



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: Karen Walton, City Attorney's Office

FROM: Robert J. Duncanson P.E., Engineering Manager II
Right-of-Way Services

DATE: January 23, 2012

ROW #: 2009-0255-02 **SCHEDULE #:** Parcel #1- 0616100018000

TITLE: This request is to dedicate City owned land as Fairmount Dr.
Located at the intersection of Fairmount Dr & S. Valentia 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 Fairmount Dr.

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 Fairmount St. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW (# 2009-0255-02-001) HERE.

A map of the area to be dedicated is attached.

RD/JS/GG *JS*

cc: Asset Management, Steve Wirth
City Councilperson & Aides, Mary Beth Susman, District #5
City Council Staff, Gretchen Williams
Environmental Services, David Erickson
Public Works, Manager's Office, Alba Castro
Public Works, Manager's Office, Christine Downs
Public Works, Manager's Office, Stacie Loucks
Public Works, Right-of-Way Engineering Services, Rob Duncanson
Department of Law, Karen Aviles
Department of Law, Karen Walton
Department of Law, Arlene Dykstra
Public Works Survey, Joel Schmidt
Public Works Survey, Paul Rogalla
Owner: City and County of Denver
Project file folder 2009-0255-02

311
for City Services

Denver gets it done! 0s\2009\2009-0255\PWPRS\Dedication\2009-0255-02 Dedication 501 Fairmount Dr\Resolution Request to Dedicate as

Public Right of Way Fairmount Dr and S. Valentia St..doc

ORDINANCE/RESOLUTION REQUEST

Please email requests to Stacie Loucks at Stacie.Loucks@denvergov.org by **NOON** 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 23, 2012

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, amendment, municipal code change, supplemental request, etc.)

This request is to dedicate a parcel of land as Public Right of Way as Fairmount Dr. Located at the intersection of Fairmount Dr. and S. Valentia St.

3. Requesting Agency: PW Right of Way Engineering Services

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

- Name: Greg Grant
- Phone: 720-865-3108
- Email: greg.grant@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: Stacie Loucks
- Phone: 720-865-8720
- Email: Stacie.Loucks@denvergov.org

6. General description of proposed ordinance including contract scope of work if applicable:

Request for Resolution for laying out, opening, and establishing certain real property as part of the system of thoroughfares of the municipality; i.e. as Fairmount Dr.

****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.)**

- a. Contract Control Number: N/A
- b. Duration: Permanent
- c. Location: Fairmount Dr. and Valentia St.
- d. Affected Council District: Dist#5 Mary Beth Susman
- e. Benefits: N/A
- f. 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 Entered: _____



EXECUTIVE SUMMARY

DENVER
THE MILE HIGH CITY

Project Title:2009-0255-02, Dedication

Description of Proposed Project:This request is to dedicate a parcel of land as Public Right of Way as Fairmount Dr. Located at the intersection of Fairmount Dr. and Valentia St.

Explanation of why the public right-of-way must be utilized to accomplish the proposed project:This land was deeded to the City of Denver for the purpose of becoming 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 is a project from the vacant parcel program. It is City and County owned land being dedicated as Public Right-of-Way.

Fairmount Dr.

- Street Centerline
- Denver County (Boundary)
- Parcel
- Parcels
- Block Numbers
- Lot/Blocks (Base Map)
- mask
- 2008 Denver
- Denver County (Shaded)
- Denver County
- Adams County
- Arapahoe County
- Jefferson County



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A parcel of land located in the Northeast 1/4 of Section 16, Township 4 South, Range 67 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado.

A quit-claim deed conveyed to the City & County of Denver, recorded on the 1st of March 1979 in Book 1860 Page 147-149 in the City and County of Denver Clerk & Records Office being more particularly described as follows:

Commencing at the North quarter corner of said Section 16, thence S 89°46' 16" E, along the North line of said Section 16, a distance of 358.55 feet to the Northerly extension of the Easterly line of Fairmount Drive as established by Vacation Ordinance No. 394, Series of 1971, recorded in Book 294, at Page 23;

Thence S 6° 13' 46" E along said Easterly line and its extension of Fairmount Drive, a distance of 1123.10 feet to a point of Curvature;

Thence along the arc of a curve to the left having a radius of 903.19 feet and a central angle of 44° 16' 06", an arc distance of 697.83 feet to the True Point of Beginning;

Thence continuing along the arc of a curve to the left having a radius of 903.19 feet, said arc also being the Northerly and Easterly right-of-way line of said Fairmount Drive, and a central angle of 24° 36' 48", an arc distance of 388.0 feet (the chord of which bears S 62° 48' 16" E a distance of 385.02 feet);

Thence N 14° 53' 20" E a distance of 8.00 feet to a non-tangent point on a curve;

Thence along an arc of a curve to the right having a radius of 895.19 feet and a central angle of 24°36' 48", an arc distance of 384.56 feet (the chord of which bears N 62° 48' 16" W, a distance of 381.60 feet);

Thence S 39° 30' 06" W, 8.0 feet to the True Point of Beginning, containing in all 0.071 acres, subject to all easements, roads and right of way, existing or of record.

QUIT-CLAIM DEED

R.O.W. So. Fairmount Dr.

#20

KNOW ALL MEN BY THESE PRESENTS, that DENVER-ALAMEDA APARTMENTS CO., an Ohio General Partnership, composed of Forest City Rental Properties Corporation, an Ohio corporation, and U. S. Realty Investments, an unincorporated association in business trust form, the GRANTOR, who claims title by or through instrument _____, recorded in Volume _____, Page _____, County Recorder's Office, for the consideration of One Dollar (\$1.00) received to its full satisfaction of the City of Denver, State of Colorado, the GRANTEE, does hereby grant, remise and release and forever quit-claim unto the said Grantee, its successors and assigns, all such right and title as the said Grantor has or ought to have in and to the following described parcel of land, situated in the City of Denver, County of Denver and State of Colorado and more fully described as follows:

A parcel of land situated in the NE 1/4 of Section 16, Township 4 South, Range 67 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado, more particularly described as follows:

Commencing at the North quarter corner of said Section 16, thence S 89° 46' 16" E, along the North line of said Section 16, a distance of 358.55 feet to the Northerly extension of the Easterly line of Fairmount Drive as established by Vacation Ordinance No. 394, Series of 1971 recorded in Book 294, at Page 23;

Thence S 6° 13' 46" E, along said Easterly line and its extension of Fairmount Drive, a distance of 1123.10 feet to a point of curvature;

Thence along the arc of a curve to the left having a radius of 903.18 feet and a central angle of 44° 16' 06", an arc distance of 697.83 feet to the True Point of Beginning;

Thence continuing along the arc of a curve to the left having a radius of 903.19 feet, said arc also being the Northerly and Easterly right-of-way line of said Fairmount Drive, and a central angle of 24° 36' 48", an arc distance of 388.0 feet (the chord of which bears S 62° 48' 16" E, a distance of 385.02 feet);

As to Form

W. W. ...
CITY RECORDER'S OFFICE

RECEIVED MAY 27 2009

Thence N 14° 53' 20" E, a distance of 8.00 feet to a non-tangent point on a curve;

Thence along an arc of a curve to the right having a radius of 895.19 feet and a central angle of 24° 36' 48", an arc distance of 384.56 feet (the chord of which bears N 62° 48' 16" W, a distance of 381.60 feet);

Thence S 39° 30' 06" W, 8.0 feet to the True Point of Beginning, containing in all 0.071 acres, subject to all easements, roads and rights of way, existing or of record.

TO HAVE AND TO HOLD the premises aforesaid, with the appurtenances thereunto belonging to the said Grantee, its successors and assigns, so that neither the said Grantor, nor any other persons claiming title through or under said Grantor, shall or will hereinafter claim or demand any right or title to the premises, or any part thereof; but they and every one of them shall by these presents be excluded and forever barred.

IN WITNESS WHEREOF, the Grantor does hereto set its hand, this ____ day of January, 1979.

Signed in the Presence of:

DENVER-ALAMEDA APARTMENTS CO.,
A General Partnership,
By: Forest City Rental Properties
Corporation, Partner

Mary Louise Gray
Dorothy A. Gray

By [Signature]
And [Signature] Sam H. Miller, Chairman

Albert B. Ratner, V. Pres.
And: U. S. Realty Investments,
An Unincorporated Association
In Business Trust Form, Partner


[Signature]
[Signature]

By [Signature]
And [Signature]

STATE OF OHIO)
CUYAHOGA COUNTY) SS:

BEFORE ME, a Notary Public in and for said County and state, personally appeared the above named DENVER-ALAMEDA APARTMENTS CO., a General Partnership, by Forest City Rental Properties Corporation, Partner, by Sam H. Miller Chairman of its the Board and Albert B. Ratner its Vice President, who acknowledged that they did sign the foregoing instrument and that the same is their free act and deed and the free act and deed of said Partnership.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Cleveland, Ohio, this 25th day of January 1976

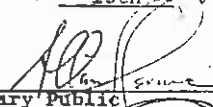

Notary Public

MARY LOUISE GRAY
Notary Public, State of Ohio - Cuyahoga County
My Commission Expires Dec. 12, 1982

STATE OF OHIO)
CUYAHOGA COUNTY) SS:

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named DENVER-ALAMEDA APARTMENTS CO., a General Partnership, by U. S. Realty Investments, Partner, by Howard B. Schulman its President and Arthur M. Litt its Secretary who acknowledged that they did sign the foregoing instrument and that the same is their free act and deed and the free act and deed of said Partnership.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Cleveland, Ohio, this 15th day of February,


Notary Public

ALLAN L. LE... Attorney at Law
Notary Public in and for the State of Ohio
Lifetime Commission - Ohio Rev. Code 1:7.03