



**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:** Melinda Olivarez, City Attorney's Office  
**FROM:** Robert J. Duncanson P.E., Engineering Manager II  
Right-of-Way Services  
**DATE:** April 30, 2010  
**ROW #:** 2010-0196-01 **SCHEDULE #:** 0222112035000  
**TITLE:** 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 46th Ave.  
**SUMMARY:** This request is to dedicate existing City owned land as 46th Ave. Located at the intersection of Lincoln St and 46<sup>th</sup> 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 existing City owned land for Public Right-of-Way purposes as 46th Ave. The land is described as follows.

**INSERT PARCEL DESCRIPTION ROW (# 2010-0196-01) HERE.**

A map of the area to be dedicated is attached.

RD/JL/CP *A*

- cc: Asset Management, Steve Wirth
- City Councilperson, Montero, District #9
- City Council Aide, Stephanie Syner
- City Council Aide, Teresa St. Peter
- City Council Staff, Gretchen Williams
- Environmental Services, David Erickson
- Mayor's Office, City Council Liaison, R. D. Sewald
- Mayor's Office, Amber Callender
- Public Works, Manager's Office, Christine Downs
- Public Works, Manager's Office, Debra Baca
- Public Works, Right-of-Way Engineering Services, Rob Duncanson
- Department of Law, Karen Aviles
- Department of law, Melinda Olivarez
- Department of law, Arlene Dykstra
- Public Works, Right-of-Way Engineering Services, Area surveyor John Lautenschlager
- Public Works Survey-Paul Rogalla
- Owner: City and County of Denver
- Project file folder DES #2010-0196-01



## ORDINANCE/RESOLUTION REQUEST

1. **Title:** *(Include a one sentence description that clearly indicates the type of request – grant acceptance, contract execution, municipal code change, supplemental request, etc.)*

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 46th Ave. This is City owned land being dedicated as Public Right of Way at the intersection of Lincoln St and 46<sup>th</sup> Ave.

2. **Requesting Agency:**

PW Right-of-Way Engineering Services

3. **Contact Person with actual knowledge of proposed ordinance**

**Name:** Christine Pacheco

**Phone:** 720-865-3115

**Email:** christine.pacheco@denvergov.org

4. **Contact Person with actual knowledge of proposed ordinance who will present the item at Mayor Council**

**Name:** Revekka Balancier

**Phone:** 720-865-8720

**Email:** [Revekka.Balancier@denvergov.org](mailto:Revekka.Balancier@denvergov.org)

5. **Describe the proposed ordinance, including what the proposed ordinance is intended to accomplish, who's involved, scope of work, duration, location, affected Council district, benefits, and costs. (This is intended to give a brief overview of the ordinance. For additional background and history, please attach an executive 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 46th Ave. This is City owned land being dedicated as Public Right of Way at the intersection of Lincoln St and 46th Ave .

This process was requested by the City and County of Denver –

Public Works. This is located in Council District #9, Council person Montero.

6. **Is there any controversy surrounding this ordinance, groups or individuals who may have concerns about it? Please explain.**

None

(Completed by Mayor's Office): **Ordinance Request Number:**

**Date:**

# 46th Ave.



- Street Centerline
- Denver County (Boundary)
- Parcels
- 2008 Denver
- Denver County (Shaded)
- Denver County
- Adams County
- Arapahoe County
- Jefferson County

**A parcels of land located in the Northeast 1/4 of Section 22, Township 3 South, Range 68 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 21st of June 1949 in Book 6560 Page 154 the City and County of Denver Clerk & Records Office being more particularly described as follows:**

**Lots Twenty-five (25) and Twenty-six (26), Block Seventeen (17), Platte Farm, except that portion already dedicated as Public Right-of-Way.**

JUNE 21, 1949

656732

Exception No. 656732

MARSHALLS

154

This Deed, made this 19th day of May 1949, between

EMELIA SCHAFER,

of the City and County of Denver, a municipal corporation

and State of Colorado, of the first part, and

organized and existing under and by virtue of the laws of the State of Colorado, of the second part:

WITNESSETH, That the said party Ten Dollars and other good and valuable considerations and paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged has grant, bargain, sell, convey and confirm, all the following described lots or parts of land, situate, lying and being in the City and County of Denver and State of Colorado, to-wit:

Lots Twenty-five (25) and Twenty-six (26), Block Seventeen (17), Platte Park, together with all improvements situate thereon, known and numbered as 4601 Lincoln Street.

TO HAVE AND TO HOLD the premises and appurtenances thereunto belonging, or in anywise the reversion and 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 in equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the premises above bargained and described, with the appurtenances, unto the said party of the second part, its successors and assigns forever. And the said party of the first part, for herself, her heirs, executors, administrators, do give covenant, grant, bargain and agree to and with the said party of the second part, its successors and assigns, that at the time of the executing and delivery of these presents, she is well and lawfully seized of the premises above conveyed, as of good, sure, perfect, absolute and indefeasible estate of inheritance, in law, 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 and incumbrances of whatever kind or nature whatsoever.

and the above bargained premises in the full and peaceable possession of the said party of the second part, its successors 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 her hand and seal the day and year first above written.

Signed, Sealed and Delivered in the presence of Emelia Schaffer (SEAL)

(SEAL)

(SEAL)

STATE OF COLORADO

County of DENVER

19th day of May

June 6-1951

Sam Yalins

Notary Public

APPROVED FOR RECORDING: As to Form LAND OFFICE

Emelia Schaffer

RETURN TO RECORDER OF DEEDS DENVER, COLORADO