




REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Ivone Avila-Ponce, City Attorney's Office

FROM: Glen D. Blackburn, P.E., Deputy Director, Right-of-Way Services

DATE: June 12, 2023 

ROW #: 2023-DEDICATION-0000149 **SCHEDULE #:** 1) 0515300074000, and 2) 0515207024000

TITLE: This request is to dedicate two City-owned parcels of land as 1) South Cherokee Street, located near the intersection of South Cherokee Street and West Dakota Avenue, and 2) South Cherokee Street, located near the intersection of South Cherokee Street and West Dakota Avenue.

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 1) South Cherokee Street, and 2) South Cherokee Street.

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 (2023-DEDICATION-0000149-001, 002) HERE.

A map of the area to be dedicated is attached.

MB/PR/LRA

cc: Dept. of Real Estate, RealEstate@denvergov.org
City Councilperson, Jolon Clark District # 7
Council Aide, Iris Tan
City Council Staff, Luke Palmisano
Environmental Services, Andrew Ross
DOTI, Manager's Office, Alba Castro
DOTI, Manager's Office Jason Gallardo
DOTI, Deputy Director, Right-of-Way Services, Glen Blackburn
Department of Law, Johna Varty
Department of Law, Martin Plate
Department of Law, Deanne Durfee
Department of Law, Ivone Avila-Ponce
Department of Law, Joann Tristani
DOTI Survey, Paul Rogalla
DOTI Ordinance
Project file folder 2023-DEDICATION-0000149

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

ORDINANCE/RESOLUTION REQUEST

Please email requests to Jason Gallardo
at 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: June 12, 2023

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) South Cherokee Street, located near the intersection of South Cherokee Street and West Dakota Avenue, and 2) South Cherokee Street, located near the intersection of South Cherokee Street and West Dakota Avenue.

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

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

- **Name:** Lisa R. Ayala
- **Phone:** 720-865-3112
- **Email:** Lisa.ayala@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

6. **General description/background of proposed resolution including contract scope of work if applicable:** Surveyor is requesting a two-remnant parcel cleanup as right-of-way to be dedicated as South Cherokee Street.

****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 South Cherokee Street and West Dakota Avenue
- d. **Affected Council District:** Jolon Clark District # 7
- 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: _____

EXECUTIVE SUMMARY

Project Title: 2023-DEDICATION-0000149

Description of Proposed Project: Surveyor is requesting a two-remnant parcel cleanup as right-of-way to be dedicated as South Cherokee Street.

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 1) South Cherokee Street, and 2) South Cherokee Street.

Has a Temp MEP been issued, and if so, what work is underway: N/A

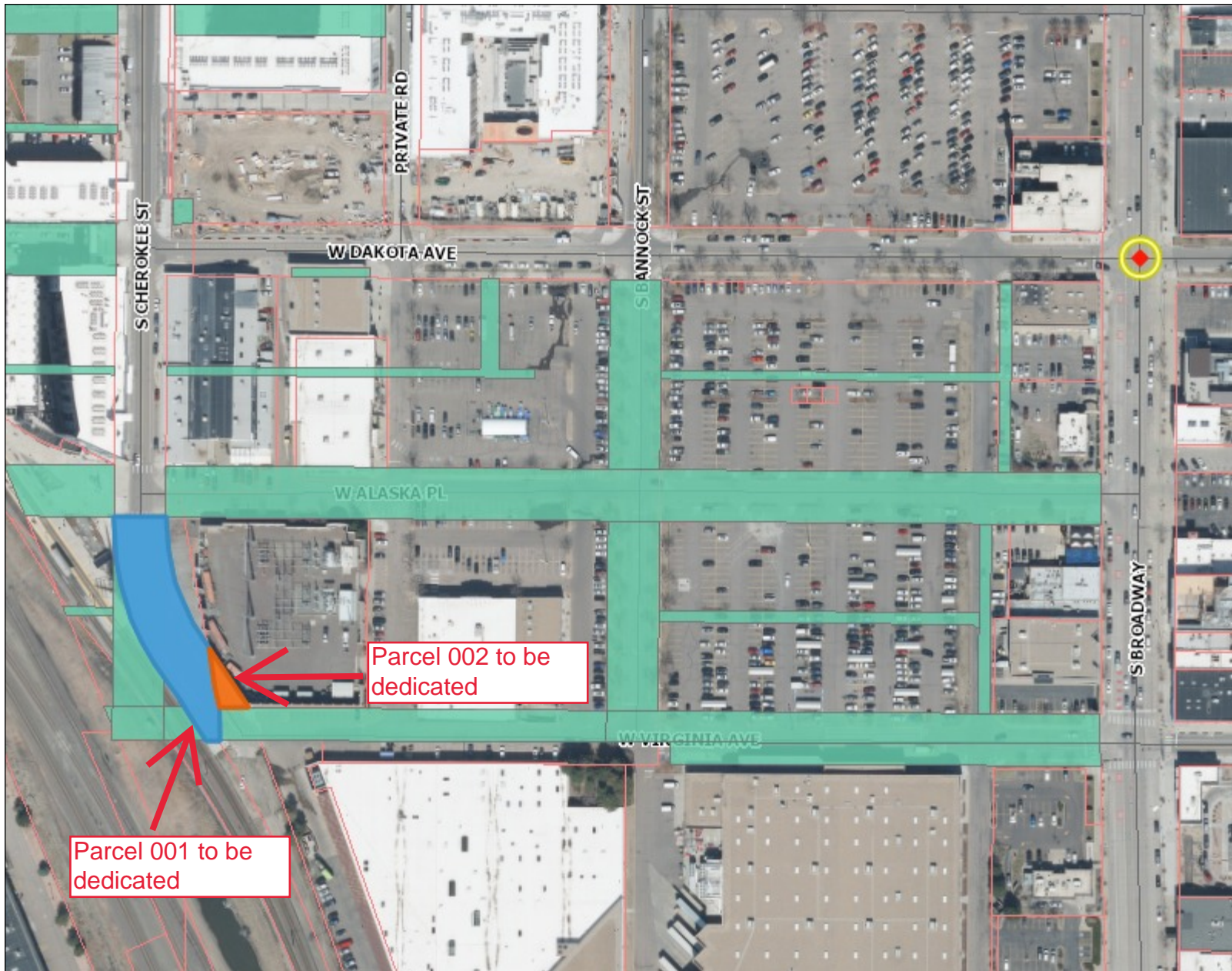
What is the known duration of a MEP: N/A

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

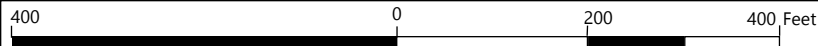
Will an easement relinquishment be submitted at a later date: N/A

Additional information: This land was deeded to the City and County of Denver for the purpose of dedicating it as 1) South Cherokee Street, and 2) South Cherokee Street.



Legend

- Vacating Ordinances
- Streets
- County Boundary
- Parcels



PARCEL DESCRIPTION ROW NO. 2023-DEDICATION-0000149-001:

LAND DESCRIPTION – SOUTH CHEROKEE STREET PARCEL NO. 1

A PARCEL OF LAND LYING IN THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, AND CONVEYED TO THE CITY AND COUNTY OF DENVER BY QUITCLAIM DEED RECORDED APRIL 23, 2014 AT RECEPTION NUMBER 2014046025 IN THE OFFICE OF THE CLERK AND RECORDER OF THE CITY AND COUNTY OF DENVER, COLORADO, DESCRIBED THEREIN AS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 15 (A FOUND STONE WITH CROSS IN RANGE BOX), WHENCE THE WEST QUARTER CORNER OF SAID SECTION 15 (A 3 ¼" ALUMINUM CAP STAMPED "CHICHESTER LAND CORNER T4S R67W S16 S15 1987 RLS 7735") BEARS S 00°38'52 E, A DISTANCE OF 2641.10 FEET (BASIS OF BEARINGS – ASSUMED);

THENCE S 50°17'28 E A DISTANCE OF 1587.59 FEET TO THE NORTHEASTERLY CORNER OF BLOCK 56, FIRST ADDITION TO BYERS SUBDIVISION, BOOK 2, PAGE 15A, RECORDED MARCH 31, 1882 IN SAID CLERK AND RECORDER'S OFFICE, ALSO BEING THE SOUTHWESTERLY CORNER OF CHEROKEE STREET AS DESCRIBED IN ORDINANCE NO. 278, COUNCIL BILL 256, RECEPTION NO 1995046346, RECORDED ON APRIL 25, 1995 IN THE SAID CLERK AND RECORDER'S OFFICE, AND THE POINT OF BEGINNING;

THENCE S 89°59'28" E. COINCIDENT WITH SOUTHERLY LINE OF SAID CHEROKEE STREET AND THE NORTHERLY LINE OF BLOCK 41, BYERS SUBDIVISION, BOOK 2, PAGE 56, RECORDED MAY 8, 1874 IN SAID CLERK AND RECORDER'S OFFICE, A DISTANCE OF 72.00 FEET;

THENCE S 00°00'44" W, TANGENT WITH THE FOLLOWING DESCRIBED CURVE, A DISTANCE OF 8.62 FEET;

THENCE ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 34°31'24", A RADIUS OF 268.00 FEET, A CHORD BEARING OF S 17°14'58" E A DISTANCE OF 159.05 FEET, AND AN ARC DISTANCE OF 161.48 FEET;

THENCE S 34°30'40" E TANGENT WITH THE LAST DESCRIBED CURVE A DISTANCE OF 17.36 FEET TO THE EASTERLY LINE OF SAID PARCEL OF LAND DESCRIBED IN RECEPTION NO. 1994145167;

THENCE COINCIDENT WITH THE EASTERLY AND SOUTHERLY LINES OF SAID PARCEL OF LAND DESCRIBED IN RECEPTION NO. 1994145167 THE FOLLOWING THREE (3) COURSES;

1. S 11°00'09" E, A DISTANCE OF 82.80 FEET;
2. S 00°09'34" E, A DISTANCE OF 44.87 FEET;
3. S 89°43'37" W A DISTANCE OF 16.51 FEET, WHENCE THE NORTHWEST SIXTEENTH CORNER OF SAID SECTION 15 (A 3 ¼" ALUMINUM CAP STAMPED "MERRICK & COMPANY T4S R68W NW 1/16 S 15 1998 LS 13155") BEARS S 89°43'37" W A DISTANCE OF 26.07 FEET;

THENCE N 34°30'40" W, TANGENT WITH THE FOLLOWING DESCRIBED CURVE, A DISTANCE OF 121.04 FEET;
THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 34°31'24", A RADIUS OF 340.00 FEET, A CHORD BEARING OF N 17°14'58" W A DISTANCE OF 201.78 FEET, AND AN ARC DISTANCE OF 204.87 FEET;
THENCE N 00°00'44" E, TANGENT WITH THE LAST DESCRIBED CURVE, A DISTANCE OF 8.62 FEET TO THE POINT OF BEGINNING.

CONTAINING 20,183 SQUARE FEET (0.463 ACRES), MORE OR LESS.

TOGETHER WITH

PARCEL DESCRIPTION ROW NO. 2023-DEDICATION-0000149-002:

LAND DESCRIPTION – SOUTH CHEROKEE STREET PARCEL NO. 2

A PARCEL OF LAND LYING IN THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, AND CONVEYED TO THE CITY AND COUNTY OF DENVER BY QUITCLAIM DEED RECORDED APRIL 23, 2014 AT RECEPTION NUMBER 2014046026 IN THE OFFICE OF THE CLERK AND RECORDER OF THE CITY AND COUNTY OF DENVER, COLORADO, DESCRIBED THEREIN AS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 15 (A FOUND STONE WITH CROSS IN RANGE BOX), WHENCE THE WEST QUARTER CORNER OF SAID SECTION 15 (A 3 ¼" ALUMINUM CAP STAMPED "CHICHESTER LAND CORNER T4S R67W S16 S15 1987 RLS 7735") BEARS S 00°38'52 E, A DISTANCE OF 2641.10 FEET (BASIS OF BEARINGS – ASSUMED);

THENCE S 47°04'46" E A DISTANCE OF 1865.54 FEET TO THE SOUTHWESTERLY CORNER OF SAID PARCEL OF LAND DESCRIBED IN RECEPTION NO. 1993014211, WHENCE THE NORTHWEST SIXTEENTH CORNER OF SAID SECTION 15 (A 3 ¼" ALUMINUM CAP STAMPED "MERRICK & COMPANY T4S R68W NW 1/16 S 15 1998 LS 13155") BEARS S 43°17'12" W A DISTANCE OF 61.92 FEET, SAID SOUTHWESTERLY CORNER BEING THE POINT OF BEGINNING;

THENCE N 11°00'09" W, COINCIDENT WITH THE WESTERLY LINE OF SAID PARCEL OF LAND, A DISTANCE OF 82.80 FEET;

THENCE S 34°31'02" E A DISTANCE OF 98.66 FEET TO THE SOUTHERLY LINE OF SAID PARCEL OF LAND;

THENCE N 89°58'44" W, COINCIDENT WITH SAID SOUTHERLY LINE, A DISTANCE OF 40.10 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,630 SQUARE FEET, (0.037 ACRES), MORE OR LESS.

After recording return to:
Karen A. Aviles
City Attorney's Office
201 W. Colfax Avenue, Dept 1207
Denver, Colorado 80202



2014046025
Page: 1 of 4
D \$0.00

QUITCLAIM DEED
(South Cherokee Parcel)

THIS DEED ("Deed"), made as of this 21st day of April, 2014, by Regional Transportation District, a political subdivision of the State of Colorado, whose address is 1600 Blake Street, Denver, Colorado 80202 ("Grantor") to the City and County of Denver, a Colorado municipal corporation of the State of Colorado, whose address is 1437 Bannock Street, Denver, Colorado 80202 ("Grantee").

WITNESSETH, that Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has remised, sold and quitclaimed unto the Grantee, and its successors and assigns forever, the real property described below, together with all improvements thereon, owned by the Grantor situate, lying and being in the City and County of Denver, State of Colorado, and being more particularly described on Exhibit 1 attached hereto and incorporated herein (the "Property");

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 of the estate, right, title, interest, claim and demand whatsoever of the Grantor, either in law or equity, of, in and to the above-bargained Property together with the hereditaments and appurtenances;

TO HAVE AND TO HOLD, the Property above bargained and described with the appurtenances, unto the Grantee, and its successors and assigns forever.

No separate bill of sale with respect to improvements on the Property will be executed.

IN WITNESS WHEREOF, the Grantor has executed this Deed on the date set forth above.

GRANTOR:

REGIONAL TRANSPORTATION DISTRICT

By: *[Signature]*
Phillip A. Washington
General Manager

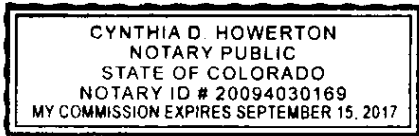
STATE OF COLORADO)
)ss.
CITY AND COUNTY OF DENVER)

The foregoing instrument was acknowledged before me this 7th day of April, 2014, by Phillip A. Washington as General Manager of Regional Transportation District.

WITNESS MY HAND AND OFFICIAL SEAL.

My commission expires: September 15, 2017

Cynthia D. Howerton
Notary Public



APPROVED AS TO LEGAL FORM FOR THE
REGIONAL TRANSPORTATION DISTRICT

[Signature]
LEGAL COUNSEL

PROPERTY DESCRIPTION
APRIL 9, 2013

A parcel of land lying in the Northwest Quarter of Section 15, Township 4 South, Range 68 West of the 6th Principal Meridian, City and County of Denver, State of Colorado, being a part of a parcel of land described in Reception No. 9400145167, recorded on September 21, 1994 in the City and County of Denver Clerk and Recorder's Office, being more particularly described as follows:

COMMENCING at the Northwest Corner of said Section 15 (a found Stone with Cross in Range Box), **WHENCE** the West Quarter Corner of said Section 15 (a 3 1/4" Aluminum Cap stamped "CHICHESTER LAND CORNER T4S R67W S16 S15 1987 RLS 7735") bears S.00°38'52"E., a distance of 2641.10 feet (Basis of Bearing - assumed);
THENCE S50°17'28"E a distance of 1587.59 feet to the northeasterly corner of Block 56, **FIRST ADDITION TO BYERS SUBDIVISION**, Book 2, Page 15A, recorded March 31, 1882 in said Clerk and Recorder's Office, also being the southwesterly corner of Cherokee Street as described in Ordinance No. 278, Council Bill 256, Reception No. 9500046346, recorded on April 25, 1995 in the said Clerk and Recorder's Office, and the **POINT OF BEGINNING**;

THENCE S89°59'28"E, coincident with southerly line of said Cherokee Street and the northerly line of Block 41, **BYERS SUBDIVISION**, Book 2, Page 56, recorded May 8, 1874 in said Clerk and Recorder's Office, a distance of 72.00 feet;

THENCE S00°00'44"W, tangent with the following described curve, a distance of 8.62 feet:

THENCE along the arc of a curve to the left, having a central angle of 34°31'24", a radius of 268.00 feet, a chord bearing of S17°14'58"E a distance of 159.05 feet, and an arc distance of 161.48 feet;

THENCE S34°30'40"E tangent with the last described curve a distance of 17.36 feet to the easterly line of said parcel of land described in Reception No. 9400145167;

THENCE coincident with the easterly and southerly lines of said parcel of land described in Reception No. 9400145167 the following three (3) courses:

1. S11°00'09"E, a distance of 82.80 feet;
2. S00°09'34"E a distance of 44.87 feet;
3. S89°43'37"W a distance of 16.51 feet, **WHENCE** the Northwest Sixteenth Corner of said Section 15 (a 3 1/4" Aluminum Cap stamped "MERRICK & COMPANY T4S R68W NW 1/16 S 15 1998 LS 13155") bears S89°43'37"W a distance of 26.07 feet;

THENCE N34°30'40"W, tangent with the following described curve, a distance of 121.04 feet:

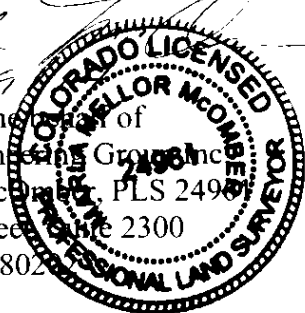
THENCE along the arc of a curve to the right, having a central angle of 34°31'24", a radius of 340.00 feet, a chord bearing of N17°14'58"W a distance of 201.78 feet, and an arc distance of 204.87 feet;

THENCE N00°00'44"E, tangent with the last described curve, a distance of 8.62 feet to the **POINT OF BEGINNING**.

Containing 20,183 square feet, (0.463 Acres), more or less.

Marla M. McComb
4/09

For and on the behalf of
 Jacobs Engineering Group, Inc.
 Marla M. McComb, PLS 2496
 707 17th Street, Suite 2300
 Denver, CO 80202



After recording return to:
Karen A. Aviles
City Attorney's Office
201 W. Colfax Avenue, Dept 1207
Denver, Colorado 80202



2014046026
Page: 1 of 4
D \$0.00

QUITCLAIM DEED
(South Cherokee Parcel)

THIS DEED ("Deed"), made as of this 21st day of Apr. 1, 2014, by BMP Metropolitan District No. 1, a quasi-municipal corporation and political subdivision of the State of Colorado, 450 E. 17th Avenue, Suite 400, Denver, Colorado 80203 ("Grantor") to the City and County of Denver, a Colorado municipal corporation of the State of Colorado, whose address is 1437 Bannock Street, Denver, Colorado 80202 ("Grantee").

WITNESSETH, that Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has remised, sold and quitclaimed unto the Grantee, and its successors and assigns forever, the real property described below, together with all improvements thereon, owned by the Grantor situate, lying and being in the City and County of Denver, State of Colorado, and being more particularly described on Exhibit 1 attached hereto and incorporated herein (the "Property");

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 of the estate, right, title, interest, claim and demand whatsoever of the Grantor, either in law or equity, of, in and to the above-bargained Property together with the hereditaments and appurtenances;


TO HAVE AND TO HOLD, the Property above bargained and described with the appurtenances, unto the Grantee, and its successors and assigns forever.

No separate bill of sale with respect to improvements on the Property will be executed.

IN WITNESS WHEREOF, the Grantor has executed this Deed on the date set forth above.

GRANTOR:

BMP METROPOLITAN DISTRICT NO. 1

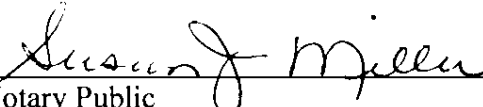
By: 

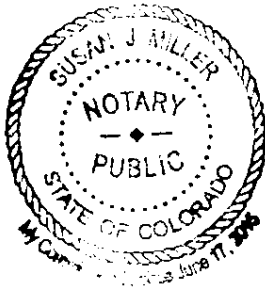
STATE OF COLORADO)
)ss.
CITY AND COUNTY OF DENVER)

The foregoing instrument was acknowledged before me this 22nd day of April, 2014 by Daniel Cohen as President of BMP Metropolitan District No. 1.

WITNESS MY HAND AND OFFICIAL SEAL.

My commission expires: 6/17/2015


Notary Public



PROPERTY DESCRIPTION
APRIL 9, 2014

A parcel of land lying in the Northwest Quarter of Section 15, Township 4 South, Range 68 West of the 6th Principal Meridian, City and County of Denver, State of Colorado, being a part of a parcel of land described in Reception No. 930014211, recorded on February 3, 1993 in the City and County of Denver Clerk and Recorder's Office, being more particularly described as follows:

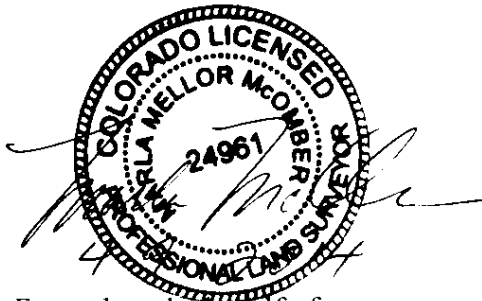
COMMENCING at the Northwest Corner of said Section 15 (a found Stone with Cross in Range Box), **WHENCE** the West Quarter Corner of said Section 15 (a 3 1/4" Aluminum Cap stamped "CHICHESTER LAND CORNER T4S R67W S16 S15 1987 RLS 7735") bears S.00°38'52"E., a distance of 2641.10 feet (Basis of Bearing - assumed); **THENCE** S47°04'46"E a distance of 1865.54 feet to the southwesterly corner of said parcel of land described in Reception No. 930014211, **WHENCE** the Northwest Sixteenth Corner of said Section 15 (a 3 1/4" Aluminum Cap stamped "MERRICK & COMPANY T4S R68W NW 1/16 S 15 1998 LS 13155") bears S43°17'12"W a distance of 61.92 feet, said southwesterly corner being the **POINT OF BEGINNING**;

THENCE N11°00'09"W, coincident with the westerly line of said parcel of land, a distance of 82.80 feet;

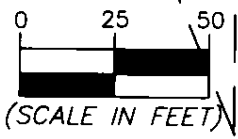
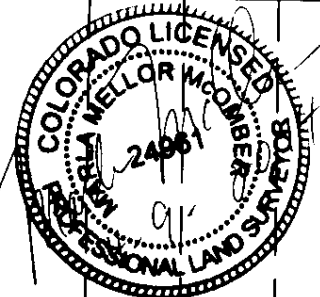
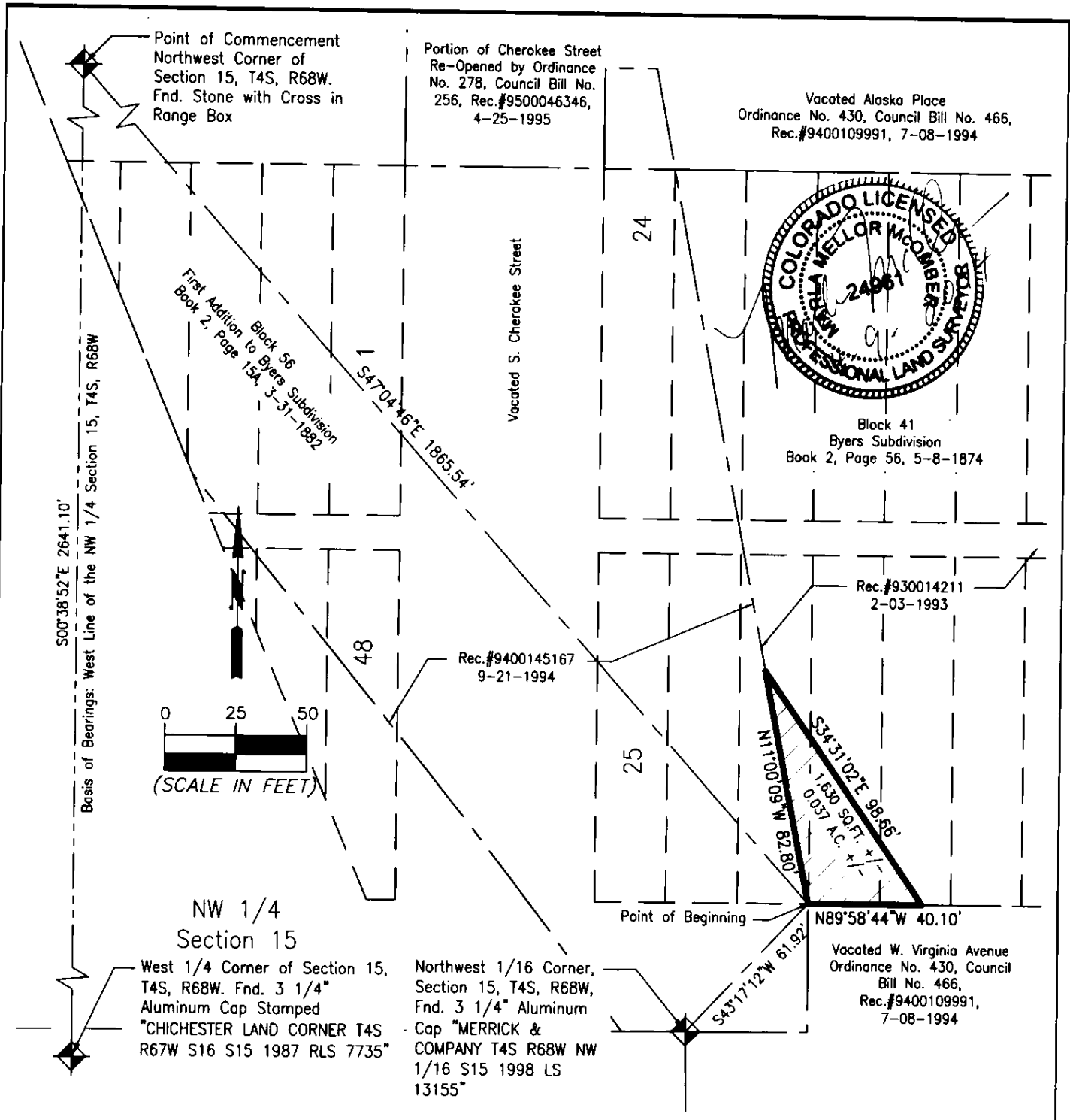
THENCE S34°31'02"E a distance of 98.66 feet to the southerly line of said parcel of land;

THENCE N89°58'44"W, coincident with said southerly line, a distance of 40.10 feet to the **POINT OF BEGINNING**.

Containing 1.630 square feet, (0.037 Acres), more or less.



For and on the behalf of
Jacobs Engineering Group Inc.
Marla M. McOmber, PLS 24961
707 17th Street, Suite 2300
Denver, CO 80202



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JACOBS PROJECT NO.		WXV7413	
CLIENT PROJECT NO.			
REVISION DESCRIPTION			
DRAWN	DRH	DATE	4/9/2014
SCALE		1" = 50'	
JACOBS			
707 17th Street, Suite 2400, Denver CO 80202 (303) 820-5240 Fax (303) 820-5288			
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.			

NW 1/4, Section 15, T 4 S, R 68 W City and County of Denver, Colorado		
TITLE: Xcel Parcel		
REVISION:	DRAWING NO.	SHEET NO. 1