



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: July 27, 2010

ROW #: 2010-0144-01 **SCHEDULE #:** Parcel 1 0222113033000
Parcel 2 0222113031000

TITLE: This request is to dedicate existing City owned land as a Public Alley at 46th Ave., located between Lincoln St., and Sherman 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 a 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 a Public Alley. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW (# 2010-0144-01) HERE.

A map of the area to be dedicated is attached.

RD/JL/LRA

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 2010-0144-01



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 14, 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.)*

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

3. **Requesting Agency:** Public Works: 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:**

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 at 46th Ave.

Please include the following:

- a. **Duration:** N/A
- b. **Location:** Public Alley at 46th Ave., between Lincoln St and Sherman St.
- c. **Affected Council District:** Judy Montero, District # 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.**

NONE

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: _____

Date: _____

Ordinance Request Number: _____

Date: _____

Public Alley Parcel 1



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 11/19/2010 - 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 7th of September 1990 by reception number R-90-0081645 in the City and County of Denver Clerk & Records Office being more particularly described as follows:

A tract or parcel of land No. 1 of the State Department of Highways, Division of Highways, State of Colorado, Project No. IR 25-2(193) UNIT 2 containing 10 square feet more or less, in Lot 24, Block 18 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 N. 84° 44' 03" W., along the north right of way line of 46th Ave. North Service Road (December 1989) a distance of 5.00 feet to the true point of beginning;

1. Thence N. 54° 23' 35" E., a distance of 6.08 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 4.00 feet, to the SE corner of said Lot 24;
3. Thence N. 84° 44' 03" W., along said north right of way line, a distance of 5.00 feet, more or less to the true point of beginning.

The above described parcel contains 10 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 4th of May 1990 by reception number R-90-0039409 in the City and County of Denver Clerk & Records Office being more particularly described as follows:

A tract or parcel of land No. 2 of the State Department of Highways, Division of Highways, State of Colorado, Project No. IR 25-2(193) UNIT 2 containing 12 square feet more or less, in Lot 25, Block 18 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 6.00 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 6.00 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 4.00 feet;
3. Thence S. $56^{\circ} 46' 06''$ E., a distance of 7.21 feet, more or less to the true point of beginning.

The above described parcel contains 12 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.

Re R-90-0081645 9/07/90 9:58 W D 1/ 2
 Re FELICIA HUFTIC DENVER COUNTY 10.00 .00

WARRANTY DEED

RECORDER'S STAMP

THIS DEED, Made this 21st. day of August
 19 90, between DAVID AVILA

PARCEL 1

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

Sixty 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. 1 of the State Department of Highways,
 Division of Highways, State of Colorado, Project No. IR 25-2(193) UNIT 2
 containing 10 square feet, more or less, in Lot 24, BLOCK 18 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 SE corner of said Lot 24; Thence N. 84° 44' 03" W.,
 along the north right of way line of 46th Ave. North Service Road
 (December 1989), a distance of 5.00 feet to the true point of beginning;

1. Thence N. 84° 23' 35" E., a distance of 6.08 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 4.00 feet, to the SE corner of said Lot 24;
3. Thence N. 84° 44' 03" W., along said north right of way line, a
 distance of 5.00 feet, more or less, to the true point of
 beginning.

The above described parcel contains 10 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' 04/16" 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.

INDEXED 12-13-90 PC

PLATTED NE 66

AFTER RECORDING PLEASE DATE IT

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.

David Avila
DAVID AVILA

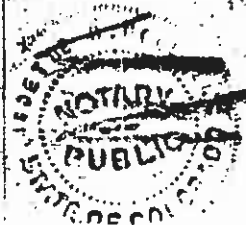
STATE OF COLORADO,

City & County of Denver

The foregoing instrument was acknowledged before me this 21st day of August, 19 90, by David Avila

My commission expires 2/26/91

Witness my hand and official seal.



J. M. McClain
Notary Public
2000 South Holly St. Denver, CO 80222
Address

CITY OF DENVER

OFFICE OF THE CLERK

ORDINANCE

R-90-0084904 9/14/90 10:33 MISC
FELICIA HUFTIC DENVER COUNTY.00 1/ 3
.00

INDEXED 12-13-90 PO

PLATTED 24/104

FINANCE NO. 474 Series 19 90

Council Bill No. 471 Series 19 90

Meeting Date 8-6 19 90

Read by Title, referred to Committee
PUBLIC WORKS,
TRANSPORTATION,

Committee report adopted/failed.

Council Bill ordered published:

Meeting Date 8-6 19 90

Council Bill passed/rejected by the City Council:

Meeting Date August 13, 19 90

STOED: 19

☐ Sustained☐ Overrid☐ No Action Taken

C/R 45 (Rev. 1/87)

R-90-0039409 5/04/90 9:30 M D 1/ 3
FELICIA HUFTIC DENVER COUNTY 15.00 .00

WARRANTY DEED

RECORDERS STAMP

THIS DEED, Made the 18th day of April

19 90 between KEDDY BENJAMIN KRIEGER

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

Forty 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. 2 of the State Department of Highways, Division of Highways, State of Colorado, Project No. IR 25-2(193) (NTE- 2 containing 12 square feet, more or less, in lot 25, Block 18, 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 said lot 25 also being along the north right of way line of 46th Avenue North Service Road (December 1989), a distance of 6.00 feet to the true point of beginning;

1. Thence S. 89° 33' 20" W., along said south lot line and also being along said north right of way line, a distance of 6.00 feet, to said SW corner of lot 25;
2. Thence N. 0° 28' 22" W., along the west line of said lot 25, a distance of 4.00 feet;
3. Thence S. 56° 46' 06" E., a distance of 7.21 feet, more or less, to the true point of beginning.

The above described parcel contains 12 square feet, more or less.

Point 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 "4" 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)

A tract or parcel of land No. 2A of the State Department of Highways, Division of Highways, State of Colorado, Project No. IR 25-2(193) UNIT 2 containing 12 square feet, more or less, in lot 25, Block 18, 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 S. 89° 33' 20" W.,

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

RECORDERS STAMP

RECORDERS STAMP

RECORDERS STAMP

RECORDERS STAMP

INDEXED 6-12-90 PC

PLATTED NE 66

along the south line of said lot 25 also being along the north right of way line of 48th Avenue North Service Road (December 1889), a distance of 5.00 feet to the true point of beginning:

1. Thence N. 44° 31' 39" E., a distance of 7.07 feet, to the east line of said lot 25, also being the west right of way line of Sherman St. (December 1889);
2. Thence S. 0° 29' 22" E., along said east line of lot 25, also being along said west right of way line, a distance of 5.00 feet, to the NE corner of said lot 25;
3. Thence S. 89° 33' 20" W., along said south lot line, also along said north right of way line of 48th Avenue, a distance of 5.00 feet, more or less, to the true point of beginning.

The above described parcel contains 12 square feet, more or less.

Point of Beginning: 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° 31' 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:

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reverses and reversions, 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 enclosing 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, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, except

AFTER RECORDING PLEASE MAIL TO:

The Department of Lands of the State of Colorado

One East Avenue, Suite 200

Denver, Colorado 80202

ATTENTION: Right of Way Section

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.

Redoy Benjamin Krieger
 REDOY BENJAMIN KRIEGER

STATE OF COLORADO.

City of Denver County of Denver

The foregoing instrument was acknowledged before me this 12th day of April 1990, by Redoy Benjamin Krieger

My commission expires 3/26/91

Witness my hand and official seal.

[Signature]
 Notary Public
 State of Colorado
 My Comm. Expires 3/26/91

STATE NOTARY PUBLIC BUCK YEA

Notary Public, State of Colorado

My Comm. Expires 3/26/91

NOTARIAL PUBLIC OF THE STATE OF COLORADO

PROJECT NO. IR-25-2(193) UNIT 2
 PARCEL Nos. 2 and 2A

WARRANTY DEED

REDOV, BENJAMIN KRUEGER

TO
 CITY AND COUNTY OF DENVER,
 A MUNICIPAL CORPORATION

STATE OF COLORADO,

County of _____ } ss.

I hereby certify that this instrument was filed for record
 in my office at _____ o'clock
 on the _____ day of _____, 19____, and is duly
 recorded in book _____ page _____

By _____

For, _____

Mail to: _____
 our return to: _____

Send future tax statements to: _____

REDACTED (191) PERIOD (191) (191) (191)