



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

**TO:** Caroline Martin, City Attorney's Office

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

**DATE:** August 28, 2018

**ROW #:** 2018-Dedication-0000140                      **SCHEDULE # :** 0224404008000 & 0119302104000

**TITLE:** This request is to dedicate parcels of land as Public Right of Way as E. Smith Rd.  
Located near the intersections of E. Smith Rd. at E. 42<sup>nd</sup> Ave and at N. Albion 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. Smith Rd. This parcel(s) of land is being dedicated to the City and County of Denver for Public Right-of-Way, as part of the development project (**RTD-East Corridor**)

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 land for Public Right-of-Way purposes as E. Smith Rd. The land is described as follows.

**INSERT PARCEL DESCRIPTION ROW # (2018-Dedication-001 & 002) HERE.**

A map of the area to be dedicated is attached.

MB/WR/BV

cc: Asset Management, Curtis Anthony  
City Councilperson & Aides, Chris Herndon District # 8  
Council Aide Amanda Schoultz  
Council Aide Charley Oldaker  
Council Aide Bonnie Guillen  
City Councilperson & Aides, Albus Brooks District # 9  
Council Aide Chy Montoya  
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, Sarah Stanek  
Public Works, Right-of-Way Engineering Services, Matt Bryner  
Department of Law, Brent Eisen  
Department of Law, Deanne Durfee  
Department of Law, Caroline Martin  
Department of Law, Stan Lechman  
Public Works Survey, Warren Ruby  
Public Works Survey, Paul Rogalla  
Owner: City and County of Denver  
Project file folder 2018-Dedication-0000140

## ORDINANCE/RESOLUTION REQUEST

Please email requests to Sarah Stanek  
at [sarah.stanek@DenverGov.org](mailto:sarah.stanek@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: August 28, 2018

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 parcels of land as Public Right of Way as E. Smith Rd.  
Located near the intersections of E. Smith Rd. at E. 42<sup>nd</sup> Ave & at N. Albion 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:** Sarah Stanek
- **Phone:** 720-865-8713
- **Email:** Sarah.stanek@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. Smith Rd. This parcel(s) of land is being dedicated to the City and County of Denver for Public Right-of-Way, as part of the development project (**RTD-East Corridor**)

**\*\*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. Smith Rd. at E. 42<sup>nd</sup> Ave. and at N. Albion St.
- d. **Affected Council District:** Dist. # 8 Chris Herndon & Dist # 9 Albus Brooks
- 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-0000140, RTD-East Corridor**

**Description of Proposed Project: Dedicate a parcel of land as public right of way as E. Smith Rd.**

**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**

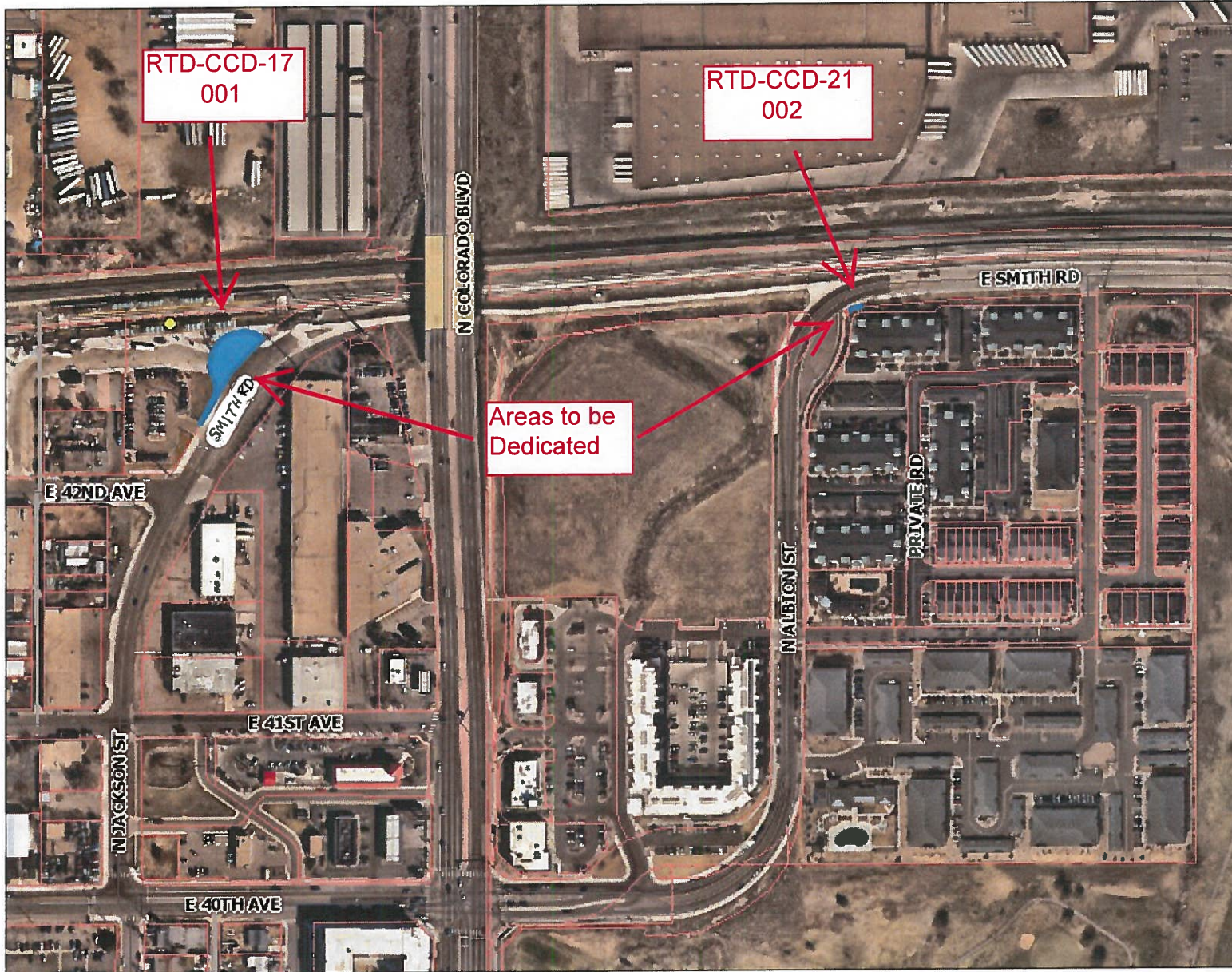
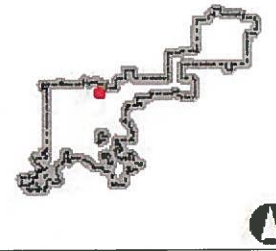
**What is the known duration of an MEP: N/A**

**Will land be dedicated to the City if the vacation goes through: N/A**

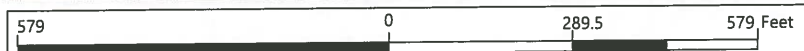
**Will an easement be placed over a vacated area, and if so explain: N/A**

**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 of dedicating it as Public Right-of-Way, as a part of a development project called, RTD-East Corridor.**



- ### 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



PW Legal Description No. 2018-Dedication-0000140-001

A Parcel No. RTD-CCD-17 conveyed to the City and County of Denver by Quit Claim Deed recorded at Reception No. 2018082023 on July 3, 2018 in the City and County of Denver Clerk and Recorder's Office, located in the Southeast Quarter of Section 24, Township 3 South, Range 68 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado, being more particularly described as follows:

COMMENCING at the Southeast Corner of said Section 24, (being a found 3-1/4 inch aluminum cap in range box, stamped: "COLO DEPT OF HIGHWAYS T3S S24 S19 S25 S30 1990 PLS 11434"); WHENCE the South 1/4 Corner of said Section 24 (being a found 3-1/4 inch aluminum cap, 7 inches below surface, stamped: "MOLLENHAUER 2008 T3S R68W ¼ S24 S25 LS 38033") bears N89°51'23"W (Basis of Bearing-Assumed), a distance of 2654.03 feet; THENCE N12°35'25"W a distance of 2338.39 feet to a point on the northwesterly right of way line of East Smith Road, as described at Ordinance Number 250-1953 at the City and County of Denver Clerk and Recorder's Office, and to the POINT OF BEGINNING;

THENCE N29°31'15"E a distance of 49.13 feet;

THENCE along the arc of a curve to the left, tangent with the last described course, having a central angle of 54°50'08" a radius of 49.00 feet a chord bearing of N02°06'11"E a distance of 45.13 feet and an arc distance of 46.90 feet;

THENCE along the arc of a reverse curve to the right, tangent with the last described curve, having a central angle of 152°36'09" a radius of 65.00 feet a chord bearing of N50°59'12"E a distance of 126.30 feet and an arc distance of 173.12 feet;

THENCE the following two (2) courses coincident with said northwesterly right of way line of East Smith Road:

- 1) S44°00'04"W non-tangent with the last described curve a distance of 91.33 feet;
- 2) S30°46'55"W a distance of 118.34 feet to the POINT OF BEGINNING.

**REGIONAL TRANSPORTATION DISTRICT  
REAL PROPERTY  
TO BE ACQUIRED  
FROM**

PARCEL NO. RTD-CCD-17  
CCD CONVEYANCE  
STA. 272+ TO STA. 274+

REGIONAL TRANSPORTATION DISTRICT  
DENVER, CO  
4210 JACKSON ST.  
DENVER, CO

**FOR**

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**EAST CORRIDOR COMMUTER RAIL PROJECT**

**EXHIBIT “ ”**  
**PARCEL NO. RTD-CCD-17**  
**(PARCEL NO. EC-34R1\_BUSTA-CCD)**

**Date: April 14, 2016**

**DESCRIPTION**

A portion of those parcels of land conveyed to RTD by Warranty Deeds recorded at Reception No. 2011066117, Reception No. 2011066118 and Reception No. 2011066119, all recorded June 17, 2011 in the City and County of Denver Clerk and Recorder's Office and described herein as follows:

Parcel No. EC-34R1\_BUSTA-CCD Conveyance of the RTD East Corridor Commuter Rail Project, being a portion of Lots 3 through 6, inclusive, Block 1, STRAUB'S ADDITION TO SWANSEA HEIGHTS, as described at Book 10, Page 31, recorded on August 25, 1890, Lots 19 through 24, inclusive, Block 1, GUTSCH'S SUBDIVISION TO SWANSEA HEIGHTS, as described at Book 10, Page 40, recorded on September 23, 1890; also being a portion of a vacated alley, as described at Ordinance Number 75-1960 at the City and County of Denver Clerk and Recorder's Office, lying in the Southeast Quarter of Section 24, Township 3 South, Range 68 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado, being more particularly described as follows:

COMMENCING at the Southeast Corner of said Section 24, (being a found 3-1/4 inch aluminum cap in range box, stamped: "COLO DEPT OF HIGHWAYS T3S S24 S19 S25 S30 1990 PLS 11434"); WHENCE the South 1/4 Corner of said Section 24 (being a found 3-1/4 inch aluminum cap, 7 inches below surface, stamped: "MOLLENHAUER 2008 T3S R68W ¼ S24 S25 LS 38033") bears N89°51'23"W (Basis of Bearing-Assumed), a distance of 2654.03 feet; THENCE N12°35'25"W a distance of 2338.39 feet to a point on the northwesterly right of way line of East Smith Road, as described at Ordinance Number 250-1953 at the City and County of Denver Clerk and Recorder's Office, and to the POINT OF BEGINNING;

THENCE N29°31'15"E a distance of 49.13 feet;

THENCE along the arc of a curve to the left, tangent with the last described course, having a central angle of 54°50'08" a radius of 49.00 feet a chord bearing of N02°06'11"E a distance of 45.13 feet and an arc distance of 46.90 feet;

THENCE along the arc of a reverse curve to the right, tangent with the last described curve, having a central angle of 152°36'09" a radius of 65.00 feet a chord bearing of N50°59'12"E a distance of 126.30 feet and an arc distance of 173.12 feet;

THENCE the following two (2) courses coincident with said northwesterly right of way line of East Smith Road:

- 1) S44°00'04"W non-tangent with the last described curve a distance of 91.33 feet;
- 2) S30°46'55"W a distance of 118.34 feet to the POINT OF BEGINNING.

Containing 6,023 square feet, (0.138 Acres), more or less.

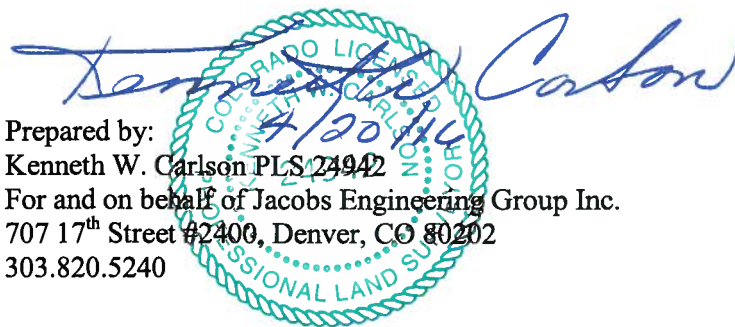
Prepared by:

Kenneth W. Carlson PLS 24942

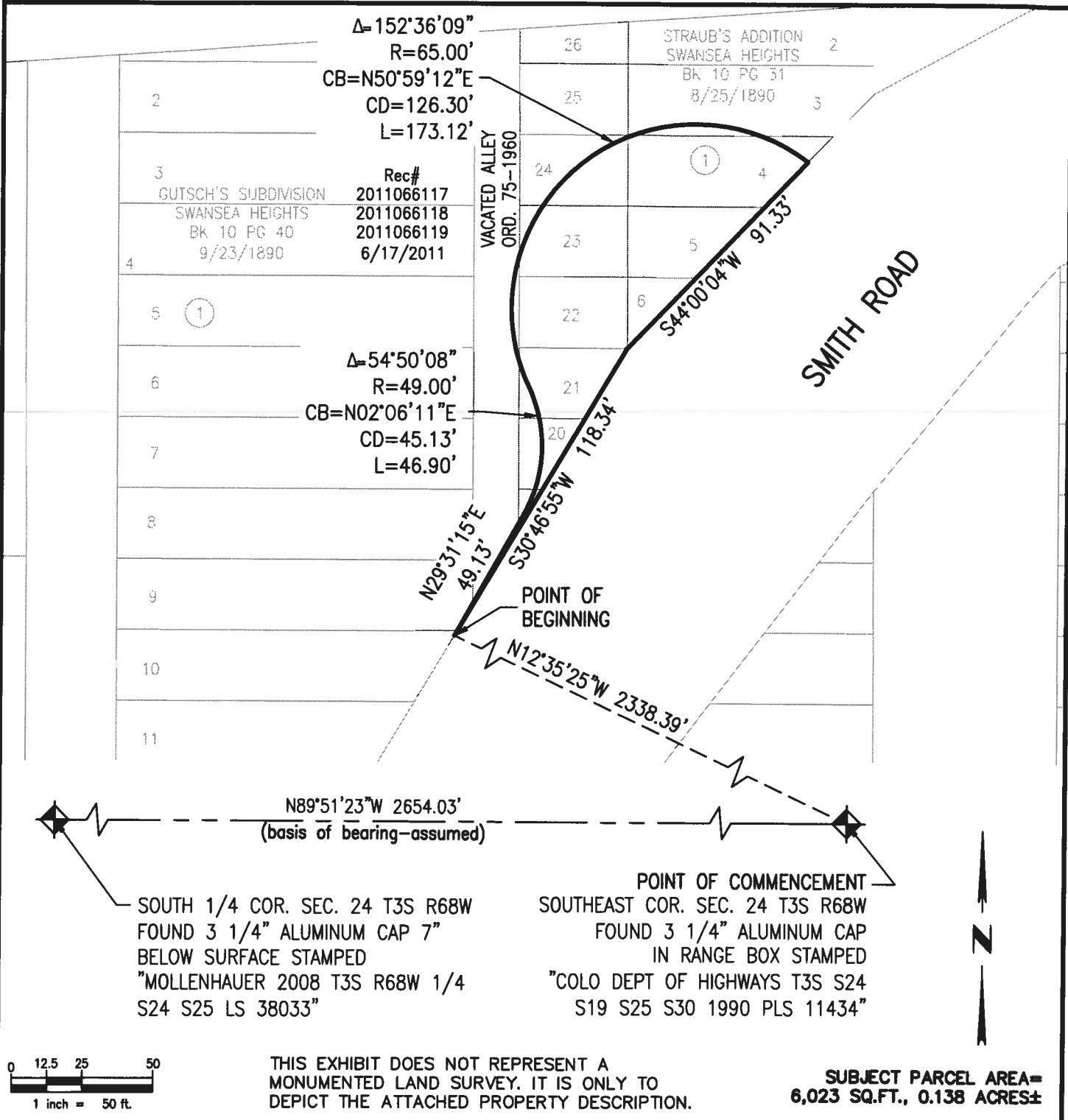
For and on behalf of Jacobs Engineering Group Inc.

707 17<sup>th</sup> Street #2400, Denver, CO 80202

303.820.5240



K:\072120\_Fastrack\East\_Corridor\dwg\Exhibit\CCD-Parcels-Remumbered\RTD-CCD-17.dwg, 4/15/2016 10:21:05 AM



SOUTH 1/4 COR. SEC. 24 T3S R68W  
 FOUND 3 1/4" ALUMINUM CAP 7"  
 BELOW SURFACE STAMPED  
 "MOLLENHAUER 2008 T3S R68W 1/4  
 S24 S25 LS 38033"

POINT OF COMMENCEMENT  
 SOUTHEAST COR. SEC. 24 T3S R68W  
 FOUND 3 1/4" ALUMINUM CAP  
 IN RANGE BOX STAMPED  
 "COLO DEPT OF HIGHWAYS T3S S24  
 S19 S25 S30 1990 PLS 11434"

THIS EXHIBIT DOES NOT REPRESENT A  
 MONUMENTED LAND SURVEY. IT IS ONLY TO  
 DEPICT THE ATTACHED PROPERTY DESCRIPTION.

**SUBJECT PARCEL AREA=**  
**6,023 SQ.FT., 0.138 ACRES±**

JACOBS PROJECT NO.		WXV7416	
CLIENT PROJECT NO.		072120	
REVISION DESCRIPTION			
DRAWN	JSX	DATE 2-29-2016	SCALE 1" = 50'
<b>JACOBS</b>		707 17th Street, Suite 2400 Denver, Colorado 80202 Phone: 303-820-5240 Fax: 303-820-5298	
THIS MATERIAL AND ANY ASSOCIATED ELECTRONIC DATA WAS PREPARED BY JACOBS FOR THE PROJECT INDICATED. ANY REUSE OR MODIFICATION WITHOUT THE WRITTEN CONSENT OF JACOBS SHALL BE AT THE SOLE RISK OF THE USER.			

<b>EXHIBIT " "</b>		
RTD-CCD-17 (PARCEL NO. EC-34R1_BUSTA-CCD) SE QUARTER SECTION 24, T3S, R68W, 6TH P.M. CITY AND COUNTY OF DENVER, COLORADO RTD EAST CORRIDOR COMMUTER RAIL PROJECT		
REVISION:	DRAWING NO. RTD-CCD-17.DWG	SHEET NO. 1-OF-1



That parcel of land conveyed to RTD by the Rule and Order recorded at Reception No. 2014063070 recorded June 3, 2014 in the City and County of Denver Clerk and Recorder's Office and described therein as follows:

Parcel No. EC-107 of the RTD East Corridor Commuter Rail Project, containing 48 square feet, (0.001 Acres), being a portion of Tract H of Park Hill Town Center Subdivision Filing No. 1, recorded in the City and County of Denver Clerk and Recorder's Office, located in the Northwest Quarter of the Southwest Quarter of Section 19, Township 3 South, Range 67 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado, being additionally particularly described as follows:

COMMENCING at the Southwest Corner of said Section 19;

THENCE N17°18'23"E a distance of 2621.00 feet to the Southerly line of the Smith Road right of way and to the POINT OF BEGINNING;

THENCE along the arc of a curve to the left, having a central angle of 07°37'40", a radius of 177.83 feet, a chord bearing of S62°30'35"W a distance of 23.66 feet, and an arc distance of 23.67 feet;

THENCE, coincident with the Easterly line of the Albion Street right of way, along the arc of a curve to the right, non-tangent with the last described curve, having a central angle of 38°36'26", a radius of 25.00 feet, a chord bearing of N51°09'17"E a distance of 16.53 feet, and an arc distance of 16.85 feet;

THENCE N86°06'05"E, coincident with said Southerly right of way line, non-tangent with the last described curve a distance of 8.13 feet to the POINT OF BEGINNING.

Containing 48 square feet, (0.001 Acres), more or less.

**BASIS OF BEARINGS:** All bearings are based on the line connecting "D 394" to "DR B" being a grid bearing of N77°31'03"E as obtained from a Global Positioning System (GPS) survey based on National Geodetic Survey (NGS) data. Said grid bearing is NAD 83 (CONUS), UTM Zone 13 North. "D 394" (PID KK1292) is a NGS mark monumented with a 3.5 inch disk set flush in concrete bridge abutment, stamped in part "NGS D 394 1983". "DR B" (PID DH9129) is a NGS mark monumented with a flange encased stainless steel rod in 5 inch logo box and cap surrounded by concrete collar, flange stamped in part "DR B 807".

**REGIONAL TRANSPORTATION DISTRICT  
REAL PROPERTY  
TO BE ACQUIRED  
FROM**

PARCEL NO. RTD-CCD-21  
CCD CONVEYANCE  
285+ TO 285+

REGIONAL TRANSPORTATION DISTRICT  
DENVER, CO

**FOR**

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**EAST CORRIDOR COMMUTER RAIL PROJECT**

**EXHIBIT “ ”**  
**PARCEL NO. RTD-CCD-21**  
**(PARCEL NO. EC-107)**  
**Date: April 14, 2016**  
**DESCRIPTION**

That parcel of land conveyed to RTD by the Rule and Order recorded at Reception No. 2014063070 recorded June 3, 2014 in the City and County of Denver Clerk and Recorder’s Office and described therein as follows:

Parcel No. EC-107 of the RTD East Corridor Commuter Rail Project, containing 48 square feet, (0.001 Acres), being a portion of Tract H of Park Hill Town Center Subdivision Filing No. 1, recorded in the City and County of Denver Clerk and Recorder’s Office, located in the Northwest Quarter of the Southwest Quarter of Section 19, Township 3 South, Range 67 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado, being additionally particularly described as follows:

COMMENCING at the Southwest Corner of said Section 19;  
THENCE N17°18'23"E a distance of 2621.00 feet to the Southerly line of the Smith Road right of way and to the POINT OF BEGINNING;

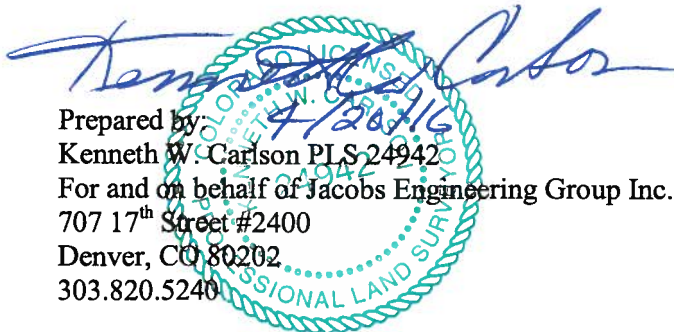
THENCE along the arc of a curve to the left, having a central angle of 07°37'40", a radius of 177.83 feet, a chord bearing of S62°30'35"W a distance of 23.66 feet, and an arc distance of 23.67 feet;

THENCE, coincident with the Easterly line of the Albion Street right of way, along the arc of a curve to the right, non-tangent with the last described curve, having a central angle of 38°36'26", a radius of 25.00 feet, a chord bearing of N51°09'17"E a distance of 16.53 feet, and an arc distance of 16.85 feet;

THENCE N86°06'05"E, coincident with said Southerly right of way line, non-tangent with the last described curve a distance of 8.13 feet to the POINT OF BEGINNING.

Containing 48 square feet, (0.001 Acres), more or less.

**BASIS OF BEARINGS:** All bearings are based on the line connecting “D 394” to “DR B” being a grid bearing of N77°31'03"E as obtained from a Global Positioning System (GPS) survey based on National Geodetic Survey (NGS) data. Said grid bearing is NAD 83 (CONUS), UTM Zone 13 North. “D 394” (PID KK1292) is a NGS mark monumented with a 3.5 inch disk set flush in concrete bridge abutment, stamped in part “NGS D 394 1983”. “DR B” (PID DH9129) is a NGS mark monumented with a flange encased stainless steel rod in 5 inch logo box and cap surrounded by concrete collar, flange stamped in part “DR B 807”.

  
Prepared by:  
Kenneth W. Carlson PLS 24942  
For and on behalf of Jacobs Engineering Group Inc.  
707 17<sup>th</sup> Street #2400  
Denver, CO 80202  
303.820.5240

Basis of Bearings: All bearings are based on the line connecting "D 394" to "DR B" being a grid bearing of N77°31'03"E as obtained from a Global Positioning System (GPS) survey based on National Geodetic Survey (NGS) data. Said grid bearing is NAD 83 (CONUS), UTM Zone 13 North. "D 394" (PID KK1292) is a NGS mark monumented with a 3.5 inch disk set flush in concrete bridge abutment, stamped in part "NGS D 394 1983". "DR B" (PID DH9129) is a NGS mark monumented with a flange encased stainless steel rod in 5 inch logo box and cap surrounded by concrete collar, flange stamped in part "DR B 807".

SMITH ROAD

Rec. No. 2014063070  
June 3, 2014

N86°06'05"E 8.13'

POINT OF BEGINNING

S'ly Line

Tract H  
Park Hill Town Center  
Subdivision Filing No. 1

C1  
▲ = 7°37'40"  
RAD = 177.83'  
BRG = S62°30'35"W  
CH = 23.66'  
ARC = 23.67'

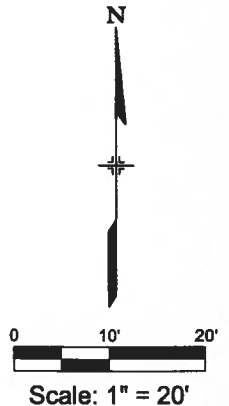
C2  
▲ = 38°36'26"  
RAD = 25.00'  
BRG = N51°09'17"E  
CH = 16.53'  
ARC = 16.85'

E'ly Line

ALBION STREET

N17°18'23"E 2621.00'

POINT OF COMMENCEMENT  
Southwest Corner Section 19



This exhibit does not represent a monumented survey and is intended only to depict the attached property description.

**RTD-CCD-21**  
Area = 48 Sq.Ft.  
0.001 Acres +/-

4/14/2016 4:40:43 PM \\de1-s07\jobs\1072120\_Fastrack\EA\CORRIDOR\dwg\Exhibit\CCD-Parcels-Regals\CCD-Parcels-Renumbered\RTD-CCD-21.dgn

JACOBS PROJECT NO.		WVXV7416	
CLIENT PROJECT NO.		072120	
REVISION DESCRIPTION			
DRAWN	JSX	DATE 03/28/2016	SCALE 1"=20'
<b>JACOBS</b>			
707 17th Street 2400 Denver, CO. 80202			
<small>THIS MATERIAL AND ANY ASSOCIATED ELECTRONIC DATA WAS PREPARED BY JACOBS ENGINEERING GROUP INC. FOR THE PROJECT INDICATED. ANY REUSE OR MODIFICATION WITHOUT THE WRITTEN CONSENT OF ENGINEERING GROUP INC. SHALL BE AT THE SOLE RISK OF THE USER.</small>			

RTD East Corridor Commuter Rail City and County of Denver, Colorado SW 1/4 Sec. 23, T3S, R68W, 6th P.M.		
TITLE: Exhibit " "		
RTD-CCD-21 (PARCEL NO. EC-107)		
REVISION:	DRAWING NO. RTD-CCD-21.dgn	SHEET NO. 1 of 1

Please return Recorded document to:  
Senior Manager, Real Property  
Regional Transportation District  
1560 Broadway, Suite 650  
Denver, Colorado 80202



2018082023  
Page: 1 of 20  
D \$0.00

**QUITCLAIM DEED**

**THIS DEED**, made this 05<sup>th</sup> day of JUNE 2018, between the **REGIONAL TRANSPORTATION DISTRICT**, a political subdivision of the State of Colorado, whose legal address is 1660 Blake Street, Denver, Colorado 80202-1399, grantor, and the **CITY AND COUNTY OF DENVER**, a Colorado municipal corporation, whose legal address is 1437 Bannock Street, Room 350, Denver, Colorado 80202, grantee.

**WITNESS**, that the grantor, for and in consideration of the sum of TEN DOLLARS AND 00/100 (\$10.00), the receipt and sufficiency of which is hereby acknowledged, has remised, released, sold and QUITCLAIMED, and by these presents do, remise, release, sell and QUITCLAIM unto the grantee(s), its heirs, successors and assigns forever, all the right, title, interest, claim and demand which the grantor(s) has in and to the real property, together with improvements, if any, situate, lying and being in the City and County of Denver and State of Colorado, described in Exhibit A, attached hereto and incorporated herein.

**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 grantor, either in law or equity, to the only proper use, benefit and behoof of the grantee(s) its heirs and assigns forever.

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

Russ Larson for  
Henry J. Stopplecamp,  
Assistant General Manager, Capital Programs

Approved as to Legal Form:  
Lori L. Graham 5-31-18  
Lori L. Graham, Date  
Associate General Counsel

STATE OF COLORADO

COUNTY OF DENVER

The foregoing instrument was acknowledged before me this 05<sup>th</sup> day of JUNE 2018 by Henry J. Stopplecamp as Assistant General Manager, Capital Programs. RUSS LARSON FOR

Witness my hand and official seal.  
My commission expires: 09/23/2018

Janet A. Huhn  
Notary Public

