

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: March 11, 2019

ROW #: 2019-Dedication-0000029 **SCHEDULE #:** Parcel 1 – 0131408024000
Parcel 2 - 0131408023000

TITLE: This request is to dedicate City owned land as Public Alley.
Located in the alley bounded by E. 19th Ave., N. Dahlia St., E. Montview Blvd. and N. Eudora 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 Public Alley.

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 Alley. The land is described as follows:

INSERT PARCEL DESCRIPTION ROW (2019-Dedication-0000029-001 & 002) HERE.

A map of the area to be dedicated is attached.

MB/BLV

c: Dept. of Real Estate, Katherine Rinehart
City Councilperson Chris Herndon Dist. #8
Council Aide Amanda Schoultz
Council Aide Charley Oldaker
Council Aide Bonnie Guillen
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, Brad Beck
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, John Lautenschlager
Public Works Survey, Paul Rogalla

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: March 11, 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.**)

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Located in the alley bounded by E. 19th Ave., N. Dahlia St., E. Montview Blvd. and N. Eudora 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 Public Alley.

****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:** In alley bounded by E. 19th Ave., N. Dahlia St., E. Montview Blvd. and N. Eudora St.
- d. **Affected Council District:** Chris Herndon Dist. #8
- 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-0000029

Description of Proposed Project: Dedicate a parcel of public right of way as Public Alley.

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

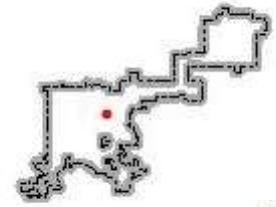
What is the known duration of an MEP: N/A

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

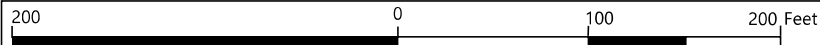
Will an easement relinquishment be submitted at a later date: N/A

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

-  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
-  Lots/Blocks
- Parks**
 -  All Other Parks; Linear
 -  Mountain Parks



Two parcels of land conveyed by Warranty Deed to the City & County of Denver, recorded on the 16th September 2009, by Reception Number 2009123366 in the City and County of Denver Clerk & Recorder's Office, State of Colorado, being more particularly described as follows:

Parts of Lots 15 thru 19, Lot 34 & Lot 35 of Block 1, Chamberlin & Winne's Colfax Heights, also located within the SE1/4, Section 31, Township 3 South, Range 67 West of the 6th P.M., more particularly described as follows:

PW Legal Description No. 2019-Dedication-000029-001

Parcel No. 1

Beginning at the intersection of the south line of Lot 19, Block 1, Chamberlin & Winne's Colfax Heights with the west line of the 11 foot wide alley as described in ordinance No. 210, Series 1927, dated October 29, 1927; thence north, along the west line of said 11 foot wide alley, a distance of 125.00 feet to the north line of Lot 15, of said Block 1; thence west, along the north line of said Lot 15, a distance of 22.50 feet; thence southeast a distance of 28.28 feet to a point located 2.50 feet west of the west line of said 11 foot wide alley and 20.00 feet south of the north line of said Lot 15; thence south, parallel with the west line of said 11 foot wide alley, a distance of 105.00 feet to the south line of said Lot 19; thence east, along said south line of said Lot 19 a distance of 2.50 feet to the Point of Beginning, City and County of Denver, State of Colorado. Containing 513 sq. ft. or 0.012 acres more or less.

PW Legal Description No. 2019-Dedication-000029-002

Parcel No. 2

Beginning at the intersection of the south line of Lot 34, Block 1, Chamberlin & Winne's Colfax Heights with the east line of the 11 foot wide alley as described in Ordinance No. 210, Series 1927, dated October 29, 1927; thence north, along the east line of said 11 foot wide alley, a distance of 45.00 feet a point 20.00 feet north of the south line of said Lot 35; thence east, parallel with the south line of said Lot 35 a distance of 2.50 feet; thence south, parallel with the east line of said 11 foot wide alley, a distance of 45.00 feet to the south line of said Lot 34; thence west along the south line of said Lot 34, a distance of 2.50 feet to the Point of Beginning. City and County of Denver, State of Colorado. Containing 113 sq. ft. or 0.003 acres more or less.

Asset Management: 09-078
Date: 9/16/09
Approved: [Signature]
Project Description: 19th to Montview Blvd #2008-0496 #1
Dahlia to Endora St.

WARRANTY DEED

THIS DEED, is dated _____, 20____, and is made between MONTVIEW BOULEVARD PRESBYTERIAN CHURCH a Colorado Non-Profit Corporation

(whether one, or more than one), the "Grantor," of the * CITY AND County of DENVER and State of COLORADO and THE CITY & COUNTY OF DENVER A COLORADO MUNICIPAL CORPORATION

(whether one, or more than one), the "Grantee," whose legal address is 1437 BANNOCK STREET DENVER, CO 80202 of the CITY AND County of DENVER and State of COLORADO

WITNESS, that the Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) & OTHER GOOD & VALUABLE CONSIDERATION//////////DOLLARS/ (\$ 10.00), the receipt and sufficiency of which is hereby acknowledged, hereby grants, bargains, sells, conveys and confirms unto the Grantee and the Grantee's heirs and assigns forever, all the real property, together with any improvements thereon, located in the CITY AND County of DENVER and State of Colorado, described as follows:

FOR A LEGAL DESCRIPTION SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART OF THIS GENERAL WARRANTY DEED

also known by street address as: VACANT LAND and assessor's schedule or parcel number:

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, the reversions, remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the Grantor, 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 Grantee and the Grantee's heirs and assigns forever.

The Grantor, for the Grantor and the Grantor's heirs and assigns, does covenant, grant, bargain, and agree to and with the Grantee, and the Grantee's heirs and assigns: that at the time of the ensembling and delivery of these presents, the Grantor is well seized of the premises above described; has good, sure, perfect, absolute and indefeasible estate of inheritance, in law and 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, encumbrances and restrictions of whatever kind or nature soever, except and subject to: none; or the following matters:

And the Grantor shall and will WARRANT AND FOREVER DEFEND the above described premises, but not any adjoining vacated street or alley, if any, in the quiet and peaceable possession of the Grantee and the heirs and assigns of the Grantee, against all and every person or persons claiming the whole or any part thereof.

IN WITNESS WHEREOF, the Grantor has executed this deed on the date set forth above.

MONTVIEW BOULEVARD PRESBYTERIAN CHURCH a Colorado Non-Profit Corporation

BY [Signature] LORRAINE ALCOTT, PRESIDENT

STATE OF COLORADO

City & County of Denver

The foregoing instrument was acknowledged before me this 15th day of September, 2009, by Lorraine Alcott

Witness my hand and official seal. My commission expires: 3 26 2010

*Insert "City and" if applicable.



[Signature] Donna S. Hebert Public

Name and Address of Person Creating Newly Created Legal Description (§38-35-106.5, C.R.S.)

EXHIBIT A

PROPERTY DESCRIPTION

LEGAL DESCRIPTION:

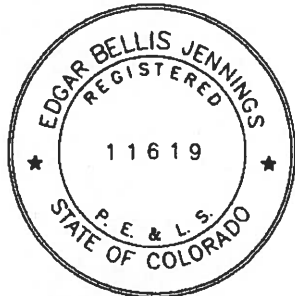
PARTS LOTS 15 THRU 19, LOT 34 AND LOT 35 OF BLOCK 1, CHAMBERLIN & WINNE'S COLFAX HEIGHTS, ALSO LOCATED WITHIN THE SE¼, SECTION 31, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE 6TH P.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL NO. 1

BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF LOT 19, BLOCK 1, CHAMBERLIN & WINNE'S COLFAX HEIGHTS WITH THE WEST LINE OF THE 11 FOOT WIDE ALLEY AS DESCRIBED IN ORDANCE NO. 210, SERIES OF 1927, DATED OCTOBER 29, 1927; THENCE NORTH, ALONG THE WEST LINE OF SAID 11 FOOT WIDE ALLEY, A DISTANCE OF 125.00 FEET TO THE NORTH LINE OF LOT 15, OF SAID BLOCK 1; THENCE WEST, ALONG THE NORTH LINE OF SAID LOT 15, A DISTANCE OF 22.50 FEET; THENCE SOUTHEAST A DISTANCE OF 28.28 FEET TO A POINT LOCATED 2.50 FEET WEST OF THE WEST LINE OF SAID 11 FOOT WIDE ALLEY AND 20.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT 15; THENCE SOUTH, PARALLEL WITH THE WEST LINE OF SAID 11 FOOT WIDE ALLEY, A DISTANCE OF 105.00 FEET TO THE SOUTH LINE OF SAID LOT 19; THENCE EAST, ALONG THE SOUTH LINE OF SAID LOT 19 A DISTANCE OF 2.50 FEET TO THE POINT OF BEGINNING, CITY AND COUNTY OF DENVER, STATE OF COLORADO, CONTAINING 513 SQ FT OR 0.012 ACRES MORE OR LESS.

PARCEL NO. 2

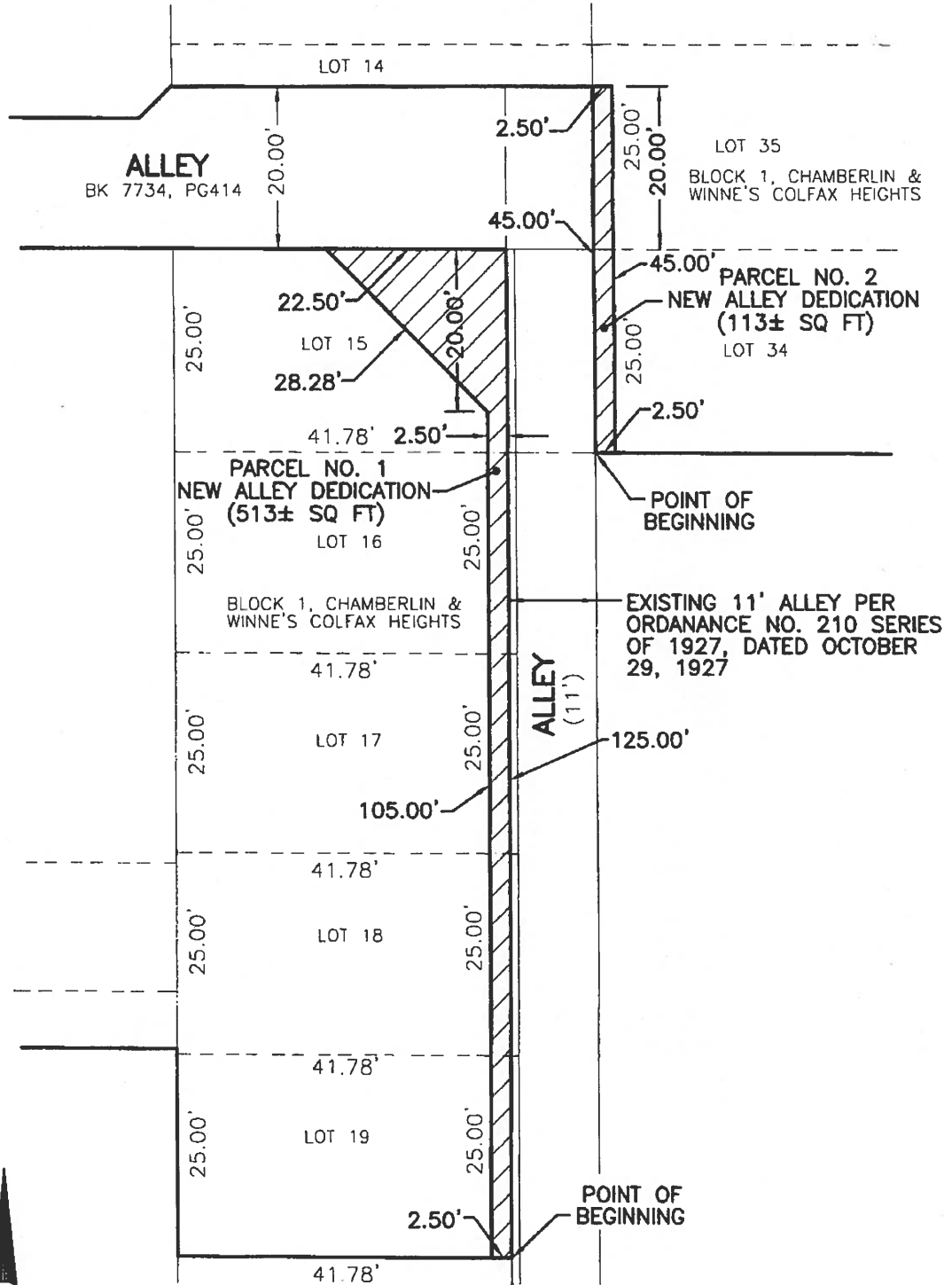
BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF LOT 34, BLOCK 1, CHAMBERLIN & WINNE'S COLFAX HEIGHTS WITH THE EAST LINE OF THE 11 FOOT WIDE ALLEY AS DESCRIBED IN ORDANCE NO. 210, SERIES OF 1927, DATED OCTOBER 29, 1927; THENCE NORTH, ALONG THE EAST LINE OF SAID 11 FOOT WIDE ALLEY, A DISTANCE OF 45.00 FEET TO A POINT 20.00 FEET NORTH OF THE SOUTH LINE OF SAID LOT 35; THENCE EAST, PARALLEL WITH THE SOUTH LINE OF SAID LOT 35, A DISTANCE OF 2.50 FEET; THENCE SOUTH, PARALLEL WITH THE EAST LINE OF SAID 11 FOOT WIDE ALLEY, A DISTANCE OF 45.00 FEET TO THE SOUTH LINE OF SAID LOT 34; THENCE WEST, ALONG THE SOUTH LINE OF SAID LOT 34, A DISTANCE OF 2.50 FEET TO THE POINT OF BEGINNING, CITY AND COUNTY OF DENVER, STATE OF COLORADO, CONTAINING 113 SQ FT OR 0.003 ACRES MORE OR LESS.



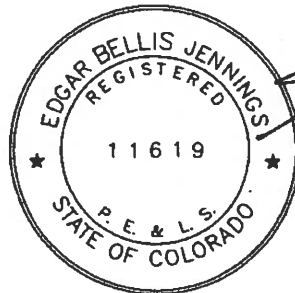
Edgar Jennings 7/28/09
PREPARED BY: EDGAR JENNINGS

COLORADO PE&PLS NO. 11619
PO BOX 200662
DENVER, COLORADO 80220
303-388-1867

RIGHT-OF-WAY EXHIBIT



1" = 20'



7-28-09
 PREPARED BY: EDGAR JENNINGS
 COLORADO PE&PLS NO. 11619
 PO BOX 200662
 DENVER, COLORADO 80220
 303-388-1867

NOTE: THIS PLAN IS AN EXHIBIT ONLY, NOT A SURVEY.