

REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Charlene Thompson, City Attorney's Office

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

DATE: September 2, 2016

ROW #: 2016-Dedication-0000164 **SCHEDULE #:** N/A

TITLE: This request is to dedicate City owned land as Public Alley.
Located in the alley bounded by Cherokee St. Bannock St. W. Ellsworth Ave. and W. Irvington Pl.

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 Alley.

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 Alley. The land is described as follows:

INSERT PARCEL DESCRIPTION ROW (2016-Dedication-0000164-001) HERE.

A map of the area to be dedicated is attached.

RD/BLV

c: Asset Management, Steve Wirth
City Councilperson & Aides, Jolon Clark District # 7
Council Aide Maggie Thompson
Council Aide Anita Banuelos
City Council Staff, Shelley Smith
Environmental Services, David Erickson
Public Works, Manager's Office, Alba Castro
Public Works, Manager's Office, Angela Casias
Public Works, Right-of-way Engineering Services, Rob Duncanson
Department of Law, Brent Eisen
Department of Law, Stan Lechman
Department of Law, Adam Hernandez
Department of Law, Caroline Martin
Department of Law, Cynthia Devereaux
Public Works Survey, John Lautenschlager
Public Works Survey, Paul Rogalla

ORDINANCE/RESOLUTION REQUEST

Please email requests to Angela Casias
at angela.casias@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: September 2, 2016

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 City owned land as Public Alley.
Located in the alley bounded by Cherokee St. Bannock St. W. Ellsworth and W. Irvington Pl.

3. Requesting Agency: Public Works – Right-of-Way Services / 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: Angela Casias
- Phone: 720-913-8529
- Email: Angela.Casias@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 Public Alley.

*****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: Near Cherokee and W. Ellsworth Ave.
- d. Affected Council District: Jolon Clark Dist. 7
- 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.

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: _____

Date Entered: _____



EXECUTIVE SUMMARY

DENVER
THE MILE HIGH CITY

Project Title: 2016-Dedication-0000164, Alley bounded by Cherokee St. Bannock St. W. Ellsworth Av., and W. Irvington Pl.

Description of Proposed Project: This request is to dedicate a City owned land as Public Alley.

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: This land was deeded to the City and County of Denver for the purpose of dedicating it as Public Right-of-Way.

PW Legal Description No. 2016-Dedication-0000164-001

A parcel of land conveyed to the City of Denver by Quit Claim Deed, recorded on the 10th of May 1890, in Book 522, Page 579, in the Clerk & Recorder's Office, City & County of Denver, said parcel of land being located in the Southwest 1/4 of Section 10, Township 4 South, Range 68 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado, and being more particularly described as follows:

The North ten (10) feet of Lot numbered Six (6) in Block numbered Four (4) in Alkire Brother's Addition to Broadway Terrace Addition to Denver. Said lot or parcel of land to be kept open by the said City of Denver for use of the public for alley purposes.

Alley to be Dedicated (Deed 522-579)



Legend

- Streams
- Irrigation Ditches Reconstruct (Gardens)
- Irrigation Ditches
- Buildings 2014
- 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
 - Mountain Parks
 - All Other Parks

This Deed, Made this Twenty fourth day of December in the year of our Lord

QUIT-CLAIM DEED.

William H. Lewis et al

of the County of Arapahoe and State of Colorado, of the first part, and

to City of Denver

of the County of Arapahoe and State of Colorado, of the second part;
Witnesseth, That the said parties of the first part, for and in consideration of the sum of one Dollars

Filed for Record at 8 o'clock A.M.

May 10 1890

J. L. Smith
Recorder.

to the said parties of the first part, in hand paid by the said parties of the second part, the receipt whereof is hereby confessed and acknowledged, have remised, released, sold, conveyed, and quit-claimed, and by these presents do, remise, sell, convey and quit-claim unto the said parties of the second part, the heirs and assigns forever, all the right, title, interest, claim and demand which the said parties of the first part had in and to the following described parcel of land situate, lying and being in the County of Arapahoe and State of Colorado, to-wit:

The North ten (10) feet of lot numbered six (6) in block numbered Four (4) and White Bros Addition to Broadway Terrace Addition to Denver, said lot or parcel of land to be kept open by the said City of Denver for use of the public for alley purposes.

To Have and to Hold the same, together with all and singular the privileges and appurtenances thereunto belonging, or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever of the said parties of the first part, either in law or equity, to the only proper use, benefit and behoof of the said parties of the second part, the heirs and assigns forever.

In Witness Whereof, The said parties of the first part have unto set their hand and seal, the day and year above written.

Signed, Sealed and Delivered in presence of

William H. Lewis
Anna L. Smith



STATE OF COLORADO, } ss.
COUNTY OF ARAPAHOE.

I, Ernest Giehl, a Notary Public, in and for said County, in the State aforesaid, do hereby certify that William H. Lewis and Anna L. Smith personally known to me to be the persons whose

names I subscribed to the annexed Deed, appeared before me this day in person, and acknowledged that they signed, sealed and delivered the said instrument of writing as their free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and seal, this Twenty fourth day of December A. D. 18 90



My Commission expires March 13 1892

Ernest Giehl
Notary Public

in the year of our Lord
between
made
of the first part, and
of the second part,
for and in consideration
by the said parties of the
and acknowledged, have
and by these presents
aid parties of the second
right, title, interest, claim
in and to the follow-
situate, lying, and being
to-wit:
in the City of
residing at the
of said third party, commissioning
the State of Colorado, said land
of the land of the first
being the purpose of these
as a street of the City of
to be kept under the
to the remaining
by the second party, the
signature

appurtenances thereunto
and claim whatsoever of
to the only proper use, benefit
hand and seal, the
day and year above written.
Signed, Sealed and Delivered in presence of
Seal
Seal
Seal
I, Ernest Giehl, a Notary Public, in and for said County, in the State aforesaid, do hereby certify that
names I subscribed to the annexed Deed, appeared before me this day in person, and acknowledged that they signed, sealed and delivered the said instrument of writing as
Given under my hand and seal, this
My Commission expires
Notary Public