



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 20, 2018

ROW #: 2018-Dedication-0000134 **SCHEDULE #:** 0224404005000, 0224404007000 &
0224404008000

TITLE: This request is to dedicate a parcel of land as Public Right of Way as E. 42nd Ave.
Located at the intersections of E. 42nd Ave. & N. Monroe St. to E. 42nd Ave. & E. Smith Rd.

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. 42nd Ave. 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. 42nd Ave. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2018-Dedication-0000134-001, 002 & 003) HERE.

A map of the area to be dedicated is attached.

MB/WR/BV

cc: Asset Management, Curtis Anthony
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-0000134

ORDINANCE/RESOLUTION REQUEST

Please email requests to Sarah Stanek
at 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 20, 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 a parcel of land as Public Right of Way as E. 42nd Ave.
Located between the intersections of E. 42nd Ave. & N. Monroe St. to E. 42nd Ave. & E. Smith Rd.

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. 42nd Ave. 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. 42nd Ave. from N. Monroe St. to E. Smith Rd.
- 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-0000134, RTD - East Corridor

Description of Proposed Project: Dedicate a parcel of land as public right of way as E. 42nd 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

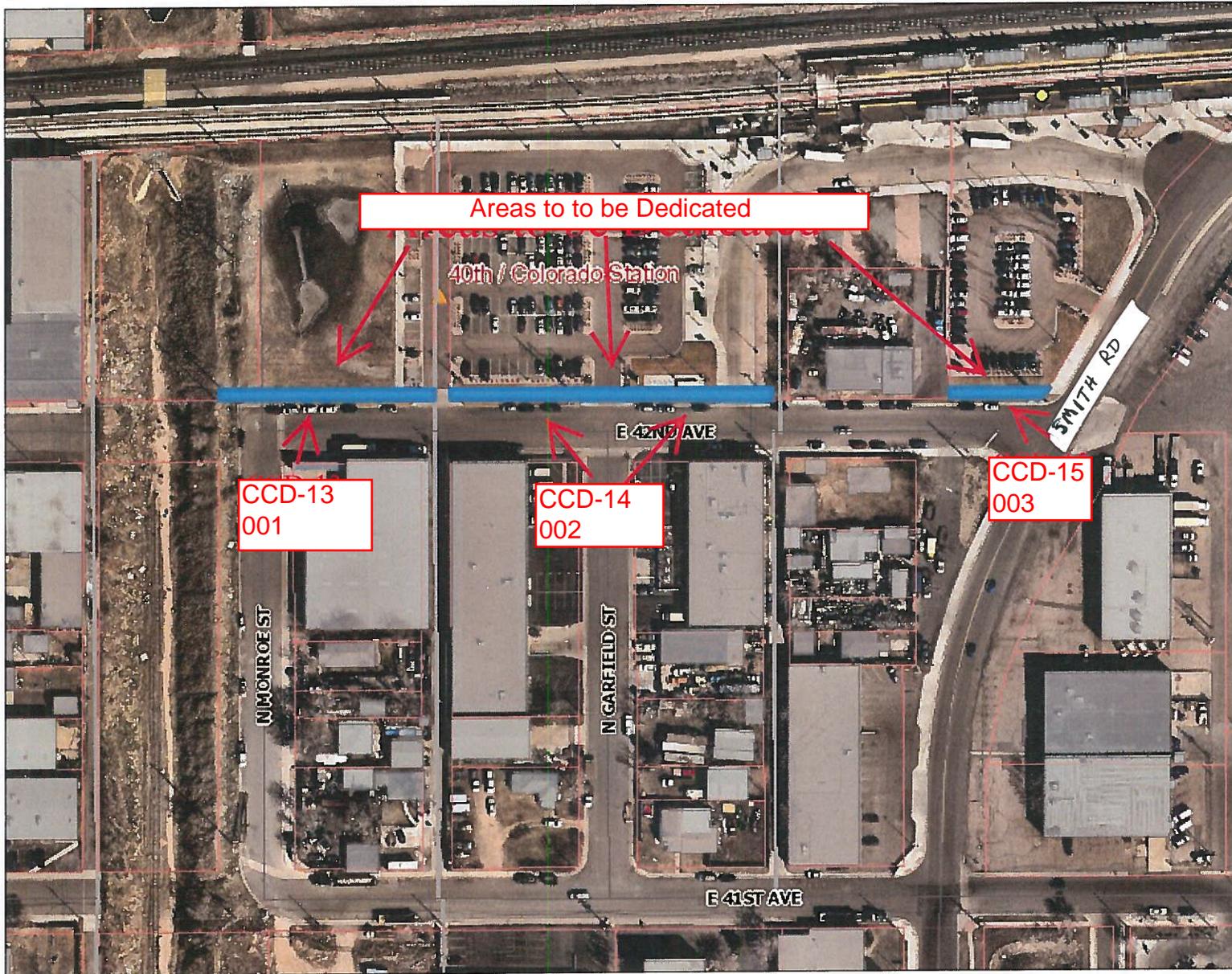
What is the known duration of an MEP: N/A

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

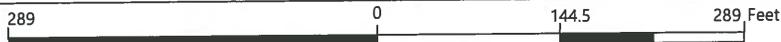
Will an easement relinquishment be submitted at a later date: N/A

Additional information: This land was deeded to the City and County of Denver for the purpose to dedicate it as Public Right-of-Way, as a part of a development project called, RTD - East Corridor



Legend

- Streams
- Buildings
- 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



A Parcel No. RTD-CCD-13 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, (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 (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 N28°03'43"W a distance of 2476.85 feet to the southeast corner of said Lot 12, also being a point on the northerly line of the East 42nd Avenue right-of-way, and to the POINT OF BEGINNING;

THENCE the following three (3) courses coincident with said northerly right-of-way line:

- 1) N89°53'59"W a distance of 145.17 feet to a 20.10 foot range line;
- 2) N88°01'33"W a distance of 41.28 feet to a 20.00 foot range line;
- 3) N89°56'05"W a distance of 20.00 feet to the easterly line of Block 37 of FIRST ADDITION TO SWANSEA, as filed November 13, 1873 in the City and County of Denver Clerk and Recorder's Office;

THENCE N00°02'00"E coincident with said easterly line of Block 37 a distance of 8.86 feet;
THENCE S89°53'59"E a distance of 206.40 feet to the easterly line of said Lot 12;
THENCE S00°04'22"E coincident with said easterly line of Lot 12 a distance of 10.20 feet to the POINT OF BEGINNING.

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

PARCEL NO. RTD-CCD-13
CCD CONVEYANCE
STA. 263+ TO STA. 266+

REGIONAL TRANSPORTATION DISTRICT
DENVER, CO

FOR

EAST CORRIDOR COMMUTER RAIL PROJECT

EXHIBIT “ ”
PARCEL NO. RTD-CCD-13
(PARCEL NO. EC-34R1_MON-CCD)

Date: April 14, 2016

DESCRIPTION

A portion of that parcel of land conveyed to RTD by Warranty Deed recorded at Reception No. 2011028519 recorded March 15, 2011 in the City and County of Denver Clerk and Recorder's Office and described herein as follows:

Parcel No. EC-34R1_MON-CCD Conveyance of the RTD East Corridor Commuter Rail Project, being a portion of Lot 12, Block 1, SWANSEA HEIGHTS, as shown in Book 8, Page 44, recorded on December 20, 1889 and a portion of Monroe Street, vacated by Ordinance Number 161-1951 all in 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, (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 (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 N28°03'43"W a distance of 2476.85 feet to the southeast corner of said Lot 12, also being a point on the northerly line of the East 42nd Avenue right-of-way, and to the POINT OF BEGINNING;

THENCE the following three (3) courses coincident with said northerly right-of-way line:

- 1) N89°53'59"W a distance of 145.17 feet to a 20.10 foot range line;
- 2) N88°01'33"W a distance of 41.28 feet to a 20.00 foot range line;
- 3) N89°56'05"W a distance of 20.00 feet to the easterly line of Block 37 of FIRST ADDITION TO SWANSEA, as filed November 13, 1873 in the City and County of Denver Clerk and Recorder's Office;

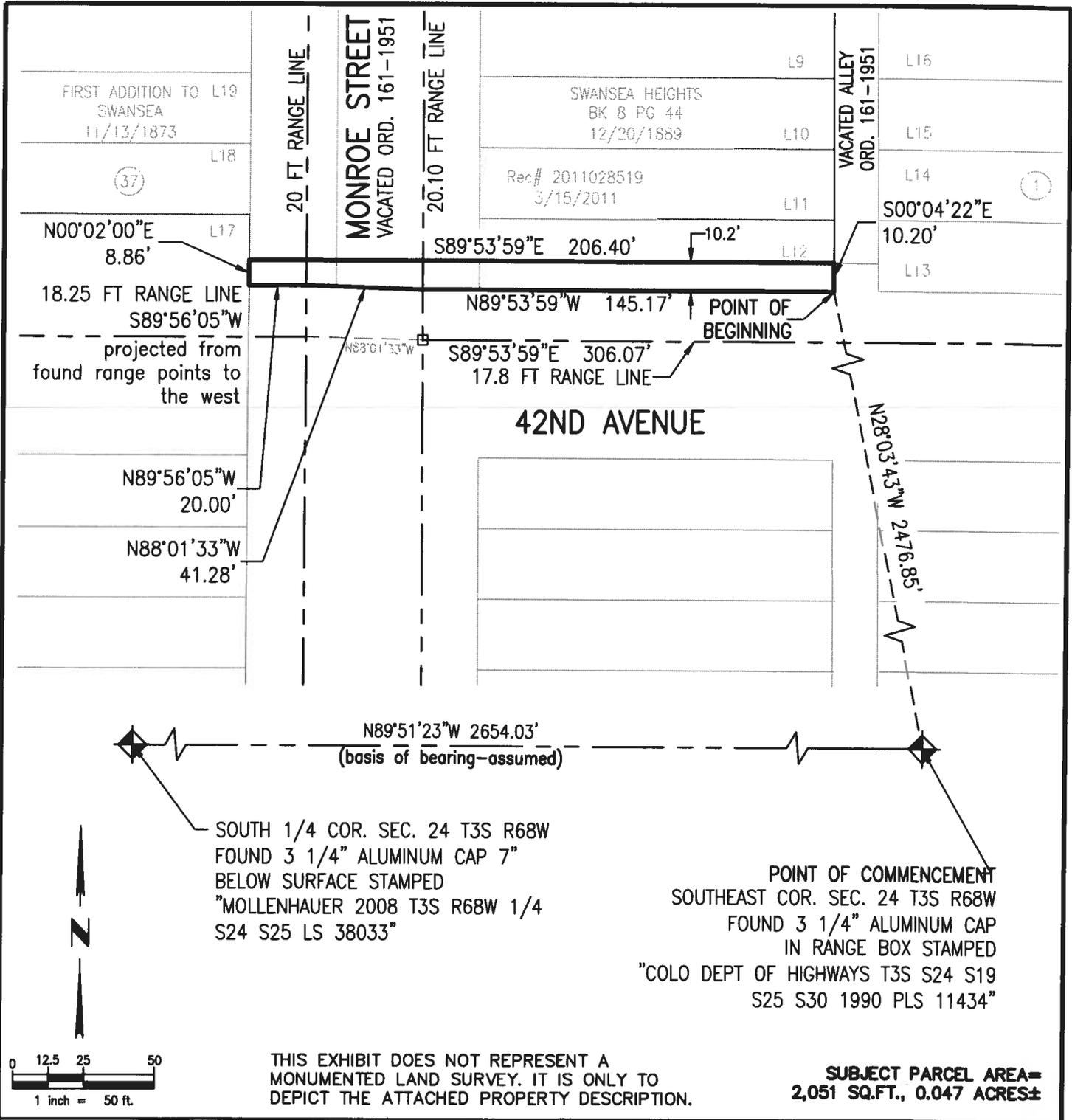
THENCE N00°02'00"E coincident with said easterly line of Block 37 a distance of 8.86 feet; THENCE S89°53'59"E a distance of 206.40 feet to the easterly line of said Lot 12; THENCE S00°04'22"E coincident with said easterly line of Lot 12 a distance of 10.20 feet to the POINT OF BEGINNING.

Containing 2,051 square feet, (0.047 Acres), more or less.

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



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JACOBS PROJECT NO.		WXV7411 16.09	
CLIENT PROJECT NO.		072120	
REVISION DESCRIPTION			
DRAWN	JSX	DATE 2/19/2016	SCALE 1" = 50'
JACOBS <small>707 17th Street, Suite 2400 Denver, Colorado 80202 Phone: 303-820-5240 Fax: 303-820-5298</small>			
<small>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.</small>			

EXHIBIT " "		
RTD-CCD-13 (PARCEL NO. EC-34R1_MON-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-13.DWG	SHEET NO. 1-OF-1

PW Legal Description No. 2018-Dedication-0000134-002

A Parcel No. RTD-CCD-14 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, (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 (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 N20°53'40"W a distance of 2338.90 feet to the southeast corner of said Lot 13, Block 2, also being the northerly right-of-way line of East 42nd Avenue, and to the POINT OF BEGINNING;

THENCE N89°53'59"W coincident with said northerly right-of-way line a distance of 315.01 feet to the southwest corner of said Lot 13 Block 1; THENCE N00°04'22"W coincident with the westerly line of said Lot 13 Block 1, a distance of 10.20 feet; THENCE S89°53'59"E coincident with a line 10.20 feet northerly of and parallel with said northerly right-of-way line a distance of 315.01 feet to the easterly line of said Lot 13, Block 2; THENCE S00°04'27"E coincident with said easterly line a distance of 10.20 feet to the POINT OF BEGINNING.

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

PARCEL NO. RTD-CCD-14
CCD CONVEYANCE
STA. 265+ TO STA. 269+

REGIONAL TRANSPORTATION DISTRICT
DENVER, CO
4200 GARFIELD ST
DENVER, CO

FOR

EAST CORRIDOR COMMUTER RAIL PROJECT

EXHIBIT “ ”
PARCEL NO. RTD-CCD-14
(PARCEL NO. EC-34R1_42GAR-CCD)

Date: April 14, 2016

DESCRIPTION

A portion of that parcel of land conveyed to RTD by Warranty Deed recorded at Reception No. 2011066113 recorded June 17, 2011 in the City and County of Denver Clerk and Recorder's Office and described therein as follows:

Parcel No. EC-34R1_42GAR-CCD Conveyance of the RTD East Corridor Commuter Rail Project, being a portion of Lot 13, Block 1 and Lot 13, Block 2, SWANSEA HEIGHTS, as described at Book 8, Page 44, recorded on December 20, 1889; Lot 13, Block 2, GUTSCH'S SUBDIVISION TO SWANSEA HEIGHTS, as described at Book 10, Page 40, recorded on September 23, 1890, and a portion of vacated Garfield Street, as described at Ordinance Number 324-1957 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, (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 (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 N20°53'40"W a distance of 2338.90 feet to the southeast corner of said Lot 13, Block 2, also being the northerly right-of-way line of East 42nd Avenue, and to the POINT OF BEGINNING;

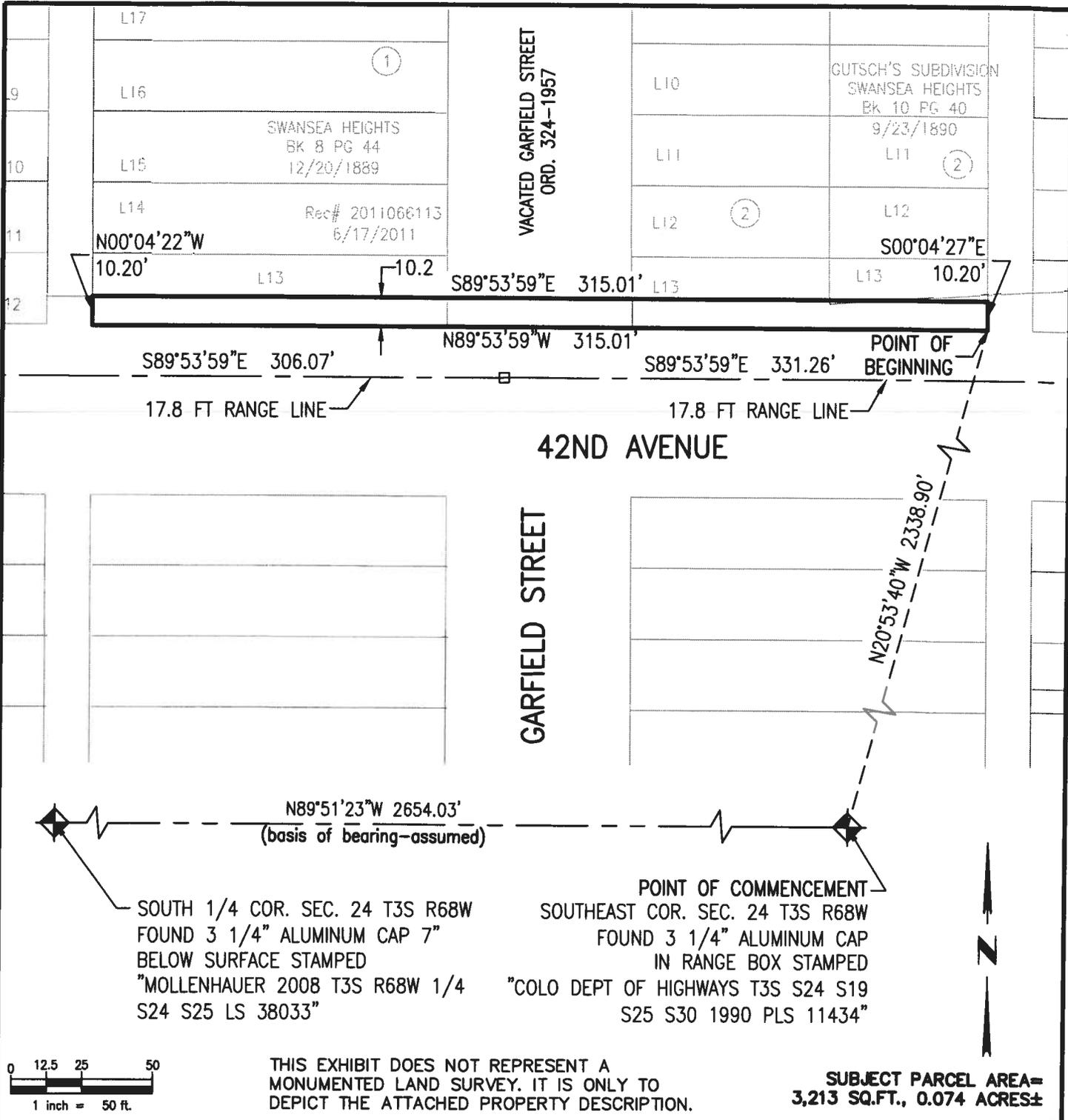
THENCE N89°53'59"W coincident with said northerly right-of-way line a distance of 315.01 feet to the southwest corner of said Lot 13 Block 1;
THENCE N00°04'22"W coincident with the westerly line of said Lot 13 Block 1, a distance of 10.20 feet;
THENCE S89°53'59"E coincident with a line 10.20 feet northerly of and parallel with said northerly right-of-way line a distance of 315.01 feet to the easterly line of said Lot 13, Block 2;
THENCE S00°04'27"E coincident with said easterly line a distance of 10.20 feet to the POINT OF BEGINNING.

Containing 3,213 square feet, (0.074 Acres), more or less.



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

K:\072120_Eastrack\1 EAST CORRIDOR\dwg\Exhibit\CCD-Conveyance-Legal\GIS\CCD-Parcels-Renumbered\RTD-CCD-14.dwg, 4/15/2016 9:39:47 AM



JACOBS PROJECT NO.		WVX7416	
CLIENT PROJECT NO.		072120	
REVISION DESCRIPTION			
DRAWN	JSX	DATE 2-29-2016	SCALE 1" = 50'
JACOBS™		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.			

EXHIBIT " "		
RTD-CCD-14 (PARCEL NO. EC-34R1_42GAR-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-14.DWG	SHEET NO. 1-OF-1

A Parcel No. RTD-CCD-15 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, (a found 3-¼ " aluminum cap in range box, stamped: "COLO DEPT OF HIGHWAYS T3S S24 S19 S25 S30 1990 PLS 11434"); WHENCE the South Quarter Corner of said Section 24 (a found 3-¼ " 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 N14°34'11"W a distance of 2257.21 feet to the intersection of the northerly line of East 42nd Avenue right-of-way, also the southerly line of said Lot 13, with 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 N89°53'59"W coincident with said northerly right-of-way line a distance of 92.78 feet to the centerline of said vacated Jackson Street;

THENCE N00°04'26"W coincident with said centerline a distance of 10.20 feet;

THENCE S89°53'59"E a distance of 98.86 feet to said northwesterly right-of-way line;

THENCE S30°46'55"W coincident with said northwesterly right-of-way line a distance of 11.86 feet to the POINT OF BEGINNING.

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

PARCEL NO. RTD-CCD-15
CCD CONVEYANCE
STA. 270+ TO STA. 272+

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

FOR

EAST CORRIDOR COMMUTER RAIL PROJECT

EXHIBIT “ ”
PARCEL NO. RTD-CCD-15
(PARCEL NO. EC-34R1_42JAC-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_42JAC-CCD Conveyance of the RTD East Corridor Commuter Rail Project, being a portion of Lot 13, Block 3, SWANSEA HEIGHTS, as shown in Book 8, Page 44, recorded on December 20, 1889, and a portion of vacated Jackson Street, as described at Ordinance Number 639-2007 all in 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, (a found 3-¼ “ aluminum cap in range box, stamped: “COLO DEPT OF HIGHWAYS T3S S24 S19 S25 S30 1990 PLS 11434”); WHENCE the South Quarter Corner of said Section 24 (a found 3-¼ “ 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 N14°34'11"W a distance of 2257.21 feet to the intersection of the northerly line of East 42nd Avenue right-of-way, also the southerly line of said Lot 13, with 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;

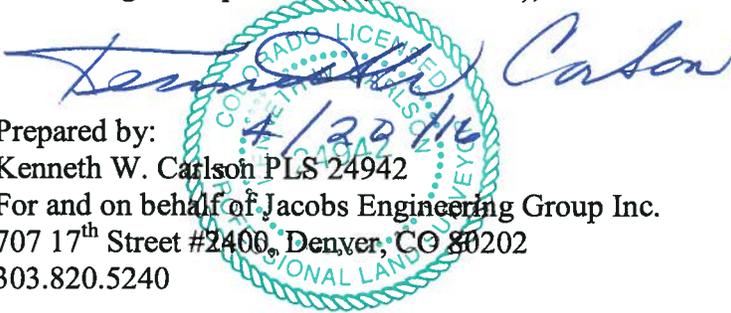
THENCE N89°53'59"W coincident with said northerly right-of-way line a distance of 92.78 feet to the centerline of said vacated Jackson Street;

THENCE N00°04'26"W coincident with said centerline a distance of 10.20 feet;

THENCE S89°53'59"E a distance of 98.86 feet to said northwesterly right-of-way line;

THENCE S30°46'55"W coincident with said northwesterly right-of-way line a distance of 11.86 feet to the POINT OF BEGINNING.

Containing 977 square feet, (0.022 Acres), more or less.


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

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 05th 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. Stoppelcamp,
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 05th day of JUNE 2018 by Henry J. Stoppelcamp 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

