



DENVER
THE MILE HIGH CITY

Department of Public Works
Capital Projects Management
Permit Operations and Right of Way Enforcement
Infrastructure Planning & Programming
Traffic Engineering Services
201 W. Colfax Avenue
Denver, CO 80202
www.denvergov.org

REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Melinda Olivarez, City Attorney's Office

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

DATE: June 24, 2010

ROW #: 2010-0145-01 **SCHEDULE #:** Parcel # 1 0222114032000 Parcel # 2 0222114030000

TITLE: 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.

SUMMARY: This request is to dedicate existing City owned land as a Public Alley. Located at 46th Ave., between Sherman and Grant 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 a Public Alley. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW (# 2010-0145-01) HERE.

A map of the area to be dedicated is attached.

RD/JL/LRA *JL*

cc: Asset Management, Steve Wirth
City Councilperson, Judy Montero, District #9
City Council Aide, Teresa A. St. Peter and Stephanie Syner
City Council Staff, Gretchen Williams
Department of Law, Karen Aviles
Department of law, Melinda Olivarez
Department of law, Arlene Dykstra
Environmental Services, David Erickson
Mayor's Office, City Council Liaison, R. D. Sewald
Mayor's Office, Heather Barry
Public Works, Manager's Office, Christine Downs
Public Works, Manager's Office, Daelene Mix
Public Works, Right-of-Way Engineering Services, Rob Duncanson
Public Works, Right-of-Way Engineering Services, Area surveyor John Lautenschlager
Public Works Survey-Paul Rogalla
Owner: City and County of Denver
Project file folder 2010-0145-01



ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor's Legislative Team
at MailHighOrdinance@DenverGov.org by NOON on Wednesday.

**All fields must be completed.*
Incomplete request forms will be returned to sender which may cause a delay in processing.*

Date of Request: June 23, 2010

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 one sentence description that clearly indicates the type of request – grant acceptance, contract execution, municipal code change, supplemental request, etc.)

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 a Public Alley.

3. **Requesting Agency:** PW-Right-of-Way Engineering Services

4. **Contact Person:** (with actual knowledge of proposed ordinance)

- **Name:** Lisa R. Ayala
- **Phone:** 720-865-3153
- **Email:** lisa.ayala@denvergov.org

5. **Contact Person:** (with actual knowledge of proposed ordinance who will present the item at Mayor Council and who will be available for first and second reading, if necessary)

- **Name:** Daelene Mix
- **Phone:** 720-865-8720
- **Email:** daelene.mix@denvergov.org

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

This request is to dedicate existing City owned land as a Public Alley. Located at 46th Ave., between Sherman St., and Grant St.

Please include the following:

- a. **Duration:** n/a
- b. **Location:** Public Alley, between Sherman St. and Grant St.
- c. **Affected Council District:** Judy Montero # 9
- d. **Benefits:** n/a
- e. **Costs:** n/a

7. **Is there any controversy surrounding this ordinance?** (groups or individuals who may have concerns about it?) **Please explain.**

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: _____

Date: _____

Ordinance Request Number: _____

Date: _____

Public Alley Parcel 1



- Street Centerline
- Denver County (Boundary)
- Parcels
- 2008 Denver
- Denver County (Shaded)
- Denver County
- Adams County
- Arapahoe County
- Jefferson County

Map generated 1/20/2011 - 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 accuracy for a particular use. This is not a legal document.

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Public Alley Parcel 2



- Street Centerline
- Denver County (Boundary)
- Parcels
- 2008 Denver
- Denver County (Shaded)
- Denver County
- Adams County
- Arapahoe County
- Jefferson County

Map generated 11/20/2010 - 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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Two parcels of land located in the Northeast 1/4 of Section 22, Township 3 South, Range 68 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado.

Parcel 1

A parcel of land conveyed by Warranty Deed to the City & County of Denver, recorded on the 28th of September 1990 by reception number R-90-0090234 in the City and County of Denver Clerk & Recorders Office being more particularly described as follows:

A tract or parcel of land No. 5A of the State Department of Highways, Division of Highways, State of Colorado, Project No. IR 25-2(193) UNIT 2 containing 16 square feet more or less, in Lot 24, Block 19 of PLATTEFARM, a subdivision lying in the N ½ of the NE ¼ of Section 22, Township 3 South, Range 68 West, of the Sixth Principal Meridian, in the City and County of Denver, Colorado, said tract or parcel being more particularly described as follows:

Commencing at the SE corner of said Lot 24; Thence S. 89° 33' 20" W., along the south line of said Lot 24, also being along the north right of way line of 46th Ave. North Service Road (December 1989) a distance of 7.00 feet to the true point of beginning;

1. Thence N. 56° 48' 26" E., a distance of 8.23 feet to the east line of said Lot 24;
2. Thence S. 0° 29' 22" E along said east line of Lot 24, a distance of 4.50 feet, to the SE corner of said Lot 24;
3. Thence S. 89° 33' 20" W., along said south lot line, also along said north right of way line, a distance of 7.00 feet, more or less, to the true point of beginning.

The above described parcel contains 16 square feet, more or less.

Basis of Bearing. Along the north line of the south half of the NE ¼ Section 22, T. 3 S., R. 68 W., 6th PM., is S. 89° 51' 02.6" E. The east corner of said north line being a "+" on top of a stone in range box in a machine shop yard. The west corner of said north line is a calculated position using the north quarter corner.

Parcel 2

A parcel of land conveyed by Warranty Deed to the City & County of Denver, recorded on the 18th of June 1990 by reception number R-90-0052721 in the City and County of Denver Clerk & Recorders Office being more particularly described as follows:

A tract or parcel of land No. 6 of the State Department of Highways, Division of Highways, State of Colorado, Project No. IR 25-2(193) UNIT 2 containing 5 square feet more or less, in Lot 25, Block 19 of PLATTEFARM, a subdivision lying in the N ½ of the NE ¼ of Section 22, Township 3 South, Range 68 West, of the Sixth Principal Meridian, in the City and County of Denver, Colorado, said tract or parcel being more particularly described as follows:

Commencing at the SW corner of said Lot 25; Thence N. $89^{\circ} 33' 20''$ E., along the south line of said Lot 25 also being the north right of way line of 46th Ave. North Service Road (December 1989) a distance of 3.50 feet to the true point of beginning;

1. Thence S. $89^{\circ} 33' 20''$ W., along said south Lot line and also being along the said north right of way line a distance of 3.50 feet to said SW corner of said Lot 25;
2. Thence N. $0^{\circ} 29' 22''$ W along the west line of said Lot 25, a distance of 3.00 feet;
3. Thence S. $49^{\circ} 51' 44''$ E., a distance of 4.61 feet, more or less to the true point of beginning.

The above described parcel contains 5 square feet, more or less.

Basis of Bearing. Along the north line of the south half of the NE $\frac{1}{4}$ Section 22, T. 3 S., R. 68 W., 6th PM., is S. $89^{\circ} 51' 02.6''$ E. The east corner of said north line being a "+" on top of a stone in range box in a machine shop yard. The west corner of said north line is a calculated position using the north quarter corner.

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WARRANTY DEED

RECORDER'S STAMP

THIS DEED, Made this 14th day of August
19 90 between BERTHA ROBLES AND GILBERT BISNEROS

of the City and County of Denver and State of
Colorado, grantor, and CITY AND COUNTY OF DENVER,
A MUNICIPAL CORPORATION
whose legal address is

of the City and County of Denver and State of Colorado, grantee:

WITNESSETH, That the grantor, for and in consideration of the sum of
Three hundred eighty and no/100-----DOLLARS,
the receipt and sufficiency of which is herby acknowledged, has granted, bargained, sold and conveyed, and
by these presents does grant, bargain, sell, convey and confirm unto the grantee, his heirs and assigns forever,
all the real property, together with improvements, if any, situate, lying and being in the City and County
of Denver and State of Colorado, described as follows:

A tract or parcel of land No. 5 of the State Department of Highways,
Division of Highways, State of Colorado, Project No. IR 25-2(193) UNIT 2
containing 19 square feet, more or less, in Lot 24, Block 19 of PLATTEFARM, a
subdivision lying in the N 1/2 of the NE 1/4 of Section 22, Township 3 South,
Range 68 West, of the Sixth Principal Meridian, in the City and County of
Denver, Colorado, said tract or parcel being more particularly described as
follows:

Commencing at the SW corner of said Lot 24; thence N. 89° 33' 20" E.,
along the south line of said Lot 24, also being along the north right of way
line of 48th Ave. North Service Road (December 1989), a distance of 6.60 feet
to the true point of beginning;

1. Thence S. 89° 33' 20" W., along said south line of Lot 24, also along
said north right of way line, a distance of 6.60 feet, to the SW
corner of said Lot 24;
2. Thence N. 0° 29' 22" W., along the west line of said Lot 24, also
being along the east right of way line of Sherman St. (December
1989), a distance of 6.00 feet;
3. Thence S. 47° 48' 21" E., a distance of 6.85 feet, more or less, to
the true point of beginning.

The above described parcel contains 19 square feet, more or less.

Basis of Bearing: Along the north line of the south half of the NE 1/4 of
Section 22, T. 3 S., R. 68 W., 6th P.M., is S. 89° 51' 02.8" E. The east
corner of said north line being a "+" on top of a stone in range box in a
machine shop yard. The west corner of said north line is a calculated
position using the north quarter corner.

AND

PARCEL 1

A tract or parcel of land No. 5A of the State Department of Highways,
Division of Highways, State of Colorado, Project No. IR 25-2(193) UNIT 2
containing 16 square feet, more or less, in Lot 24, Block 19 of PLATTEFARM, a
subdivision lying in the N 1/2 of the NE 1/4 of Section 22, Township 3 South,
Range 68 West, of the Sixth Principal Meridian, in the City and County of
Denver, Colorado, said tract or parcel being more particularly described as
follows:

*If in Denver, insert "City and" in this blank.

State of Highways of the State of Colorado
Highway C Two Building
1.91 1st Kansas Avenue
Denver, Colorado 80222

②

Commencing at the SE corner of said lot 24; thence N. 89° 33' 20" W., along the south line of said lot 24, also being along the north right of way line of 46th Ave. North Service Road (December 1989), a distance of 7.00 feet to the true point of beginning:

1. Thence N. 86° 48' 28" E., a distance of 8.32 feet, to the east line of said lot 24;
2. Thence S. 0° 29' 22" E., along said east line of lot 24, a distance of 4.60 feet, to the SE corner of said lot 24;
3. Thence S. 89° 33' 20" W., along said south lot line, also along said north right of way line, a distance of 7.00 feet, more or less, to the true point of beginning.

The above described parcel contains 16 square feet, more or less.

Basis of Bearing: Along the north line of the south half of the NE 1/4 of Section 22, T. 3 S., R. 6E W., 8th P.M., is S. 89° 51' 02.6" E. The east corner of said north line being a "+" on top of a stone in range box in a machine shop yard. The west corner of said north line is a calculated position using the north quarter corner.

also known by street and number as: 4602 Sherman

TOGETHER with all and singular the hereditaments and appurtenances therunto belonging, or in anywise appertaining, and the reversions and reversioners, remainder and 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, his heirs and assigns forever.

And the grantor, for himself, his heirs, and personal representatives, does covenant, grant, bargain and agree to and with the grantee, his heirs and assigns, that at the time of the executing and delivery of these presents, he is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, 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, leases, taxes, assessments, encumbrances and restrictions of whatever kind or nature aforesaid, except

AFTER THE STATE HIGHWAY DEPARTMENT

The [unclear] of Highways of the State of Oregon
 Highway Department
 121 Fullerton Avenue
 Salem, Oregon 97301

AS WITNESSED this 1st day of May, 1989.

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[Large empty rectangular area for document content]

and the above bargained premises in the quiet and peaceable possession of the grantee, his heirs and assigns, against all and every person or persons lawfully claiming or to claim the whole or any part thereof, the grantor shall and will WARRANT AND FOREVER DEFEND. The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

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

Bertha Robles
BERTHA ROBLES
Gilbert Sineros
GILBERT SENEROS

STATE OF COLORADO,
City & County of Denver

The foregoing instrument was acknowledged before me this 14th day of August 1990, by Bertha Robles and Gilbert Sineros

My commission expires 2/28/91
Witness my hand and official seal.



Judette M. McClain
Notary Public
2000 South Holly Denver, CO 80222

THE DEPARTMENT OF REVENUE
The Department of Revenue of the State of Colorado
Highway 1700 Building
6101 East Florence Avenue
Denver, Colorado 80221

R-90-0062721 6/10/90 12:03 M D
FELICIA HUFTIC DENVER COUNTY 15.00 1/ 3
00 under.

WARRANTY DEED

THIS DEED, Made this 23rd day of May
19 90 between JUANITA INACIA MARQUEZ

of the City and County of Denver and State of
Colorado, grantor, and THE CITY AND COUNTY OF DENVER,
A MUNICIPAL CORPORATION
whose legal address is

of the City and County of Denver and State of Colorado, grantee:

WITNESSETH, That the grantor, for and in consideration of the sum of

Fifty Five and No/100-----DOLLARS,

the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and
by these presents does grant, bargain, sell, convey and confirm unto the grantee, his heirs and assigns forever,
all the real property, together with improvements, if any, situate, lying and being in the City and County
of Denver and State of Colorado, described as follows:

A tract or parcel of land No. 6 of the State Department of
Highways, Division of Highways, State of Colorado, Project No. TR
25-2(193) UNIT 2 containing 5 square feet, more or less, in lot 25,
Block 19 of PLATTEFARM, a subdivision lying in the N 1/2 of the NE
1/4 of Section 22, Township 3 South, Range 68 West, of the Sixth
Principal Meridian, in the City and County of Denver, Colorado, said
tract or parcel being more particularly described as follows:

Commencing at the SW corner of said lot 25; thence N. 89° 33' 20"
E., along the south line of lot 25, also being along the north right
of way line of 46th Avenue North Service Road (December 1989), a
distance of 3.50 feet to the true point of beginning;

1. Thence S. 89° 33' 20" W., along said south lot line, also
along said north right of way line, a distance of 3.50 feet,
to the SW corner of said lot 25;
2. Thence N. 0° 29' 22" W., along the west line of said Lot 25,
a distance of 3.00 feet;
3. Thence S. 49° 51' 44" E., a distance of 4.61 feet, more or
less, to the true point of beginning.

The above described parcel contains 5 square feet, more or less.

Basis of bearing: Along the north line of the south half of the
NE 1/4 of Section 22, T. 3 S., R. 68 W., 6th P.M., is S. 89° 51'
02.6" E. The east corner of said north line being a "+" on top of a
stone in range box in a machine shop yard. The west corner of said
north line is a calculated position using the north quarter corner.

RECORDER'S STAMP

PARCEL 2

"If in Denver, insert "City and" in this blank.

AFTER FLOODING PLEASE USE IN

The Department of Highways of the State of Colorado
Highway Office Building
4901 South Alameda Avenue
Denver, Colorado 80222

and the above bargained premises in the quiet and peaceable possession of the grantee, his heirs and assigns, against all and every person or persons lawfully claiming or to claim the whole or any part thereof, the grantor shall and will WARRANT AND FOREVER DEFEND. The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

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

Juanita I Marquez
JUANITA INACIA MARQUEZ

STATE OF COLORADO.

City & County of Denver ss.

The foregoing instrument was acknowledged before me this 23rd day of May 1990, by Juanita de Marquez

My commission expires 2/26/91

Witness my hand and official seal.



Judette m-m: Clair
Notary Public
2000 S. Holly Denver
CO 80222

AFTER RECORDING PLEASE SEND TO:
The Department of Highways of the State of Colorado
Highway Office Building
4201 East Arkansas Avenue
Denver, Colorado 80222

ATTENTION: State of the County