

REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Caroline Martin, City Attorney's Office

FROM: Matt Bryner., Director Engineer-Architect
Right-of-Way Services

DATE: January 3, 2019

ROW #: 2018-Dedication-0000240 **SCHEDULE #:** Adjacent to 0214300045000, 0214300137000,
0214300093000 & 0214300002000

TITLE: This request is to dedicate City owned land as E. 51st Ave.
Located near the intersection of E. 51st Ave. and N. Washington 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 E. 51st Ave.

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 E. 51st Ave. The land is described as follows:

INSERT PARCEL DESCRIPTION ROW (2018-Dedication-0000240-001) HERE.

A map of the area to be dedicated is attached.

MB/BLV

c: Dept. of Real Estate, Katherine Rinehart
City Councilperson Albus Brooks
Council Aide Chy Montoya
Council Aide Emily Brown
Council Aide Evelyn Barnes
City Council Staff, Zach Rothmier
Environmental Services, David Erickson
Public Works, Manager's Office, Alba Castro
Public Works, Manager's Office Jason Gallardo
Public Works, Right-of-way Engineering Services, Matt Bryner
Department of Law, Brad Beck
Department of Law, Blanca Hernandez
Department of Law, Brent Eisen
Department of Law, Deanne Durfee
Department of Law, Caroline Martin
Department of Law, Stan Lechman
Public Works Survey, John Lautenschlager
Public Works Survey, Paul Rogalla

ORDINANCE/RESOLUTION REQUEST

Please email requests to Jason Gallardo
at 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: January 3, 2019

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 E. 51st Ave.
Located near the intersection of E. 51st Ave. and N. Washington 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:** Jason Gallardo
- **Phone:** 720-865-8713
- **Email:** Jason.Gallardo@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 E. 51st Ave.

****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:** E. 51st Ave. between N. Washington St. & N. Emerson 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: _____



DENVER
THE MILE HIGH CITY

EXECUTIVE SUMMARY

Project Title: 2018-Dedication-0000240

Description of Proposed Project: Dedicate a parcel of public right of way as E. 51st Ave.

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.



Legend

-  Streams
-  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

600 0 300 600 Feet

2018-Dedication-0000240-001

A parcel of land conveyed by Treasurer's Deed to the City & County of Denver, recorded on the 6th of February 1947, in Book 6168 Page 188 in the City and County of Denver, Clerk & Recorder's Office, State of Colorado being more particularly described as follows:

Being a portion of the Northwest One- Quarter (NW1/4) Southwest One- Quarter (SW1/4) of Section Fourteen (14) Township Three (3) South, Range Sixty-Eight (68) West, described as follows:

Commencing at a point on East line of Washington St., Five Hundred Forty-Seven and One-Tenth Feet (547.1 Ft) North of the Southwest Corner said Northwest One-Quarter (NW1/4) Southwest One-Quarter (SW1/4) to a point being Twenty-One and Eight Tenths Feet (21.8 Ft.) south of the southerly line of 51st Ave., as dedicated by W.H. Clark's Subdivision also being the Point of Beginning: thence East parallel with said southerly line Six Hundred Twenty-Two and Thirty Eight Hundredths Feet (E 622.38 Ft) to the centerline of Emerson St.; thence North along the said center line Twenty-One and Eight Tenths Feet (N 21.8 Ft) to the southerly line of 51st Ave.; thence West along said southerly line of 51st Ave. Six Hundred Twenty-Two and Thirty Eight Hundredths Feet (W 622.38 Ft) to the easterly line of Washington St.; thence South Twenty-One and Eight Tenths Feet (S 21.8 Ft) to the Point of Beginning. Containing Thirty-One Hundredths (0.31) acres, more or less

Know all Men by these Presents, That, whereas, the following described real property, viz.: Plat Seventeen (17) being part of Northwest One-Fourth (NW 1/4) Southwest One-Fourth (SW 1/4) of Section Fourteen (14) Township Three (3) South Range Sixty-Eight (S Range 68) West, described as follows: Commencing at a point on East line of Washington Street Five Hundred Forty-Seven and One-Tenth Feet (547.1 Ft) North of Southwest corner said Northwest One-Fourth (NW 1/4) Southwest One-Fourth (SW 1/4) thence East Six Hundred Twenty-Two and Thirty Eight Hundredths Feet (E 622.38 Ft), thence North Twenty-One and Eight Tenths Feet (N 21.8 Ft), thence West Six Hundred Twenty-Two and Thirty Eight Hundredths Feet (W 622.38 Ft), thence South Twenty-One and Eight Tenths Feet (S 21.8 Ft) to place of beginning, containing Thirty-One Hundredths (0.31)

situate in the City and County of Denver, and State of Colorado, was subject to taxation for the year A. D. 1941; and whereas, the taxes assessed upon said real property for the year aforesaid, remained due and unpaid at the date of the sale hereinafter named; and whereas, the Manager of Revenue ex-officio Treasurer of the said City and County of Denver, did on the 21st day of November, A. D. 1942, by virtue of the authority vested in him by law, at (an adjourned sale) the sale begun and publicly held on the 17th day of November, A. D. 1942, expose to public sale, at the office of the Manager of Revenue, ex-officio Treasurer, in the City and County aforesaid, in substantial conformity with the requirements of the statute in such case made and provided, the said real property above described, for the payment of the taxes, interest and costs then due and remaining unpaid on the said real property; and whereas, at the time and place aforesaid

of the City and County of _____ and State of Colorado, having bid on the above described property, the sum of _____ Dollars, and _____ Cents, being the whole amount of taxes, interest and costs then due and remaining unpaid upon said real property, for that year; and the said _____ having offered in _____ said bid to accept interest upon the said sum 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 second year, and at the rate of _____ per cent. per annum for the third 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 property for that year, and payment of the said sum having been made by _____ to the said Manager of Revenue ex-officio Treasurer, the said property was stricken off to _____ at that price.

AND, WHEREAS, The said _____ did on the _____ day of _____, A. D. 19____, duly assign the certificate of the sale of property as aforesaid, and all _____ rights, title and interest in said property to _____ of the City and County of _____ and State of _____

AND, WHEREAS, The said _____ did on the _____ day of _____, A. D. 19____, duly assign the certificate of sale of property as aforesaid, and all _____ rights, title and interest in and to said property to _____ of the City and County of _____ and State of _____

AND, WHEREAS, At the sale so held as aforesaid by the Manager of Revenue ex-officio Treasurer, no bids were offered or made by any person or persons for the said property, and no person or persons having offered to pay the said taxes, interest and costs upon the said property for that year, and the Manager of Revenue ex-officio Treasurer having become satisfied that no sale of said property could be had, therefore the said property was by the then Manager of Revenue ex-officio 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 _____ day of _____, A. D. 19____, did duly assign the certificate of sale of the said property, so issued as aforesaid to said City and County, and all its rights, title and interest in said property held by virtue of said sale to _____ of the City and County of _____ and State of _____ for the sum of _____ Dollars and _____ Cents.

AND, WHEREAS, The said _____ did on the _____ day of _____, A. D. 19____, duly assign the certificate of the sale of the said property as aforesaid, and all _____ rights, title and interest in and to said property to _____ of the City and County of _____ and State of _____

AND, WHEREAS, The said _____ did on the _____ day of _____, A. D. 19____, duly assign the certificate of the sale of the said property as aforesaid, and all _____ rights, title and interest in and to said property to _____ of the City and County of _____ and State of _____

AND, WHEREAS, The said _____ City and County of Denver has paid subsequent taxes on said property in the amount of (\$29.35) Twenty-Nine Dollars and Thirty-Five (35) Cents; and whereas, more than three years have elapsed since the date of the said sale, and the said property, or any part thereof, have not been redeemed therefrom as provided by law.

AND, WHEREAS, The said _____ property was assessed for that year at a sum of more than one hundred dollars.

AND, WHEREAS, All of the provisions of the statutes prescribing prerequisites to obtaining tax deeds have been fully complied with, and are now 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, F. E. Wilson Manager of Revenue, ex-officio Treasurer of the City and County of Denver, for and in consideration of the sum paid to the Manager of Revenue, ex-officio Treasurer of the City and County of Denver, 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 said City and County of Denver, its Successors

rights of redemption by minors, insane persons, or idiots, and assigns, forever; subject, however, to all the provided by law.

IN WITNESS WHEREOF, I, F. E. Wilson Manager of Revenue, ex-officio Treasurer of the City and County of Denver, as aforesaid, by virtue of the authority aforesaid, have hereunto set my hand and seal this 31st day of January, A. D. 1947

#61713
K-35

F. E. Wilson
Manager of Revenue, ex-officio Treasurer of the City and County of Denver



STATE OF COLORADO, }
City and County of Denver, } ss.

I hereby certify that before me, Alpha E. White a Notary Public in and for said City and County, personally appeared the above named F. E. Wilson 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 date 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 31st day of January, A. D. 1947
My commission expires March 26, 1950

Alpha E. White
Notary Public, City and County of Denver, Colorado.



No. 319324

Treasurer's Deed

FROM
F. E. Wilson
Manager of Revenue ex-officio Treasurer
of the City and County of Denver
TO
City and County of Denver

STATE OF COLORADO, }
City and County of Denver, } ss.

I hereby certify that this Deed was filed
for record in my office at 4:49 o'clock
P. M., FEB - 6, 1947 19
and is duly recorded in Book 1167

Paul D. Carls
Clerk & Recorder

By [Signature] Deputy

CITY BUSINESS NO. 461
Fee, \$ 1.10