



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: Melinda Olivarez, City Attorney's Office
FROM: Robert J. Duncanson P.E., Engineering Manager II
Right-of-Way Services

DATE: August 3, 2010

ROW #: 2010-0312-01 **SCHEDULE #:** Parcel # 1 0505332013000
Parcel # 2 0505332012000

TITLE: 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 W. 6th Ave.

SUMMARY: This request is to dedicate existing City owned land as W. 6th Ave.
Located at the intersections of Federal Blvd and W. 6th Ave., and Grove St. and W. 6th 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 existing City owned land for Public Right-of-Way purposes as W. 6th Ave. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW (# 2010-0312-01) HERE.

A map of the area to be dedicated is attached.

RD/JL/LRA

- cc: Asset Management, Steve Wirth
- City Councilperson, Paul D. Lopez, District # 3
- City Council Aide, Gianina Irlando and Denise Y. Perez
- City Council Staff, Gretchen Williams
- Department of Law, Karen Aviles
- Department of law, Melinda Olivarez
- Department of law, Arlene Dykstra
- Environmental Services, David Erickson
- Mayor's Office, City Council Liaison, R. D. Sewald
- Mayor's Office, Heather Barry
- Public Works, Manager's Office, Christine Downs
- Public Works, Manager's Office, Daelene Mix
- Public Works, Right-of-Way Engineering Services, Rob Duncanson
- Public Works, Right-of-Way Engineering Services, Area surveyor John Lautenschlager
- Public Works Survey-Paul Rogalla
- Owner: City and County of Denver
- Project file folder 2010-0312-01



ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor's Legislative Team
at MileHighOrdinance@DenverGov.org by NOON on Tuesday.

**All fields must be completed.*
Incomplete request forms will be returned to sender which may cause a delay in processing.*

Date of Request: August 2, 2010

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 - 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 existing City owned land as W. 6th Ave. Located at the intersections of Federal Blvd. and W. 6th Ave. and Grove St. and W. 6th Ave.

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

4. **Contact Person:** (with actual knowledge of proposed ordinance)

- **Name:** Lisa R. Ayala
- **Phone:** 720-865-3153
- **Email:** lisa.ayala@denvergov.org

5. **Contact Person:** (with actual knowledge of proposed ordinance who will present the item at Mayor-Council and who will be available for first and second reading, if necessary)

- **Name:** Daelene Mix
- **Phone:** 720-865-8720
- **Email:** daelene.mix@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 W. 6th Ave.

Please include the following:

- a. **Duration:** n/a
- b. **Locations:** W. 6th Ave. and Federal Blvd. and W. 6th Ave. and Grove St.
- c. **Affected Council District:** Paul D. Lopez
- d. **Benefits:** n/a
- e. **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:

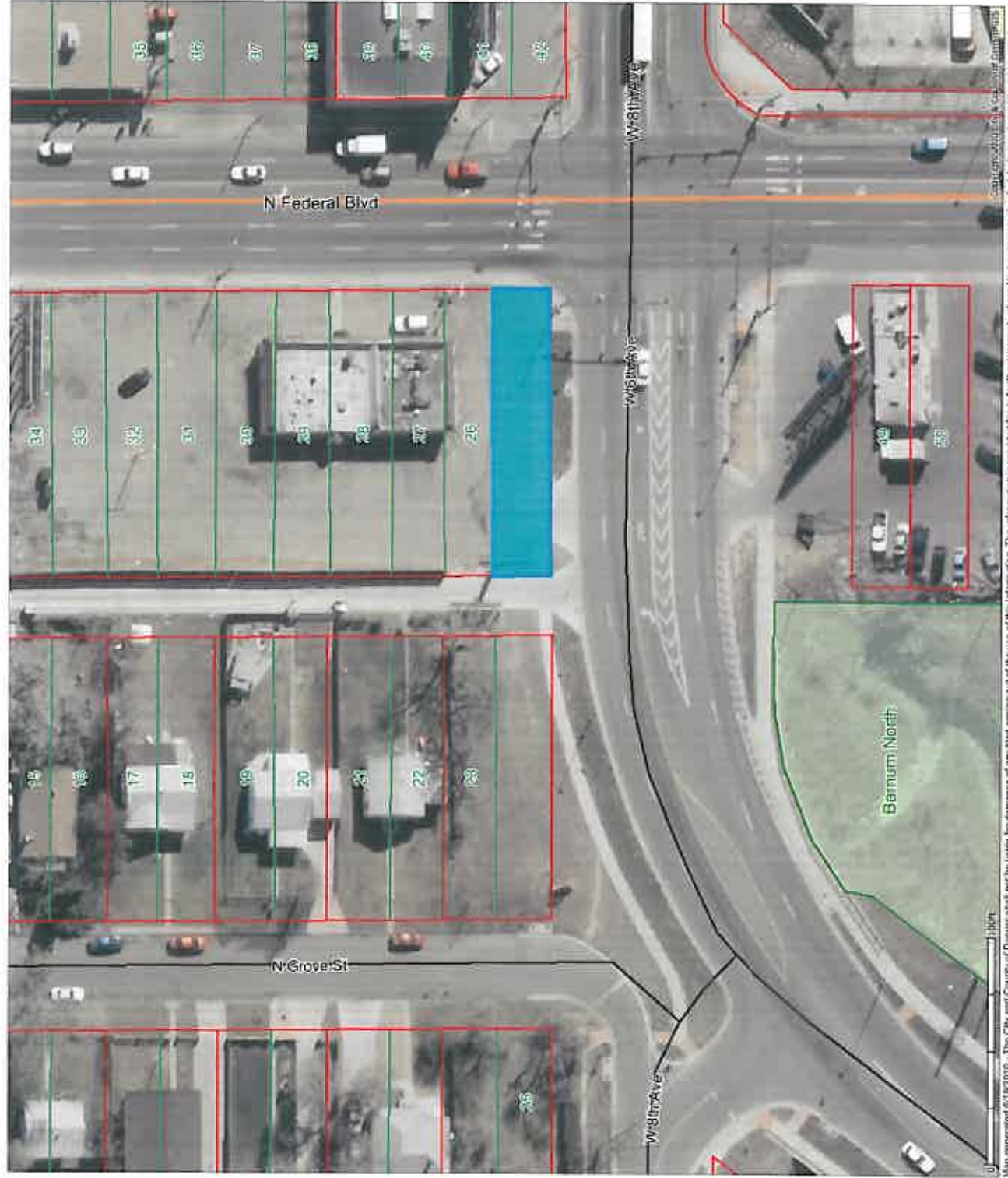
SIRE Tracking Number: _____

Date: _____

Ordinance Request Number: _____

Date: _____

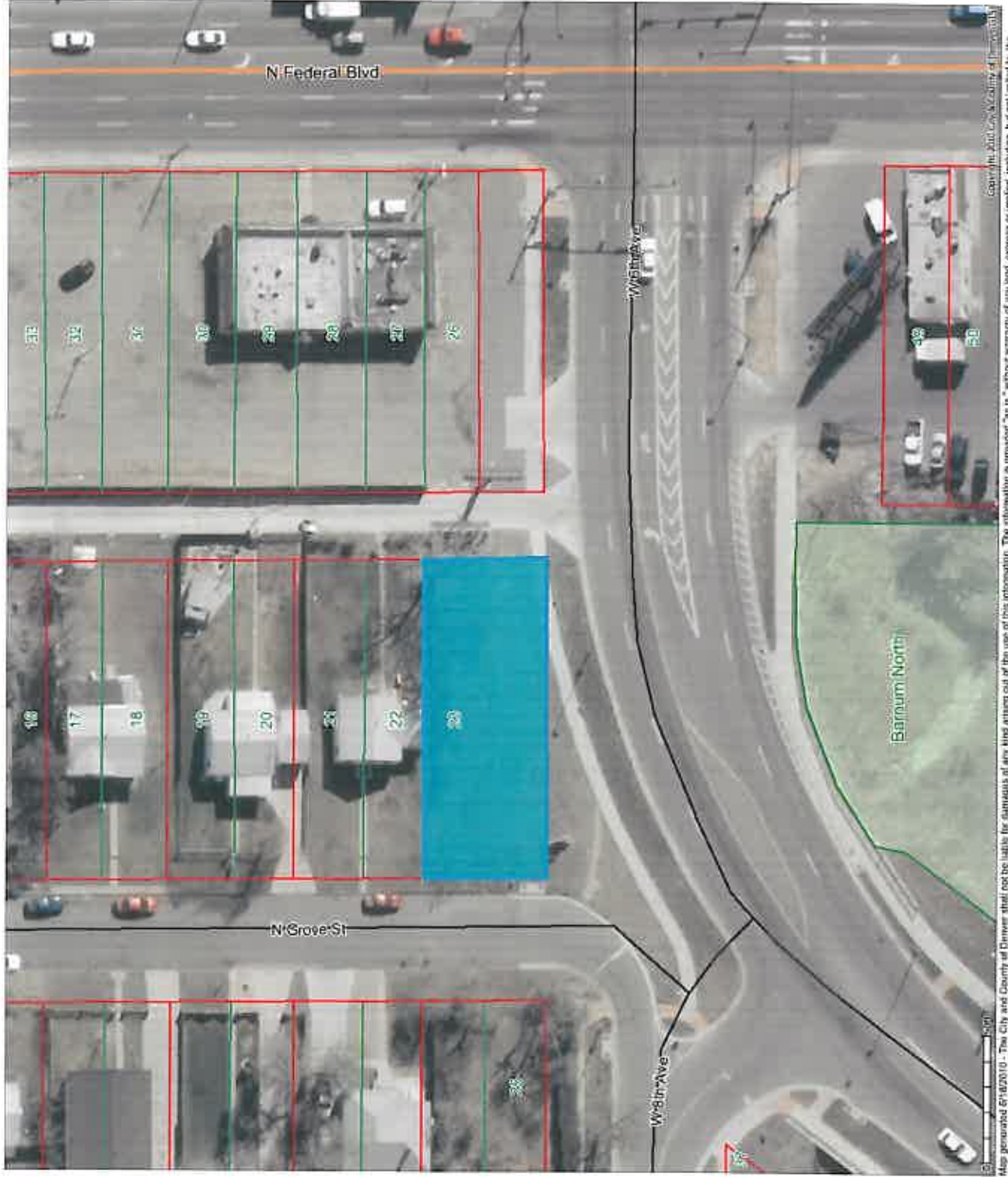
W. 6th Ave. Parcel 1



- Denver County (Boundary)
- Street Centerline
- Interstate
- US Highway
- Other
- Parks Mowing Areas
- Parcels
- Lots/Blocks (Base Map)
- Parks
- Park Maintenance Facilities
- Natural Areas
- 2008 Denver
- Denver County (Shaded)
- Denver County
- Adams County
- Arapahoe County
- Jefferson County

Map generated 6/18/2010 - 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.

W. 6th Ave. Parcel 2



- Denver County (Boundary)
- Street Centerline
- Interstate
- US Highway
- Other
- Parts Mowing Areas
- Parcels
- Lots/Blocks (Base Map)
- Parts
- Part Maintenance Facilities
- Natural Areas
- 2008 Denver
- Denver County (Shaded)
- Denver County
- Adams County
- Arapahoe County
- Jefferson County

Map generated 07/18/2010. The City and County of Denver shall not be liable for statements of any kind appearing on or off 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.

Two parcel's of land located in the Southwest 1/4 of Section 5, Township 4 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 15th of May 1943 in Book 5678 Page 304 & by Quit Claim Deed to the City & County of Denver, recorded on the 15th of May 1943 in Book 5678 Page 306 in the City and County of Denver Clerk & Recorders Office. Both legals being more particularly described as follows:

Lot Twenty-five (25), in Block Twenty-five (25), Villa Park.

Parcel 2

A parcel of land conveyed by Warranty Deed to the City & County of Denver, recorded on the 14th of April 1943 in Book 5670 Page 62 in the City and County of Denver Clerk & Recorders Office being more particularly described as follows:

Lot Twenty-three (23) and Lot Twenty-four (24) in Block Twenty-five (25), Villa Park.

may 15 1943

RECEIVED PAID TO THE

THIS DEED was made this 15th day of May 1943 between THE BIG THREE INVESTMENT COMPANY a corporation duly organized and existing under and by the laws of the State of Colorado of the first part and CITY AND COUNTY OF DENVER, a municipal corporation of the second part

WITNESSETH that the said party of the first part for and in consideration of the sum of Six thousand, Five Hundred - - - - - 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 doth grant, bargain, sell, convey and confirm unto the said party of the second part, ITS SUCCESSORS, and assigned 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:

Lot Twenty-five (25), in Block Twenty-five (25), Villa Park;

TOGETHER with all and singular the hereditaments and appurtenances thereto in anywise appertaining, and the reversion or reversions, remainders, rents, issues and profits thereof, and all the rights, 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, heirs and assigns forever. And the said

THE BIG THREE INVESTMENT COMPANY party of the first part, for itself, and its successors, doth covenant, grant, bargain, and agree to and with the said party of the second part, ITS SUCCESSORS, heirs and assigns, that at the time of the sealing and delivery of these presents it is well seized of the premises above conveyed, and of a 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, except the 1943 general taxes and all future installments of the Moffat Tunnel Assessment.

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, firm or corporation claiming or to claim the whole or any portion of the said party of the first part, and will WARRANT AND FOREVER DEFEND, TURE WITNESSS WHEREOF the said party of the first part hath caused its corporate name to be hereunto subscribed, and its corporate seal to be hereunto affixed, attested by its

John W. Cusker Secretary
John W. Cusker President
By John W. Cusker President

WITNESSETH that the said party of the first part, THE BIG THREE INVESTMENT COMPANY, a corporation, was duly organized and existing under and by the laws of the State of Colorado, and that the said party of the second part, CITY AND COUNTY OF DENVER, is a municipal corporation of the State of Colorado.
Witness my hand and the seal of the said City and County of Denver, this 15th day of May, 1943.
John W. Cusker Secretary
John W. Cusker President
By John W. Cusker President

MAY 17, 1943 Book 2675

May 15, 1943

Record No. 908194

PAUL E. REESE

Recorder

This Deed, made this 13th day of May in the year of our Lord one thousand nine hundred and forty-three between

GERALD W. SMITH

of the 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 part Y of the first part, for and in consideration of the sum of ONE - - DOLLAR,

to the said part Y of the first part in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, he S remised, released, sold, conveyed and QUIT CLAIMED, AND by these presents DO ES remise, release, sell, convey and QUIT CLAIM unto the said party of the second part, his successors and assigns forever, all the right, title, interest, claim and demand which the said part Y of the first part has in and to the following described real property situate, lyfing and being in the City and County of Denver and State of Colorado, to-wit:

Lot Twenty-five (25), in Block Twenty-five (25), Villa Park;

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 said part Y of the first part, either in law or equity, to the only proper use, benefit and behoof of the said party of the second part, his successors and assigns forever.

IN WITNESS WHEREOF, The said part Y of the first part has hereunto set his hand and seal the day and year first above written.

Signed, Sealed and Delivered in the Presence of

Gerald W. Smith (SEAL)

(SEAL)

(SEAL)

(SEAL)

STATE OF COLORADO, City and County of Denver.



This foregoing instrument was acknowledged before me this 13th day of May 1943 by Gerald W. Smith. My commission expires August 17, 1948. Witness my hand and official seal.

Louis D. Deanna Notary Public

This deed was made and executed this 13th day of April, 1943, in the County of Denver, State of Colorado, between The B. C. Burns Realty and Trust 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 of the second part.

Witnesseth, that the said party of the first part, for and in consideration of the sum of Four Hundred --- DOLLARS, in the said party of the first part to be hereinafter described, and by these presents doth 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 parcels of land, situate, lying and being in the City and County of Denver, State of Colorado, to-wit:

Lot Twenty-three (23) and Twenty-four (24) in Block Twenty-five (25), Villa Park



TOGETHER with all and singular the tenements and appurtenances in anywise appertaining, and the reasonable easements, rights and privileges in, to, over, and under all the whole, right, title, interest, claim and demand whatsoever to the said party of the second part, which in law or equity, do in and to the above-described premises and the tenements and appurtenances thereto in anywise appertain.

TO HAVE AND TO HOLD the said premises above described, with all and singular the tenements and appurtenances thereto in anywise appertaining, unto the said party of the second part, its successors and assigns forever, and unto the heirs, executors, administrators, assigns and assigns forever of the said party of the second part, for itself, and its successors, doth covenant, warrant, bargain, and agree to and with the said party of the second part, its successors, heirs, executors, administrators, assigns and assigns forever, that at the time of the conveying and delivery of these premises it is well seized of the premises above conveyed, as of a good title, free from all and every estate or interest in law or equity, simple and legal, full power and lawful authority to grant, bargain, sell and convey the same thenceforth and forever hereinafter, and that the same premises above described are free from all mortgages, liens and other encumbrances of what kind or nature soever.

And the above-described premises are to quiet and pacify the conscience of the said party of the second part, its successors, heirs, executors, administrators, assigns and assigns forever, the whole hereof, the said party of the first part doth warrant and agree to and with the said party of the second part, its successors, heirs, executors, administrators, assigns and assigns forever, and whosoever the heirs, executors, administrators, assigns and assigns forever of the said party of the first part, its successors, heirs, executors, administrators, assigns and assigns forever, shall be hereunto subject, and its corporate seal hereunto affixed, attested by its Assistant Secretary.



Livermuck
Assistant Secretary

Franklin Burns
The B. C. Burns Realty and Trust Company
President

I, *Franklin Burns*, President and as Assistant Secretary of The B. C. Burns Realty and Trust Company, do hereby certify that the foregoing is a true and correct copy of the original as the same appears in the records of said Company, and that the same were duly recorded and indexed in the office of the County Clerk of the County of Denver, State of Colorado, on the 13th day of April, 1943.

Franklin Burns
President and as Assistant Secretary of
The B. C. Burns Realty and Trust Company,
Notary Public for the State of Colorado, Commission Expires January 13, 1947.
Paul H. Jank
County Clerk of the County of Denver, State of Colorado