



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

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

**FROM:** Matt R. Bryner, P.E., Director, Right-of-Way Services

**DATE:** October 9<sup>th</sup>, 2020

**ROW #:** 2020-DEDICATION-0000084 **SCHEDULE #:** 0222311024000 (parcel 'A') and adjacent to parcel 0215300088000 (parcel 'B').

**TITLE:** This request is to dedicate two City-owned parcels of land as 1) W. 42<sup>nd</sup> Ave. (parcel 'A'), located near the intersection of W. 42<sup>nd</sup> Ave. and N. Fox St., and 2) W. 48<sup>th</sup> Ave. (parcel 'B'), located near the intersection of W. 48<sup>th</sup> Ave. and N. Fox 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 Public Right-of-Way.

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 Public Right-of-Way. The land is described as follows:

**INSERT PARCEL DESCRIPTION ROW (2020-DEDICATION-0000084-001-002) HERE.**

A map of the area to be dedicated is attached.

MB/PR

c: Dept. of Real Estate, Katherine Rinehart  
City Councilperson Candi CdeBaca  
Council Aide Lisa Calderon  
Council Aide Liz Stalnaker  
City Council Staff, Zach Rothmier  
Environmental Services, Andrew Ross  
DOTI, Manager's Office, Alba Castro  
DOTI, Manager's Office Jason Gallardo  
DOTI, Director, Right-of-Way Engineering Services, Matt Bryner  
Department of Law, Maureen McGuire  
Department of Law, Martin Plate  
Department of Law, Deanne Durfee  
Department of Law, Caroline Martin  
Department of Law, Rachonda Dixon  
DOTI Survey, Paul Rogalla  
DOTI Ordinance  
Project file folder 2020-DEDICATION-0000084

City and County of Denver Department of Transportation & Infrastructure  
Right-of-Way Services  
201 W. Colfax Ave. | Denver, CO 80215  
[www.denvergov.org/doti](http://www.denvergov.org/doti)  
Phone: 720-913-1311

## ORDINANCE/RESOLUTION REQUEST

Please email requests to Jason Gallardo  
at [Jason.Gallardo@DenverGov.org](mailto: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: October 9th 2020

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:** This request is to dedicate two City-owned parcels of land as 1) W. 42nd Ave. (parcel 'A'), located near the intersection of W. 42nd Ave. and N. Fox St., and 2) W. 48th Ave. (parcel 'B'), located near the intersection of W. 48th Ave. and N. Fox St.

3. **Requesting Agency:** DOTI-Right-of-Way Services  
**Agency Section:** Survey

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

- **Name:** Rebecca Long
- **Phone:** 720-913-4518
- **Email:** [Rebecca.Long@denvergov.org](mailto:Rebecca.Long@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:** 720-865-8723
- **Email:** [Jason.Gallardo@denvergov.org](mailto:Jason.Gallardo@denvergov.org)

6. **General description/background of proposed resolution 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 Public Right-of-Way.

**\*\*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:** 1) At the intersection of W. 42<sup>nd</sup> Ave. and N. Fox St. (parcel 'A'), and 2) Located near the intersection of W. 48th Ave. and N. Fox St. (parcel 'B').
- d. **Affected Council District:** Candi CdeBaca, Dist. #9
- e. **Benefits:** N/A
- f. **Contract Amount (indicate amended amount and new contract total):** N/A

7. **Is there any controversy surrounding this ordinance?** (Groups or individuals who may have concerns about it?) **Please explain.**

None.

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To be completed by Mayor's Legislative Team:

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

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

## EXECUTIVE SUMMARY

**Project Title:** 2020-DEDICATION-0000084

**Description of Proposed Project:** Dedicate two parcels of public Right-of-Way as W. 42<sup>nd</sup> Ave. and W. 48<sup>th</sup> 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 be dedicated 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 a 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.



Parcel 'A' to be dedicated

### Legend

- ▲ Well Restrictions
- Barrier Restrictions
- Area Restrictions
  - Liner
  - Sheet Pile Wall Area
- Streams
- Irrigation Ditches Reconstruct (Gardeners)
- Irrigation Ditches
- Streets
- Alleys
- Railroads
  - + Main
  - + Yard
  - + Spur
  - + Siding
  - + Interchange track
  - + Other
- Bridges
- Rail Transit Stations
  - Existing
  - Planned
- ▲ Park-N-Ride Locations
- Lakes
- County Boundary
- Parcels
- Lots/Blocks
- Parks
  - All Other Parks; Linear
  - Mountain Parks

200 0 100 200 Feet



Parcel 'B' to be dedicated

### Legend

- ▲ Well Restrictions
- Barrier Restrictions
- Area Restrictions
  - Liner
  - Sheet Pile Wall Area
- Streams
- Irrigation Ditches Reconstruct (Gardeners)
- Irrigation Ditches
- Streets
- Alleys
- Railroads
  - Main
  - Yard
  - Spur
  - Siding
  - Interchange track
  - Other
- Bridges
- Rail Transit Stations
  - Existing
  - Planned
- ▲ Park-N-Ride Locations
- Lakes
- County Boundary
- Parcels
- Lots/Blocks
- Parks
  - All Other Parks; Linear
  - Mountain Parks



**PARCEL DESCRIPTION ROW NO. 2020-DEDICATION-0000084-001:****LAND DESCRIPTION – STREET PARCEL #1:**

A PARCEL OF LAND CALLED "EXHIBIT A" IN A QUITCLAIM DEED RECORDED JUNE 2, 2020 AT RECEPTION NUMBER 2020074108 IN THE OFFICE OF THE CLERK AND RECORDER OF THE CITY AND COUNTY OF DENVER, SAID PARCEL BEING LOCATED IN THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE 2-FOOT BY 20-FOOT DENVER RANGE POINT AT WEST 42<sup>ND</sup> AVENUE AND GALAPAGO STREET (A FOUND NO. 6 REBAR WITH A 2-1/2" ALUMINUM CAP IN RANGE BOX STAMPED "DENVER RANGE POINT PLS 24942 JACOBS 2011") WHENCE THE WEST QUARTER CORNER OF SAID SECTION 22 (A FOUND 3-1/2" ALUMINUM CAP STAMPED "T3S R68W ¼ 21 22 PLS 17669 1986") BEARS N20°27'13"W, A DISTANCE OF 873.15 FEET, AND WHENCE THE 20-FOOT BY 20-FOOT DENVER RANGE POINT AT WEST 42<sup>ND</sup> AVENUE AND FOX STREET (A FOUND 1" DRAG TOOTH) BEARS S89°53'02"E, A DISTANCE OF 287.75 FEET ALONG THE 20-FOOT RANGE LINE (BASIS OF BEARING – ASSUMED); THENCE S52°50'20"W, A DISTANCE OF 99.06 FEET TO THE EASTERLY LINE OF SAID PARCEL OF LAND DESCRIBED AT RECEPTION NO. 2013013224, AND THE POINT OF BEGINNING;

THENCE N89°53'02"W, A DISTANCE OF 12.00 FEET;

THENCE N00°17'45"E, COINCIDENT WITH A LINE 12 FEET WESTERLY OF AND PARALLEL WITH SAID EASTERLY LINE, A DISTANCE OF 80.00 FEET TO THE NORTHERLY LINE OF SAID PARCEL OF LAND DESCRIBED AT RECEPTION NO. 2013013224;

THENCE S89°53'02"E, COINCIDENT WITH SAID NORTHERLY LINE, A DISTANCE OF 2.16 FEET TO THE NORTHWESTERLY LINE OF SAID PARCEL OF LAND DESCRIBED AT RECEPTION NO. 2010150224;

THENCE N76°59'21"E, NON-TANGENT WITH THE FOLLOWING DESCRIBED CURVE, COINCIDENT WITH SAID NORTHWESTERLY LINE, A DISTANCE OF 28.82 FEET TO THE WESTERLY LINE OF GALAPAGO STREET RIGHT-OF-WAY AS VACATED BY ORDINANCE 357-1970, AT BOOK 217, PAGE 587, AUGUST 28, 1970 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE;

THENCE ALONG THE ARC OF A CURVE TO THE LEFT, COINCIDENT WITH SAID WESTERLY LINE, HAVING A CENTRAL ANGLE OF 12°04'13", A RADIUS OF 50.00 FEET, A CHORD BEARING OF S51°40'24"W A DISTANCE OF 10.51 FEET, AND AN ARC DISTANCE OF 10.53 FEET TO THE SOUTHERLY LINE OF SAID PARCEL OF LAND DESCRIBED AT RECEPTION NO. 2010150224;

THENCE N89°53'02"W, NON-TANGENT WITH THE LAST DESCRIBED CURVE, COINCIDENT WITH SAID SOUTH LINE, A DISTANCE OF 9.99 FEET TO SAID EASTERLY LINE;

THENCE S00°17'45"W, COINCIDENT WITH SAID EASTERLY LINE, A DISTANCE OF 80.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,023 SQUARE FEET (0.023 ACRES), MORE OR LESS.

**PARCEL DESCRIPTION ROW NO. 2020-DEDICATION-0000084-002:****LAND DESCRIPTION – STREET PARCEL #2:**

A PARCEL OF LAND CALLED "EXHIBIT B" IN A QUITCLAIM DEED RECORDED JUNE 2, 2020 AT RECEPTION NUMBER 2020074108 IN THE OFFICE OF THE CLERK AND RECORDER OF THE CITY AND COUNTY OF DENVER, SAID PARCEL BEING LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE 10-FOOT DENVER RANGE POINT AT WEST 48<sup>TH</sup> AVENUE AND THE BURLINGTON NORTHERN RAILWAY RIGHT-OF-WAY (A 1.5" IRON ROD); WHENCE THE 10-FOOT BY 20-FOOT DENVER RANGE POINT AT WEST 48<sup>TH</sup> AVENUE AND FOX STREET (A FOUND ROCK CAP) BEARS S89°54'01"E A DISTANCE OF 789.98 FEET (BASIS OF BEARING – ASSUMED). SAID RANGE POINTS ESTABLISHED BY THE PLAT OF BURLINGTON INDUSTRIAL PARK NO. 1 RECORDED NOVEMBER 13, 1967 IN BOOK 26 AT PAGES 6 AND 7 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE;

THENCE N87°18'15"E A DISTANCE OF 205.03 FEET TO THE NORTHERLY LINE OF THE 48<sup>TH</sup> AVENUE RIGHT-OF-WAY AND TO THE POINT OF BEGINNING;

THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 92°36'40", A RADIUS OF 58.00 FEET, A CHORD BEARING OF N87°32'37"E A DISTANCE OF 83.87 FEET, AND AN ARC DISTANCE OF 93.75 FEET;

THENCE ALONG THE ARC OF A CURVE TO THE LEFT, TANGENT WITH THE LAST DESCRIBED CURVE, HAVING A CENTRAL ANGLE OF 16°00'02", A RADIUS OF 23.00 FEET, A CHORD BEARING OF S54°09'04"E A DISTANCE OF 6.40 FEET, AND AN ARC DISTANCE OF 6.42 FEET;

THENCE N89°54'01"W, COINCIDENT WITH SAID NORTHERLY RIGHT-OF-WAY LINE, NON-TANGENT WITH THE LAST DESCRIBED CURVE A DISTANCE OF 88.98 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,204 SQUARE FEET (0.028 ACRES), MORE OR LESS.

Project Description: RTD  
Asset Mgmt. No.: 20-093



2020074108  
Page: 1 of 5  
D \$0.00

Please return Recorded document to:  
Denver City Attorney's Office  
201 W. Colfax Avenue, Dept. 1207  
Denver, CO 80202

**QUITCLAIM DEED**

**THIS DEED**, made this 22<sup>nd</sup> day of JANUARY 2020, 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 Exhibits A and B, 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.

Henry J. Stoppelcamp,  
Assistant General Manager, Capital Programs

Approved as to Legal Form:

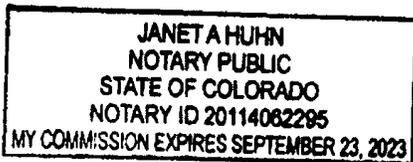
 12/27/19  
Dana E. Steele, Associate General Counsel Date

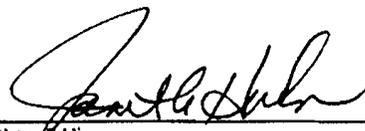
STATE OF COLORADO

COUNTY OF Denver

The foregoing instrument was acknowledged before me this 22<sup>nd</sup> day of JANUARY 2020 by Henry J. Stoppelcamp as Assistant General Manager, Capital Programs.

Witness my hand and official seal.  
My commission expires: 09/23/2023



  
Notary Public

**EXHIBIT "A"**  
**PARCEL NO. CCD-1 REV1**  
**(42nd Street Cul-De-Sac Parcel)**  
**Date: June 22, 2018**  
**DESCRIPTION**

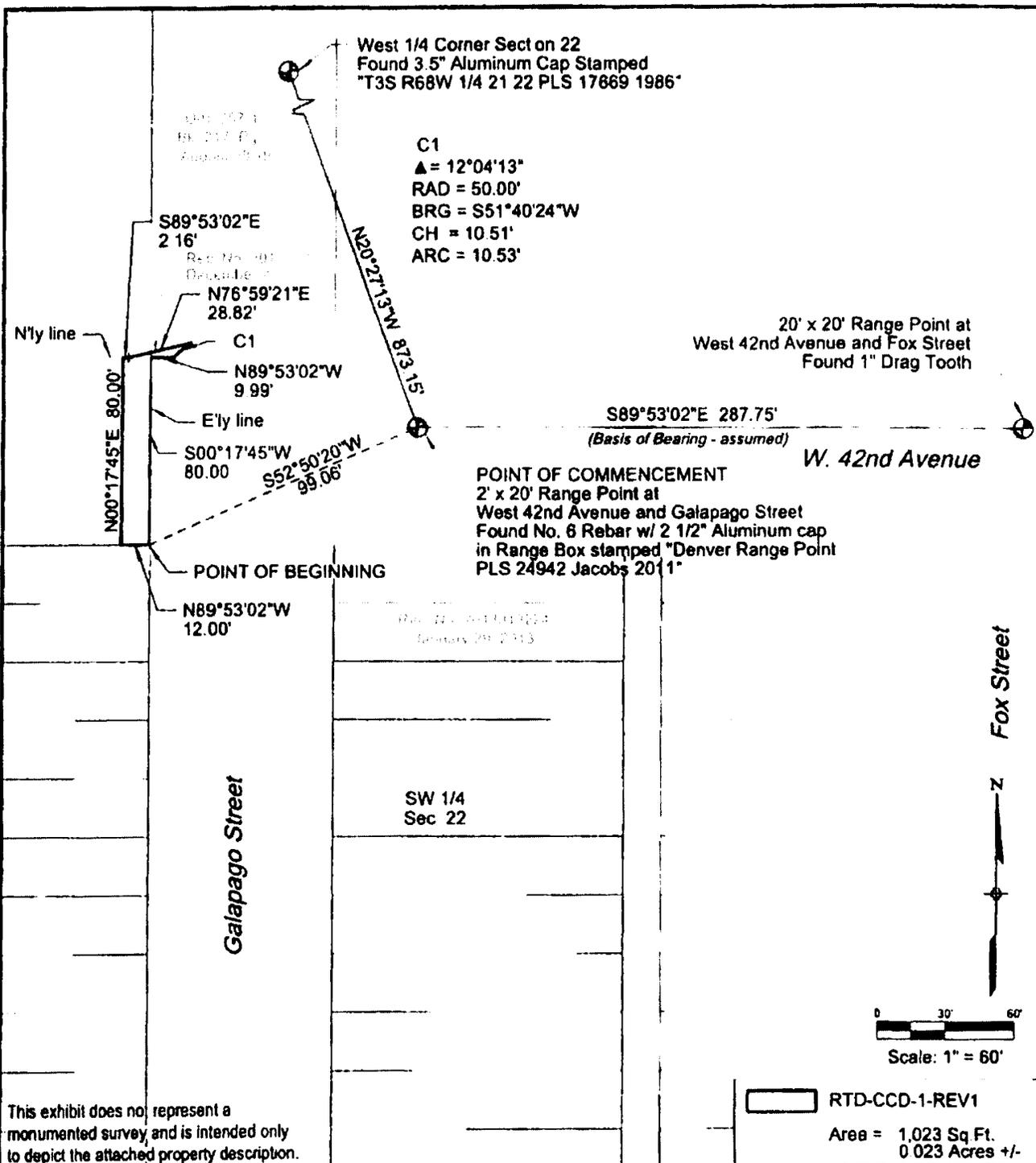
A portion of that parcel of land conveyed to RTD by the Rule and Order recorded at Reception No. 2013013224, recorded January 29, 2013 and a portion of that parcel of land conveyed to RTD by Warranty Deed recorded at Reception No. 2010150224, recorded December 22, 2010, both in the City and County of Denver Clerk and Recorder's Office located in the Southwest Quarter of Section 22, Township 3 South, Range 68 West of the Sixth Principal Meridian, City and County of Denver, Colorado, being more particularly described as follows:

COMMENCING at the 2 foot by 20 foot Denver Range Point at West 42nd Avenue and Galapago Street (a found No. 6 rebar with a 2-1/2" aluminum cap in range box stamped "Denver Range Point PLS 24942 JACOBS 2011") WHENCE the West Quarter Corner of said Section 22 (a found 3-1/2" aluminum cap stamped "T3S R68W 1/4 21 22 PLS 17669 1986") bears N20°27'13"W, a distance of 873.15 feet, and WHENCE the 20 foot by 20 foot Denver Range Point at West 42nd Avenue and Fox Street (a found 1" drag tooth) bears S89°53'02"E, a distance of 287.75 feet along the 20 foot range line (basis of bearing – assumed);  
 THENCE S52°50'20"W, a distance of 99.06 feet to the easterly line of said parcel of land described at Reception No. 2013013224, and the POINT OF BEGINNING;

THENCE N89°53'02"W a distance of 12.00 feet;  
 THENCE N00°17'45"E, coincident with a line 12 feet westerly of and parallel with said easterly line, a distance of 80.00 feet to the northerly line of said parcel of land described at Reception No. 2013013224;  
 THENCE S89°53'02"E, coincident with said northerly line, a distance of 2.16 feet to the northwesterly line of said parcel of land described at Reception No. 2010150224;  
 THENCE N76°59'21"E, non-tangent with the following described curve, coincident with said northwesterly line, a distance of 28.82 feet to the westerly line of Galapago Street Right of Way as vacated by Ordinance 357-1970, at Book 217, Page 587, August 28, 1970 in the City and County of Denver Clerk and Recorder's Office;  
 THENCE along the arc of a curve to the left, coincident with said westerly line, having a central angle of 12°04'13", a radius of 50.00 feet, a chord bearing of S51°40'24"W a distance of 10.51 feet, and an arc distance of 10.53 feet to the southerly line of said parcel of land described at Reception No. 2010150224;  
 THENCE N89°53'02"W, non-tangent with the last described curve, coincident with said South line, a distance of 9.99 feet to said easterly line;  
 THENCE S00°17'45"W, coincident with said easterly line, a distance of 80.00 feet to the POINT OF BEGINNING.

Containing 15029 square feet (0.023 Acres), more or less.

Prepared by: *Kenneth W. Carlson*  
 Kenneth W. Carlson PLS 24942  
 For and on behalf of Jacobs Engineering Group Inc.  
 707 17<sup>th</sup> Street #2500  
 Denver, CO 80202



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

6/22/2016 9:00:57 AM K:\07120\_FairmountEAST CORRIDOR\Drawings\Exhibit\CCD-Corridor\Legend\CCD-Parcels-Renumbered\RTD-CCD-1-REV1.dgn

JACOBS PROJECT NO	WVX7418
CLIENT PROJECT NO	277 20
REVISION DESCRIPTION	
DRAWN	KRW / DAM
DATE	6/22/2016
SCALE	1" = 60'
<b>JACOBS</b>	
707 17th Street 2430 Denver, CO 80202 (303) 839-3340 Fax (303) 839-0842	
<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 CRMF Site Corridor Commuter Rail City and County of Denver, Colorado SW 1/4 Sec. 22, 13S, R68W, 6th P.M.		
TITLE: Exhibit " A "		
RTD-CCD-1-REV1 (42nd Street Cul-De-Sac Parcel)		
REVISION:	DRAWING NO: RTD-CCD-1-REV1.dgn	SHEET NO: 1 of 1

**EXHIBIT "6"**  
**PARCEL NO. RTD-CCD-2**  
**(48<sup>th</sup> AVENUE CUL-DE-SAC)**  
**Date: April 13, 2016**  
**DESCRIPTION**

A portion of that parcel of land conveyed to RTD by Warranty Deed recorded at Reception No. 201202593 on March 1, 2012 in the City and County of Denver Clerk and Recorder's Office and described therein as follows:

48<sup>th</sup> Avenue Cul-de-Sac CCD Conveyance of the RTD CRMF Site Corridor Light Rail Project, being a portion of the tract of land described in the Special Warranty Deed recorded December 8, 1995 at Reception Number 9500153160 in the City and County of Denver Clerk and Recorder's Office, located in the Southwest Quarter of Section 15, Township 3 South, Range 68 West of the Sixth Principal Meridian, City and County of Denver, Colorado, being more particularly described as follows:

COMMENCING at the 10 foot Denver Range Point at West 48<sup>th</sup> Avenue and the Burlington Northern Railway right-of-way (a 1.5" iron rod); WHENCE the 10 foot by 20 foot Denver Range Point at West 48<sup>th</sup> Avenue and Fox Street (a found rock cap) bears S89°54'01"E a distance of 789.98 feet (basis of bearing – assumed). Said range points established by the plat of BURLINGTON INDUSTRIAL PARK NO. 1 recorded November 13, 1967 in Book 26 at Pages 6 and 7 in the City and County of Denver Clerk and Recorder's Office;

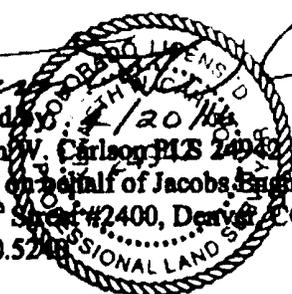
THENCE N87°18'15"E a distance of 205.03 feet to the northerly line of the 48<sup>th</sup> Avenue right-of-way and to the POINT OF BEGINNING;

THENCE along the arc of a curve to the right, having a central angle of 92°36'40", a radius of 58.00 feet, a chord bearing of N87°32'37"E a distance of 83.87 feet, and an arc distance of 93.75 feet;

THENCE along the arc of a curve to the left, tangent with the last described curve, having a central angle of 16°00'02", a radius of 23.00 feet, a chord bearing of S54°09'04"E a distance of 6.40 feet, and an arc distance of 6.42 feet;

THENCE N89°54'01"W, coincident with said northerly right-of-way line, non-tangent with the last described curve a distance of 88.98 feet to the POINT OF BEGINNING.

Containing 1,204 square feet, (0.028 Acres), more or less.



Prepared by:  
 Kenneth W. Carlson PLS 24940  
 For and on behalf of Jacobs Engineering Group Inc.  
 707 17<sup>th</sup> Street #2400, Denver, CO 80202  
 303.820.5244

