



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 21, 2014

ROW #: 2006-0339-06 **SCHEDULE #:** 0229114030000

TITLE: This request is to dedicate a parcel of land as Public Right of Way as Public Alley. Bounded by W. 36th Ave., Bryant St., W. 35th Ave. and Alcott 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, as part of the development project (2526 W. 36th Ave.)

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 # (2006-0339-06-001) HERE.

A map of the area to be dedicated is attached.

RD/JL/BLV

cc: Asset Management, Steve Wirth
City Councilperson & Aides, Judy Montero District # 9
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, Ali Gulaid
Public Works Survey, Paul Rogalla
Owner: City and County of Denver
Project file folder 2006-0339-06

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 21, 2014

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 Public Alley.
Bounded by W. 36th Ave., Bryant St., W. 35th Ave. and Alcott St.

3. Requesting Agency: PW Right of Way Engineering Services

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:** 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. 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 (2526 W. 36th Ave.)

****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:** Bounded by W. 36th Ave., Bryant St., W. 35th Ave. and Alcott St.
- d. **Affected Council District:** Judy Montero Dist. 9
- 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: 2006-0339-06 Dedication, 2526 W. 36th Ave.

Description of Proposed Project: Dedicate a parcel of public right of way as Public Alley.

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

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 to dedicate it as Public Right-of-Way, as a part of a development project called, (2526 W3 36th Ave.)



Protecting the Present & Building the Future
Accountability, Innovation, Empowerment, Performance, Integrity,
Diversity, Teamwork, Respect, Excellence, Safety

36th & Bryant



LEGAL DESCRIPTION FOR EXHIBIT ALLEY DEDICATION

A parcel of land conveyed by Warranty Deed to the City & County of Denver, recorded on August 13, 2008 by Reception Number 2008112230 in the City and County of Denver Clerk & Recorder's Office, State of Colorado.

N 1/4 OF SEC. 29, T3S. R68W, Located in the City and County of Denver, State of Colorado

The East 2.00 feet of Lot 24, Block 14, Dougan Brothers Subdivision of Block 14, Potter Highlands, City and County of Denver, State of Colorado.

Containing 288 Square Feet, (0.007 Acres), More or Less.

DES PROJECT NO. 2006-0339

DES PARCEL NO. 20060339001

LEGAL DESCRIPTION FOR EXHIBIT ALLEY DEDICATION

NE 1/4 OF SEC. 29, T3S, R68W, Located in the City and County of Denver, State of Colorado

The East 2.00 feet of Lot 24, Block 14, Dougan Brothers Subdivision of Block 14, Potter Highlands, City and County of Denver, State of Colorado.

Containing 288 Square Feet, (0.007 Acres), More or Less.

I, Richard E. Heinz, a Professional Land Surveyor, Registered in the State of Colorado, do hereby certify that the above legal description was prepared by me or under my direct supervision.



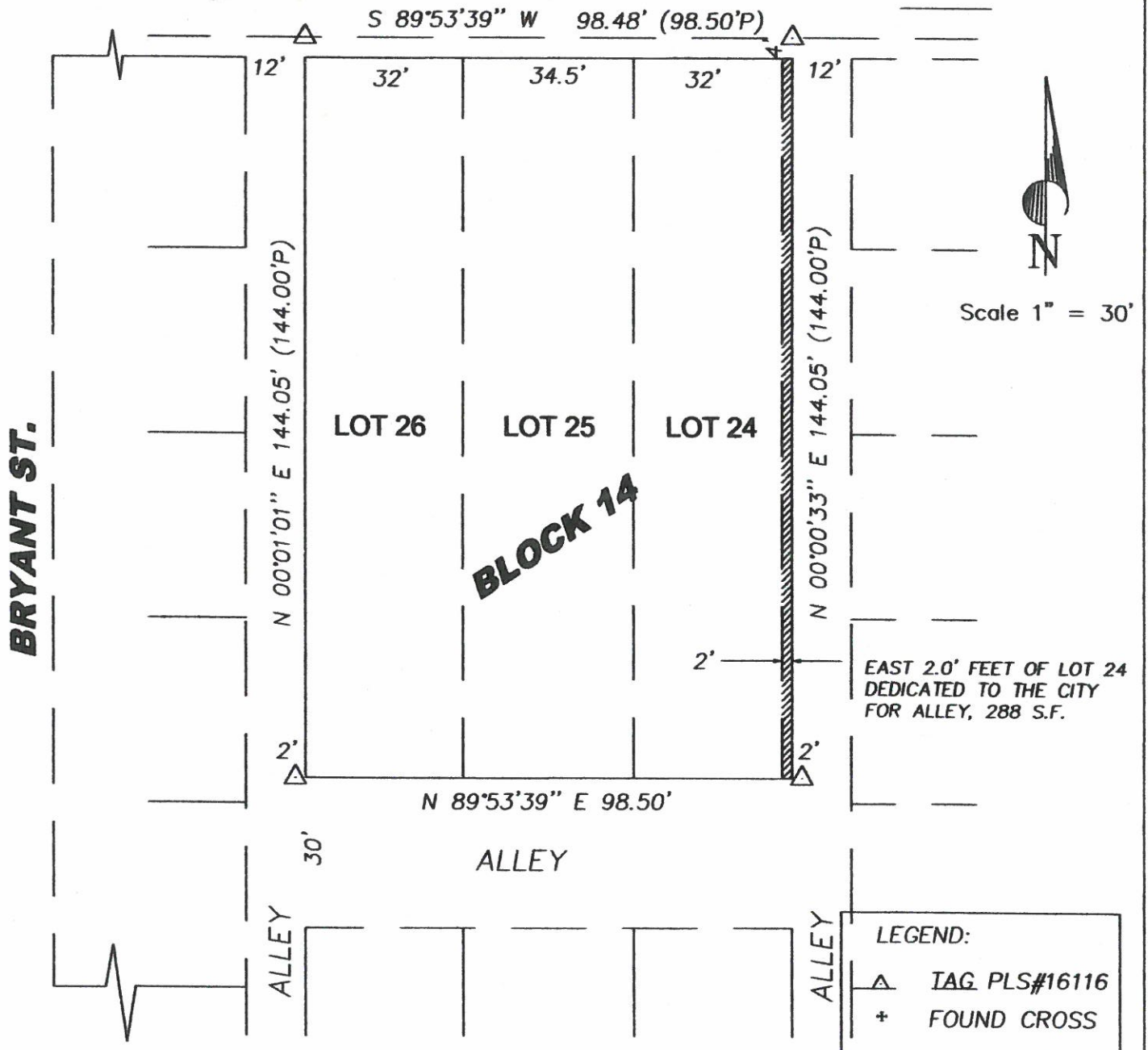
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AAA SURVEYING SERVICES, LLC P.O. BOX 2055 ARVADA, CO 80001-2055 303-519-7017

EXHIBIT FOR ALLEY DEDICATION

NE 1/4 OF SEC. 29, T3S, R68W, LOCATED IN THE CITY AND COUNTY OF DENVER, STATE OF COLORADO
 PART OF LOT 24, BLOCK 14,
 DOUGAN BROTHERS SUBDIVISION OF BLOCK 14, POTTER HIGHLANDS CITY AND COUNTY OF DENVER, STATE OF COLORADO.

WEST 36TH AVENUE 66'



THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED SURVEY. IT IS INTENDED ONLY TO DEPICT THE LOTS SHOWN ABOVE.

AAA SURVEYING SERVICES, LLC
 P.O. BOX 2055 ARVADA, CO 80001-2055
 303-519-7015/FAX 303-940-4927

JOB NO. 07-0021

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DATE: 05/18/2007-REV.02/05/2008

DRAWN: RH

SCALE 1"=30'

WARRANTY DEED

THIS DEED, is dated August 13, 2008, and is made between POMARE ROLAND MCLEAN

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

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

WITNESS, that the Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) & OTHER GOOD & VALUABLE CONSIDERATION//////////DOLLARS, (\$ 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 TO THE DEED AND RECORDED IN THE OFFICE OF THIS CITY AND COUNTY OF DENVER 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 Budget Swalberg Deputy County Clerk Date August 13, 2008

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 ensealing 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.

[Signature] BY: POMARE ROLAND MCLEAN

STATE OF COLORADO

County of

} ss.

The foregoing instrument was acknowledged before me this 12 day of August, 2008, by Pomare R McLean

Witness my hand and official seal. My commission expires: 2/07/2010

[Signature] Notary Public

*Insert "City and" if applicable.

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

Asset Mgmt. #: 08-020
Asset Management: 7/28/08
Date: 7/28/08
Approved: [Signature]
Description: W. 36th & Bryant St.
Approved as to Form City Attorney's Office: [Signature]
Date: 7-29-08

