


REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

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

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

DATE: September 8, 2023

ROW #: 2023-DEDICATION-0000153 **SCHEDULE #:** 74 schedule numbers - See 2nd page

TITLE: This request is to dedicate three City-owned parcels of land as 1) Public Alley, bounded by East 22nd Avenue, North Holly Street, East 23rd Avenue, and North Hudson Street, 2) Public Alley, bounded by East 22nd Avenue, North Grape Street, East 23rd Avenue, and North Glencoe Street, and 3) Public Alley, bounded by East 22nd Avenue, North Forest Street, East 23rd Avenue, and North Fairfax Street.

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) Public Alley, 2) Public Alley, and 3) 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 Right-of-Way. The land is described as follows:

INSERT PARCEL DESCRIPTION ROW (2023-DEDICATION-0000153-001, 002, 003) HERE.

A map of the area to be dedicated is attached.

MB/PR/LRA

cc: Dept. of Real Estate, RealEstate@denvergov.org
City Councilperson, Darrell Watson District # 9
Council Aide, N/A
Council Aide, N/A
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-0000153

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

Parcel No 1

0131117028000, 0131117027000, 0131117026000, 0131117025000, 0131117024000,
0131117023000, 0131117022000, 0131117021000, 0131117020000, 0131117019000,
0131117018000, 0131117017000, 0131117016000, 0131117015000,

0131117001000, 0131117002000, 0131117003000, 0131117004000, 0131117005000,
0131117006000, 0131117007000, 0131117008000, 0131117009000, 0131117010000,
0131117011000, 0131117012000, 0131117013000, 0131117014000

Parcel No 2

0131119024000, 0131119023000, 0131119019000, 0131119018000, 0131119017000,
0131119016000, 0131119015000, 0131119014000, 0131119013000, 0131119021000,
0131119022000,

0131119001000, 0131119002000, 0131119003000, 0131119004000, 0131119005000,
0131119006000, 0131119007000, 0131119008000, 0131119009000, 0131119010000,
0131119011000

Parcel No 3

0131121023000, 0131121022000, 0131121021000, 0131121020000, 0131121019000,
0131121018000, 0131121017000, 0131121016000, 0131121015000, 0131121014000,
0131121013000,

0131121027000, 0131121028000, 0131121002000, 0131121003000, 0131121004000,
0131121005000, 0131121006000, 0131121007000, 0131121008000, 0131121025000,
0131121024000, 0131121011000, 0131121012000

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: September 8, 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 three City-owned parcels of land as 1) Public Alley, bounded by East 22nd Avenue, North Holly Street, East 23rd Avenue, and North Hudson Street, 2) Public Alley, bounded by East 22nd Avenue, North Grape Street, East 23rd Avenue, and North Glencoe Street, and 3) Public Alley, bounded by East 22nd Avenue, North Forest Street, East 23rd Avenue, and North Fairfax Street.

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 three remnant alley parcel dedication as right-of-way in the More's Park Heights area.

****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:** Bounded by East 22nd Avenue, North Holly Street, East 23rd Avenue, and North Fairfax Street
- d. **Affected Council District:** Darrell Watson District # 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: _____

EXECUTIVE SUMMARY

Project Title: 2023-DEDICATION-0000153

Description of Proposed Project: Surveyor is requesting three remnant alley parcel dedication as right-of-way in the More's Park Heights area.

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) Public Alley, 2) Public Alley, and 3) Public Alley.

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) Public Alley, 2) Public Alley, and 3) Public Alley.



Legend

- Vacating Ordinances
- Streets
- Alleys
- County Boundary
- Parcels



PARCEL DESCRIPTION ROW NO. 2023-DEDICATION-0000153-001:

LAND DESCRIPTION – PUBLIC ALLEY PARCEL NO. 1

A PARCEL OF LAND CONVEYED TO THE CITY AND COUNTY OF DENVER BY DEED RECORDED APRIL 24, 1893 AT BOOK 851, PAGE 174 IN THE OFFICE OF THE CLERK AND RECORDER OF THE CITY AND COUNTY OF DENVER, COLORADO, DESCRIBED THEREIN AS:

THE WEST OR REAR SEVEN (7) FEET OF LOTS NUMBERED ONE (1) TO TWENTY THREE (23) ALL INCLUSIVE, IN BLOCK ONE (1);
THE EAST OR REAR SEVEN (7) FEET OF LOTS NUMBERED TWENTY FOUR (24) TO FORTY SIX (46) ALL INCLUSIVE, IN BLOCK ONE (1), ALL IN MORE'S PARK HEIGHTS.

PARCEL DESCRIPTION ROW NO. 2023-DEDICATION-0000153-002:

LAND DESCRIPTION – PUBLIC ALLEY PARCEL NO. 2

A PARCEL OF LAND CONVEYED TO THE CITY AND COUNTY OF DENVER BY DEED RECORDED APRIL 24, 1893 AT BOOK 851, PAGE 174 IN THE OFFICE OF THE CLERK AND RECORDER OF THE CITY AND COUNTY OF DENVER, COLORADO, DESCRIBED THEREIN AS:

THE WEST OR REAR SEVEN (7) FEET OF LOTS NUMBERED ONE (1) TO TWENTY THREE (23) ALL INCLUSIVE, IN BLOCK THREE (3);
THE EAST OR REAR SEVEN (7) FEET OF LOTS NUMBERED TWENTY FOUR (24) TO FORTY SIX (46) ALL INCLUSIVE, IN BLOCK THREE (3), ALL IN MORE'S PARK HEIGHTS.

PARCEL DESCRIPTION ROW NO. 2023-DEDICATION-0000153-003:

LAND DESCRIPTION – PUBLIC ALLEY PARCEL NO. 3

A PARCEL OF LAND CONVEYED TO THE CITY AND COUNTY OF DENVER BY DEED RECORDED APRIL 24, 1893 AT BOOK 851, PAGE 174 IN THE OFFICE OF THE CLERK AND RECORDER OF THE CITY AND COUNTY OF DENVER, COLORADO, DESCRIBED THEREIN AS:

THE WEST OR REAR SEVEN (7) FEET OF LOTS NUMBERED ONE (1) TO TWENTY THREE (23) ALL INCLUSIVE, IN BLOCK FIVE (5);
THE EAST OR REAR SEVEN (7) FEET OF LOTS NUMBERED TWENTY FOUR (24) TO FORTY SIX (46) ALL INCLUSIVE, IN BLOCK FIVE (5), ALL IN MORE'S PARK HEIGHTS.

these presents to be considered as fully and absolutely released and forever discharged.

Witness my hand and seal this 21st day of April A.D. 1893.

The Union National Bank of Denver

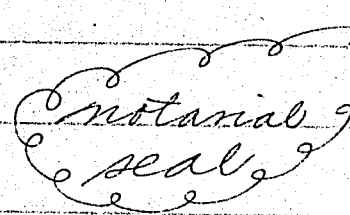
By R. W. Woodbury, Pres.

Attest: W. H. Frack, Cashier.

State of Colorado } ss.
County of Arapahoe }

I Frederick Schenk, a Notary Public within and for said County in the State aforesaid, do hereby certify that R. W. Woodbury, Pres. of the Union National Bank of Denver who is personally known to me to be the person whose name is subscribed to the foregoing release of Judgment, appeared before me this day in person and acknowledged that he signed, sealed & delivered the said instrument of writing as his free and voluntary act for the uses & purposes therein set forth

Given under my hand & Notarial seal this 21st day of April A.D. 1893.



Frederick Schenk

Notary Public.

my commission expires April 13th 1896.

Dedication of Alleys

in parts of

Morris Park Heights

Elmer W. Merritt and

the Public.

Filed for record at 4:30

o'clock A.M. Apr. 24, 1893.

A. B. McGaffey

Recorder.

This Indenture witnesseth, that for and in consideration of One (1) dollar to us in hand paid the receipt whereof is hereby acknowledged, we Elmer W. Merritt and Philo S. Groomer, both of the County of Arapahoe and State of Colorado, have dedicated and set apart and do hereby dedicate and set apart, to and for the use, occupancy and enjoyment, as and for public alleys forever, by and of the public, all those tracts or parcels of land situate in the County of Arapahoe and State of Colorado, described as follows, to-wit:

The west or rear seven (7) feet of lots numbered one (1) to twenty three (23) all inclusive, in block one (1); the east or rear seven (7) feet of lots numbered twenty four (24) to forty six (46) all inclusive, in block one (1); the west or rear seven (7) feet of lots numbered one (1) to twenty three (23) all inclusive in block three (3), and the east or rear seven (7) feet of lots numbered twenty four (24) to forty six (46) all inclusive in block numbered three (3); the west or rear seven (7) feet of lots numbered one (1) to twenty three (23) all inclusive in block five (5), and the east or rear seven (7) feet of lots numbered twenty four (24) to forty six (46) all inclusive, in block five (5), all in Morris Park Heights, as the same appears of record in the office of the County Clerk and Recorder of Arapahoe County, Colorado.

In witness whereof we have hereunto set our hands and

seals

State

County

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W. M.

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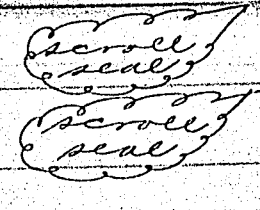
by t

John

in

seals this 19th day of April A.D. 1893

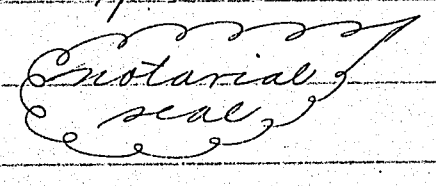
Elmer W. Merritt
Philo D. Grommon



State of Colorado }
County of Arapahoe }

I, Harry G. McCulloch, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Elmer W. Merritt and Philo D. Grommon, who are personally known to me to be the persons whose names are subscribed to the foregoing 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 Notarial Seal this 19th day of April A.D. 1893.
my commission expires Nov. 12 A.D. 1895.



Harry G. McCulloch
Notary Public

Assignment of Contract.
Matthew Daily et al
vs
John Daily
Filed for record at 11:25
o'clock a.m. Apr. 25, 1893.
A. B. McEaffery
Recorder

Know all men by these presents, that we Matthew Daily and Bridget Daily, of Bellinthus, Tyrone County, Ireland, who are the father and mother and sole heirs of Matthew Daily, deceased, late of Silver Creek near Lawson, Clear Creek County, State of Colorado, in consideration of Two hundred and fifty (250.00) dollars (\$250.00), lawful money of the United States, to them in hand paid before the signing and delivery of these presents, the receipt whereof is hereby acknowledged and confessed, have sold, assigned, transferred and set over and by these presents do sell, assign, transfer and set over unto John Daily of Lawson, in the County of Clear Creek and State of Colorado, his executor, administrators and assigns, and to his and their own proper use and benefit, all the share, right, title and interest in and to a contract for the sale of certain real estate being numbered 2775, between the Union Pacific Railway Company and James M. Daily, which was assigned by said James M. Daily to John Daily all of record in book 639 page 575 in the office of the Clerk & Recorder of Arapahoe County, State of Colorado; such contract being for the purchase of the whole of section numbered twenty one (21) in Township numbered one (1) South, range sixty seven (67) west, in said Arapahoe County; The said share, right, title and interest hereby granted and assigned being the same which was acquired by contract by the said Matthew Daily, deceased, under contract with said John Daily bearing date the 9th day of June A.D. 1891, and of record in the Clerk & Recorder's office of said Arapahoe County on June 9th