



## 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:** December 13, 2013  
**ROW #:** 2013-0511-01    **SCHEDULE #:** 0215409041000  
0215400046000

**TITLE:** This request is to dedicate a parcel of land as Public Right of Way as 50<sup>th</sup> Ave.  
Located at the intersection of 50<sup>th</sup> Ave & 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 50<sup>th</sup> 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 land for Public Right-of-Way purposes as 50<sup>th</sup> Ave. The land is described as follows.

**INSERT PARCEL DESCRIPTION ROW # ( 2013-0511-01-001) HERE.**

A map of the area to be dedicated is attached.

RD/jl/cp

cc: Asset Management, Steve Wirth  
City Councilperson & Aides, Judy Montero District # 9  
City Council Staff, Gretchen Williams  
Environmental Services, David Erickson  
Public Works, Manager's Office, Alba Castro  
Public Works, Manager's Office, Nancy Kuhn  
Public Works, Right-of-Way Engineering Services, Rob Duncanson  
Department of Law, Karen Aviles  
Department of Law, Brent Eisen  
Department of Law, Karen Walton  
Public Works Survey, John Lautenschlager  
Public Works Survey, Paul Rogalla  
Owner: City and County of Denver  
Project file folder 2013-0511-01

## ORDINANCE/RESOLUTION REQUEST

Please email requests to Nancy Kuhn at  
[Nancy.Kuhn@Denvergov.org](mailto:Nancy.Kuhn@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: December 13, 2013

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 50th Ave  
Located at the intersection of 50th Ave & Washington St.

3. **Requesting Agency:** PW Right of Way Engineering Services

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

- **Name:** Christine Pacheco
- **Phone:** 720-865-3115
- **Email:** [christine.pacheco@denvergov.org](mailto:christine.pacheco@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:** Nancy Kuhn
- **Phone:** 720-865-8720
- **Email:** [Nancy.Kuhn@denvergov.org](mailto:Nancy.Kuhn@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 50th 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.)

- a. **Contract Control Number:** No
- b. **Duration:** Permanent
- c. **Location:** 50<sup>th</sup> Ave & Washington St
- d. **Affected Council District:** #9, Judy Montero
- 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.**

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: \_\_\_\_\_

Date Entered: \_\_\_\_\_



## EXECUTIVE SUMMARY

**DENVER**  
THE MILE HIGH CITY

**Project Title: 2013-0511-01 Dedication of right of way as 50<sup>th</sup> Ave**

**Description of Proposed Project: This request is to dedicate City owned land as 50<sup>th</sup> Ave. Located at the intersection of 50<sup>th</sup> Ave & Washington St.**

**Explanation of why the public right-of-way must be utilized to accomplish the proposed project: Dedicating City owned land to Public Right of Way, from the vacant parcel program approved through City Council.**

**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: N/A**



# 50th Ave. Parcel 1



- Denver County (Boundary)
- Street Centerline
- Interstate
- US Highway
- Other
- Parcels
- Lots/Blocks (Base Map)
- mask
- 2010\_Denver.jp2.iri
- Denver County (Shaded)
- Denver County
- Adams County
- Arapahoe County
- Jefferson County

Map generated 11/20/2012. 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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# 50th Ave. Parcel 2



**PW Legal Description No. 2013-0511-01-001**

**Two parcels of land located in the Southeast 1/4 of Section 15, 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 19th of January 1971 in Book 273 Page 563 in the City and County of Denver Clerk & Recorders Office being more particularly described as follows:**

**That part of the NE 1/4 of SE 1/4 of SE 1/4 of Section 15, Township 3 South, Range 68 West, described as follows: Beginning at the point of intersection of the South line of 50<sup>th</sup> Avenue and the West line of Washington Street; thence Southerly on said West line, a distance of 62 feet; thence on the arc of a curve concave to the Southwest, having a radius of 65 feet, to a point on the South line of 50th Avenue, said point being 45 feet Westerly of the point of beginning; thence Easterly along said South line to the point of beginning.**

**Parcel 2**

**A parcel of land conveyed by Warranty Deed to the City & County of Denver, recorded on the 14th of December 1970 in Book 260 Page 481 in the City and County of Denver Clerk & Recorders Office being more particularly described as follows:**

**That part of the SE1/4, NE1/4, SE1/4 of Section 15, T.3S., R.68W. described as follows: Beginning at a point on the West line of Washington Street and 29 feet North of the South line of the said SE1/4, NE1/4, SE1/4; thence Northerly on the said West line 62 feet; thence Southwesterly on the arc of a curve convex to the Southeast and having a radius of 65 feet to a point that is 29 feet North of the said South line and 45 feet West of the said West line; thence Easterly to the point of beginning.**



Parcel 1

29102

Recorded at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

Reception No. \_\_\_\_\_

0 2 3 1 0 2

RECORDER'S STAMP  
STATE OF COLORADO  
CITY & COUNTY  
OF DENVER  
FILED IN \_\_\_\_\_ OFFICE ON

JAN 13 3 21 PM '71

RECORDED 273 563

S. J. ...  
CLERK AND ...

0.00  
I FEED  
JAN 19 71 3 33 4 07

5044  
WASH.

**THIS DEED**, Made this 11th day of December in the year of our Lord, one thousand nine hundred and seventy between

**CARDINAL MEAT COMPANY**

a corporation duly organized and existing under and by virtue of the laws of the State of Colorado of the first part, and

**CITY AND COUNTY OF DENVER**, a municipal corporation duly organized and existing under and by virtue of the laws of the State of Colorado of the second part;

WITNESSETH, That the said party of the first part, for and in consideration of the sum of FIVE HUNDRED SIXTY and no/100 DOLLARS to the said party of the first part in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, hath granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the said party of the second part, its successors and assigns forever, all the following described or parcel of land, situate, lying and being in the City and County of Denver and State of Colorado, to-wit:

That part of the NE 1/4 of SE 1/4 of SE 1/4 of Section 15, Township 3 South, Range 68 West, described as follows: Beginning at the point of intersection of the South line of 50th Avenue and the West line of Washington Street; thence Southerly on said West line, a distance of 62 feet; thence on the arc of a curve concave to the Southwest, having a radius of 65 feet, to a point on the South line of 50th Avenue, said point being 45 feet Westerly of the point of beginning; thence Easterly along said South line to the point of beginning.

TOGETHER with all and singular the hereditaments and appurtenances therunto 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 party 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

party of the first part, for itself, its successors and assigns, doth 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 encasing and delivery of these presents it is well seized of the premises above conveyed, as of good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and hath good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form 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 party of the first part shall and will WARRANT AND FOREVER DEFEND.

IN WITNESS WHEREOF, The said party of the first part hath caused its corporate name to be hereunto subscribed by its president, and its corporate seal to be hereunto affixed, attested by its secretary, the day and year first above written.

Attest:  
*Dominic Jacovette* Secretary  
*Joseph Lombardi* President  
BY \_\_\_\_\_

STATE OF COLORADO,  
City and County of DENVER } ss.  
The foregoing instrument was acknowledged before me this 11th day of December 1970, by JOSEPH LOMBARDI, President and DOMINIC JACOVETTE, Secretary of CARDINAL MEAT COMPANY, a Colorado corporation.

My notarial commission expires JULY 21, 1974  
Witness my hand and official seal.

*George C. Ferraro*  
Notary Public

APPROVED FOR RECORDING  
LAND OFFICE

AS TO FORM

EXEMPT, 137-13-9(B)

# 9



WASH. REC. EXCEPT 157-15-4 (B)

APPROVED FOR RECORDING LAND OFFICE

THIS DEED Made this 15th day of November, 1970, between WILLIAM WEST GRANT and HENRY W. TOLL, JR., and GLEN R MILLER

City and County of Denver and State of Colorado, of the first part, and CITY AND COUNTY OF DENVER, a municipal corporation organized and

existing under and by virtue of the laws of the State of Colorado of the second part:

WITNESSETH, That the said parties of the first part, for 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 of 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:

That part of the SE 1/4, NE 1/4, SE 1/4 of Section 15, T.35., R.68W, described as follows: Beginning at a point on the West line of Washington Street and 29 feet North of the South line of the said SE 1/4, NE 1/4, SE 1/4; thence Northerly on the said West line 62 feet; thence Southwesterly on the arc of a curve convex to the Southeast and having a radius of 65 feet to a point that is 29 feet North of the said South line and 45 feet West of the said West line; thence Easterly to the point of beginning.

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, their 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 encumbrances of whatever kind or nature soever,

and the above bargained premises in the quiet and peaceful 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 seal this day and year first above written.

Signed, Sealed and Delivered in the Presence of

William West Grant (SEAL)
Henry W. Toll (SEAL)
Glen R. Miller (SEAL)

STATE OF COLORADO,

City and County of Denver

The foregoing instrument was acknowledged before me this 15th day of November, 1970, by WILLIAM WEST GRANT and HENRY W. TOLL, JR.

My commission expires May 27, 1971.

WITNESS my hand and official seal.

Notary Public signature

RECORDERS STAMP: CITY AND COUNTY OF DENVER, FILED IN REC'D OFFICE ON DEC 14 2 14 PM '70, RECORD: 260 481

0.00 I FEE NO DEC 14 1970 5 19 535

PARCEL 2

Handwritten signature and NE 67