


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

**TO:** Ivone Avila-Ponce, City Attorney's Office

**FROM:** Glen D. Blackburn, P.E., Deputy Director, Right-of-Way Services

**DATE:** June 5, 2023 

**ROW #:** 2023-DEDICATION-0000147 **SCHEDULE #:** Adjacent to 1) 0619216015000, 2) 0619216015000, 3) 0619217005000 and 4) 0619218025000

**TITLE:** This request is to dedicate four City-owned parcels of land as Public Right-of-Way as 1) East Arkansas Avenue, located at the intersection of South Colorado Boulevard and East Arkansas Avenue, 2) East Arkansas Avenue, located near the intersection of South Colorado Boulevard and East Arkansas Avenue, 3) East Arkansas Avenue, located at the intersection of South Ash Street and East Arkansas Avenue, and 4) East Arkansas Avenue located at the intersection of South Ash Street and East Arkansas Avenue.

**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) East Arkansas Avenue, 2) East Arkansas Avenue, 3) East Arkansas Avenue, and 4) East Arkansas Avenue

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 Right-of-Way. The land is described as follows:

**INSERT PARCEL DESCRIPTION ROW (2023-DEDICATION-0000147-001, 002, 003, 004) HERE.**

A map of the area to be dedicated is attached.

MB/PR /DG

cc: Dept. of Real Estate, [RealEstate@denvergov.org](mailto:RealEstate@denvergov.org)  
City Councilperson, Paul Kashmann #6  
Council Aide, Brent Fahrberger  
Council Aide Elise Bupp  
City Council Staff, Luke Palmisano  
Environmental Services, Andrew Ross  
DOTI, Manager's Office, Alba Castro  
DOTI, Manager's Office Jason Gallardo  
DOTI, Deputy 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, Uyen Tran  
DOTI Survey, Paul Rogalla  
DOTI Ordinance  
Project file folder 2023-DEDICATION-0000147

City and County of Denver Department of Transportation & Infrastructure  
Right-of-Way Services  
201 W. Colfax Ave. | Denver, CO 80215  
[www.denvergov.org/doti](http://www.denvergov.org/doti)  
Phone: 720-913-1311

## ORDINANCE/RESOLUTION REQUEST

Please email requests to Jason Gallardo  
at [Jason.Gallardo@DenverGov.org](mailto: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: June 5, 2023

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) East Arkansas Avenue, located at the intersection of South Colorado Boulevard and East Arkansas Avenue, 2) East Arkansas Avenue, located near the intersection of South Colorado Boulevard and East Arkansas Avenue, 3) East Arkansas Avenue, located at the intersection of South Ash Street and East Arkansas Avenue, and 4) East Arkansas Avenue located at the intersection of South Ash Street and East Arkansas Avenue.

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

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

- **Name:** Dalila Gutierrez
- **Phone:** 720-865-3207
- **Email:** [Dalila.Gutierrez@denvergov.org](mailto:Dalila.Gutierrez@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:** 720-865-8723
- **Email:** [Jason.Gallardo@denvergov.org](mailto:Jason.Gallardo@denvergov.org)

6. **General description/background of proposed resolution including contract scope of work if applicable:** Surveyor is requesting a remnant parcel dedication as right-of-way. There are four parcels of land conveyed per deeds recorded July 1955 on East Arkansas Avenue at South Colorado Boulevard and South Ash 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 the intersection of South Colorado Boulevard, and East Arkansas Avenue
- d. **Affected Council District:** Paul Kashmann District #6
- 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:** 2023-DEDICATION-0000147

**Description of Proposed Project:** Surveyor is requesting a remnant parcel dedication as right-of-way. There are four parcels of land conveyed per deeds recorded July 1955 on East Arkansas Avenue at South Colorado Boulevard and South Ash 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) East Arkansas Avenue, 2) East Arkansas Avenue, 3) East Arkansas Avenue, and 4) East Arkansas Avenue

**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

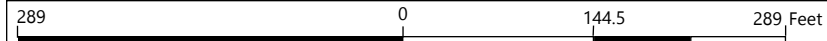
**Will an easement be placed over a vacated area, and if so explain:** N/A

**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) East Arkansas Avenue, 2) East Arkansas Avenue, 3) East Arkansas Avenue, and 4) East Arkansas Avenue



- Legend**
- Streets
  - Alleys
  - ▭ County Boundary
  - ▭ Parcels
  - ▭ Lots/Blocks



THREE PARCELS OF LAND CONVEYED TO THE CITY AND COUNTY OF DENVER BY QUITCLAIM DEED RECORDED JULY 1, 1955 AT BOOK 7704, PAGE 71 IN THE OFFICE OF THE CLERK AND RECORDER OF THE CITY AND COUNTY OF DENVER, COLORADO, DESCRIBED THEREIN AS:

**PARCEL DESCRIPTION ROW NO. 2023-DEDICATION-0000147-001:**

LAND DESCRIPTION – EAST ARKANSAS AVENUE PARCEL NO. 1:

THE EAST 101 FEET OF THE WEST 151 FEET OF THE NORTH 30 FEET OF BLOCK 25, CHERRY CREEK GARDENS IN THE SW ¼ OF THE NW ¼ OF SECTION 19, TOWNSHIP 4 SOUTH, RANGE 67 WEST.

**PARCEL DESCRIPTION ROW NO. 2023-DEDICATION-0000147-002:**

LAND DESCRIPTION – EAST ARKANSAS AVENUE PARCEL NO. 2:

THE NORTH 30 FEET OF THE EAST 156.54 FEET OF BLOCK 25, CHERRY CREEK GARDENS IN THE SW ¼ OF THE NW ¼ OF SECTION 19, TOWNSHIP 4 SOUTH, RANGE 67 WEST.

**PARCEL DESCRIPTION ROW NO. 2023-DEDICATION-0000147-003:**

LAND DESCRIPTION – EAST ARKANSAS AVENUE PARCEL NO. 3:

THE NORTH 30 FEET OF BLOCK 26, CHERRY CREEK GARDENS IN THE SW ¼ OF THE NW ¼ OF SECTION 19, TOWNSHIP 4 SOUTH, RANGE 67 WEST.

TOGETHER WITH

**PARCEL DESCRIPTION ROW NO. 2023-DEDICATION-0000147-004:**

LAND DESCRIPTION – EAST ARKANSAS AVENUE PARCEL NO. 4:

A PARCEL OF LAND CONVEYED TO THE CITY AND COUNTY OF DENVER BY QUITCLAIM DEED RECORDED JULY 15, 1955 AT BOOK 7711, PAGE 458 IN THE OFFICE OF THE CLERK AND RECORDER OF THE CITY AND COUNTY OF DENVER, COLORADO, DESCRIBED THEREIN AS:

THE NORTH THIRTY (30) FEET OF THE WEST HALF (W ½) OF BLOCK 27, CHERRY CREEK GARDENS IN THE SW ¼ OF THE NW ¼ OF SECTION 19, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN.

Q U I T C L A I M D E E D

1  
2  
3 KNOW ALL MEN BY THESE PRESENTS: That the STATE HIGHWAY  
4 COMMISSION OF COLORADO, a body corporate, for the use and benefit  
5 of the DEPARTMENT OF HIGHWAYS, for the consideration of TEN  
6 DOLLARS (\$10.00), in hand paid, hereby sells and QUIT CLAIMS to  
7 the CITY AND COUNTY OF DENVER, a municipal corporation of the  
8 State of Colorado, the following real property situate in the  
9 City and County of Denver, State of Colorado, to-wit:

10 All that part of the following described premises  
11 lying North of the South line of Arkansas Avenue (being  
12 also the South line of Parcel No. 3, hereinafter des-  
13 cribed) produced westerly a tract or parcel of land  
14 containing 5,200 sq. ft., more or less, in Cherry Creek  
15 Gardens in SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Sec. 19, T. 4 S., R. 67 W.,  
16 of the Sixth P.M., in Arapahoe County, Colorado, said  
17 tract or parcel being more particularly described as  
18 follows:

19 The E. 40 feet of the W. 50 feet of the N. 130  
20 feet of Block 25, Cherry Creek Gardens in the SW $\frac{1}{4}$  of  
21 the NW $\frac{1}{4}$  of Sec. 19, T. 4 S., R. 67 W.;

22 A tract or parcel of land containing 3,030 sq. feet,  
23 more or less, in Cherry Creek Gardens in the SW $\frac{1}{4}$  of the  
24 NW $\frac{1}{4}$  of Sec. 19, T. 4 S., R. 67 W. of the Sixth P.M., in  
25 Arapahoe County, Colorado, said tract or parcel being  
26 more particularly described as follows:

27 The E. 101 feet of the W. 151 feet of the N. 30 feet  
28 of Block 25, Cherry Creek Gardens in the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$   
29 of Sec. 19, T. 4 S., R. 67 W.;

30 A tract or parcel of land containing 4,005 sq. ft.,  
31 more or less, in Barclay Heights in the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$   
32 of Sec. 19, T. 4 S., R. 67 W., of the Sixth P.M., in  
33 Arapahoe County, Colorado, said tract or parcel being  
34 more particularly described as follows:

35 That part of E. Arkansas Ave. adjacent to Lot 24,  
36 Block 7 Barclay Heights, in the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Sec. 19,  
37 T. 4 S., R. 67 W.;

38 A tract or parcel of land containing 4,696 sq. ft.,  
39 more or less, in Cherry Creek Gardens in the SW $\frac{1}{4}$  of the  
40 NW $\frac{1}{4}$  of Sec. 19, T. 4 S., R. 67 W., of the Sixth P.M.,  
41 in Arapahoe County, Colorado, said tract or parcel being  
42 more particularly described as follows:

43 The N. 30 feet of the E. 156.54 feet of Block 25  
44 Cherry Creek Gardens in the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Sec. 19,  
45 T. 4 S., R. 67 W.;

46 A tract or parcel of land containing 5,400 sq. ft.,  
47 more or less, in Barclay Heights in the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$   
48 of Sec. 19, T. 4 S., R. 67 W., of the Sixth P.M., in  
49 Arapahoe County, Colorado, said tract or parcel being  
50 more particularly described as follows:

32

7704 72

That part of E. Arkansas Ave. adjacent to Lot 25, Block 7, Barclay Heights in the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Sec. 19, T. 4 S., R. 67 W.;

A tract or parcel of land containing 9,120 sq. ft., more or less, in Cherry Creek Gardens in the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Sec. 19, T. 4 S., R. 67 W., of the Sixth P.M., in Arapahoe County, Colorado, said tract or parcel being more particularly described as follows:

The N. 30 feet of Block 26, Cherry Creek Gardens, in the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Sec. 19, T. 4 S., R. 67 W.,

with all its appurtenances.

Signed and delivered this 21<sup>st</sup> day of June, A. D. 1955.



R. E. LIVINGSTON  
Secretary

THE STATE HIGHWAY COMMISSION  
OF COLORADO, a body corporate,  
for the use and benefit of the  
DEPARTMENT OF HIGHWAYS

By Mark U. Watrous  
MARK U. WATROUS  
Chief Administrative Officer

STATE OF COLORADO }  
COUNTY OF Denver } ss.

The foregoing instrument was acknowledged before me this 21<sup>st</sup> day of June, A. D. 1955, by MARK U. WATROUS as Chief Administrative Officer and R. E. LIVINGSTON as Secretary of THE STATE HIGHWAY COMMISSION OF COLORADO.

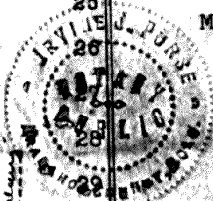
Witness my hand and official seal.

My commission expires September 29, 1958.

Arline J. Ponce  
Notary Public.

As to Form  
Arline J. Ponce  
City Assy's Office

APPROVED FOR RECORDING:  
LAND OFFICE A. R. McLaughlin



(SEAL)

7704 73

STATE OF COLORADO  
COUNTY OF DENVER  
FILED IN MY OFFICE ON

96349

1955 JUL 1 PM 2:22

7704 71

RECORDED IN  
CLERK AND RECORDER

PAUL V. HODGES, JR.  
Public Trustee

JUL--155 792327 I FEE QC 0.00

RETURN TO  
LAND OFFICE ROOM 481



7711 458

Recorded at ..... o'clock ..... M.

Reception No. ....

01627

0.00

THIS DEED, Made this 14<sup>th</sup> day of July in the year of our Lord one thousand nine hundred and FIFTY-FIVE between CHARLES NEUGEBAUER AND MADELINE NEUGEBAUER

STATE OF DENVER FILED IN RECORDED OR RECORDER'S Stamp

1955 JUL 15 PM 2:39

7711 458

PAUL V. HODGES, JR. Clerk & Recorder

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:

WITNESSETH, That the said part IES of the first part, for and in consideration of the sum of ONE (\$1.00) DOLLAR AND OTHER GOOD AND VALUABLE CONSIDERATIONS /DOLLARS/ to the said part IES of the first part in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, HAVE remised, released, sold, conveyed and QUIT CLAIMED, and by these presents do remise, release, sell, convey and QUIT CLAIM unto the said party of the second part, its successors and assigns forever, all the right, title, interest, claim and demand which the said part IES of the first part have in and to the following described REAL PROPERTY situate, lying and being in the CITY AND County of DENVER and State of Colorado, to-wit:

THE NORTH THIRTY (30) FEET OF THE WEST HALF (W 1/2) OF BLOCK 27, CHERRY CREEK GARDENS IN THE SW 1/4 OF THE NW 1/4 OF SECTION 19, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE 6TH P.M.

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever, of the said part IES of the first part, either in law or equity, to the only proper use, benefit and behoof of the said party of the second part, its successors and assigns forever.

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

Signed, Sealed and Delivered in the Presence of

*John E. Flynn* [SEAL] *Charles Neugebauer* [SEAL] *Madelene Neugebauer* [SEAL]

STATE OF COLORADO, CITY AND County of DENVER ss.

The foregoing instrument was acknowledged before me this 14<sup>th</sup> day of July A. D. 1955, by CHARLES NEUGEBAUER AND MADELINE NEUGEBAUER.

My commission expires March 4<sup>th</sup>, 1957. Witness my hand and official seal.

*Louisa K. Eastling* Notary Public.

As to Form

APPROVED FOR RECORDING: LAND OFFICE

City Atty's Office

JUL-15 1955 7 9 8 4 6 4 I REC