

REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Caroline Martin, City Attorney's Office

FROM: Matt Bryner., Senior Engineering Manager
Right-of-Way Services

DATE: October 6, 2017

ROW #: 2017-Dedication-0000189 **SCHEDULE #:** Adjacent to 0222125039000

TITLE: This request is to dedicate City owned land as Public Alley.
Located near the intersection of E. 46th Ave. and N. Grant 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 (2016-Dedication-0000189-001) HERE.

A map of the area to be dedicated is attached.

MB/BLV

c: Asset Management, Robert Koehler
City Councilperson Albus Brooks District # 9
Council Aide Chy Montoya
Council Aide Brande Micheau
City Council Staff, Zach Rothmier
Environmental Services, David Erickson
Public Works, Manager's Office, Alba Castro
Public Works, Manager's Office, Angela Casias
Public Works, Right-of-way Engineering Services, Matt Bryner
Department of Law, Brent Eisen
Department of Law, Shaun Sullivan
Department of Law, Caroline Martin
Department of Law, Stan Lechman
Department of Law, Cynthia Devereaux
Public Works Survey, John Lautenschlager
Public Works Survey, Paul Rogalla

ORDINANCE/RESOLUTION REQUEST

Please email requests to Angela Casias
at angela.casias@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: October 6, 2017

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.**)

This request is to dedicate City owned land as Public Alley.
Located near the intersection of E. 46th Ave. and N. Grant 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:** Angela Casias
- **Phone:** 720-913-8529
- **Email:** Angela.Casias@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:** Alley at E. 46th Ave. between N. Grant St. and N. Logan St.
- d. **Affected Council District:** Albus Brooks Dist. #9
- 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

DENVER
THE MILE HIGH CITY

Project Title: 2017-0000189-Dedication

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.

Public Alley Grant Logan 45th 46th



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
- Parks**
 -  All Other Parks; Linear
 -  Mountain Parks



PARCEL DESCRIPTION ROW 2017-DEDICATION-0000189-001

Being a portion of that parcel of land conveyed by Warranty Deed to the City & County of Denver, recorded on the 11th of August 1953, in Book 7347 Page 235, in the City and County of Denver Clerk & Recorder's Office. being more particularly described as follows:

Lots Thirty-four (34) and Thirty-five (35) Block Nine (9) Garden Place.

Said parcel of land to be dedicated as a public alley is that exception parcel (described as No. 11A) retained by The City & County of Denver from Rafael Alcaraz by that certain Deed, recorded on the 17th of August 1999, at Reception Number 9900144650, in the City and County of Denver Clerk & Recorder's Office. being more particularly described as follows:

Lot 35, Block 9, Garden Place, a subdivision lying in the South $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 22. Township 3 South, Range 68 West of the 6th Principal Meridian, City & County of Denver, State of Colorado, less the following Parcel 11A, attached as part of this legal description.

A Tract or Parcel of land No. 11A of the State Department of Highways, Division of Highways, State of Colorado, Project No. IR 25-2 (193) Unit 2 containing 90 sq. ft., more or less, in Lot 35, Block 9 of Garden Place, a subdivision lying in the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 22, Township 3 South, Range 68 West, of the Sixth Principal Meridian, in the City & County of Denver, Colorado, said Tract or Parcel being more particularly described as follows:

Commencing at the NE Corner of said Lot 35; thence N. 89°56' 12" W., along the north line of said Lot 35, also being along the south right-of-way line of 46th Ave South Service Road (Dec 1989) a distance of 20.00 feet to the True Point of Beginning;

Thence S 65°41' 59" E., a distance of 21.92 feet, to the east line of said Lot 35;
Thence N. 0°07'01" E., along said east lot line, a distance of 9.00 feet, to the NE Corner of said Lot 35;
Thence N. 89°56' 12" W., along the north line of said Lot 35, also being along the south right-of-way line, a distance of 20.00 feet more or less, to the Point of Beginning.

The above described parcel contains 90 square feet, more or less.

Basis of Bearing: S. 68°44'39" E., along the line from GPS point 25-1 (a 3 $\frac{1}{4}$ " aluminum cap set in range box) to control point 101 (an alloy cap set on a #5 rebar). Basis of bearing determined by solar observation.

REAL PROPERTY
TO BE ACQUIRED
FROM

PARCEL NO. 11
STA. 19+ TO STA. 19+
Baseline 46th South Service Rd.

CITY AND COUNTY OF DENVER,
A Municipal Corporation

FOR

IR 25-2(193) UNIT 2
46 TH AVENUE
Lincoln to Washington

STATE HIGHWAY NO. I 70

DESCRIPTION

A Tract or parcel of land No. 11 of the State Department of Highways, Division of Highways, State of Colorado, Project No. IR 25-2(193) UNIT 2 containing 84 sq. ft., more or less, in Lot 35, BLOCK 9 of GARDEN PLACE, a subdivision lying in the S 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 NW Corner of said Lot 35; Thence S. $89^{\circ} 56' 12''$ E., along the north line of said lot 35, also being along the south right of way line of 46th Ave South Service road (Dec. 1989) a distance of 14.00 feet to the TRUE POINT OF BEGINNING;

1. Thence N. $89^{\circ} 56' 12''$ W., along said north lot line, and said south right of way line, a distance of 14.00 feet, to the NW corner of said lot 35;
2. Thence S. $0^{\circ} 07' 01''$ W., along the west line of said lot 35, also being along the east right of way line of Grant St. (Dec. 1989) a distance of 12.00 feet;
3. Thence N. $49^{\circ} 29' 05''$ E., a distance of 18.45 feet, more or less, to the TRUE POINT OF BEGINNING.

The above described parcel contains 84 square feet, more or less.

Basis of Bearing: S. $68^{\circ} 44' 39''$ E. along the line from GPS point 25-1 (a 3 1/4" aluminum cap set in a range box) to control point 101 (an alloy cap set on a #5 rebar). Basis of bearing determined by solar observation.

REAL PROPERTY
TO BE ACQUIRED
FROM

PARCEL NO. 11A
STA. 19+ TO STA. 20+
Baseline 46th South Service Rd.

CITY AND COUNTY OF DENVER
a Municipal Corporation

FOR

IR 25-2(193) UNIT 2
46 TH AVENUE
Lincoln to Washington

STATE HIGHWAY NO. I 70

DESCRIPTION

A Tract or parcel of land No. 11A of the State Department of Highways, Division of Highways, State of Colorado, Project No. IR 25-2(193) UNIT 2 containing 90 sq. ft., more or less, in Lot 35, BLOCK 9 of GARDEN PLACE, a subdivision lying in the S 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 NE Corner of said Lot 35; Thence N. $89^{\circ} 56' 12''$ W., along the north line of said lot 35, also being along the south right of way line of 46th Ave. South Service Road (Dec. 1989) a distance of 20.00 feet to the TRUE POINT OF BEGINNING;

1. Thence S. $65^{\circ} 41' 59''$ E., a distance of 21.92 feet, to the east line of said lot 35;
2. Thence N. $0^{\circ} 07' 01''$ E., along said east lot line, a distance of 9.00 feet, to the NE corner of said lot 35;
3. Thence N. $89^{\circ} 56' 12''$ W., along said north line of lot 35, also being along said south right of way line, a distance of 20.00 feet, more or less, to the TRUE POINT OF BEGINNING.

The above described parcel contains 90 square feet, more or less.

Basis of Bearing: S. $62^{\circ} 44' 39''$ E. along the line from GPS point 25-1 (a 3 1/4" aluminum cap set in a range box) to control point 101 (an alloy cap set on a #5 rebar). Basis of bearing determined by solar observation.

190

251689 7347-23

251689

Reception No.

Recorder.

AUG 11 1953

THIS DEED, Made this 10 day of AUGUST in the year of our Lord one thousand nine hundred and FIFTY-THREE between SHELDON RALPH TOLLMAN AND BLANCHE MILDRED TOLLMAN

MILDRED TOLLMAN 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:

City and County of Denver
Miss Hynes
Books & Records
7347-235

2859

WITNESSETH. That the said PARTIES of the first part, for and in consideration of the sum of TEN (\$10.00) DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, 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:

LOTS THIRTY-FOUR (34) AND THIRTY-FIVE (35), BLOCK NINE (9), GARDEN PLACE, TOGETHER WITH ALL IMPROVEMENTS SITUATE THEREON, KNOWN AS AND NUMBERED 454 GRANT STREET



PARCEL NO. 46-27



As to Form

City City's Office
AFFRAC. ED. FOR RECORDING
LAND OFFICE

TOGETHER with all and singular the hereditaments and appurtenances thereunto 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,

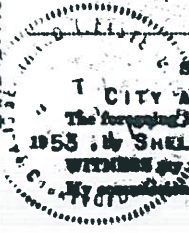
and the above bargained premises in the quiet and peaceable possession of the said party of the second part, its successors and assigns, against all and every person or persons lawfully claiming or to claim the whole or any part thereof, the said PARTIES of the first part shall and will WARRANT AND FOREVER 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.R. Ewing

Sheldon Ralph Tollman [SEAL]
Blanche Mildred Tollman [SEAL]



STATE OF COLORADO,

CITY AND County of DENVER

The foregoing instrument was acknowledged before me this 10th day of AUGUST 1953 by SHELDON RALPH TOLLMAN AND BLANCHE MILDRED TOLLMAN.

WITNESS my hand and official seal
My commission expires March 4th 1954

Richard K. Easterling

Notary Public.

AUG 11 1953 503199