

REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Caroline Martin, City Attorney's Office

FROM: Matt Bryner., Director Engineer-Architect
Right-of-Way Services

DATE: August 16, 2019

ROW #: 2019-Dedication-0000103 **SCHEDULE #:** Adjacent to 0501208010000

TITLE: This request is to dedicate City owned land as N. Josephine St.
Located at the intersection of E. 14th Ave. and N. Josephine 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 N. Josephine St.

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 Street. The land is described as follows:

INSERT PARCEL DESCRIPTION ROW (2019-Dedication-0000103-001) HERE.

A map of the area to be dedicated is attached.

PR/BLV

Dept. of Real Estate, Katherine Rinehart
City Councilperson Chris Hinds Dist. #10
City Council Staff, Zach Rothmier
Environmental Services, David Erickson
Public Works, Manager's Office, Alba Castro
Public Works, Manager's Office Jason Gallardo
Public Works, Right-of-way Engineering Services, Matt Bryner
Department of Law, Maureen McGuire
Department of Law, Martin Plate
Department of Law, Deanne Durfee
Department of Law, Caroline Martin
Department of Law, Stan Lechman
Public Works Survey, Paul Rogalla
PW Ordinance
Project file folder 2019-Dedication-0000103

ORDINANCE/RESOLUTION REQUEST

Please email requests to Jason Gallardo
at jason.gallardo@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: August 16, 2019

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 City owned land as N. Josephine St.
Located at the intersection of E. 14th Ave. and N. Josephine St.

3. **Requesting Agency:** Public Works-Right-of-Way Services
Agency Division: 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:** Jason Gallardo
- **Phone:** 720-865-8713
- **Email:** Jason.Gallardo@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 N. Josephine St.

****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. 14th Ave. and N. Josephine St.
- d. **Affected Council District:** Chris Hinds Dist. #10
- e. **Benefits:** N/A
- f. **Contract Amount (indicate amended amount and new contract total):**

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: _____



DENVER
THE MILE HIGH CITY

EXECUTIVE SUMMARY

Project Title: 2019-Dedication-0000103

Description of Proposed Project: Dedicate a parcel of public right of way as N. Josephine 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

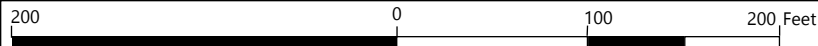
Will an easement relinquishment be submitted at a later date: N/A

Additional information: This land was deeded to the City and County of Denver for the purpose to dedicate it as Public Right-of-Way.



Legend

-  Well Restrictions
-  Barrier Restrictions
- Area Restrictions
 -  Liner
 -  Sheet Pile Wall Area
-  Streams
-  Buildings
-  Streets
-  Alleys
- Railroads
 -  Main
 -  Yard
 -  Spur
 -  Siding
 -  Interchange track
 -  Other
-  Bridges
- Rail Transit Stations
 -  Existing
 -  Planned
-  Park-N-Ride Locations
-  Lakes
-  County Boundary
-  Parcels
- Parks
 -  All Other Parks; Linear
 -  Mountain Parks



LAND DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN IN THE CITY AND COUNTY OF DENVER, COLORADO, CALLED "PARCEL NO. 3" IN THE RULE AND DECREE RESULTING FROM DISTRICT COURT CIVIL ACTION NUMBER B-11631, RECORDED MARCH 20, 1958 AT BOOK 8162, PAGE 170 IN THE CLERK AND RECORDER'S OFFICE OF SAID CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THOSE PORTIONS OF LOTS 20, 21 AND 22, BLOCK 2, FARNUM'S SUBDIVISION, LYING WEST OF A LINE EXTENDING FROM A POINT ON THE SOUTH LINE OF SAID BLOCK 2 AND 21 FEET EAST OF THE SOUTHWEST CORNER OF SAID BLOCK 2 TO A POINT ON THE WEST LINE OF SAID BLOCK 2 AND 76 FEET NORTH OF THE SAID SOUTHWEST CORNER.

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MAR 20 1958

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IN THE DISTRICT COURT IN AND FOR THE
CITY AND COUNTY OF DENVER AND
STATE OF COLORADO

CIVIL ACTION NO. B-11631

CITY AND COUNTY OF DENVER,
a Municipal Corporation,

Petitioner,

vs.

ROSCOE W. WEAVER;
GLADYS J. WEAVER;
NATIONAL FARMERS UNION PROPERTY
AND CASUALTY COMPANY, a Utah
corporation;
ROBERT E. LEE, as the Public
Trustee of the City and County
of Denver and State of Colorado;
THE DENVER BRANCH, AMERICAN ASSOCIA-
TION OF UNIVERSITY WOMEN, a Colo-
rado corporation;
THE CAPITOL LIFE INSURANCE COMPANY,
a Colorado corporation;
THE TRUSTEE COMPANY, a Colorado
corporation;
JACOB V. SCHAEZEL, individually
and as Trustee,
BONNER BRICE;
All unknown owners of the property
sought to be condemned herein, and
All unknown persons who claim any
interest in the subject matter of
this action,

Respondents.

FILED IN DISTRICT COURT
CITY & COUNTY OF DENVER, COLO.
MAR 17 1958
DAVID W. OYLER, Clerk

RULE AND DECREE

(Parcel No. 3)

This matter having come on to be heard upon the Petition of the City and County of Denver, a Municipal corporation, for the taking of certain lands described in said Petition and for the ascertainment of the compensation to be paid therefor by reason of said taking, the Court being fully advised in the premises;

DOTH FIND:

1. That the Petitioner is authorized by Eminent Domain Statutes to appropriate land for its local and municipal purposes and more particularly, is authorized to so appropriate the land which is the subject matter of this action;
2. That the allegations in the Petition are true;

APPROVED FOR RECORDING:

LAND OFFICE

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3. That the Court has jurisdiction over the parties and the subject matter of this action;

4. That all persons of record having any claim or claims, any interest or interests in, or any lien or liens, encumbrance or encumbrances, have been joined as Respondents in this action, together with all unknown persons who may claim any right, title or interest in the property which is the subject matter of this action; all of these procedures having been done in strict compliance with the Eminent Domain Statutes and the Orders of this Court;

5. That an accurate description of the land taken herein, which land is described as Parcel No. 3 herein, located and situate in the City and County of Denver, State of Colorado, is more particularly described as follows:

Parcel No. 3.

Those portions of Lots 20, 21 and 22, Block 2, Farnum's Subdivision, lying west of a line extending from a point on the south line of said Block 2 and 21 feet east of the southwest corner of said Block 2 to a point on the west line of said Block 2 and 76 feet north of the said southwest corner.

6. That the value of the land or property actually taken is One Thousand Eight Hundred (\$1800.00) Dollars, said amount having been agreed to by the parties hereto; and that the amount and value of benefits are None;

7. That the Petitioner has deposited with the Clerk of this Court the sum of One Thousand Eight Hundred (\$1800.00) Dollars to pay the amount allowed by the Court as set forth above;

8. That there exists a controversy between the various Respondents as to the proportionate amount each Respondent is to receive from the award heretofore set forth, namely, \$1800.00; that said amount has been paid into the Registry of the Court for the use of the successful claimants of said property as their respective interests may be made to appear to the Court.

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WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED:

1. That the Petitioner, City and County of Denver, a Municipal corporation, be and hereby is adjudged to be the absolute holder in unconditional fee simple absolute, free of all rights of reversion, reversionary interests, including but not limited to possibility of reverter and right of entry for condition broken by Respondents herein unto the lands heretofore described and is hereby authorized to take possession of and to hold the same for all purposes free and clear of all right, title, interest, claim and equity of the Respondents of said land and free and clear from all liens and claims.

DONE IN OPEN COURT This 17th day of March, 1958.

BY THE COURT:

JOSEPH E. COCK
Judge

APPROVED:

Eugene F. Costello
Eugene J. Schaezel
Schaezel & Schaezel
Attorney for Respondent,
Denver Branch, American Association
of University Women, a Colorado
corporation; and
TRUSTEE COMPANY, a Colorado
corporation; and
JACOB V. SCHAEZEL, individually
and as Trustee

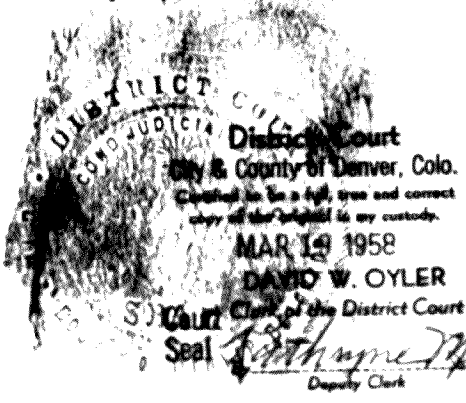
J. Peter Nordlund
Attorney for Capitol Life Insurance
Company, a Colorado corporation

John C. Banks
John C. Banks

Earl T. Thrasher
Earl T. Thrasher

Hans W. Johnson
Hans W. Johnson

Attorneys for Petitioner
353 City and County Building
Denver 2, Colorado MA 3-1133



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*City Family Room
Winnipeg*