



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: January 12, 2024

ROW #: 2024-DEDICATION-0000017 **SCHEDULE #:** Adjacent to 1) 0501634024000, 2) 0501634024000, 3) 0501634003000, 0501634044000, and 4) 0501634044000

TITLE: This request is to dedicate four City-owned parcels of land as Public Right-of-Way as 1) North Josephine Street, located near the intersection of East 6th Avenue and North Josephine Street, 2) North Josephine Street, located near the intersection of East 6th Avenue and North Josephine Street, 3) North Josephine Street, located near the intersection of East 6th Avenue and North Josephine Street, and 4) North Josephine Street, located near the intersection of East 6th Avenue and North Josephine 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 Josephine Street, 2) North Josephine Street, 3) North Josephine Street, and 4) North Josephine Street.

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 1) North Josephine Street, 2) North Josephine Street, 3) North Josephine Street, and 4) North Josephine Street. The land is described as follows:

INSERT PARCEL DESCRIPTION ROW (2024-DEDICATION-0000017-001, 002, 003, 004) HERE.

A map of the area to be dedicated is attached.

GB/PR/LRA



cc: Dept. of Real Estate, RealEstate@denvergov.org
City Councilperson, Amanda Sawyer, District # 5
Council Aide, Nicole Aviles
Council Aide, Owen Brigner
Council Aide, Logan fry
Council Aide, Juan Sipion
City Council Staff, Luke Palmisano
Environmental Services, Andrew Ross
DOTI, Manager's Office, Alba Castro
DOTI, Manager's Office, Nicholas Williams
DOTI, Director, Right-of-Way Services, Glen Blackburn
Department of Law, Johna Varty
Department of Law, Martin Plate
Department of Law, Deanne Durfee
Department of Law, Ivone Avila-Ponce
Department of Law, Janet Valdez
DOTI Survey, Paul Rogalla
DOTI Ordinance
Project file folder 2024-DEDICATION-0000017

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 Nicholas Williams
at Nicholas.Williams@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: January 12, 2024

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:** This request is to dedicate four City-owned parcels of land as Public Right-of-Way as 1) North Josephine Street, located near the intersection of East 6th Avenue and North Josephine Street, 2) North Josephine Street, located near the intersection of East 6th Avenue and North Josephine Street, 3) North Josephine Street, located near the intersection of East 6th Avenue and North Josephine Street, and 4) North Josephine Street, located near the intersection of East 6th Avenue and North Josephine Street.

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

4. **Contact Person:** (With actual knowledge of proposed ordinance/resolution.)

- **Name:** Lisa R. Ayala
- **Phone:** 720-865-3112
- **Email:** Lisa.ayala@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:** Nicholas Williams
- **Phone:** 720-865-8709
- **Email:** Nicholas.Williams@denvergov.org

6. **General description/background of proposed resolution including contract scope of work if applicable:** Surveyor is requesting four remnant parcels to be dedicated as right-of-way at and near the intersection of East 6th Avenue and North Josephine Street.

****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:** At and near the intersection of East 6th Avenue and North Josephine Street
- d. **Affected Council District:** Amanda Sawyer, District # 5
- 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: _____

EXECUTIVE SUMMARY

Project Title: 2024-DEDICATION-0000017

Description of Proposed Project: Surveyor is requesting four remnant parcels to be dedicated as right-of-way at and near the intersection of East 6th Avenue and North Josephine Street.

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 Josephine Street, 2) North Josephine Street, 3) North Josephine Street, and 4) North Josephine Street.

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

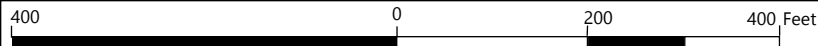
Will an easement relinquishment be submitted at a later date: N/A

Additional information: This land was deeded to the City and County of Denver for the purpose of dedicating it as 1) North Josephine Street, 2) North Josephine Street, 3) North Josephine Street, and 4) North Josephine Street.



Legend

-  Streets
-  Alleys
-  County Boundary
-  Parcels



PARCEL DESCRIPTION ROW NO. 2024-DEDICATION-0000017-001:

LAND DESCRIPTION – NORTH JOSEPHINE STREET PARCEL NO. 1

A PARCEL OF LAND LYING IN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING A PORTION OF THAT PARCEL CONVEYED TO THE CITY AND COUNTY OF DENVER BY RULE AND DECREE RECORDED AUGUST 28, 1957 AT BOOK 8080, PAGE 65 IN THE OFFICE OF THE CLERK AND RECORDER OF THE CITY AND COUNTY OF DENVER, COLORADO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF PLOT 6, BLOCK 1, HARMAN’S SUBDIVISION;
THENCE NORTH ALONG THE WEST LINE OF SAID PLOT 6 A DISTANCE OF 20 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING NORTH ALONG THE WEST LINE OF SAID PLOT 6 A DISTANCE OF 45 FEET;
THENCE EAST ALONG THE NORTH LINE OF THE SOUTH 65 FEET OF SAID PLOT 6 A DISTANCE OF 46.32 FEET;

THENCE SOUTHEASTERLY A DISTANCE OF 28.65 FEET TO A POINT 70.65 FEET WEST OF THE EAST LINE OF SAID PLOT 6;

THENCE SOUTH AND PARALLEL WITH THE EAST LINE OF SAID PLOT 6 A DISTANCE OF 37.52 FEET TO A POINT ON THE SOUTH LINE OF SAID PLOT 6;

THENCE WEST ALONG THE SOUTH LINE OF SAID PLOT 6, A DISTANCE OF 14.35 FEET TO A POINT 40 FEET EAST OF THE SOUTHWEST CORNER OF PLOT 6;

THENCE NORTHWESTERLY TO A POINT WHICH IS 20 FEET NORTH OF AND 15 FEET EAST OF THE SOUTHWEST CORNER OF PLOT 6;

THENCE WEST ALONG A LINE 20 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF PLOT 6 A DISTANCE OF 15 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH

PARCEL DESCRIPTION ROW NO. 2024-DEDICATION-0000017-002:

LAND DESCRIPTION – NORTH JOSEPHINE STREET PARCEL NO. 2

A PARCEL OF LAND LYING IN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, CONVEYED TO THE CITY AND COUNTY OF DENVER BY RULE AND DECREE RECORDED AUGUST 28, 1957 AT BOOK 8080, PAGE 61 IN THE OFFICE OF THE CLERK AND RECORDER OF THE CITY AND COUNTY OF DENVER, COLORADO, DESCRIBED AS FOLLOWS:

THAT PART OF THE SOUTH 65.0 FEET OF PLOT 6, BLOCK 1, HARMAN’S SUBDIVISION DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID PLOT 6;

THENCE NORTH ALONG THE EAST LINE OF SAID PLOT 6, A DISTANCE OF 65.0 FEET;

THENCE WEST ALONG THE NORTH LINE OF THE SOUTH 65.0 FEET OF SAID PLOT 6 A DISTANCE OF 78.68 FEET;

THENCE SOUTHEASTERLY A DISTANCE OF 28.65 FEET TO A POINT 70.65 FEET WEST OF THE EAST LINE OF SAID PLOT 6;
THENCE SOUTH AND PARALLEL WITH THE EAST LINE OF SAID PLOT 6 A DISTANCE OF 37.52 FEET TO A POINT ON THE SOUTH LINE OF SAID PLOT 6;
THENCE EAST ALONG THE SOUTH LINE OF SAID PLOT 6 A DISTANCE OF 70.65 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH

PARCEL DESCRIPTION ROW NO. 2024-DEDICATION-0000017-003:

LAND DESCRIPTION – NORTH JOSEPHINE STREET PARCEL NO. 3

A PARCEL OF LAND LYING IN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, CONVEYED TO THE CITY AND COUNTY OF DENVER BY DEED RECORDED OCTOBER 3, 1956 AT BOOK 7943, PAGE 401 IN THE OFFICE OF THE CLERK AND RECORDER OF THE CITY AND COUNTY OF DENVER, COLORADO, DESCRIBED AS FOLLOWS:

THAT PART OF THE NORTH HALF OF PLOT 7, BLOCK 1, HARMAN'S SUBDIVISION, LYING EAST OF A LINE DESCRIBED AS FOLLOWS;
BEGINNING AT A POINT ON THE NORTH LINE OF SAID PLOT 7 AND 40 FEET EAST OF THE NORTHWEST CORNER OF SAID PLOT;
THENCE SOUTHEASTERLY TO A POINT 60 FEET EAST AND 15 FEET SOUTH OF SAID NORTHWEST CORNER;
THENCE SOUTHEASTERLY TO A POINT ON THE SOUTH LINE OF THE NORTH HALF OF SAID PLOT 7 AND 88 FEET EAST OF THE WEST LINE OF SAID PLOT.

TOGETHER WITH

PARCEL DESCRIPTION ROW NO. 2024-DEDICATION-0000017-004:

LAND DESCRIPTION – NORTH JOSEPHINE STREET PARCEL NO. 4

A PARCEL OF LAND LYING IN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING A PORTION OF THAT PARCEL CONVEYED TO THE CITY AND COUNTY OF DENVER BY DEED RECORDED FEBRUARY 9, 1956 AT BOOK 7818, PAGE 304 IN THE OFFICE OF THE CLERK AND RECORDER OF THE CITY AND COUNTY OF DENVER, COLORADO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF PLOT 7, BLOCK 1, HARMAN'S SUBDIVISION;
THENCE NORTHERLY TO THE NORTH LINE OF THE SOUTH HALF OF SAID PLOT 7;
THENCE WESTERLY ALONG SAID NORTH LINE OF THE SOUTH HALF OF SAID PLOT 7 TO A POINT 88 FEET EAST OF THE WEST LINE OF SAID PLOT 7;
THENCE SOUTHEASTERLY TO THE POINT OF BEGINNING.

AUG 23 1957

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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

FILED IN DISTRICT COURT
CITY & COUNTY OF DENVER, COLO.
AUG 20 1957
DAVID W. CYLER, Clerk

CITY AND COUNTY OF DENVER,
A MUNICIPAL CORPORATION,

PETITIONER,

vs.

BONNER BRICE;
NATIONAL FARMERS UNION PROPERTY
AND CASUALTY COMPANY, A UTAH
CORPORATION; AND
ROBERT E. LEE, AS PUBLIC TRUSTEE
OF THE CITY AND COUNTY OF DENVER,
ET AL.,

RESPONDENTS.

RULE AND DECREE

IN CONDEMNATION

(PARCEL No. 2)

#239

#4051
84-4(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; AND THE RESPONDENTS HAVING APPEARED HEREIN BY THEIR ATTORNEYS; HAVING FILED RESPONSIVE PLEADINGS WHEREBY THEY REQUESTED THE APPOINTMENT OF COMMISSIONERS TO ASCERTAIN THE COMPENSATION AND, PURSUANT TO SAID REQUEST, COMMISSIONERS WERE DULY APPOINTED AND THE ISSUES HEREIN WERE TRIED TO A BOARD OF THREE COMMISSIONERS, SAID COMMISSIONERS HAVING HEARD THE ISSUES HEREIN AND HAVING FILED WITH THE CLERK OF THE COURT THEIR CERTIFICATE OF ASCERTAINMENT AND ASSESSMENT;

THE COURT DOTH FIND:

1. THAT THE COURT HAS JURISDICTION OVER THE PARTIES AND THE SUBJECT MATTER OF THIS ACTION.
2. THAT PETITIONER HEREIN IS PROPERLY EXERCISING ITS POWER OF EMINENT DOMAIN.
3. THAT THE ALLEGATIONS CONTAINED IN THE PETITION IN CONDEMNATION ARE TRUE.

APPROVED FOR RECORDING
LAND OFFICE

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4. THAT PETITIONER IS AUTHORIZED BY EMINENT DOMAIN PROCEEDINGS TO APPROPRIATE LAND FOR ITS LOCAL AND MUNICIPAL PURPOSES AND PARTICULARLY IS AUTHORIZED TO SO APPROPRIATE LAND WHICH IS THE SUBJECT MATTER OF THIS ACTION.

5. THAT THE RECORD OWNER OF THE PROPERTY WHICH IS THE SUBJECT MATTER OF THIS ACTION, NAMELY PARCEL NO. 2, IS BONNER BRICE; THAT OTHER THAN THE ABOVE MENTIONED RESPONDENT, NO PERSON OR PERSONS HAVE ANY CLAIM OR CLAIMS TO, ANY INTEREST OR INTERESTS IN OR LIEN OR LIENS, ENCUMBRANCE OR ENCUMBRANCES THEREIN OR THEREUPON.

6. THAT RESPONDENT, NATIONAL FARMERS UNION PROPERTY AND CASUALTY COMPANY, A UTAH CORPORATION, BY VIRTUE OF A DEED OF TRUST RECORDED IN BOOK 6891 AT PAGE 221 OF THE RECORDS OF THE CLERK AND RECORDER OF THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, DID HAVE AN INTEREST IN THE PROPERTY WHICH IS THE SUBJECT MATTER OF THIS ACTION; HOWEVER, SAID DEED OF TRUST WAS RELEASED BY THE ABOVE MENTIONED RESPONDENT; SAID RELEASE BEING RECORDED ON MARCH 14, 1957, IN BOOK 8011 AT PAGE 146 OF THE RECORDS OF THE CLERK AND RECORDER OF THE CITY AND COUNTY OF DENVER, STATE OF COLORADO. HENCE, RESPONDENT, NATIONAL FARMERS UNION PROPERTY AND CASUALTY COMPANY, DOES NOT HAVE ANY INTEREST IN PARCEL NO. 2.

7. THAT RESPONDENT, ROBERT E. LEE, IS JOINED AS THE PUBLIC TRUSTEE OF THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, AND HAD BY VIRTUE OF HIS OFFICIAL POSITION AN INTEREST TO ENFORCE THE TERMS OF THE DEED OF TRUST DESCRIBED IN PARAGRAPH NUMBERED 6 HEREOF.

8. AN ACCURATE DESCRIPTION OF THE LAND TAKEN HEREIN AND THE LAND WHICH IS THE SUBJECT MATTER OF THIS ACTION IS AS FOLLOWS:

PARCEL No. 2

THAT PART OF THE SOUTH 65 FEET OF PLOT 6, BLOCK 1, HARMAN'S SUBDIVISION, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID PLOT 6; THENCE NORTH ALONG THE WEST LINE OF SAID PLOT 6 A DISTANCE OF 65

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FEET; THENCE EAST ALONG THE NORTH LINE OF THE SOUTH 65 FEET OF SAID PLOT 6 A DISTANCE OF 46.32 FEET; THENCE SOUTHEASTERLY A DISTANCE OF 28.65 FEET TO A POINT 70.65 FEET WEST OF THE EAST LINE OF SAID PLOT 6; THENCE SOUTH AND PARALLEL WITH THE EAST LINE OF SAID PLOT 6 A DISTANCE OF 37.52 FEET TO A POINT ON THE SOUTH LINE OF SAID PLOT 6; THENCE WEST ALONG THE SOUTH LINE OF SAID PLOT 6, A DISTANCE OF 54.35 FEET TO THE POINT OF BEGINNING.

9. THAT IT IS DETERMINED BY THE CERTIFICATE OF ASCERTAINMENT AND ASSESSMENT FILED BY THE COMMISSIONERS HEREIN THE VALUE OF THE LAND OR PROPERTY ACTUALLY TAKEN TOGETHER WITH THE IMPROVEMENTS LOCATED THEREON IS \$10,000.00; THAT THE DAMAGES TO THE REMAINDER OF SUCH LAND OR PROPERTY IS NONE AND THE AMOUNT AND VALUE OF BENEFITS ARE NONE.

10. THAT THE PETITIONER HAS DEPOSITED WITH THE CLERK OF THE COURT THE SUM OF \$10,000.00 TO PAY THE AMOUNT ALLOWED BY THE COMMISSIONERS FOR PARCEL No. 2, WHICH AMOUNT HAS BEEN WITHDRAWN BY THE RESPONDENTS HEREIN.

11. THAT PETITIONER SHALL PAY ALL SUCH COSTS AS MAY BE ALLOWED BY THE COURT.

THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED:

THAT THE RESPONDENTS HEREIN, HAVING ALREADY RECEIPTED FOR THE SUM OF \$10,000.00, 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 OR REVERSIONARY INTEREST AND INCLUDING BUT NOT LIMITED TO POSSIBLE RIGHT 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.

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DONE IN OPEN COURT THIS 20th DAY OF August, 1957.

BY THE COURT:

JOSEPH M. McDONALD
JUDGE

APPROVED AS TO FORM:

Fred M. Winner
WINNER & BERGE
ATTORNEYS FOR RESPONDENT

John C. Banks
JOHN C. BANKS

Earl T. Thrasher
EARL T. THRASHER

Hans W. Johnson
HANS W. JOHNSON
ATTORNEYS FOR PETITIONER



District Court
City & County of Denver, Colo.
Certified to be a full, true and correct
copy of the original in my custody.
AUG 22 1957
DAVID W. OYLER
Clerk of the District Court
By David W. Oyler
Deputy Clerk

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ROBERT F LEE
CLERK AND ORDER

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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

FILED IN DISTRICT COURT
CITY & COUNTY OF DENVER, COLO.
AUG 20 1957
DAVID W. OYLER, Clerk

CITY AND COUNTY OF DENVER,
a Municipal corporation,

Petitioner,

vs.

ROSCOE W. WEAVER, GLADYS
J. WEAVER, et al.,

Respondents.

RULE AND DECREE

IN CONDEMNATION

(Parcel No. 1)

4298

1090
Exe 4137

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; and the respondents having appeared herein by their attorney; having filed responsive pleadings whereby they requested the appointment of commissioners to ascertain the compensation and pursuant to said request commissioners were duly appointed and the issues herein were tried to a board of three commissioners, said commissioners having heard the issues herein and having filed with the clerk of the court their certificate of ascertainment and assessment.

THE COURT DOETH FIND:

1. That the court has jurisdiction over the parties and the subject matter of this action.
2. That petitioner herein is properly exercising its power of Eminent Domain.
3. That the allegations contained in the petition in condemnation are true.

APPROVED FOR RECORDING
LAND OFFICE

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4. That petitioner is authorized by eminent domain proceedings to appropriate land for its local and municipal purposes and particularly is authorized to so appropriate land which is the subject matter of this action.

5. That the record owners of the property which is the subject matter of this action, namely Parcel No. 1, are Rescoe W. Weaver and Gladys J. Weaver; that other than the above mentioned persons, no person or persons have any claim or claims to, any interest or interests in or lien or liens, encumbrance or encumbrances therein or thereupon.

6. An accurate description of the land taken herein and the land which is the subject matter of this action is as follows:

The following described property situate in the City and County of Denver, State of Colorado, to-wit:

That part of the South 65.0 feet of Plot 6, Block 1, Harmans Subdivision described as follows: Commencing at the Southeast corner of said Plot 6, thence North along the East line of said Plot 6, a distance of 65.0 feet, thence West along the North line of the South 65.0 feet of said Plot 6 a distance of 78.68 feet; thence Southeasterly a distance of 28.65 feet to a point 70.65 feet West of the East line of said Plot 6, thence South and parallel with the East line of said Plot 6 a distance of 37.52 feet to a point on the South line of said Plot 6, thence East along the South line of said Plot 6 a distance of 70.65 feet to the point of beginning.

7. That it is determined by the certificate of ascertainment and assessment filed by the commissioners herein the value of the land and property actually taken together with the improvements located thereon is \$19,000.00; that the damages to the remainder of such land or property is none and the amount and value of benefits are none.

8. That the commissioners further determined that the hydraulic hoise situated on the property is a part of the real estate, hence, included in the property acquired by eminent domain.

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9. That the petitioner has deposited with the clerk of the court the sum of \$19,000.00 to pay the amount allowed by the commissioners for Parcel No. 1, which amount has been withdrawn by the respondents herein.

10. That petitioner shall pay all such costs as may be allowed by the court.

THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED:

That the respondents herein, having already receipted for the sum of \$19,000.00, 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 or reversionary interests and including but not limited to possible right 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 20th day of August, 1957.

BY THE COURT:

JOSEPH M. McDONALD
Judge

APPROVED AS TO FORM:

John C. Banks
John C. Banks

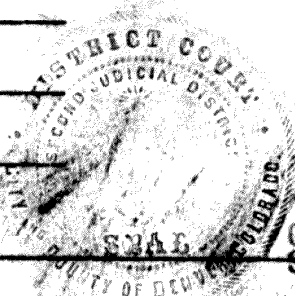
Earl T. Thrasher
Earl T. Thrasher

Hans W. Johnson
Hans W. Johnson

Attorneys for Petitioner

Fred M. Winner
Fred M. Winner

Attorney for Respondents



District Court
City & County of Denver, Colo.
Copied to be a full, true and correct copy of the original in my custody.
AUG 22 1957
DAVID W. OYLER
Clerk of the District Court

Court Seal
By David W. Oyler
Deputy Clerk

8080 64

RETURN TO
LAND OFFICE ROOM 476

FILED IN MR. OFFICE OF

08702

1957 AUG 23 AM 8 56

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RECORDED IN

BOOK PAGE

ROBERT E. LEE
CLEAN AND REORDER

AUG-23-57 134964 LST - HIS 0

OCT - 3 1956

73680

Recorded at _____ o'clock _____ M
Reception No _____

7943 401

Recorder. 73680

0.00

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RECORDER'S STAMP

THIS DEED, Made this 25th
day of September
in the year of our Lord one thousand nine hundred and fifty-six

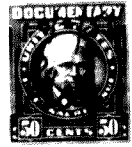
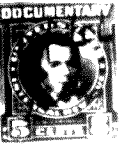
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between
PUBLIC SERVICE COMPANY OF COLORADO
a corporation duly organized and existing under and by virtue of the laws
of the State of Colorado, of the first part, and CITY AND COUNTY OF
DENVER, a Municipal corporation organized and existing
~~under and by~~ ~~virtue of~~ the Constitution
of the State of Colorado, of the second part;

WITNESSETH, That the said party of the first part, for and in consideration of the sum of ONE DOLLAR
(\$1.00) and other good and valuable consideration ~~to~~
to the said party of the first part, in hand paid by the said party of the second part, the receipt whereof is
hereby confessed and acknowledged, has granted, bargained, sold and conveyed and by these presents does grant,
bargain, sell, convey and confirm unto the said party of the second part, its successors ~~and~~ and assigns
forever, all 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:



That part of the north half of Plot 7, Block 1, Harman's
Subdivision, lying east of a line described as follows:
Beginning at a point on the north line of said Plot 7
and 40 feet east of the northwest corner of said Plot;
thence southeasterly to a point 60 feet east and 15 feet
south of said northwest corner; thence southeasterly to
a point on the south line of the north half of said
Plot 7 and 88 feet east of the west line of said Plot.



Reserving unto the Owner, its successors and assigns, an
easement for the operation, maintenance, repair, and re-
placement of gas mains across the north 15 feet of the
above described property.



Together with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise apper-
taining, and the reversion and reversions, 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
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 said party of the second part, its
successors ~~and~~ and assigns forever.

And the said party of the first part, for itself and its successors covenants and agrees to and with the said
party of the second part, its successors ~~and~~ and assigns, the above bargained premises in the quiet and
peaceable possession of the said party of the second part, its successors ~~and~~ and assigns against all and
every person or persons lawfully claiming or to claim the whole or any part thereof, by, through or under the said
party of the first part, to WARRANT AND FOREVER DEFEND.

IN WITNESS WHEREOF, The said party of the first part has caused its corporate name to be hereunto
subscribed by its Vice-President, and its corporate seal to be hereunto affixed, attested by its
Secretary, the day and year first above written.

Attest: *Tom Chee*
Secretary.

PUBLIC SERVICE COMPANY OF COLORADO
By *J. J. Parks* Vice-President.

STATE OF COLORADO,
City and County of Denver ss.

The foregoing instrument was acknowledged before me this 25th day of September
1956 by *J. J. Parks*
Vice-President of Public Service Company of Colorado

WITNESS my hand and official seal.
My commission expires February 14, 1957

John Samide
Notary Public

As to Form
APPROPRIATION RECORDING:
LAND OFFICE *W. W. Manning*

City Atty's Office

No. 16-B. SPECIAL WARRANTY DEED—(corporation) Bradford-Robinson Ptg. Co., Mfrs. Robinson's Legal Blanks, Denver
*If by natural person or persons here insert name or names. If by person acting in representative or official capacity, as
attorney in fact, then insert name of person as executor, attorney in fact or other capacity or description. If by officer of cor-
poration, then insert name of such officer or officers as the president or other officers of such corporation naming the Secretary
of the corporation. (Legal Notices, Ann. dated 1-1-56)

I FEE NO
887-556 998679

7818 304

Recorded at _____ o'clock _____ M.
Reception No. FEB - 9 1956

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THIS DEED, Made this 8th day of FEBRUARY in the year of our Lord one thousand nine hundred and FIFTY-SIX between CHARLES A. McCLOSKEY and MARGARET McCLOSKEY of the CITY AND County of DENVER and State of Colorado, of the first part, and CITY AND COUNTY OF DENVER, A MUNICIPAL CORPORATION, a corporation organized and existing under and by virtue of the laws of the State of COLORADO of the second part:

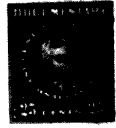
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BOOK PAGE
PAUL V. HODGES JR.
CLERK AND RECORDER

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WITNESSETH, That the said parties of the first part, for and in consideration of the sum of TEN (\$10.00) DOLLARS AND OTHER VALUABLE CONSIDERATIONS to the said parties of the first part in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, have granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell, convey and confirm, unto the said party of the second part, its successors and assigns forever, all 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:



SOUTHERLY ONE-HALF (1/2) OF PLOT 7, BLOCK 1, HARMAN'S SUBDIVISION, TOGETHER WITH ALL IMPROVEMENTS SITUATE THEREON, KNOWN AS AND NUMBERED 555 JOSEPHINE STREET



TOGETHER with all and singular the hereditaments and appurtenances therunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, claim and demand whatsoever of the said parties of the first part, 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 said party of the second part, its successors and assigns forever. And the said parties of the first part, for THEMSELVES, heirs, executors, and administrators, do 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 sealing and delivery of these presents, THEY ARE well seized of the premises above conveyed, as of good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and have 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 soever,

and the above bargained premises in the quiet 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 parties of the first part shall and will WARRANT AND FOREVER DEFEND.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set THEIR hands and seals the day and year first above written.

Signed, Sealed and Delivered in the Presence of

W. A. Eving
John P. Flynn

Charles A. McCloskey (SEAL)
Margaret M. McCloskey (SEAL)

STATE OF COLORADO, CITY AND County of DENVER
The foregoing instrument was acknowledged before me this 8th day of FEBRUARY 1956, by CHARLES A. McCLOSKEY AND MARGARET McCLOSKEY.

WITNESS my hand and official seal.

My commission expires April 6 1959

Handwritten signature and official seal of the recorder.

As to Form APPROVED FOR RECORDING: LAND OFFICE

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