




REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Ivone Avila-Ponce, City Attorney's Office

FROM: Glen D. Blackburn, P.E., Director, Right-of-Way Services 

DATE: September 17, 2024

ROW #: 2021-DEDICATION-0000028 **SCHEDULE #:** 1) 0219106037000, and 2) 0219106037000

TITLE: This request is to dedicate two City-owned parcels of land as Public Right-of-Way as 1) North Tennyson Street, located at the intersection of North Tennyson Street and West 46th Avenue, and 2) West 46th Avenue, located at the intersection of West 46th Avenue and North Tennyson Street.

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 1) North Tennyson Street, and 2) West 46th Avenue. This parcel(s) of land is being dedicated by the City and County of Denver for Public Right-of-Way, as part of the development project, "46th & Tennyson."

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 two parcels of land for Public Right-of-Way purposes as 1) North Tennyson Street, and 2) West 46th Avenue. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2021-DEDICATION-0000028-001, 002) HERE.

A map of the area to be dedicated is attached.

GB/TB/BVS

cc: Dept. of Real Estate, RealEstate@denvergov.org
City Councilperson, Amanda P. Sandoval District #1
Councilperson Aide, Gina Volpe
Councilperson Aide, Melissa Horn
Councilperson Aide, Alessandra Dominguez
City Council Staff, Luke Palmisano
Environmental Services, Andrew Ross
DOTI, Manager's Office, Alba Castro
DOTI, Manager's Office, Alaina McWhorter
DOTI, Director, Right-of-Way Services, Glen Blackburn
Department of Law, Johna Varty
Department of Law, Martin Plate
Department of Law, Kwali Farbes
Department of Law, Ivone Avila-Ponce
Department of Law, Katherine Ehlers
Department of Law, Mar'quasa Maes
DOTI Survey, Thomas Breitnauer
DOTI Ordinance
Owner: City and County of Denver
Project file folder 2021-DEDICATION-0000028

City and County of Denver Department of Transportation & Infrastructure
Right-of-Way Services
201 W. Colfax Ave. | Denver, CO 80215
www.denvergov.org/doti
Phone: 720-913-1311

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ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor's Legislative Team
at MileHighOrdinance@DenverGov.org by 9 a.m. Friday. Contact the Mayor's Legislative team with questions

Date of Request: September 17, 2024

Please mark one: Bill Request or Resolution Request

Please mark one: The request directly impacts developments, projects, contracts, resolutions, or bills that involve property and impact within .5 miles of the South Platte River from Denver's northern to southern boundary? (Check map [HERE](#))

Yes No

1. Type of Request:

Contract/Grant Agreement Intergovernmental Agreement (IGA) Rezoning/Text Amendment

Dedication/Vacation Appropriation/Supplemental DRMC Change

Other:

2. **Title:** Dedicate two City-owned parcels of land as Public Right-of-Way as 1) North Tennyson Street, located at the intersection of North Tennyson Street and West 46th Avenue, and 2) West 46th Avenue, located at the intersection of West 46th Avenue and North Tennyson Street.

3. **Requesting Agency:** DOTI, Right-of-Way Services
Agency Section: Survey

4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution (e.g., subject matter expert)	Contact person for council members or mayor-council
Name: Beverly J. Van Slyke	Name: Alaina McWhorter
Email: Beverly.VanSlyke@Denvergov.org	Email: Alaina.McWhorter@denvergov.org

5. **General description or background of proposed request. Attach executive summary if more space needed:**
Proposing to build a 29-unit townhome development. The developer was asked to dedicate two parcels of land as 1) North Tennyson Street, and 2) West 46th Avenue.

6. **City Attorney assigned to this request (if applicable):**

7. **City Council District:** Amanda P. Sandoval, District #1

8. ****For all contracts, fill out and submit accompanying Key Contract Terms worksheet****

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____

Key Contract Terms

Type of Contract: (e.g. Professional Services > \$500K; IGA/Grant Agreement, Sale or Lease of Real Property):

Vendor/Contractor Name (including any dba's):

Contract control number (legacy and new):

Location:

Is this a new contract? Yes No Is this an Amendment? Yes No If yes, how many? _____

Contract Term/Duration (for amended contracts, include existing term dates and amended dates):

Contract Amount (indicate existing amount, amended amount and new contract total):

<i>Current Contract Amount</i> (A)	<i>Additional Funds</i> (B)	<i>Total Contract Amount</i> (A+B)
<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>

Scope of work:

Was this contractor selected by competitive process?

If not, why not?

Has this contractor provided these services to the City before? Yes No

Source of funds:

Is this contract subject to: W/MBE DBE SBE XO101 ACDBE N/A

WBE/MBE/DBE commitments (construction, design, Airport concession contracts):

Who are the subcontractors to this contract?

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____

EXECUTIVE SUMMARY

Project Title: 2021-DEDICATION-0000028

Description of Proposed Project: Proposing to build a 29-unit townhome development. The developer was asked to dedicate two parcels of land as 1) North Tennyson Street, and 2) West 46th Avenue.

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 be dedicated as 1) North Tennyson Street, and 2) West 46th Avenue.

Has a Temp MEP been issued, and if so, what work is underway: N/A

What is the known duration of a 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 1) North Tennyson Street, and 2) West 46th Avenue, as part of the development project called, "46th & Tennyson."



Parcel 001 to be dedicated

Parcel 002 to be dedicated

Legend

- Streets
- Alleys
- ▭ County Boundary
- ▭ Parcels
- ▭ Lots/Blocks
- Parks**
- ▭ All Other Parks; Linear
- ▭ Mountain Parks

289 0 144.5 289 Feet

PARCEL DESCRIPTION ROW NO. 2021-DEDICATION-0000028-001:

LAND DESCRIPTION - STREET PARCEL #1:

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 12TH DAY OF JANUARY, 2022, AT RECEPTION NUMBER 2022005502 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

A PARCEL OF LAND LOCATED WITHIN THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M. AND BEING A PORTION OF LOTS 1 THROUGH 12, INCLUSIVE FOLLMER'S SUBDIVISION OF PLOT 6 BERKELEY GARDENS, EXCEPT THOSE PARTS DESCRIBED IN WARRANTY DEED RECORDED SEPTEMBER 17, 1959 IN BOOD 8412 AT PAGE 26, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 20 FOOT RANGE POINT, A CHISELED CROSS ON A STONE IN RANGE BOX, IN THE INTERSECTION OF W. 46TH AVENUE AND N. TENNYSON STREET WHENCE A RANGE POINT AT THE INTERSECTION OF W. 46TH AVENUE AND RALEIGH STREET BEING A FOUND STONE IN A RANGE BOX IS ASSUMED TO BEAR NORTH 89°59'19" EAST A DISTANCE OF 635.03 FEET;

THENCE NORTH 21°39'49" EAST, A DISTANCE OF 31.43 FEET TO A POINT ON THE NORTHEASTERLY LINE OF THAT WARRANTY DEED RECORDED SEPTEMBER 17, 1959 IN BOOD 8412 AT PAGE 26, CITY AND COUNTY OF DENVER, STATE OF COLORADO AND THE POINT OF BEGINNING;

THENCE ALONG THE NORTHEASTERLY LINE OF SAID WARRANTY DEED, NORTH 45°40'52" WEST, A DISTANCE OF 4.22 FEET TO THE WEST LINE OF FOLLMER'S SUBDIVISION OF PLOT 6 BERKELEY GARDENS;

THENCE ALONG THE WEST LINE OF SAID FOLLVER'S SUBDIVISION OF PLOT 6 BERKELEY GARDENS NORTH 00°20'47" WEST, A DISTANCE OF 285.43 FEET TO THE NORTHWEST CORNER OF SAID FOLLVER'S SUBDIVISION OF PLOT 6 BERKELEY GARDENS;

THENCE ALONG THE NORTH LINE OF SAID FOLLVER'S SUBDIVISION OF PLOT 6 BERKELEY GARDENS, NORTH 89°02'35" EAST, A DISTANCE OF 7.00 FEET;

THENCE PARALLEL WITH AND 7.00 FEET EASTERLY OF THE WEST LINE OF SAID FOLLVER'S SUBDIVISION OF PLOT 6 BERKELEY GARDENS, SOUTH 00°20'47" EAST, A DISTANCE OF 279.11 FEET;

THENCE SOUTH 64°06'25" EAST, A DISTANCE OF 20.58 FEET: THENCE SOUTH 88°59'19" WEST, A DISTANCE OF 22.46 FEET AND THE POINT OF BEGINNING

CONTAINING ±2,100 SQUARE FEET OR ±0.048 ACRES OF LAND, MORE OR LESS.

PARCEL DESCRIPTION ROW NO. 2021-DEDICATION-0000028-002:

LAND DESCRIPTION - STREET PARCEL #2:

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 12TH DAY OF JANUARY, 2022, AT RECEPTION NUMBER 2022005502 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

A PARCEL OF LAND LOCATED WITHIN THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M. AND BEING A PORTION OF LOT 12, FOLLMER'S SUBDIVISION OF PLOT

6 BERKELEY GARDENS, BERKELEY GARDENS, PLOT 7, WEST HALF OF PLOT 8, AND THE WEST 5.50 FEET OF THE EAST HALF OF PLOT 8 EXCEPT THOSE PARTS DESCRIBED IN WARRANTY DEED RECORDED SEPTEMBER 17, 1959 IN BOOK 8412 AT PAGE 26, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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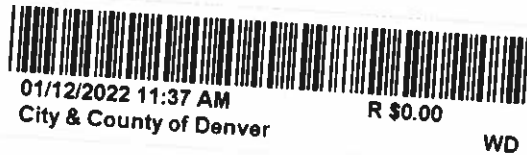
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THENCE SOUTH 00°39'50" EAST, PARALLEL WITH AND 5.50 FEET EASTERLY OF THE WEST LINE OF SAID EAST HALF OF PLOT 8, A DISTANCE OF 7.00 FEET TO A POINT 22.00 FEET NORTHERLY OF SAID 20.00 FOOT RANGE LINE;

THENCE SOUTH 88°59'19" WEST, PARALLEL WITH AND 22.00 FEET NORTHERLY OF SAID 20.00 FOOT RANGE LINE, A DISTANCE OF 301.19 FEET TO THE NORTHEASTERLY LINE OF SAID WARRANTY DEED RECORDED SEPTEMBER 17, 1959 IN BOOK 8412 AT PAGE 26;

THENCE ALONG SAID NORTHEASTERLY LINE NORTH 45°40'52" WEST, A DISTANCE OF 9.84 FEET TO THE POINT OF BEGINNING.

CONTAINING ±2,133 SQUARE FEET OR ±0.049 ACRES OF LAND, MORE OR LESS.



2022005502
Page: 1 of 6
D \$0.00

After recording, return to:
Division of Real Estate
City and County of Denver
201 West Colfax Avenue, Dept. 1010
Denver, Colorado 80202
Project Description: 2021-Dedication-0000028
Asset Mgmt No.: 21-208

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED (“Deed”), made as of this 21 day of December, 2021, by **WAMSERVILLE WEST, LLC**, a Colorado limited liability company, whose address is 2079 W 44th Ave, Denver, CO 80211, United States (“Grantor”) to the **CITY AND COUNTY OF DENVER**, a Colorado municipal corporation of the State of Colorado and home rule city, whose address is 1437 Bannock Street, Denver, Colorado 80202 (“Grantee”).

WITNESSETH, that Grantor, for and in consideration of the sum of Ten Dollars and 00/100 (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged and by these presents does hereby grant, bargain, sell, convey and confirm, unto Grantee, and its successors and assigns forever, the real property described below, together with all improvements thereon, owned by Grantor situate, lying and being in the City and County of Denver, State of Colorado, and being more particularly described on the attached Exhibit(s) hereto and incorporated herein (“Property”);

TOGETHER WITH all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all of the estate, right, title, interest, claim and demand whatsoever of Grantor, either in law or equity, of, in, and to the above-bargained Property, together with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the Property above bargained and described with the appurtenances, unto Grantee, and its successors and assigns forever. Grantor, for itself and its successors and assigns does covenant and agree that it shall and will **WARRANT AND FOREVER DEFEND** the above-bargained Property in the quiet and peaceable possession of Grantee, and its successors and assigns, against all and every person or persons claiming the whole or any part thereof, by, through, or under Grantor.

No separate bill of sale with respect to improvements on the Property will be executed.

EXHIBIT A
LAND DESCRIPTION
SHEET 1 OF 2

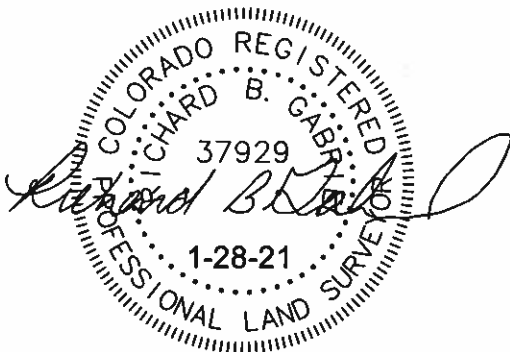
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CONTAINING ±2,100 SQUARE FEET OR ±0.048 ACRES OF LAND, MORE OR LESS.

End of Legal Description.



Richard B. Gabriel, P.L.S.
 Colorado License #37929
 For and on behalf of Power Surveying Company, Inc.
 303-702-1617



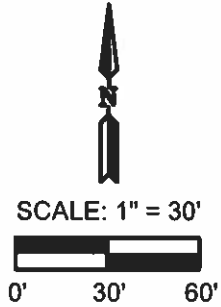
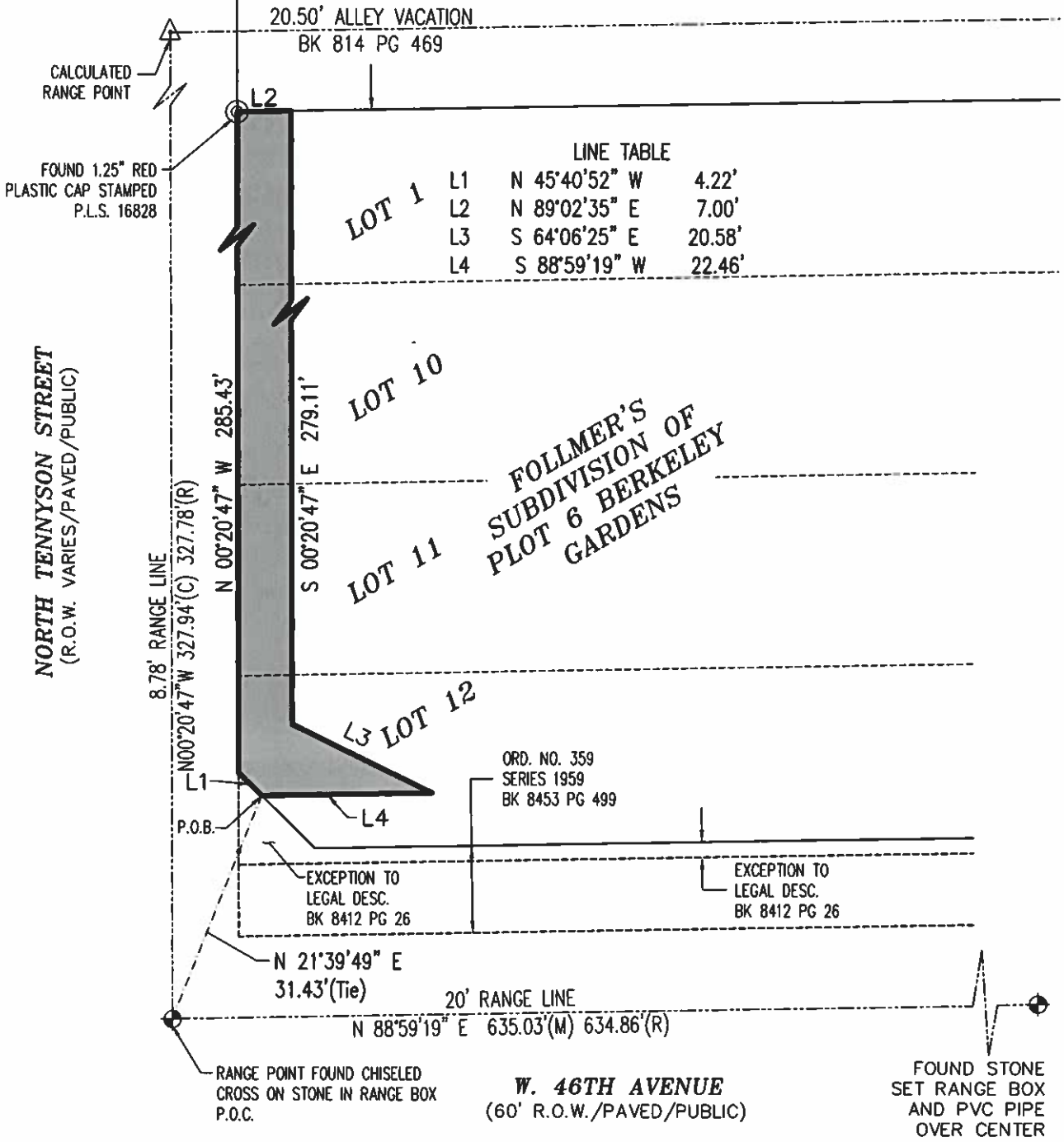
6911 BROADWAY
 DENVER, CO 80221

PH. 303-702-1617
 FAX. 303-702-1488
 WWW.POWERSURVEYING.COM

DRAWING BY: JRY/RBG
 FILE NO. 20-199 TENNYSON ROW.DWG

DATE: 09/24/2021

EXHIBIT A
EXHIBIT OF LAND DESCRIPTION
SHEET 2 OF 2



- LEGEND**
- RANGE POINT AS DESCRIBED
 - FND FOUND
 - POB POINT OF BEGINNING
 - POC POINT OF COMMENCEMENT

POWER™
 Surveying Company, Inc.

Established 1948

PH. 303-702-1617
 FAX. 303-702-1488
 WWW.POWERSURVEYING.COM

DRAWING BY: JRY/RBG DATE: 9/24/2021
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EXHIBIT B
LAND DESCRIPTION
SHEET 1 OF 2

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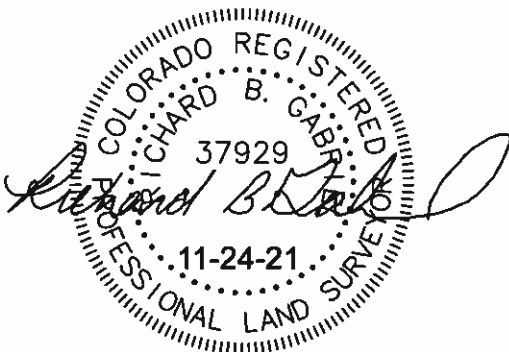
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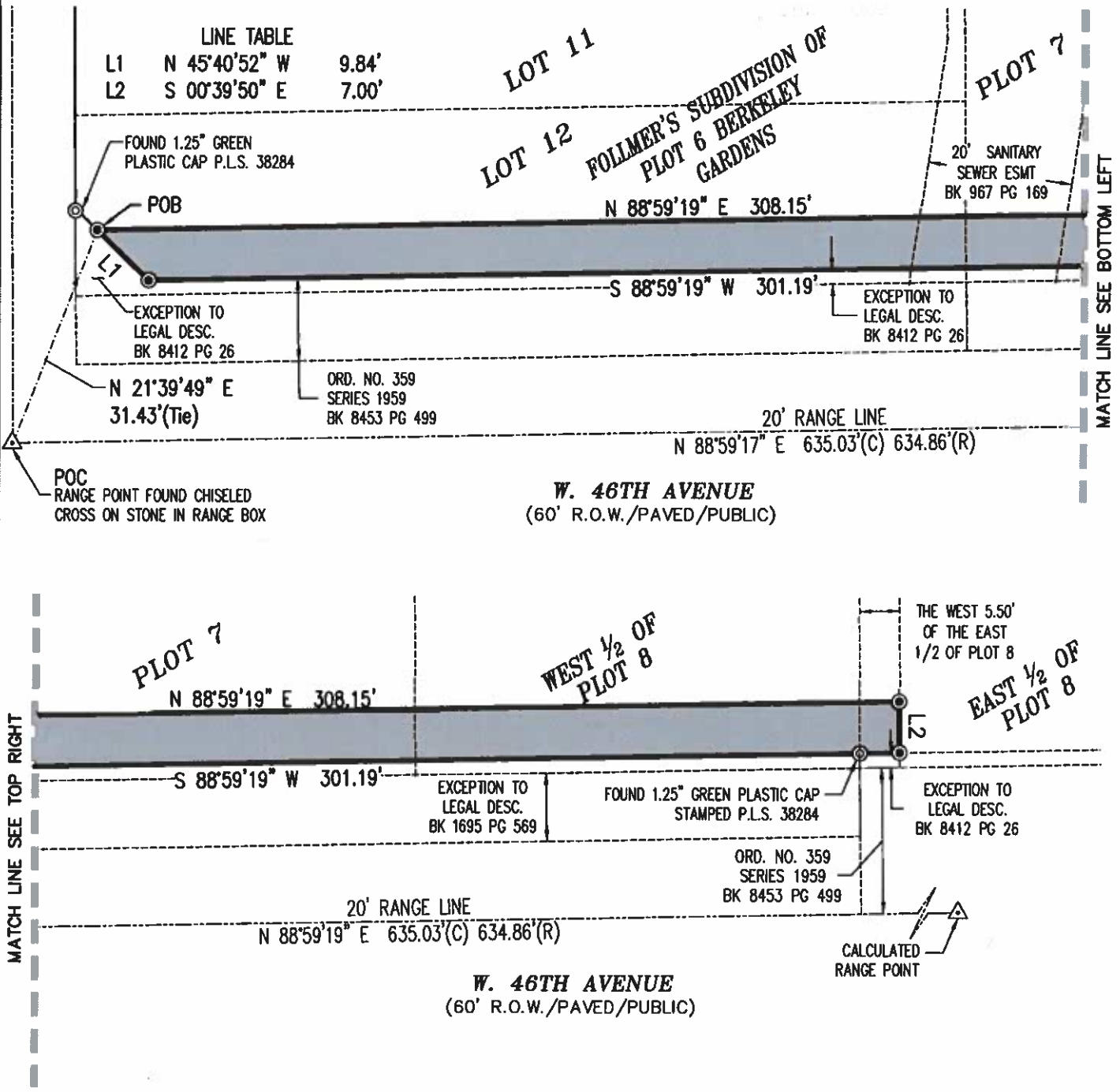
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 DENVER, CO 80221

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 FAX. 303-702-1488
 WWW.POWERSURVEYING.COM

DRAWING BY: JRY
 FILE NO. 20-199 46TH ROW EXHIBIT.DWG

DATE: 11/24/2021

EXHIBIT B
EXHIBIT OF LAND DESCRIPTION
SHEET 2 OF 2



LINE TABLE

L1	N 45°40'52" W	9.84'
L2	S 00°39'50" E	7.00'

LOT 11
 LOT 12
 FOLLMER'S SUBDIVISION OF
 PLOT 6 BERKELEY
 GARDENS

PLOT 7

FOUND 1.25" GREEN
 PLASTIC CAP P.L.S. 38284

POB

20' SANITARY
 SEWER ESMT
 BK 967 PG 169

N 88°59'19" E 308.15'

S 88°59'19" W 301.19'

EXCEPTION TO
 LEGAL DESC.
 BK 8412 PG 26

EXCEPTION TO
 LEGAL DESC.
 BK 8412 PG 26

N 21°39'49" E
 31.43'(Tie)

ORD. NO. 359
 SERIES 1959
 BK 8453 PG 499

20' RANGE LINE

N 88°59'17" E 635.03'(C) 634.86'(R)

POC
 RANGE POINT FOUND CHISELED
 CROSS ON STONE IN RANGE BOX

W. 46TH AVENUE
 (60' R.O.W./PAVED/PUBLIC)

MATCH LINE SEE BOTTOM LEFT

MATCH LINE SEE TOP RIGHT

PLOT 7

N 88°59'19" E 308.15'

WEST 1/2 OF
 PLOT 8

THE WEST 5.50'
 OF THE EAST
 1/2 OF PLOT 8

EAST 1/2 OF
 PLOT 8

S 88°59'19" W 301.19'

EXCEPTION TO
 LEGAL DESC.
 BK 1695 PG 569

FOUND 1.25" GREEN PLASTIC CAP
 STAMPED P.L.S. 38284

EXCEPTION TO
 LEGAL DESC.
 BK 8412 PG 26

ORD. NO. 359
 SERIES 1959
 BK 8453 PG 499

20' RANGE LINE

N 88°59'19" E 635.03'(C) 634.86'(R)

CALCULATED
 RANGE POINT

W. 46TH AVENUE
 (60' R.O.W./PAVED/PUBLIC)



SCALE: 1" = 30'



LEGEND

- ⊙ SET 1.25" YELLOW PLASTIC CAP OR 1" BRASS TAG STAMPED P.L.S. 37929
- ⊙ MONUMENT FOUND, AS NOTED
- FND FOUND
- POB POINT OF BEGINNING
- POC POINT OF COMMENCEMENT



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