



**Department of Public Works**  
Right of Way Services  
201 W Colfax Avenue, Dept. 507  
Denver, CO 80202  
P: 720-865-2782  
www.denvergov.org/pwprs

## REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

**TO:** Karen Walton, City Attorney's Office

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

**DATE:** September 18, 2014

**ROW #:** 2014-0051-28      **SCHEDULE #:** Adjacent to 0509610026000, 0509610014000,  
0509610014000, 0509610013000,  
0509610022000, 0509610006000 &  
0509610023000

**TITLE:** This request is to dedicate City owned land as Public Alley.  
Located south of W. Ellsworth and west of S. Kalamath.

**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 (2014-0051-28-001) HERE.**

A map of the area to be dedicated is attached.

RD/BLV

c: Asset Management, Steve Wirth  
City Councilperson & Aides, Judy Montero District # 9  
City Council Staff, Gretchen Williams  
Environmental Services, David Erickson  
Public Works, Manager's Office, Alba Castro  
Public Works, Manager's Office, Nancy Kuhn  
Department of Law, Karen Aviles  
Department of Law, Brent Eisen  
Department of Law, Karen Walton  
Public Works Survey, Ali Gulaid  
Public Works Survey, Paul Rogalla



## EXECUTIVE SUMMARY

**DENVER**  
THE MILE HIGH CITY

**Project Title: 2014-0051-28 Dedication Ellsworth and Kalamath**

**Description of Proposed Project: To dedicate City owned land as Public Alley**

**Explanation of why the public right-of-way must be utilized to accomplish the proposed project: Dedicating City owned land to Public Right of Way, from the vacant parcel program approved through City Council.**

**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 of dedicating it as Public Right-of-Way.**

**ORDINANCE/RESOLUTION REQUEST**

Please email requests to Nancy Kuhn at [Nancy.Kuhn@Denvergov.org](mailto:Nancy.Kuhn@Denvergov.org) by **NOON 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: September 18, 2014

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

This request is to dedicate City owned land as Public Alley.  
Located south of W. Ellsworth Ave and west of S. Kalamath St.

3. **Requesting Agency:** Public Works – Right-of-Way – Engineering Services

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

- **Name:** Barbara Valdez
- **Phone:** 720-865-3153
- **Email:** [Barbara.valdez@denvergov.org](mailto: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:** Nancy Kuhn
- **Phone:** 720-865-8720
- **Email:** [Nancy.Kuhn@denvergov.org](mailto:Nancy.Kuhn@denvergov.org)

6. **General description of proposed ordinance including contract scope of work if applicable:**

*\*\*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.)*

- a. **Contract Control Number:** N/A
- b. **Duration:** Permanent
- c. **Location:** South of W. Ellsworth Ave and west of S. Kalamath St
- d. **Affected Council District:** Judy Montero District #9
- e. **Benefits:** N/A
- f. **Costs:** 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: \_\_\_\_\_

# Public Alley south of W Ellsworth Ave west of S Kalamath St



- Denver County (Boundary)
- Street Centerline
- Interstate
- US Highway
- Other
- Parcels
- Lots/Blocks (Base Map)
- mask
- 2012\_Denver.jp2.iri
- Denver County (Shaded)
- Denver County
- Adams County
- Arapahoe County
- Jefferson County

Map generated 7/25/2014 - 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.

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# Public Alley south of W Ellsworth Ave west of S Kalamath St



**PW Legal Description No. 2014-0051-28-001**

A portion of the parcel of land conveyed to the City & County of Denver by Treasurer's Deed, recorded on the 21st of May, 1932, in Book 4668 Page 170, in the City and County of Denver Clerk & Recorder's Office located in the Southeast 1/4 of Section 9, Township 4 South, Range 68 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado. Being more particularly described as follows:

Rear Eight (8) feet of Lots One (1) to Eight (8) both Inclusive, for Alley, in Block Twelve (12) Lake Archer Subdivision.

Except that portion south of the northerly line of a parcel of land conveyed to The Atchison, Topeka and Santa Fe Railway Company by Warranty Deed on the 4<sup>th</sup> of December 1961 in Book 8772 Page 147, in the City and County of Denver Clerk & Recorder's Office, City and County of Denver, State of Colorado, being described as Tract 2.

All that part of Block 12, Lake Archer Subdivision, and of vacated South Lipan Street adjacent to said Block 12, more particularly described as follows: Beginning at the northwest corner of Lot 4 of said Block 12; thence east along the north line of said Lot 4 a distance of 40 feet, more or less, to the northwesterly corner of a tract of land conveyed to Frank Schwartz by Santa Fe Land Improvement Company by deed dated May 9, 1949; thence southeasterly along a straight line, and along the southwesterly boundary of said tract conveyed to Schwartz, a distance of 410.4 feet, more or less, to the southeast corner of Lot 16 of said Block 12; thence northwesterly along the northeasterly line of the right of way of The Colorado and Southern Railway Company to a point in the west line of said Lot 4, a distance of 10.6 feet, more or less, south of the northwest corner thereof; thence continuing on the last-described course to the extended north line of said Lot 4; thence east along said extended north line of Lot 4 to the point of beginning; Containing an area of 0.19 of an acre, more or less.

ALBERT C. MONSON. RECORDER.

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ALLEY

Know all Men by these Presents, That, whereas, the following described several parcels of real property,

Rear Eight (8) feet of Lots One (1) to Eight (8) both inclusive, for Alley, in Block Twelve (12) Lake Archer Subdivision.

situated in the City and County of Denver, and State of Colorado, were subject to taxation for the year A. D. 1906, and whereas, the taxes separately assessed upon said several parcels of real property for the year aforesaid, remained due and unpaid at the date of the sale hereinafter named; and whereas, the Treasurer of the said City and County of Denver, did on the 8th day of November A. D. 1907, by virtue of the authority vested in him by law, at an adjourned sale the sale begun and publicly held on the 4th day of November A. D. 1907, expose to public sale separately, at the office of the Treasurer, in the City and County aforesaid, in substantial conformity with the requirements of the statute in such case made and provided, the said several parcels of real property above described, for the payment of the taxes, interest and costs then due and remaining unpaid on the said several parcels of real property; and whereas, at the time and place aforesaid

of the City and County of Denver, and State of Colorado, having separately bid for all of the above described several parcels of property, in all amounting to the sum of Dollars, and Cents, being the whole amount of taxes, interest and costs then due and remaining unpaid upon said several parcels of real property, for that year; and the said several parcels of real property, for that year; and the said having offered in said several bids to accept interest upon the said several parcels at the rate of per cent. per annum for the first six months and at the rate of per cent. per annum for the next six months, and at the rate of per cent. per annum for the third year, and at the rate of per cent. per annum for the second year, and at the rate of per cent. per annum for the first year, and the said rate of interest being the lowest rate of interest at which any person offered to pay the said taxes, interest and costs so due upon the said several parcels of property for that year, and payment of the said sum having been made by the said several parcels of property was stricken off to at that price. Treasurer, the said several parcels of property were

AND, WHEREAS, The said day of A. D. 1907, duly assign the certificate of the sale of the several parcels of property as aforesaid, and all rights, title and interest in said parcels of property to of the City and County of Denver, and State of Colorado, did on the

AND, WHEREAS, The said day of A. D. 1907, duly assign the certificate of the sale of the several parcels of property as aforesaid, and all rights, title and interest in and to said parcels of property to of the City and County of Denver, and State of Colorado, did on the

AND, WHEREAS, At the sale so held as aforesaid by the Treasurer, no bids were offered or made by any person in person for the said several parcels of property, and no person or persons having offered to pay the said taxes, interest and costs upon the said several parcels of property for that year, and the Treasurer having become satisfied that no sale of said several parcels of property could be had, therefore the said several parcels of property were, by the then Treasurer of the said City and County of Denver, stricken off to the said City and County of Denver, and the certificate of sale was duly issued therefor to the said City and County of Denver in accordance with the statute in such case made and provided.

AND, WHEREAS, The said City and County of Denver, acting by and through its Manager of Revenue ex-officio Treasurer, and in conformity with an order of the Board of Equalization, sitting and acting as a Board of County Commissioners of the City and County of Denver, duly entered of record on the 16th day of May A. D. 1932, the said day being one of the days of a regular session of the Board of Equalization, sitting and acting as a Board of County Commissioners of said City and County, did duly assign the certificate of sale of the said several parcels of property, so issued as aforesaid, to the City and County of Denver, and all its rights, title and interest in said several parcels of property held by virtue of said sale to the City and County of Denver A Municipal Corporation One (1) Dollars and No (00) Cents.

AND, WHEREAS, The said day of A. D. 1932, duly assign the certificate of the sale of the said several parcels of property as aforesaid, and all rights, title and interest in and to said several parcels of property to of the City and County of Denver, and State of Colorado, did on the

AND, WHEREAS, The said day of A. D. 1932, duly assign the certificate of the sale of the said several parcels of property as aforesaid, and all rights, title and interest in and to said several parcels of property to of the City and County of Denver, and State of Colorado, did on the

AND, WHEREAS, The said day of A. D. 1932, duly assign the certificate of the sale of the said several parcels of property as aforesaid, and all rights, title and interest in and to said several parcels of property to of the City and County of Denver, and State of Colorado, did on the

AND, WHEREAS, All of the provisions of the statutes prescribing prerequisites to obtaining tax deeds have been fully complied with, and one was of record, and filed in the office of the Manager of Revenue, ex-officio Treasurer of said City and County of Denver.

NOW, THEREFORE, I, Wm. F. McGlone, Manager of Revenue, ex-officio Treasurer of the City and County of Denver, for and in consideration of the sum to the Manager of Revenue ex-officio Treasurer of the City and County of Denver paid as aforesaid, and by virtue of the statute in such case made and provided, have granted, bargained and sold and by these presents do grant, bargain and sell the above and foregoing described real estate unto the City and County of Denver a Municipal Corporation and assigns, forever; subject, however, to all the rights of redemption by minors, insane persons, or idiots, provided by law.

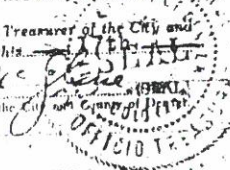
IN WITNESS WHEREOF, I, Wm. F. McGlone, Manager of Revenue, ex-officio Treasurer of the City and County of Denver, as aforesaid, have hereunto set my hand and seal, this 17th day of May A. D. 1932.

#39677.

STATE OF COLORADO, City and County of Denver, I, Alpha E. White, a Notary Public in and for said City and County, personally appeared the above named Wm. F. McGlone, Manager of Revenue, ex-officio Treasurer of said City and County, personally known to me to be the Manager of Revenue, ex-officio Treasurer of said City and County at the time of the execution of the above conveyance, and to be the identical person whose name is affixed to the foregoing deed, and who executed the above conveyance as Manager of Revenue, ex-officio Treasurer of the said City and County, and who acknowledged the execution of the same to be his voluntary act and deed as Manager of Revenue, ex-officio Treasurer of said City and County, for the purposes therein expressed.

Given under my hand and official seal, this 17th day of May A. D. 1932. My commission expires April 4th, 1934.

JAMES G. FARHOTT, CITY ATTORNEY, Mary Beach, ASSISTANT ATTORNEY, Alpha E. White, Notary Public, City and County of Denver, Colorado.



EXCEPTION PARCEL

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DEC 4 1961

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WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS: That SANTA FE LAND IMPROVEMENT COMPANY, a California corporation, for the consideration of ONE AND NO/100 DOLLARS (\$1.00), in hand paid, hereby sells and conveys to THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY, a Kansas corporation, the following described real property, situate in the City and County of Denver and State of Colorado, to-wit:

TRACT 1

All of the east 49 feet of the west 116 feet of Lots 1 to 24, inclusive, Block 4, Breenlow Subdivision of South Denver, according to the official plat thereof.

TRACT 2

All that part of Block 12, Lake Archer Subdivision, and of vacated South Lipan Street adjacent to said Block 12, more particularly described as follows:

Beginning at the northwest corner of Lot 4 of said Block 12;

Thence east along the north line of said Lot 4 a distance of 40 feet, more or less, to the northeasterly corner of a tract of land conveyed to Frank Schwartz by Santa Fe Land Improvement Company by deed dated May 9, 1949;

Thence southeasterly along a straight line, and along the southwesterly boundary of said tract conveyed to Schwartz, a distance of 40.4 feet, more or less, to the southeast corner of Lot 16 of said Block 12;

Thence northeasterly along the northeasterly line of the right of way of The Colorado and Southern Railway Company to a point in the west line of said Lot 4, distant 10.6 feet, more or less, south of the northwest corner thereof;

Thence continuing on last-described course to the extended north line of said Lot 4;



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Thence east along said extended north line of Lot 4  
to the point of beginning;

Containing an area of 0.19 of an acre, more or less.

TRACT 3

All that certain strip or tract of land situated in  
the northwest quarter of the southeast quarter (NW<sup>1</sup>SE<sup>1</sup>),  
the southwest quarter of the northeast quarter (SW<sup>1</sup>NE<sup>1</sup>),  
and the southeast quarter of the northwest quarter (SE<sup>1</sup>NW<sup>1</sup>)  
of Section 9, Township 4 South, Range 68 West, more  
particularly described as follows:

Beginning at the northeast corner of Block 11, Lake  
Archer Subdivision;

Thence west along the north line of said Block 11 a  
distance of 28.4 feet, more or less, to a point 30 feet  
southwesterly from, measured at right angles to, the center  
line of Rio Grande Boulevard, as now located and laid out;

Thence parallel with said center line of Rio Grande Boulevard,  
north 44 degrees 44 minutes west (bearings assumed for the purpose  
of this description), a distance of 492.3 feet, more or less, to  
a point of curve;

Thence continuing northwesterly, concentric with said center  
line of Rio Grande Boulevard, on a curve to the right with a  
radius of 176.19 feet, a distance of 36.4 feet, more or less, to  
a point of tangency;

Thence continuing parallel with said center line of Rio  
Grande Boulevard, north 32 degrees 54 minutes west, a distance  
of 219.8 feet, more or less, to an angle point in the north-  
easterly boundary of a tract of land conveyed to Royal Judd and  
others by Santa Fe Land Improvement Company by deed dated  
September 1, 1953;

Thence along said northeasterly boundary, south 17 degrees  
49 minutes 45 seconds east, a distance of 86.39 feet;

Thence north 44 degrees 42 minutes 21 seconds west a  
distance of 848.18 feet, more or less, to a point 226 feet  
southwesterly from, measured at right angles to, said center  
line of Rio Grande Boulevard;

Thence parallel with said center line of Rio Grande  
Boulevard, north 32 degrees 54 minutes west, a distance of  
242.6 feet;

Thence north 28 degrees 12 minutes west a distance of 84.14 feet;

Thence due north a distance of 212.0 feet, more or less, to a point in the south line of West Third Avenue distant 80 feet south and 554.38 feet, more or less, west of the south-east corner of Block 3, Bailey's Addition;

Thence due west along said south line of West Third Avenue a distance of 61.73 feet, more or less, to the northeast corner of a tract of land conveyed to Francis I. Byrne and Carolyn R. Byrne by Santa Fe Land Improvement Company by deed dated March 12, 1952;

Thence due south along the east line of said Byrne tract a distance of 200.0 feet;

Thence due west along the south line of said Byrne tract a distance of 46.11 feet;

Thence north 37 degrees 02 minutes west along the south-westerly line of said Byrne tract a distance of 250.54 feet, more or less, to a point in said south line of West Third Avenue;

Thence due west along said south line of West Third Avenue a distance of 35.3 feet, more or less, to a point in the easterly property line of The Colorado and Southern Railway Company, said easterly line being also the line between points numbered 20 and 21 in the deed from Ralph M. Hogin and wife to Santa Fe Land Improvement Company dated May 21, 1946, and recorded in Book 6067, Page 203; of the deed records of the City and County of Denver;

Thence along said easterly property line, south 25 degrees 41 minutes east (this course being shown as south 25 degrees 45 minutes east in said deed from Hogin), a distance of 42.2 feet, more or less, to the most northerly point in the tract of land designated "Tract H-11" in deed from Santa Fe Land Improvement Company to The Colorado and Southern Railway Company dated September 11, 1958;

Thence along the northeasterly boundary of said Tract H-11, south 43 degrees 25 minutes east (this course being shown as south 43 degrees 29 minutes east in said deed to The Colorado and Southern Railway Company), a distance of 2,232 feet, more or less, to a point in the east line of said Block 11, Lake Archer Sub-division;

Thence due east a distance of 35 feet to the center line of vacated South Lipan Street;

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Thence due north along said center line of vacated street a distance of 86.44 feet, more or less, to the projected north line of said Block 11;

Thence west along said projected north line of Block 11 a distance of 35 feet, more or less, to the point of beginning;

Containing an area of 2.02 acres, more or less.

TRACT A

All that certain strip or tract of land situated in the east half of the northwest quarter of Section 9, Township 4 South, Range 68 West, more particularly described as follows:

Commencing at a point in the north line of West Third Avenue, distant 869.24 feet west of the southeast corner of Block 3, Bailey's Addition to Denver; thence northwesterly at an angle of 50 degrees 54 minutes to said north line of West Third Avenue a distance of 47.4 feet, more or less, to the point of intersection of the extended southwesterly line of Baritan Way with the northeasterly line of the property of The Colorado and Southern Railway Company, said point of intersection being the most southerly point and POINT OF BEGINNING of the metes and bounds of the strip of land herein described;

Thence continuing on last-described course, along said southwesterly line of Baritan Way and its extension, a distance of 677.1 feet, more or less, to a point of curve located 375.62 feet west of the west line of Quivas Street and 562.31 feet north of said north line of West Third Avenue;

Thence continuing northwesterly along said southwesterly line of Baritan Way, on a curve to the right with a radius of 1861.58 feet, a distance of 223.8 feet, more or less, to a point 506.0 feet west of said west line of Quivas Street;

Thence continuing on last-described curve, and along the westerly line of a tract of land heretofore conveyed by Santa Fe Land Improvement Company to Joe Gold and Joseph W. Pepper by warranty deed dated January 28, 1954, and recorded in Book 7473 at Page 100, a distance of 151.63 feet to the southeasterly corner of a strip of land conveyed by said Santa Fe Land Improvement Company to Morrison-Merrill and Co. of Colo. by warranty deed dated August 23, 1960;

Thence south 89 degrees 56 minutes west (bearings assumed for the purpose of this description) along the south line of said Morrison-Merrill strip a distance of 24.78 feet,

more or less, to a point 50 feet easterly from, measured normally to, the center line of The Atchison, Topeka and Santa Fe Railway Company's main track, as now located and constructed;

Thence concentric with said main track center line, and along the westerly boundary of said Morrison-Merrill strip, on an arc of a curve to the right with a radius of 2815.2 feet (the chord of said arc bearing north 19 degrees 15 minutes west 603.60 feet), an arc distance of 604.77 feet to a point in the east line of the property of The Colorado and Southern Railway Company, from which point the northwest corner of the northeast quarter of the northwest quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$ ) of said Section 9 bears north 29 degrees 26 minutes 30 seconds west 289.63 feet;

Thence along the property line common to The Colorado and Southern Railway Company and Santa Fe Land Improvement Company, as follows:

South 0 degrees 46 minutes 30 seconds east a distance of 67 feet, more or less, to a point from which said northwest corner of the northeast quarter of the northwest quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$ ) of Section 9 bears north 24 degrees 09 minutes west 348.43 feet;

Southeasterly along an arc of a curve to the left with a radius of 2830 feet (the chord of said arc bearing south 26 degrees 36 minutes 30 seconds east 1199.45 feet), an arc distance of 1208.48 feet to a point on the easterly line of the property described in a deed from Robert R. McCormick to the Denver and New Orleans Railroad Company dated October 17, 1881, and recorded in Book 134, Page 520, of the records of the Clerk and Recorder's Office of the City and County of Denver; and

Southeasterly along said easterly property line a distance of 415 feet, more or less, to the point of beginning.

The area of the strip of land above described is 1.37 acres, more or less.

The total area of the four strips or tracts of land above described is 4.25 acres, more or less,

with all its appurtenances, and warrants the title to the same, subject to the

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lien of the Moffat Tunnel and general taxes for the year 1961, payable in  
1962, and subsequent years.


Signed and delivered this 21st day of September

1961.

SANTA FE LAND IMPROVEMENT COMPANY

By [Signature]  
Its President

[Signature]  
Assistant Secretary



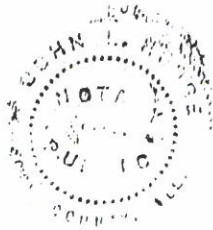
71804

STATE OF ILLINOIS )  
                          ) ss  
COUNTY OF COOK    )

The foregoing instrument was acknowledged before me this  
1st day of November, 1961, by R. D. Lutton  
as \_\_\_\_\_ President, and by C. F. Mappes  
as Assistant Secretary of Santa Fe Land Improvement  
Company, a corporation.

My notarial commission expires December 20, 1964.

Witness my hand and official seal.



John L. Hodge  
Notary Public

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H 27768  
H 28193

Doc No. 43713  
EXEMPT TO  
SANTA FE LAND IMPROVEMENT CO. DEED

SANTA FE LAND IMPROVEMENT COMPANY

TO

THE ARCHISON, TOPERA AND SANTA FE  
RAILWAY COMPANY

November 21, 1961.

Warranty Deed.

4.25 acres in all,  
Tract No. 1 0.67 acre, Pt. Lts. 1  
to 24 Incl. Blk. 4 Breeshlow Sub. divn.  
Tract No. 2 0.13 acre, Ft. Blk. 12  
Lake Archer Sub. Divn.  
Tract No. 3 2.02 acre, in N<sup>1</sup>/<sub>2</sub>SE<sup>1</sup>/<sub>4</sub>,  
STANLEY & SE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>, Lake Archer Sub. Divn.  
Tract No. 4, 1.37 acre, Blk. 12, all  
in Sec. 9, T-4-S, R-68-W,  
Denver, Denver County, Colorado.

10.00

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RECORDED  
INDEXED  
FILED IN ARCHISON  
DEC 4 12 44 PM '61  
8772 147  
BOOK PAGE  
SPRINGFIELD  
RECORDED

RETURN TO  
Secretary and Treasurer  
Topera, Kansas  
43713