

REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Karen Walton, City Attorney's Office

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

DATE: April 2, 2015

ROW #: 2014-1079-03 **ADJACENT TO SCHEDULE #'S:** 0515506014000, 0522108043000 and
0522108048000

TITLE: This request is to dedicate City owned land as Mississippi Ave. from S. Lincoln St. to a portion of W. Mississippi Ave. just west of Broadway
Located near the intersection of S. Broadway and Mississippi Ave.

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 Mississippi 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 Mississippi Ave. The land is described as follows:

INSERT PARCEL DESCRIPTION ROW (2014-1079-03-001) HERE.

A map of the area to be dedicated is attached.

RD/BLV

cc: Asset Management, Steve Wirth
City Councilperson & Aides, Chris Nevitt District # 7
City Council Staff, Gretchen Williams
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, Karen Aviles
Department of Law, Brent Eisen
Department of Law, Caroline Martin
Public Works Survey, Ron Ellis and Ralph Pettit
Public Works Survey, Paul Rogalla
Project file folder 2014-1079-03

ORDINANCE/RESOLUTION REQUEST

Please email requests to Angela Casias
at Angela.Casias@DenverGov.org by 12:00 pm on Monday.

Date of Request: April 2, 2015

Please mark one: Bill Request or Resolution Request

Is this request: A new contract* A contract amendment* or Neither

*If this request is a contract or an amendment, is it:

A revenue agreement or An expenditure agreement

Contract Control Number:

Contract Terms/Dates:

Costs (if this is a contract amendment please include the original cost, additional cost and new total. *Failure to provide this information may delay processing*):

1. **Bill Description for the City Council Agenda:** (please give a one sentence description of the ordinance request. Describe if the request is a contract, amendment, lease, grant, change to code, rezoning, etc. and any other information that Council needs to approve the request)

This request is to dedicate City owned land as Mississippi Ave. from S. Lincoln St. to and portion of W. Mississippi Ave. west of Broadway.

Located near the intersection of S. Broadway and Mississippi Ave.

2. **Requesting Agency:** PW Right of Way Engineering Services

3. **Contact Person:** (Subject Matter Expert on the request)

- **Name:** Barbara Valdez
- **Phone:** 720-865-3153
- **Email:** Barbara.valdez@denvergov.org

4. **Contact Person:** (Please list the person who will read this item at Mayor Council and attend first and second reading to answer questions)

- **Name:** Angela Casias
- **Phone:** 720-913-8529
- **Email:** angela.casias@denvergov.org

5. **Background on the request:**

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 Mississippi Ave.

6. **Please complete the following fields:**

- A. **Location:** Located near the intersection of S. Broadway and Mississippi Ave
- B. **Affected Council District:** Dist. 7 Chris Nevitt
- C. **Benefits:** N/A

7. **Is there any controversy surrounding this ordinance? Please explain.**

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: _____

Date Entered: _____



EXECUTIVE SUMMARY

DENVER
THE MILE HIGH CITY

Project Title: 2014-1079-03 Dedication, Frontier Renewal of Gates Rubber Plant Site

Description of Proposed Project: Dedicate a parcel of public right of way as Mississippi Ave. from S. Lincoln St to just west of S. Broadway.

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

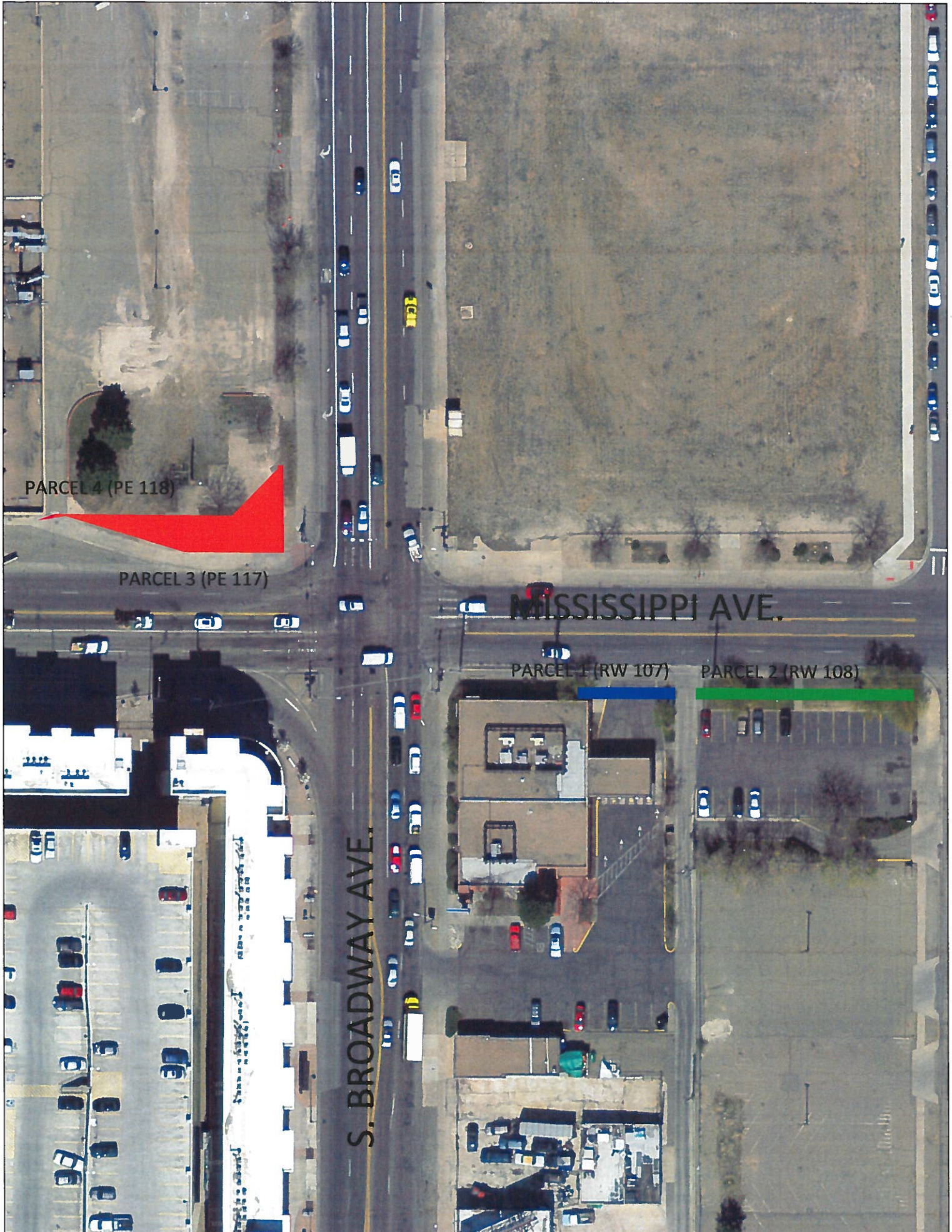
What is the known duration of an MEP: N/A

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, (Frontier Renewal of Gates Rubber Plant Site)



PARCEL 4 (PE 118)

PARCEL 3 (PE 117)

MISSISSIPPI AVE.

PARCEL 1 (RW 107)

PARCEL 2 (RW 108)

S. BROADWAY AVE.

Parcel 1 (RW-107)

The most easterly 55.86 feet of that parcel of land conveyed to the City and County of Denver by Quit Claim Deed recorded on March 18, 2015 in the Office of the Clerk and Recorder at Reception No. 2015034018, said parcel being described therein as follows:

A parcel of land No. RW-107 of the City and County of Denver, State of Colorado, Project Number CE-93007, Colorado Department of Transportation Project No. 18453, and Federal Aid Project No. STU M320-074, containing 4,371 square feet or 0.100 acre, more or less, within a parcel of land as described by Deed in Book 2907 at Page 4, records of the City and County of Denver, State of Colorado, also being a portion of Lots 1 through 4, inclusive, all of Block 8 of the Official Survey of Sherman Subdivision as adopted by Ordinance No. 3 of 1895 passed January 12, 1895, except for that parcel of land condemned in Book 2191 at Page 394, records of the City and County of Denver, State of Colorado, in the Northeast Quarter of Section 22, Township 4 South, Range 68 West, of the Sixth Principal Meridian, City and County of Denver, Colorado, said parcel being more particularly described as follows:

Bearings are based upon the 20-foot range line in Mississippi Avenue (width varies) that defines the north line of said Block 8 as monumented by a 3.25-inch aluminum cap stamped "PLS 35583" in a range box at the west end and monumented by a 1-inch axle in a range box at the east end, said 20-foot range line is assumed to bear North 89°54'28" East;

Beginning at the intersection of the north line of said parcel of land described by Deed, also being the north line of said Lot 1, also being the southerly right of way line of Mississippi Avenue, and the east line of said condemned parcel of land, whence said 3.25-inch aluminum cap bears North 45°18'00" West a distance of 28.39 feet;

Thence North 89°54'28" East along said north line of Lot 1 a distance of 124.32 feet to the east line of said parcel of land described by Deed, also being the east line of said Lot 1;

Thence departing said north line South 00°26'00" East along said east line of a parcel of land described by Deed a distance of 6.50 feet;

Thence departing said east line the following three (3) courses:

- 1) South 89°54'28" West a distance of 55.86 feet;
- 2) South 45°05'31" West a distance of 53.37 feet;
- 3) South 00°05'31" West a distance of 56.01 feet to the south line of said parcel of land described by Deed, also being the south line of said Lot 4;

Thence South 89°53'11" West along said south line a distance of 30.19 feet to said east line of the condemned parcel of land;

Thence departing said south line North 00°15'15" West along said east line of the condemned parcel of land a distance of 100.14 feet to said north line of a parcel of land described by Deed, also being the **Point of Beginning**;

Parcel 2 (RW-108)

A parcel of land conveyed to the City and County of Denver by Quit Claim Deed recorded on March 18, 2015 in the Office of the Clerk and Recorder at Reception No. 2015034020, being described therein as follows:

A parcel of land No. RW-108 of the City and County of Denver, State of Colorado, Project Number CE-93007, Colorado Department of Transportation Project No. 18453, and Federal Aid Project No. STU M320-074, containing 813 square feet or 0.019 acre, more or less, within a parcel of land as described by Deed in Book 1727 at Page 112, records of the City and County of Denver, State of Colorado, also being a portion of Lots 45 through 48, inclusive, all of Block 8 of the Official Survey of Sherman Subdivision as adopted by Ordinance No. 3 of 1895 passed January 12, 1895, in the Northeast Quarter of Section 22, Township 4 South, Range 68 West, of the Sixth Principal Meridian, City and County of Denver, Colorado, said parcel being more particularly described as follows:

Bearings are based upon the 20-foot range line in Mississippi Avenue that defines the north line of said Block 8 as monumented by a 3.25-inch aluminum cap stamped "PLS 35583" in a range box at the west end and monumented by a 1-inch axle in a range box at the east end, said 20-foot range line is assumed to bear North 89°54'28" East;

Beginning at the northwest corner of said parcel of land described by Deed, also being the northwest corner of said Lot 48, whence said 3.25-inch aluminum cap bears North 82°48'30" West a distance of 157.74 feet;

Thence North 89°54'28" East along the north line of said parcel of land described by Deed, also being the north line of said Lot 48, also being the southerly right-of-way line of Mississippi Avenue (width varies) a distance of 125.07 feet to the east line of said parcel of land described by Deed, also being the east line of said Lot 48, also being the westerly right-of-way line of South Lincoln Street (60.00 feet wide);

Thence departing said north line South 00°25'38" East along said east line a distance of 6.50 feet;

Thence departing said east line South 89°54'28" West a distance of 125.06 feet to the west line of said parcel of land described by Deed, also being the west line of said Lot 48;

Thence North 00°26'00" West along said west line a distance of 6.50 feet to said north line, also being the **Point of Beginning**;

Parcel 3 (PE-117)

That Permanent Easement Area described in document recorded on March 3, 2015 in the Office of the Clerk and Recorder at Reception No. 2015026592 described therein as follows:

A Permanent Easement No. PE-117 of the City and County of Denver, State of Colorado, Project Number CE-93007, containing 2,403 square feet or 0.055 acre, more or less, within a parcel of land as described as "PARCEL 2I" by Deed at Reception No. 2009115337, records of the City and County of Denver, State of Colorado, also being a portion of Lots 23 and 24 both of Block 1 of Lawrence's Broadway Addition, in Engineering Book 19 at Page 37, records of the City and County of Denver, and in Book 5 at Page 10, records of the County of Arapahoe, both of the State of Colorado, in the Southwest Quarter of Section 15, Township 4 South, Range 68 West, of the Sixth Principal Meridian, City and County of Denver, Colorado, said parcel being more particularly described as follows:

Bearings are based upon the east line of said Southwest Quarter of Section 15, as monumented by a stone with a notch in a range box at the north end and monumented by a 3.25-inch brass cap stamped "Greiner Eng, 1/4, 15/22, LS 19611, 1986" at the south end, said east line is assumed to bear North $00^{\circ}44'35''$ West;

Beginning at the southeast corner of a parcel of land described as "PARCEL 2I", also being the southeast corner of said Lot 24, also being at the intersection of the westerly right-of-way line of South Broadway (width varies) and the northerly right-of-way line of Mississippi Avenue (width varies), whence said 3.25-inch brass cap bears South $51^{\circ}35'20''$ East a distance of 64.48 feet;

Thence North $89^{\circ}55'50''$ West along the south line of said Lot 24, also being the south line of said parcel of land described as "PARCEL 2I", also being said northerly right-of-way line a distance of 57.01 feet to the southeast corner of a parcel of land described as "No. 5" by Deed in Book 2642 at Page 291, records of the City and County of Denver, State of Colorado;

Thence departing said south line of Lot 24 North $73^{\circ}36'25''$ West along the northerly line of said parcel of land described as "No. 5", also being the south line of said parcel of land described as "PARCEL 2I", also being said northerly right-of-way line, a distance of 71.15 feet to a point on the west line of said Lot 24 that is 5.00 feet south of the northwest corner of said Lot 24, also being the west line of said parcel of land described as "No. 5";

Thence continuing along said northerly right-of-way line, also being said south line of a parcel of land described as "PARCEL 2I", South $80^{\circ}45'16''$ West a distance of 7.58 feet to a point 7.50 feet west of said west line of Lot 24;

Thence departing said northerly right-of-way line, also being the south line of a parcel of land described as "PARCEL 2I", North $00^{\circ}44'35''$ West along a line parallel with and 7.50 feet west of said west line of Lot 24 a distance of 1.64 feet;

Thence departing said parallel line the following four (4) courses:

- 1) North 70°04'07" East a distance of 1.73 feet;
- 2) South 89°55'53" East a distance of 101.25 feet;
- 3) North 44°15'24" East a distance of 37.65 feet;
- 4) North 00°44'35" West a distance of 2.00 feet to the north line of said Lot 23;

Thence South 89°55'53" East along said north line of Lot 23 a distance of 3.00 feet to the east line of said Lot 23, also being the east line of said parcel of land described as "PARCEL 2I", also being said westerly right-of-way line;

Thence South 00°44'35" East along said east line of Lot 23 and continuing along the east line of said Lot 24, also being the east line of said parcel of land described as "PARCEL 2I", also being said westerly right-of-way line, a distance of 50.01 feet to said southeast corner of Lot 24, also being the **Point of Beginning**;

Parcel 4 (PE-118 SOUTH)

That Permanent Easement Area described in document recorded on March 3, 2015 in the Office of the Clerk and Recorder at Reception No. 2015026592 described therein as follows:

Commencing at the intersection of the westerly right-of-way line of South Broadway (width varies) and the northerly right-of-way line of Mississippi Avenue (width varies), whence said 3.25-inch brass cap bears South 51°35'20" East a distance of 64.48 feet;

Thence the following three (3) courses along the south line of said parcel of land described as "PARCEL 2I", also being said northerly right-of-way line:

- 1) North 89°55'50" West a distance of 57.01 feet;
- 2) North 73°36'25" West a distance of 71.15 feet;
- 3) South 80°45'16" West a distance of 7.58 feet to the **Point of Beginning**;

Thence continuing along said south line South 80°45'16" West a distance of 7.63 feet;

Thence continuing along said south line North 89°55'50" West a distance of 0.39 feet;

Thence departing said south line North 70°04'07" East a distance of 8.40 feet;

Thence South 00°44'35" East a distance of 1.64 feet to said south line, also being the **Point of Beginning**;