITNESS CORNER AT THE NORTHEAST CORNER OF SAID BLOCK 7.

EXHIBIT A – SHEET 1
RIGHT-OF-WAY DEDICATION FOR 13TH AVE.

LEGAL DESCRIPTION:

A PARCEL OF LAND BEING THE SOUTHERLY FOUR FEET OF BLOCK 7, TOGETHER WITH A PORTION OF THE SOUTHERLY FOUR FEET OF ALBION STREET AS VACATED BY ORDINANCE #25, SERIES OF 1924 RECORDED IN BOOK 1 AT PAGE 191, BELLEVUE WEST, LOCATED IN THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

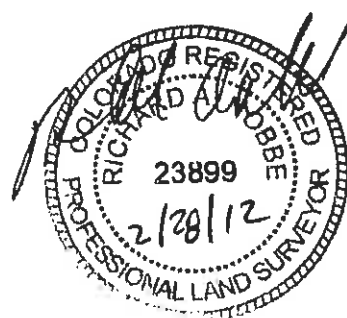
COMMENCING AT THE SOUTHEAST CORNER OF SAID BLOCK 7, SAID POINT ALSO BEING THE **POINT OF BEGINNING**;
THENCE S89°34'23"W ALONG THE SOUTHERLY LINE OF SAID BLOCK 7 AND SAID VACATED STREET, A DISTANCE OF 306.96 FEET;
THENCE N00°10'40"W A DISTANCE OF 4.00 FEET;
THENCE N89°34'23"E A DISTANCE OF 306.96 FEET TO THE EASTERLY LINE OF SAID BLOCK 7;
THENCE S00°10'40"E A DISTANCE OF 4.00 FEET TO THE **POINT OF BEGINNING**.

PARCEL CONTAINS 1,228 SQUARE FEET (0.028 ACRES), MORE OR LESS

BASIS OF BEARINGS

BEARINGS ARE BASED ON THE NORTHERLY LINE OF BLOCK 7 AND BLOCK 8, BELLEVUE WEST RECORDED IN BOOK 1 AT PAGE 191 BEARING N89°34'47"E AND BEING MONUMENTED BY A 5 FOOT CHISELED "X" WITNESS CORNER AT THE NORTHWEST CORNER OF SAID BLOCK 8 AND A 6 FOOT CHISELED "X" WITNESS CORNER AT THE NORTHEAST CORNER OF SAID BLOCK 7.

PREPARED BY JOE E. RAUSCH, P.E.
REVIEWED BY RICHARD A. NOBBE PLS
FOR AND ON BEHALF OF
MARTIN/MARTIN, INC.
12499 W. COLFAX AVE.
LAKEWOOD, CO 80215
303-431-6100



~~2011-0523-05-001~~

BLOCK 8
BELLEVUE WEST

VACATED
ALBION ST.

BLOCK 7
BELLEVUE WEST

VACATED STREET WITH
RESERVATIONS PER ORDINANCE NO. 25,
SERIES 1924 RECORDED AT BK. 6529, PG. 568

ASH STREET
(60' R.O.W.)

N00°10'40"W 4.00'

S00°10'40"E 4.00'

N89°34'23"E 306.96'

S89°34'23"W 306.96'

POINT OF BEGINNING

EAST 13TH AVENUE
(60' R.O.W.)

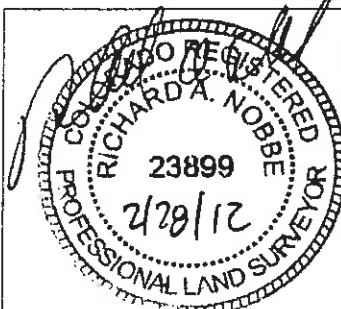
**RIGHT-OF-WAY DEDICATION
FOR 13TH AVE.
EXHIBIT A, SHEET 2**

~~2011-0523-05-001~~

THIS EXHIBIT DOES NOT REPRESENT A
MONUMENTED LAND SURVEY. IT IS ONLY
TO DEPICT THE ATTACHED DESCRIPTION



SCALE 1" = 60



FEBRUARY 27, 2012

MARTIN / MARTIN
CONSULTING ENGINEERS

12499 WEST COLFAX AVE.
LAKEWOOD, CO 80215
303.431.6100

Asset Mgmt. # 16-082

Asset Management: Date: 7-18-12

Approved: [Signature]

Project Description: 13th St. West

CITY AND COUNTY OF DENVER ASSET MANAGEMENT 201 W. SULLFAX AVE DEPT 1010 DENVER, CO 80202

WARRANTY DEED

THIS DEED, is dated July 11, 2012, and is made between NATIONAL JEWISH HEALTH, A COLORADO NON-PROFIT CORPORATION

(whether one, or more than one), the "Grantor," of the * CITY & County of DENVER and State of COLORADO and CITY & COUNTY OF DENVER, A COLORADO MUNICIPAL CORPORATION & HOME RULE CITY

(whether one, or more than one), the "Grantee," whose legal address is 1437 BANNOCK ST. DENVER, CO 80202 of the CITY & County of DENVER and State of COLORADO

CERTIFICATION The Clerk and Recorder for the CITY AND COUNTY OF DENVER State of Colorado does hereby certify this document to be a full, true and correct copy of the original document recorded in my office.

Clerk and Recorder by [Signature] Deputy County Clerk Date July 18, 2012 Bridget M. Svalberg

WITNESS, that the Grantor, for and in consideration of the sum of TEN DOLLARS & OTHER GOOD & VALUABLE CONSIDERATION (\$ 10.00), the receipt and sufficiency of which is hereby acknowledged, hereby grants, bargains, sells, conveys and confirms unto the Grantee and the Grantee's heirs and assigns forever, all the real property, together with any improvements thereon, located in the CITY & County of DENVER and State of Colorado, described as follows:

FOR A LEGAL DESCRIPTION SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART OF THIS GENERAL WARRANTY DEED

also known by street address as: VACANT LAND and assessor's schedule or parcel number:

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, the reversions, remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the Grantor, 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 Grantee and the Grantee's heirs and assigns forever.

The Grantor, for the Grantor and the Grantor's heirs and assigns, does covenant, grant, bargain, and agree to and with the Grantee, and the Grantee's heirs and assigns: that at the time of the ensembling and delivery of these presents, the Grantor is well seized of the premises above described: has good, sure, perfect, absolute and indefeasible estate of inheritance, in law and in fee simple; and has 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, encumbrances and restrictions of whatever kind or nature soever, except and subject to: none; or the following matters:

And the Grantor shall and will WARRANT AND FOREVER DEFEND the above described premises, but not any adjoining vacated street or alley, if any, in the quiet and peaceable possession of the Grantee and the heirs and assigns of the Grantee, against all and every person or persons claiming the whole or any part thereof.

IN WITNESS WHEREOF, the Grantor has executed this deed on the date set forth above.

NATIONAL JEWISH HEALTH BY: [Signature] TITLE: CEO

STATE OF COLORADO County of Denver } ss.

The foregoing instrument was acknowledged before me this 11th day of July, 2012, by Michael Salem, M.D.

Witness my hand and official seal. My commission expires: March 18, 2015

[Signature] Notary Public



Name and Address of Person Creating Newly Created Legal Description (§38-35-106.5, C.R.S.)