



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: February 7, 2014
ROW #: 2014-0051-04 **SCHEDULE #:** Adjacent to 0510119034000
0510119031000
0510119031000

TITLE: This request is to dedicate a City owned land as Public Alley.
Bounded by Broadway, Lincoln St., 2nd Ave., and 3rd 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 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 (2014-0051-04-001) HERE.

A map of the area to be dedicated is attached.

RD/JL/BLV

cc: Asset Management, Steve Wirth
City Councilperson & Aides, Chris Newitt District # 7
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 2014-0051-04

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 7, 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 City owned land as Public Alley.
Bounded by Broadway, Lincoln St., 2nd Ave. and 3rd Ave.,

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.

****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 Broadway, Lincoln St., 2nd Ave. and 3rd Ave.,
- d. **Affected Council District:** Chris Newitt Dist 7
- 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: 2014-0051-04, Dedication Broadway, Lincoln, 2nd Ave and 3rd Ave

Description of Proposed Project: This request is to dedicate a City owned land as Public Alley. Bounded by Broadway, Lincoln St., 2nd Ave., and 3rd 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: This land was deeded to the City and County of Denver for the purpose of dedicating it as Public Right-of-Way.

Public Alley Broadway-Lincoln-2nd-3rd Parcel 1



- Vacating Ordinances
- Denver County (Boundary)
- Street Centerline
- Interstate
- US Highway
- Other
- Parcels
- Lots/Blocks (Base Map)
- mask
- 2010_Denver.jp2.Iri
- Denver County (Shaded)
- Denver County
- Adams County
- Arapahoe County
- Jefferson County

Map generated 10/12/2012 - 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.

Copyright 2012 City & County of Denver GIS

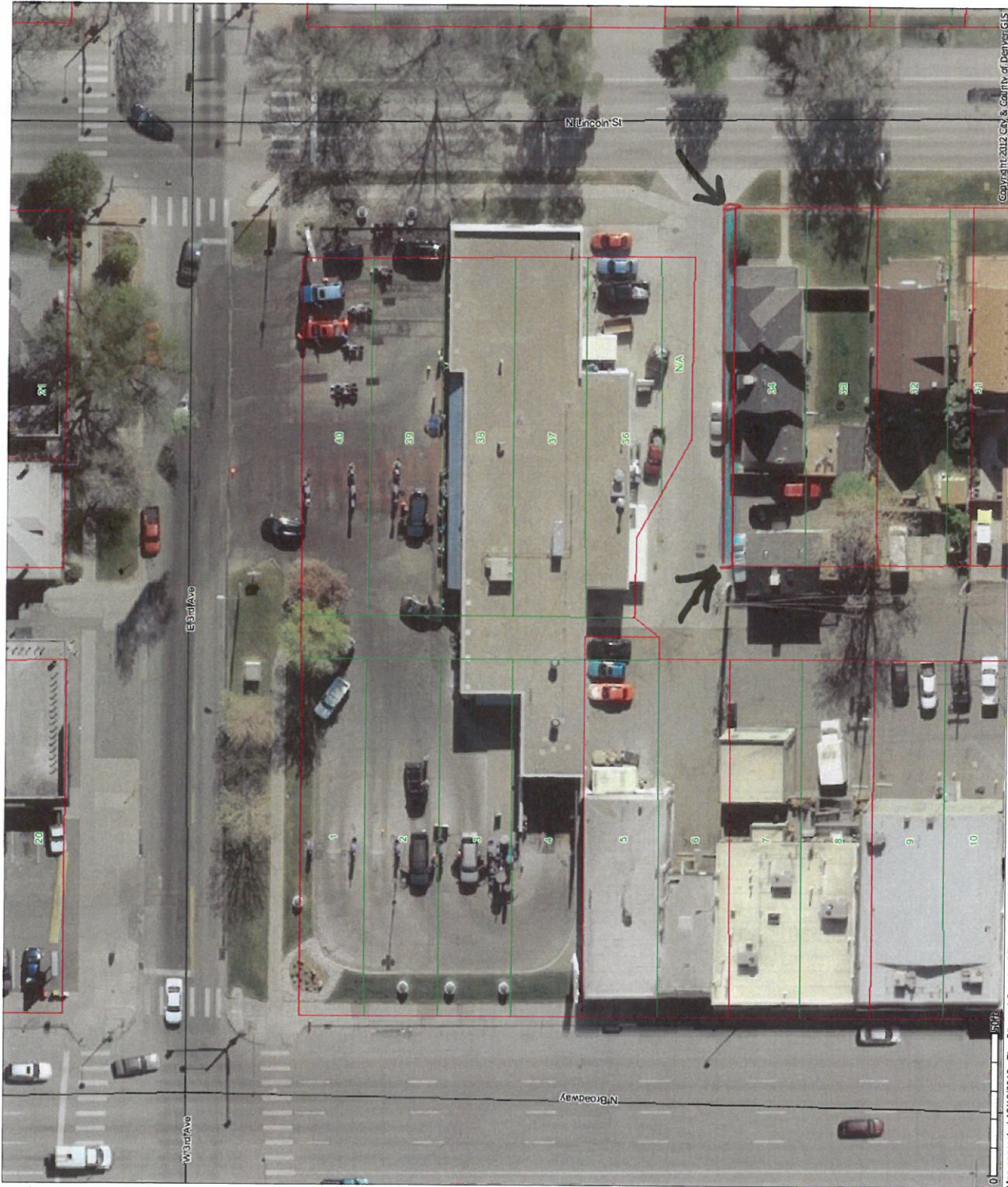
Public Alley Broadway-Lincoln-2nd-3rd Parcel 2



- Vacating Ordinances
- Denver County (Boundary)
- Street Centerline
- Interstate
- US Highway
- Other
- Parcels
- Lots/Blocks (Base Map)
- mask
- 2010_Denver.jp2.Iri
- Denver County (Shaded)
- Denver County
- Adams County
- Arapahoe County
- Jefferson County

Map generated 10/12/2012 - 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.

Public Aller Broadway-Lincoln-2nd-3rd Parcel 3



- Vacating Ordinances
- Denver County (Boundary)
- Street Centerline
- Interstate
- US Highway
- Other
- Parcels
- Lots/Blocks (Base Map)
- mask
- 2010_Denver.jp2.1r1
- Denver County (Shaded)
- Denver County
- Adams County
- Arapahoe County
- Jefferson County

Map generated 10/12/2012 - 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. 2014-0051-04-001

Parcel 1

A parcel of land conveyed by Warranty Deed to the City & County of Denver, recorded on the 21st September 1987, by Reception Number R-87-186136 in the City and County of Denver Clerk & Recorder's Office, State of Colorado, being more particularly described as follows:

A parcel of land being a part of Lots 35 and 36, Block 2, Kettle's Addition to Denver, situated in the Northeast Quarter of Section 10, Township 4 South, Range 68 West of the 6th Principal Meridian, City & County of Denver, State of Colorado, described as follows: Beginning at a point on the easterly line of said Lot 35, distant thereon North 0.10 feet from the southeast corner of said Lot 35; thence westerly parallel with and 0.1 feet from the southerly line of said Lot 35, 125.03 feet to a point on the westerly line of said Lot 35, a distant thereon North 0.10 feet from the southwest corner thereof; thence northerly on a deflection angle right $89^{\circ}34'09''$, along the westerly line of said Lot 35 and Lot 36, 33.00 feet; thence easterly on a deflection angle right $90^{\circ}25'51''$ and parallel with said southerly line, 34.00 feet; thence southeasterly on a deflection angle right of $34^{\circ}02'43''$, 30.36 feet; thence easterly on a deflection angle left of $34^{\circ}02'43''$ and parallel with said southerly line, 66.00 feet to a point on the easterly line of said Lot 35; thence southerly on a deflection angle right of $89^{\circ}34'36''$, 16.00 feet to the point of beginning. The above described parcel containing 2791 square feet, more or less.

Parcel 2

A parcel of land conveyed by Quit Claim Deed to the City & County of Denver, recorded on the 21st September 1987, by Reception Number R-87-186137 in the City and County of Denver Clerk & Recorder's Office, State of Colorado, being more particularly described as follows:

A parcel of land being a part of Block 2, Kettle's Addition to Denver, situated in the Northeast Quarter of Section 10, Township 4 South, Range 68 West of the 6th Principal Meridian, City & County of Denver, State of Colorado, described as follows: Beginning at a point on the west line of Lot 36, distance thereon North 8.10 feet from the southwest corner of said Lot 36; thence south 8.10 feet along said line to said southwest corner; thence west on a deflection angle right of $90^{\circ}25'01''$ 8.00 feet; thence northeasterly on a deflection angle right of $134^{\circ}25'34''$ 11.34 to the point of beginning, containing 32 square feet, more or less.

Parcel 3

A parcel of land conveyed by Treasurer's Deed to the City & County of Denver, recorded on the 27th of August 1997, by Reception Number 9700113318 in the City and County of Denver Clerk & Recorder's Office, State of Colorado, being more particularly described as follows:

Kettles Add B2 S 0.1FT of L35

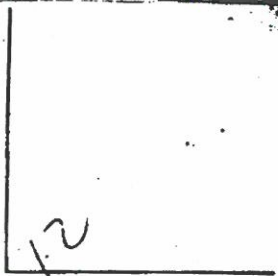
PARCEL 1

18317

Recorded at _____ 000186136 09/21/87 09:33 AM REAL ESTATE RECORDS
Reception No. _____ F0267 FELICIA MUFTIC DENVER COUNTY CO RECORDER

WARRANTY DEED

THIS DEED, Made this 26th day of JUNE
to 87 between Ronald M. Blanding
of the City and County of Denver and State of
Colorado, grantor, and City and County of Denver



whose legal address is 1437 Bannock Street, Denver, CO 80202

of the City and County of Denver and State of Colorado, grantor:
WITNESSETH, That the grantor for and in consideration of the sum of
One and NO/100ths in hand paid ----- DOLLARS,
the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell,
convey and confirm, unto the grantee, his heirs and assigns forever, all the real property together with its improvements, if any, situate, lying and being in the
City and County of Denver and State of Colorado described as follows:

See Attached Exhibit "A"

#116

as known by street and number as:

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the revenues and
profits, emolument and commodities, 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, his heirs and assigns
forever. And the grantor, for himself, his heirs, and personal representatives, do covenant, grant, bargain, and agree to and with the grantee, his heirs and
assigns, that at the time of the executing and delivery of these presents, he is well seized of the premises above conveyed, has good, true, perfect, absolute
and indefeasible estate of inheritance, in law, in the 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, leases, tenures, encumbrances,
conditions and restrictions of whatever kind or nature soever, except None.

The grantor shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantee,
his heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof. The singular number shall include the plural,
the plural the singular, and the use of any gender shall be applicable to all genders:
IN WITNESS WHEREOF, the grantor has executed this deed on the date set forth above.

Ronald M. Blanding

Ronald M. Blanding

STATE OF COLORADO
City & County of Denver

The foregoing instrument was acknowledged before me in the City & County of Denver State of
Colorado, this 26th day of June, 1987, by Ronald M. Blanding

My commission expires 9/11/90, 19____. Witness my hand and official seal.



Quenda McHenry

Quenda McHenry
Notary Public

APPROVED FOR RECORDING
LAND OFFICE...
#116

AS TO FORM
[Signature]
City Recorder's Office

*If in Denver, insert "City and"
INDEXED 11-2-87
SE 13
PLATED

PARCEL 1

18348

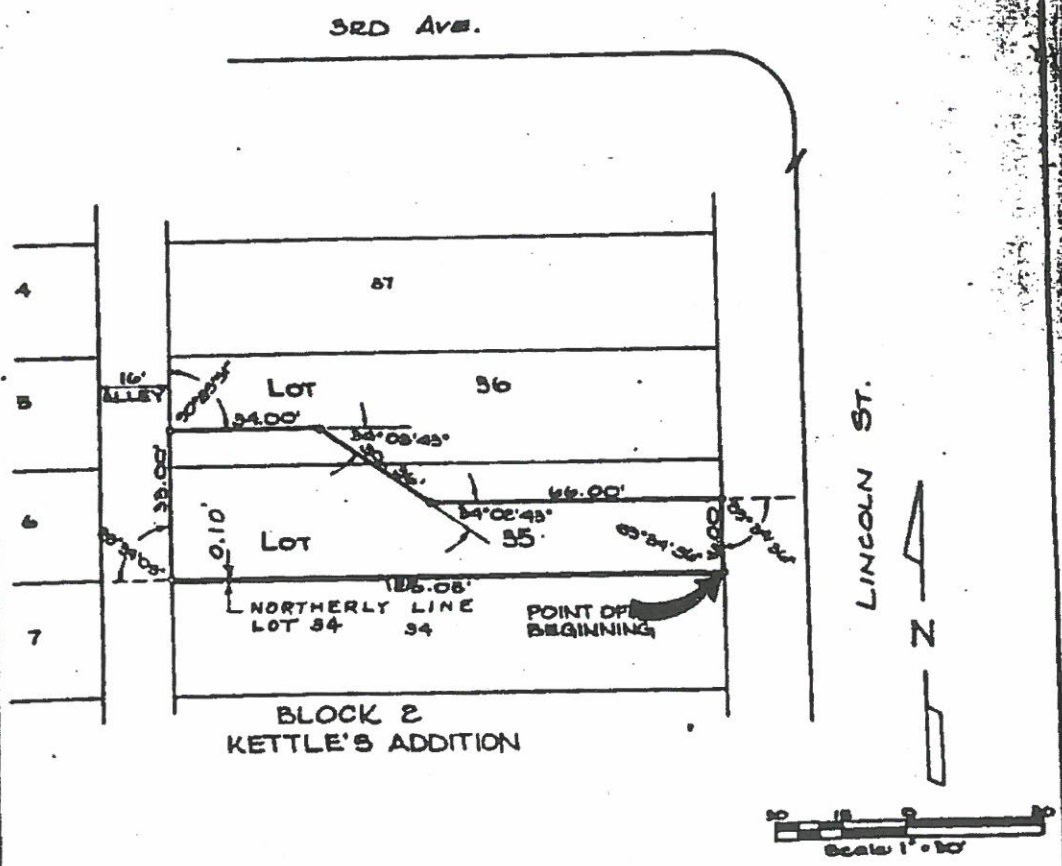
00186136

LEGAL DESCRIPTION

A parcel of land being a part of Lots 35 and 36, Block 2, Kettles' Addition to Denver, situated in the Northeast Quarter of Section 10, Township 4 South, Range 68 West of the 6th Principal Meridian, City and County of Denver, State of Colorado, described as follows:

Beginning at a point on the easterly line of said Lot 35, distant thereon North 0.10 feet from the southeast corner of said Lot 35; thence westerly parallel with and 0.1 feet from the southerly line of said Lot 35, 125.03 feet to a point on the westerly line of said Lot 35, distant thereon North 0.10 feet from the southwest corner thereof; thence northerly on a deflection angle right $89^{\circ}34'09''$, along the westerly line of said Lot 35 and Lot 36, 33.00 feet; thence easterly on a deflection angle right of $90^{\circ}25'51''$ and parallel with said southerly line, 34.00 feet; thence southeasterly on a deflection angle right of $34^{\circ}02'43''$, 30.36 feet; thence easterly on a deflection angle left of $34^{\circ}02'43''$ and parallel with said southerly line, 66.00 feet to a point on the easterly line of said Lot 35; thence southerly on a deflection angle right of $89^{\circ}34'36''$, 16.00 feet to the Point of Beginning.

The above described parcel containing 2791 square feet, more or less.



ADAMS-AVERY, LTD.
2839 S. Xanadu Way
Aurora, CO 80014

PN: 8701
DATE: June 19, 1987

PARCEL 2

18319

Re: #00186137 09/21/87 09:33 AM REAL ESTATE RECORDS
Re: F0267 FELICIA HUFTIC DENVER COUNTY CO RECORDER

THIS DEED, Made this 1ST day of SEPTEMBER, 1987.

between SOMERSET DEVELOPMENT CORPORATION
of the City and County of DENVER and state of
Colorado, of the first part, and City and County of DENVER

whose legal address is 1437 BANNACK STREET
of the City County of DENVER and state of COLORADO
Colorado, of the second part.

WITNESSETH, That the said part of the first part, for and in consideration of the sum of ONE
(\$1.00) 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, has remised, released, sold, conveyed and QUIT CLAIMED, and by these
presents do remise, release, sell, convey and QUIT CLAIM unto the said part of the second part, its heirs,
successors and assigns, forever, all the right, title, interest, claim and demand which the said part of the first part
has in and to 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:

See legal description attached hereto as Exhibit
"A", and MADE A LEGAL PART HEREOF BY REFERENCE.

#117

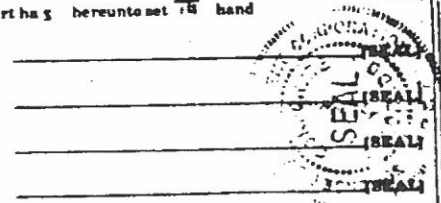
also known as street and number

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto
belonging or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever, of the
said part of the first part, either in law or equity, to the only proper use, benefit and behoof of the said part
of the second part, its heirs and assigns forever.

IN WITNESS WHEREOF, The said part of the first part has hereunto set its hand
and seal the day and year first above written.

Signed, Sealed and Delivered in the Presence of
SOMERSET DEVELOPMENT CORPORATION

BY: Richard Marcus
RICHARD MARCUS, PRESIDENT
STATE OF COLORADO,



The foregoing instrument was acknowledged before me this 1ST day of SEPTEMBER
1987, by RICHARD MARCUS, PRESIDENT SOMERSET DEVELOPMENT CORPORATION.

My commission expires September 5, 1990. Witness my hand and official seal.



Cheryl Danes
Notary Public.

APPROVED FOR RECORDING
LAND OFFICE...M.V.

AS TO FORM
Cheryl Danes
City Clerk's Office

PARCEL 2

18350

00186137

EXHIBIT "A"

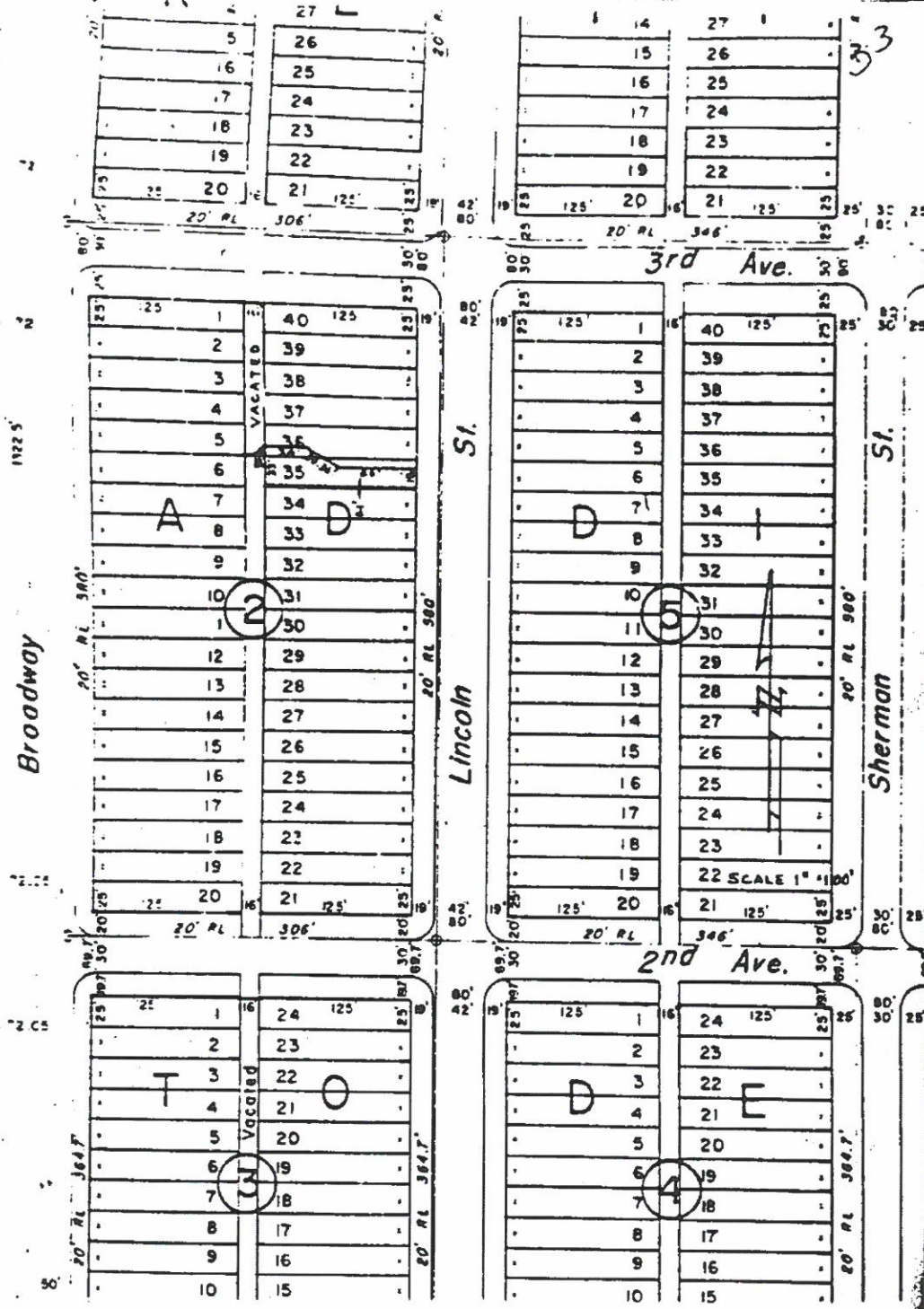
23

A parcel of land being part of Block 2, Kettle's Addition to Denver, situated in the Northeast Quarter of Section 10, Township 4 South, Range 68 West of the 6th Principal Meridian, City and County of Denver, State of Colorado described as follows:

Beginning at a point on the west line of Lot 36, distant thereon north 8.10 feet from the southwest corner of said Lot 36; thence south 8.10 feet along said line to said southwest corner; thence west on a deflection angle right of 90°25'01" 8.00 feet; thence northeasterly on a deflection angle right of 134°25'34" 11.34 feet to the point of beginning, containing 32 square feet, more or less.

Prepared by:
ADAMS-AVERY, Ltd.
31 July 1987
300LNCLN\ALYREDED.LGL

00186137



(SINGLE PARCEL)

PARCEL 3

KNOW ALL MEN BY THESE PRESENTS, that, whereas, the following described real property,
viz.: KETTLES ADD B2 S O.1FT OF L35

(COMMONLY KNOWN AS: 201 LINCOLN ST APPRX)

situated in the City and County of Denver, and State of Colorado, was subject to taxation for the year A. D. 19 87 ;
and whereas, the taxes assessed upon said real property for the year aforesaid remained due and unpaid at the date of
the sale hereinafter named; and, whereas, the Manager of Revenue ex-officio Treasurer of the said City and County of
Denver did on the 23RD day of NOVEMBER A.D. 19 88 , by virtue of the authority vested in him
by law, at the sale begun and publicly held on the 14TH day of NOVEMBER , A.D. 19 88 , expose
to public sale, at the office of the Manager of Revenue, ex-officio Treasurer, in the City and County aforesaid, in substantial
conformity with the requirments of the statute in such case made and provided, the tax lien on the said real property
above described for the payment of the taxes, penalty interest, and costs then due and remaining unpaid on the said real
property; and whereas, at the time and place aforesaid CITY AND COUNTY OF DENVER
of the County of DENVER and State of Colorado, having bid on the tax lien on
the above described property the sum of (\$20.40) TWENTY Dollars
and FORTY Cents, being the whole amount of taxes penalty, interest, and costs then
due and remaining unpaid upon said real property for that year, and the said CITY AND COUNTY OF DENVER
having offered in THEIR said bid to pay the sum
of ZERO Dollars and ZERO Cents
in excess of said taxes, penalty interest, and costs, and the said bid being the largest amount which any person offered
to pay in excess of the said taxes, penalty interest, and costs so due upon said property for that year and payment of the
said sum having been made by him to the said Manager of Revenue, ex-officio Treasurer of the said City and County of
Denver, the said tax lien on such property was stricken off to him at that price;

~~AND, WHEREAS, The said _____ did on the _____ day of _____, A.D. 19 _____, duly assign the certificate of the sale of the tax lien on the property, as aforesaid, and all _____ rights, title and interest in said property to _____ of the County of _____ and State of _____;~~

~~AND, WHEREAS, The said _____ did on the _____ day of _____, A.D. 19 _____, duly assign the certificate of the sale of the tax lien on the property as aforesaid, and all _____ rights, title and interest in and to said property to _____ of the County of _____ and State of _____;~~

AND, WHEREAS, At the sale so held as aforesaid by the Manager of Revenue ex-officio Treasurer, no bids were offered or made by any person or persons for the tax lien on the said property, and no person or persons having offered to pay the said taxes, penalty interest, and costs upon the said property for that year, and the Manager of Revenue ex-officio Treasurer having become satisfied that no sale of the tax lien on said property could be had, therefore the said tax lien on said property was, by the then Manager of Revenue ex-officio Treasurer of the said City and County of Denver, stricken off to the said City and County of Denver, and the certificate of sale was duly issued therefor to the said City and County of Denver in accordance with the statute in such case made and provided;

AND, WHEREAS, The said City and County of Denver, acting by and through its Manager of Revenue ex-officio Treasurer, and in conformity with an order of the Board of Equalization, sitting and acting as a Board of County Commissioners of the said City and County of Denver, duly entered of record on the _____ day of _____, A.D. 19 _____, (the said day being one of the days on which said Board did lawfully sit), did duly assign the certificate of sale of the tax lien on said property, so issued as aforesaid to said City and County, and all its rights, title and interest in said property held by virtue of said sale to _____ of the City and County of _____ and State of _____ for the sum of _____ Dollars and _____ Cents;

AND, WHEREAS, The said _____ did on the _____ day of _____, A.D. 19 _____, duly assign the certificate of the sale of the tax lien on said property as aforesaid, and all _____ rights, title and interest in and to said property to _____ of the City and County of _____ and State of _____;

f

PARCEL 3

AND, WHEREAS, The said _____ did on the _____ day of _____, A.D. 19 _____, duly assign the certificate of the sale of the tax lien on said property as aforesaid, and all _____ rights, title and interest in and to said property to _____ of the City and County of _____ and State of _____;

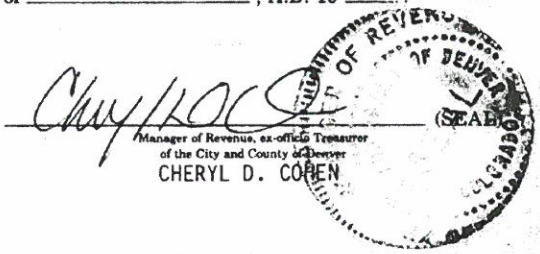
AND, WHEREAS, The said _____ CITY AND COUNTY OF DENVER has paid subsequent taxes on said property in the amount of (\$86.03) EIGHTY SIX _____ Dollars and _____ THREE _____ Cents; and whereas, more than three years have elapsed since the date of the said sale, and the said property has not been redeemed therefrom as provided by law;

AND, WHEREAS, The said property was valued for assessment for that year at the amount of (30.) THIRTY DOLLARS AND NO CENTS _____;

AND, WHEREAS, All of the provisions of the statutes prescribing prerequisites to obtaining tax deeds have been fully complied with, and are now of record, and filed in the office of the Manager of Revenue, ex-officio Treasurer of said City and County of Denver;

NOW, THEREFORE, I, _____ CHERYL D. COHEN _____, Manager of Revenue, ex-officio Treasurer of the City and County of Denver, for and in consideration of the sum paid to the Manager of Revenue, ex-officio Treasurer of the City and County of Denver, as aforesaid, and by virtue of the statute in such case made and provided, have granted, bargained and sold and by these presents do grant, bargain and sell the above and foregoing described real estate unto the said _____ CITY AND COUNTY OF DENVER _____ THEIR _____ heirs and assigns, forever, subject, however, to all the rights of redemption by minors, or incompetent persons, as provided by law.

IN WITNESS WHEREOF, I, _____ CHERYL D. COHEN _____, Manager of Revenue, ex-officio Treasurer of the City and County of Denver, as aforesaid, by virtue of the authority aforesaid, have hereunto set my hand and seal this 6TH day of JUNE, A.D. 19 97
CERTIFICATE #113643
YEAR 1987 PAGE 2769
CH-26
05101-19-031-000



STATE OF COLORADO, } ss.
City and County of Denver, }

The foregoing instrument was acknowledged before me this 6th day of June, A.D. 19 97, by Cheryl D. Cohen as Manager of Revenue, ex-officio Treasurer, of said City and County of Denver.



Witness my hand and official seal.

Notary Public
My commission expires January 23, 19 98.

CITY AND COUNTY OF DENVER
MANAGER OF REVENUE
144 WEST COLFAX AVENUE RM 300
DENVER, CO 80202

TREASURERS DEED
FROM _____
Manager of Revenue, ex-officio Treasurer of the City and County of Denver
TO _____
STATE OF COLORADO City and County of Denver ss.
I hereby certify that this Deed was filed for record in my office at _____ o'clock _____ M., _____, 19 _____, and is duly recorded in Book _____, Page No. _____
By _____ Deputy
Fee, \$ _____