

REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Caroline Martin, City Attorney's Office

FROM: Robert J. Duncanson P.E., Engineering Manager II
Right-of-Way Services

DATE: November 30, 2016

ROW #: 2016-Dedication-0000251 **SCHEDULE #:** Adjacent to 0223400022000 & 0223400057000

TITLE: This request is to dedicate a parcel of land as Public Right of Way as York St.
Located at the intersection of E. 40th and York 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 York St. 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 (**RTD East Corridor Project**)

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 York St. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2016-Dedication-0000251-001) HERE.

A map of the area to be dedicated is attached.

RD/WR/BLV

cc: Asset Management, Steve Wirth
City Councilperson & Aides, Albus Brooks District # 9
Council Aide Chy Montoya
Council Aide Brande Micheau
City Council Staff, Zach Rothmier
Environmental Services, David Erickson
Public Works, Manager's Office, Alba Castro
Public Works, Manager's Office, Angela Casias
Public Works, Right-of-Way Engineering Services, Rob Duncanson
Department of Law, Brent Eisen
Department of Law, Shaun Sullivan
Department of Law, Caroline Martin
Department of Law, Cindy Cooley
Public Works Survey, Warren Ruby
Public Works Survey, Paul Rogalla
Owner: City and County of Denver
Project file folder 2016-Dedication-0000251

ORDINANCE/RESOLUTION REQUEST

Please email requests to Angela Casias
at angela.casias@DenverGov.org by **12:00 pm 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: November 30, 2016

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, contract amendment, municipal code change, supplemental request, etc.**)

This request is to dedicate a parcel of land as Public Right of Way as York St.
Located at the intersection of E. 40th and York St.

3. Requesting Agency: Public Works – Right-of-Way Services / Survey

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: Angela Casias
- Phone: 720-913-8529
- Email: Angela.Casias@denvergov.org

6. General description/background 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 York St. 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 (RTD East Corridor Project)

****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 – please do not leave blank.)

- a. Contract Control Number: N/A
- b. Contract Term: N/A
- c. Location: E. 40th and York St.
- d. Affected Council District: Albus Brooks Dist. # 9
- e. Benefits: N/A
- f. Contract Amount (indicate amended amount and new contract total): 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: 2016-Dedication-0000251, RTD East Corridor Project

Description of Proposed Project: Dedicate a parcel of public right of way as York 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

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, RTD East Corridor Project.

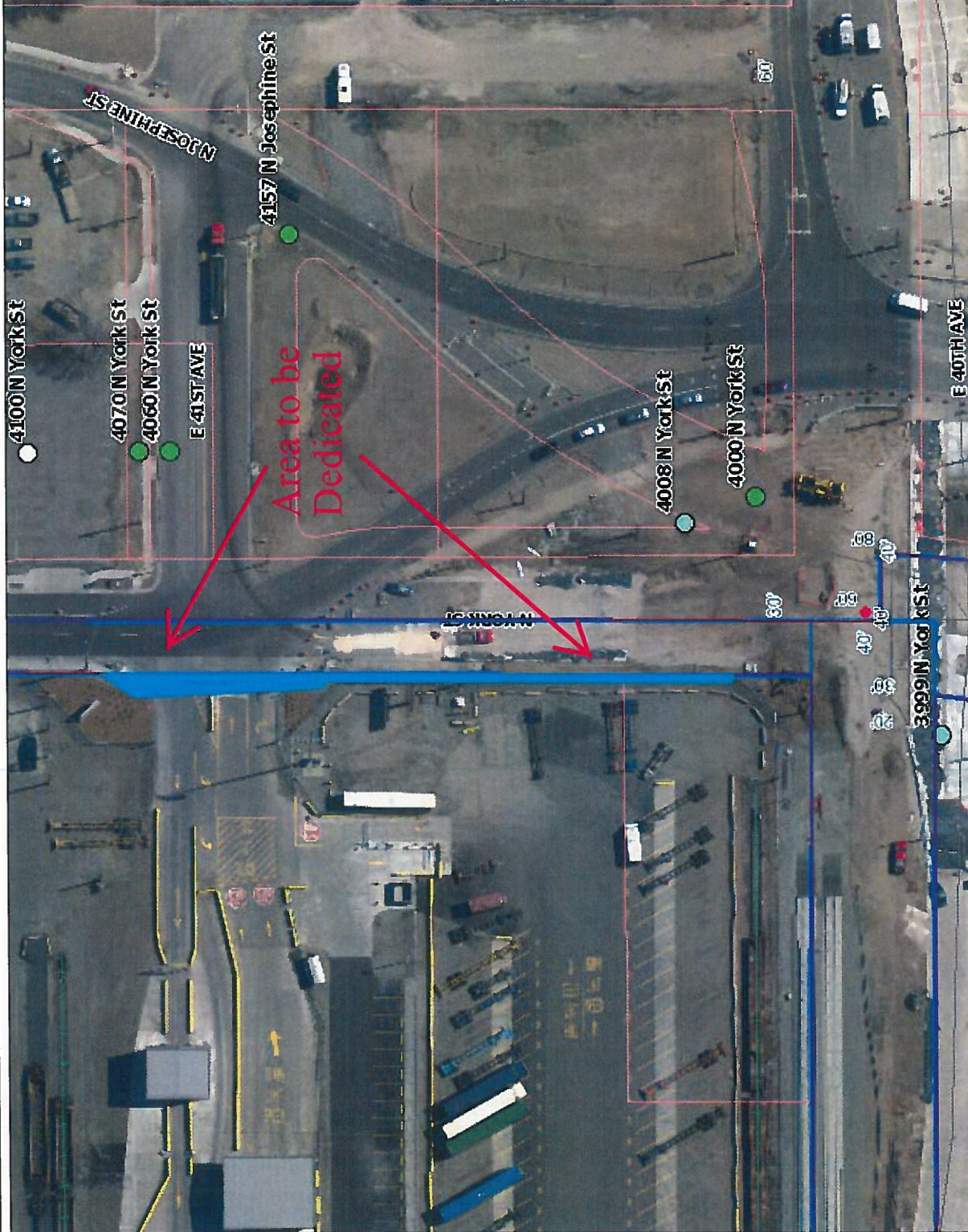
That parcel of land described in Quit Claim deed recorded November 28, 2016 at Reception No. 2016165207 and described therein as follows:

A parcel of land located in the Northeast Quarter of the Southeast Quarter of Section 23, Township 3 South, Range 68 West of the 6th Principal Meridian, City and County of Denver, Colorado, being more particularly described as follows:

COMMENCING at the South Sixteenth Comer between said Section 23 and Section 24 of said township and range (a #6 rebar with a 3-1/4 " aluminum cap stamped "LS 24942" in range box); WHENCE the East Quarter Comer of said Section 23 (a chiseled "X" in stone with 3- 1/4" aluminum cap angled over it stamped "T3S R68W ¼ S23IS24 1994 PLS 21521" in range box) bears N00°04'56"E a distance of 1322.66 feet (basis of bearing - assumed); THENCE N19°55'25"W a distance of 87.69 feet to the westerly line of the York Street Right of Way as dedicated by Ordinance 43 of 1898 and the POINT OF BEGINNING.

THENCE N89°55'04"W a distance of 6.00 feet; THENCE N00°04'56"E coincident with a line 6.00 feet westerly of and parallel with said westerly Right of Way line a distance of 244.64 feet; THENCE N89°55'04"W a distance of 6.47 feet; THENCE N00°04'56"E a distance of 106.64 feet; THENCE N23°22'43"E a distance of 31.52 feet to said westerly Right of Way line; THENCE S00°04'56"W coincident with said westerly Right of Way line a distance of 380.23 feet to the POINT OF BEGINNING.

40th & York St



171 0 85.5 171 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere
© City and County of Denver

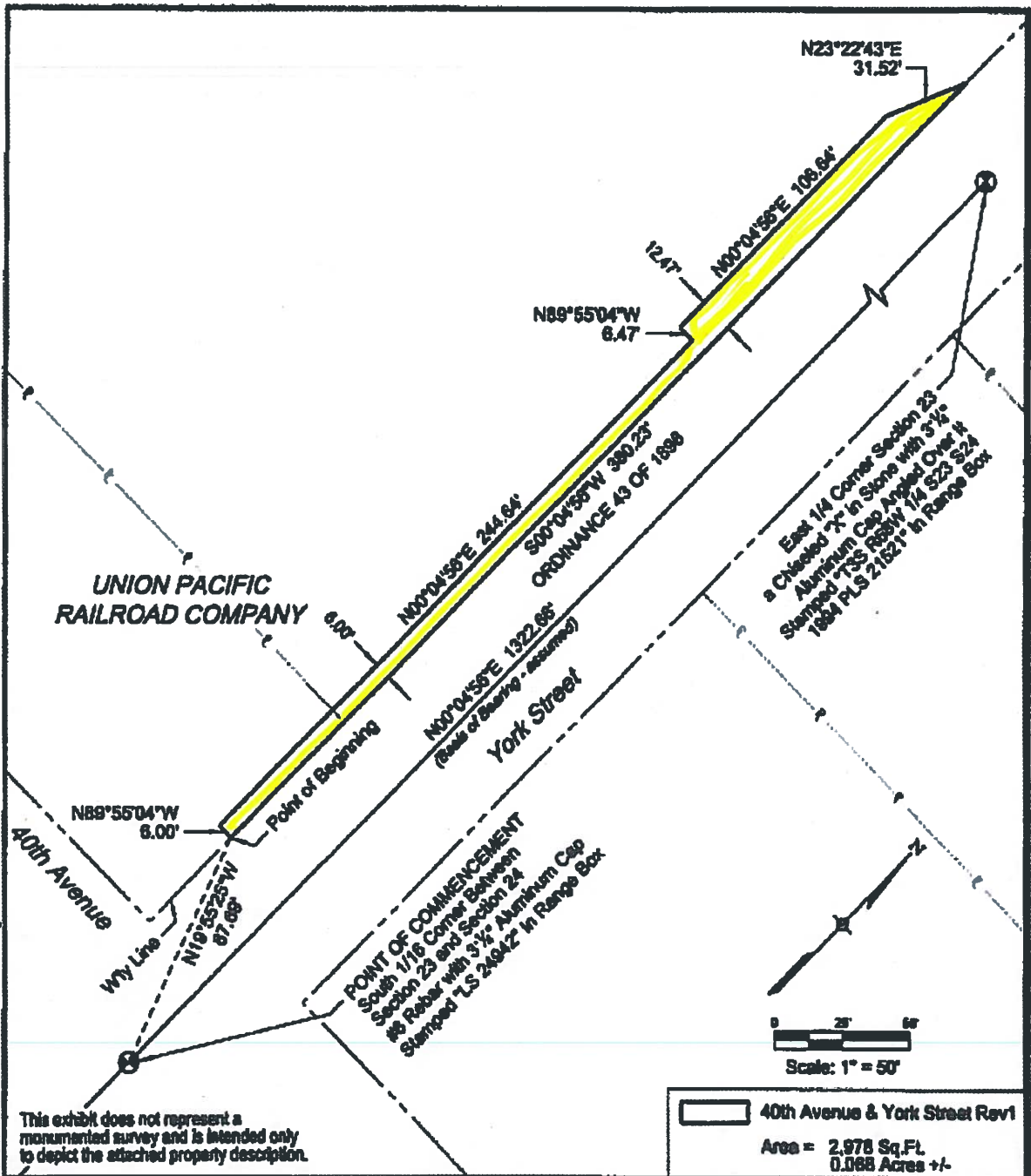
1:1,337

Map Generated 11/30/2016

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.



Legend	
—	Right-of-Way (General)
□	Right-of-Way (Detail)
—	Right-of-Way Dimensions
○	Active Addresses
○	Associated
●	Land
○	Structure
○	Utility
—	Streams
—	Irrigation Ditches Reconstruct (Gardeners)
—	Irrigation Ditches
—	Buildings 2014
—	Streets
—	Alleys
—	Railroads
+	Main
+	Yard
+	Spur
+	Siding
+	Interchange track
+	Other
□	Bridges
○	Rail Transit Stations
●	Existing
●	Planned
▲	Park-N-Ride Locations
□	Lakes
□	County Boundary
□	Parcels
□	Lots/Blocks



8/23/2016 9:28:04 AM
 K:\2012\120_Planetree\FAST CONTRACT\pdr\pdr-bk1404n and YorkRev1.dgn

JACOBS PROJECT NO.	WVW7415
CLIENT PROJECT NO.	072120
REVISION DESCRIPTION	01/23/15 - Revised Shape
DRAWN	JKK DATE 12/18/15 SCALE 1"=50'
JACOBS	
707 17th Street 2400 Denver, CO 80202 (303) 881-8100 fax (303) 881-8101	
THIS DRAWING AND ANY ATTACHED SCHEDULES DATA AND PROVIDED BY JACOBS ENGINEERING GROUP INC. FOR THE PROJECT DESCRIBED. ANY REVISIONS OR MODIFICATIONS SHALL BE THE SOLE RESPONSIBILITY OF THE CLIENT. GROUP INC. SHALL BE AT THE RISK OF THE USER.	

RTD East Corridor Commuter Rail City and County of Denver, Colorado NE1/4SE1/4 Sec. 23, T3S, R68W, 6th P.M.	
TITLE: Exhibit "A" 40th Avenue & York Street	
REVISION:	DRAWING NO. 40th and YorkRev1.dgn
SHEET NO.	1 of 1



2016165207

Page: 1 of 4

D \$0.00

**RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:**

Denver City Attorney
City and County of Denver
201 W. Colfax, Dept. 1207
Denver, Colorado 80202

No Documentary Fee Required -- Grantee is a Governmental Entity

**QUITCLAIM DEED
(40th/York)**

City and County of Denver, Colorado

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Union Pacific Railroad Company, a Delaware corporation ("Grantor") remises, releases and quitclaims to the City and County of Denver, a home rule municipal corporation of the State of Colorado ("Grantee"), whose legal address is 1437 Bannock Street, Denver, Colorado 80202, all right, title, interest, claim and demand that Grantor has in and to that property, located in the City and County of Denver, State of Colorado, as more particularly described in Exhibit A attached hereto and by this reference made a part hereof (collectively, the "Property"), in as-is condition.

IN WITNESS WHEREOF, Grantor has executed this Quitclaim Deed as of the 18TH day of November, 2016.

UNION PACIFIC RAILROAD COMPANY,
a Delaware corporation

By: 
Name: TONY K. LOVE
Title: Assistant Vice President - Real Estate

ATTEST:

By: B.J. Kubat
B.J. Kubat Assistant Secretary

(SEAL)

STATE OF NEBRASKA)
)
COUNTY OF DOUGLAS)

On November 18TH, 2016, before me, a Notary Public in and for said County and State, personally appeared TONY K. LOVE and B. J. KUBAT, who are the Assistant Vice President - Real Estate and the ASSISTANT Secretary, respectively, of UNION PACIFIC RAILROAD COMPANY, a Delaware corporation, personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons, or the entity upon behalf of which the persons acted, executed the instrument.

WITNESS my hand and official seal.

My Commission expires: August 19, 2017

Sarah J. Brower
Notary Public

(SEAL)



Exhibit A

Quitclaim Deed

The Property

Exhibit "A"

40th Avenue and York Street REV 1

Date: November 3, 2016

DESCRIPTION

A parcel of land located in the Northeast Quarter of the Southeast Quarter of Section 23, Township 3 South, Range 68 West of the 6th Principal Meridian, City and County of Denver, Colorado, being more particularly described as follows:

COMMENCING at the South Sixteenth Corner between said Section 23 and Section 24 of said township and range (a #6 rebar with a 3-1/4 " aluminum cap stamped "LS 24942" in range box);

WHENCE the East Quarter Corner of said Section 23 (a chiseled "X" in stone with 3-1/4" aluminum cap angled over it stamped "T3S R68W ¼ S23|S24 1994 PLS 21521" in range box) bears N00°04'56"E a distance of 1322.66 feet (basis of bearing – assumed); THENCE N19°55'25"W a distance of 87.69 feet to the westerly line of the York Street Right of Way as dedicated by Ordinance 43 of 1898 and the POINT OF BEGINNING.

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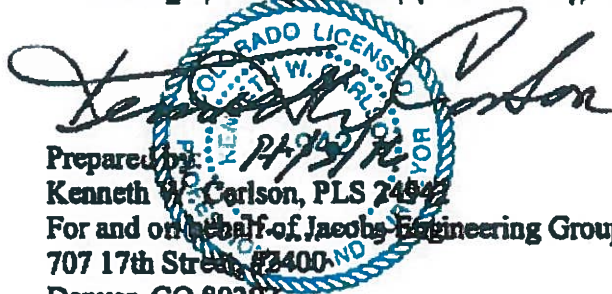
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THENCE N23°22'43"E a distance of 31.52 feet to said westerly Right of Way line;

THENCE S00°04'56"W coincident with said westerly Right of Way line a distance of 380.23 feet to the POINT OF BEGINNING.

Containing 2,978 square feet, (0.068 Acres), more or less.



Prepared by:
Kenneth W. Carlson, PLS 24942
For and on behalf of Jacobs Engineering Group Inc.
707 17th Street, #2400
Denver, CO 80202
303.820.5240