



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
Robert J. Duncanson
DATE: May 27, 2010
ROW #: 2010-0216-01 **SCHEDULE #:** 0520212065000
0520212080000

TITLE: This request is to dedicate existing City owned land as W. Florida Ave.
Located at the intersection of W. Florida Ave. & S Federal Blvd.

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 W. Florida 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. Florida Ave. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW (# 2010-0216-01) HERE.

A map of the area to be dedicated is attached.

RD/JL/BVS *JL*

- cc: Asset Management, Steve Wirth
- City Councilperson, Paul Lopez, District #3
- City Council Aide, Denise Y. Perez
- City Council Staff, Gretchen Williams
- 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, Debra Baca
- Public Works, Right-of-Way Engineering Services, Rob Duncanson
- Department of Law, Karen Aviles
- Department of Law, Melinda Olivarez
- Department of Law, Arlene Dykstra
- 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 2010-0216-01



ORDINANCE/RESOLUTION REQUEST

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

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

Date of Request: June 8, 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 one sentence description that clearly indicates the type of request – grant acceptance, contract execution, municipal code change, supplemental request, etc.)

This request is to dedicate existing City owned land as W. Florida Ave. Located at the intersection of W. Florida Ave. & S. Federal Blvd.

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

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

- **Name:** Beverly Van Slyke
- **Phone:** 720-865-3125
- **Email:** beverly.vanslyke@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:** Debra Baca
- **Phone:** 720-865-8712
- **Email:** debra.baca@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. Florida Ave.

Please include the following:

- a. **Duration:** N/A
- b. **Location:** W. Florida Ave. & S. Federal Blvd.
- c. **Affected Council District:** #3, Paul 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.**

To be completed by Mayor's Legislative Team:

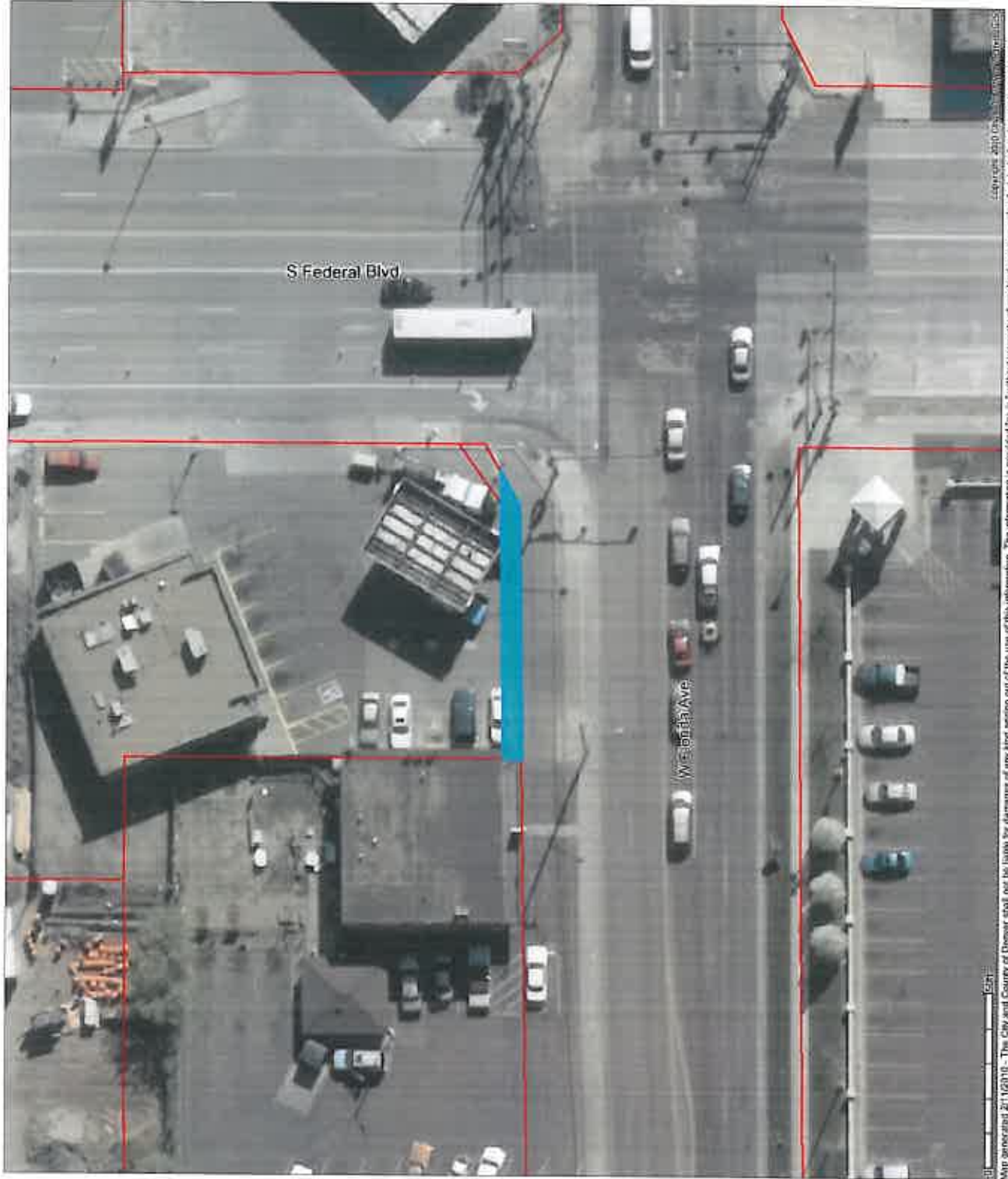
SIRE Tracking Number: _____

Date: _____

Ordinance Request Number: _____

Date: _____

W. Florida Ave Parcel 1



- Street Centerline
- Denver County (Boundary)
- Parcels
- 2008 Denver
- Denver County (Shaded)
- Denver County
- Adams County
- Arapahoe County
- Jefferson County

Two parcel's of land located in the Northwest 1/4 of Section 20, 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 Quit Claim deed to the City & County of Denver, recorded on the 14th of May 1982 in Book 2584 Page 544 in the City and County of Denver Clerk & Records Office being more particularly described as follows:

A portion of the East 90 feet of Tract 41, GARFIELD HEIGHTS, NEW FILING, City and County of Denver, State of Colorado, described as follows:

Commencing at the Southeast corner of said Tract 41; thence West along the South line of said Tract 41; a distance of 90.00 feet; thence North along a line parallel with the East line of said Tract 41; a distance of 10.00 feet to a point on the North line of a parcel of land described in Book 840, Page 87 of the City and County of Denver records, and which point is the TRUE POINT OF BEGINNING; thence continuing North along the last described course, a distance of 5.00 feet; thence East along a line parallel with the South line of said Tract 41, a distance of 79.98 feet to the northerly line of that parcel of land described in said Book 840 Page 87; thence southwesterly along said northerly line, a distance of 11.15 feet to a point which is 10.00 feet North of (by perpendicular measurement) the South line of said Tract 41; thence West along the North line of that parcel of land described in said Book 840, Page 87, a distance of 70.00 feet to the TRUE POINT OF BEGINNING, containing 375 square feet, more or less.

Parcel 2

A parcel of land conveyed by Special Warranty deed to the City & County of Denver, recorded on the 21th of November 2006 in Reception number 2006187669 in the City and County of Denver Clerk & Records Office being more particularly described as follows:

ALL BEARINGS ARE BASED ON THE WESTERLY LINE OF SOUTH FEDERAL BOULEVARD ASSUMED TO BEAR N 00°23'31" W BEING MONUMENTED AT THE SOUTHEAST CORNER OF LOT 6, BOULEVARD ACRES BY A NO. 4 REBAR WITH A YELLOW PLASTIC CAP STAMPED "184 (ILLEGIBLE) AND TO THE NORTH ALONG SAID WEST LINE A DISTANCE OF 2597.23 FEET BY A 3/4 INCH YELLOW PLASTIC CAP STAMPED "HP SURVEY LS 4161" WHICH IS THE NORTHEASTERLY CORNER OF PARCEL 36 AS SHOWN UNDER CDOT RIGHT OF WAY PLANS PROJECT NUMBER STU C010-073.

COMMENCING AT THE SOUTHEAST CORNER OF LOT 6, BOULEVARD ACRES AS SHOWN IN THE RECORDS OF THE CITY AND COUNTY OF DENVER RECORDED ON OCTOBER 15, 1938 IN BOOK 18, AT PAGE 119;

THENCE N 00°23'31" W ALONG THE WESTERLY LINE OF SOUTH FEDERAL BOULEVARD, A DISTANCE OF 2013.31 FEET TO A POINT ON THE EASTERLY LINE OF TRACT 41, GARFIELD HEIGHTS NEW FILING AS SHOWN IN THE RECORDS OF THE CLERK AND RECORDERS OF THE CITY AND COUNTY OF DENVER, COLORADO RECORDED ON MAY 1, 1923 IN BOOK 13 AT PAGE 2, SAID POINT OF BEARS N 50°57'53" W, A DISTANCE OF 64.82 FEET FROM THE CENTER QUARTER CORNER OF SAID SECTION 20, SAID POINT BEING THE POINT OF BEGINNING; THENCE S 62°58'21" W A DISTANCE OF 11.02 FEET; THENCE S 89°36'42" W, A DISTANCE OF 6.26 FEET; THENCE N 54°27'01" E, DISTANCE OF 19.71 FEET TO A POINT ON THE EASTERLY LINE OF SAID TRACT 41; THENCE S 00°23'31" E ALONG SAID EASTERLY LINE, A DISTANCE OF 6.40 FEET TO THE POINT OF BEGINNING.

PARCEL 1

Recorded at 071758 o'clock on 1982 MAY 14 PM 3:17
Reception No. F.J. SERAFINI
DENVER COUNTY

THIS DEED, Made this 5th day of April
1982, between
NORMAN S. HANDLER

2584 544

of the City and county of Denver and State of Colorado, of the first part, and
THE CITY AND COUNTY OF DENVER, a Municipal Corporation a corporation organized and existing under and by virtue of the laws of the State of Colorado, of the second part:

05/14/82 DEPT 4 00 #0268 1

WITNESSETH That the said part y of the first part, for and in consideration of the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION 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 as remise, release, sell, convey and QUIT CLAIM into the said party of the second part, his successors and assigns forever, all right, title, interest, claim and demand which the said party of the first part has in and to the following described

estate, being and being in the City and County of Denver and State of Colorado, to wit: A portion of the East 90 feet of Tract 41, GARFIELD HEIGHTS, NEW FILING, City and County of Denver, State of Colorado, described as follows:

Commencing at the Southeast corner of said Tract 41; thence West along the South line of said Tract 41, a distance of 90.00 feet; thence North along a line parallel with the East line of said Tract 41, a distance of 10.00 feet to a point on the North line of a parcel of land described in Book 840, Page 87 of the City and County of Denver records, and which point is the TRUE POINT OF BEGINNING; thence continuing North along the last described course, a distance of 5.00 feet; thence East along a line parallel with the South line of said Tract 41, a distance of 79.98 feet to the northerly line of that parcel of land described in said Book 840, Page 87; thence southwesterly along said northerly line, a distance of 11.15 feet to a point which is 10.00 feet North of (by perpendicular measurement) the South line of said Tract 41; thence West along the North line of that parcel of land described in said Book 840, Page 87, a distance of 70.00 feet to the TRUE POINT OF BEGINNING, containing 375 square feet, more or less.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances and privileges thereto belonging or in anywise thereto 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 Norman S. Handler (SEAL)

Witness lines with (SEAL) labels

STATE OF COLORADO, City and County of Denver

The foregoing instrument was acknowledged before me this 20th day of April 1982, by Norman S. Handler

My commission expires December 13, 1982. Witness my hand and official seal.



Patricia Kay Dunlap

INDEXED 60-22-22A
FILED SW 47

2584 544

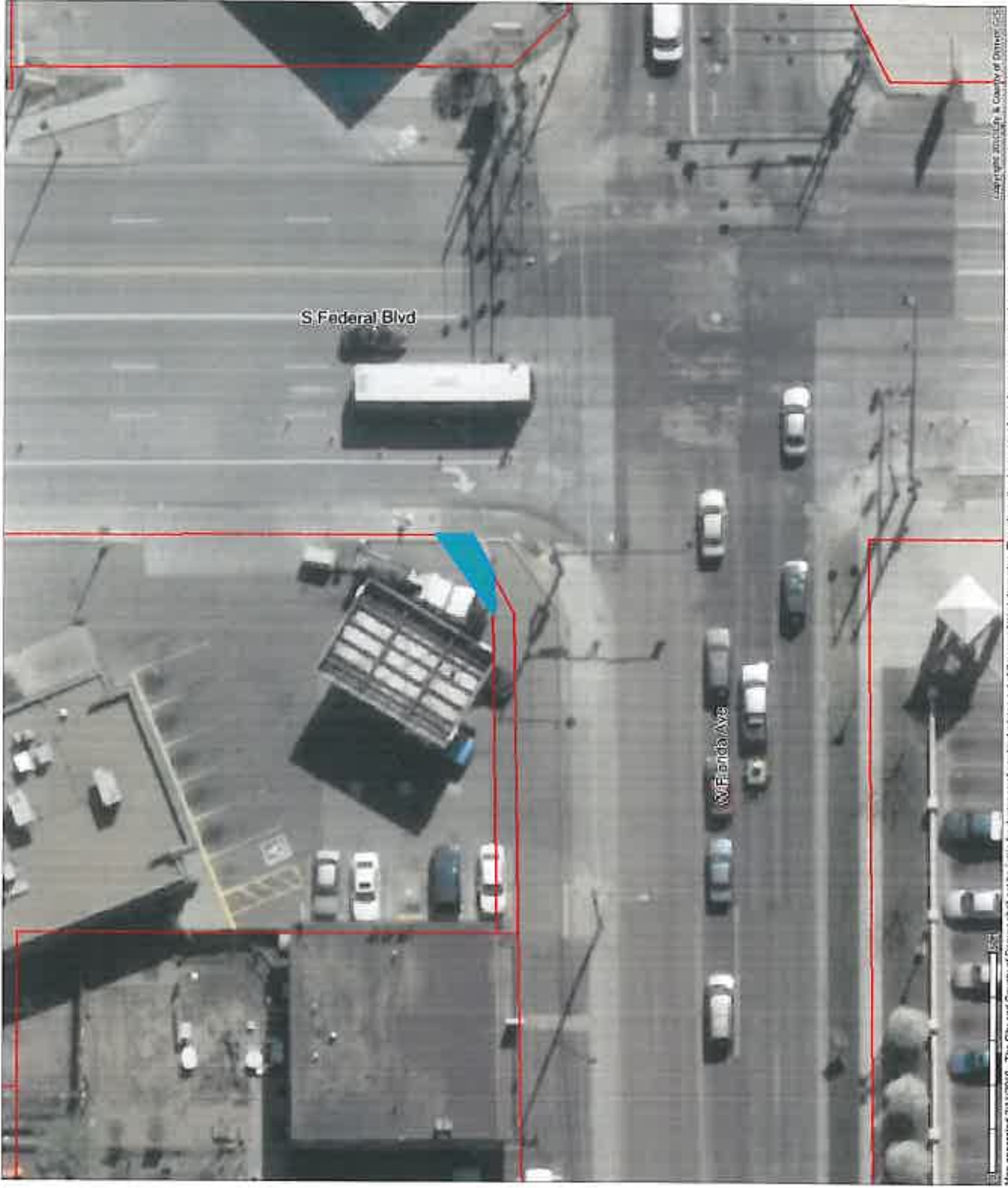
So. Fedon Blvd

#44

APPROVED FOR RECORDING LAND OFFICE

88 1/2 Form

W. Florida Ave Parcel 2



- Street Centerline
- Denver County (Boundary)
- Parcels
- 2008 Denver
- Denver County (Shaded)
- Denver County
- Adams County
- Arapahoe County
- Jefferson County

Map generated 2/11/2010 - 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 accuracy or completeness of the information. This is not a legal document.

PARCEL 31 REV

PARCEL 31 REV OF THE DEPARTMENT OF TRANSPORTATION, STATE OF COLORADO, PROJECT NUMBER STU C010-073, S.A. 14171 CONTAINING 67 SQUARE FEET, IN BLOCK 1, FLORIDA HEIGHTS, A SUBDIVISION LYING IN THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, IN DENVER COUNTY, COLORADO, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL BEARINGS ARE BASED ON THE WESTERLY LINE OF SOUTH FEDERAL BOULEVARD ASSUMED TO BEAR N 00°23'31" W, BEING MONUMENTED AT THE SOUTHEAST CORNER OF LOT 6, BOULEVARD ACRES BY A NO. 4 REBAR WITH A YELLOW PLASTIC CAP STAMPED "184 (ILLEGIBLE) AND TO THE NORTH ALONG SAID WEST LINE A DISTANCE OF 2597.23 FEET BY A ¼ INCH YELLOW PLASTIC CAP STAMPED "HP SURVEY LS 4161" WHICH IS THE NORTHEASTERLY CORNER OF PARCEL 36 AS SHOWN UNDER CDOT RIGHT OF WAY PLANS PROJECT NUMBER STU C010-073.

COMMENCING AT THE SOUTHEAST CORNER OF LOT 6, BOULEVARD ACRES AS SHOWN IN THE RECORDS OF THE CITY AND COUNTY OF DENVER RECORDED ON OCTOBER 15, 1938 IN BOOK 18, AT PAGE 119;

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THENCE S 62°58'21" W, A DISTANCE OF 11.02 FEET;
THENCE S 89°36'42" W, A DISTANCE OF 6.26 FEET;
THENCE N 54°27'01" E, DISTANCE OF 19.71 FEET TO A POINT ON THE EASTERLY LINE OF SAID TRACT 41;
THENCE S 00°23'31" E ALONG SAID EASTERLY LINE, A DISTANCE OF 6.40 FEET TO THE POINT OF BEGINNING;

CITY AND COUNTY OF DENVER,
STATE OF COLORADO.

THE ABOVE DESCRIBED PARCEL CONTAINS A TOTAL OF 0.0015 ACRE OR 67 SQUARE FEET, MORE OR LESS OF WHICH 0 ACRES OR 0 SQUARE FEET ARE IN THE RIGHT OF WAY OF THE PRESENT ROAD.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE ATTACHED PROPERTY DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

JAMES P. HENNESSY
COLORADO PLS 34980
FOR AND ON BEHALF OF
HCL ENGINEERING & SURVEYING, LLC.
9570 KINGSTON COURT, SUITE 310
ENGLEWOOD, CO. 80112
303 773-1605

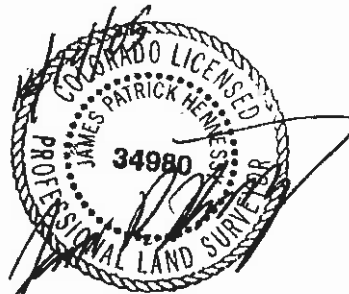
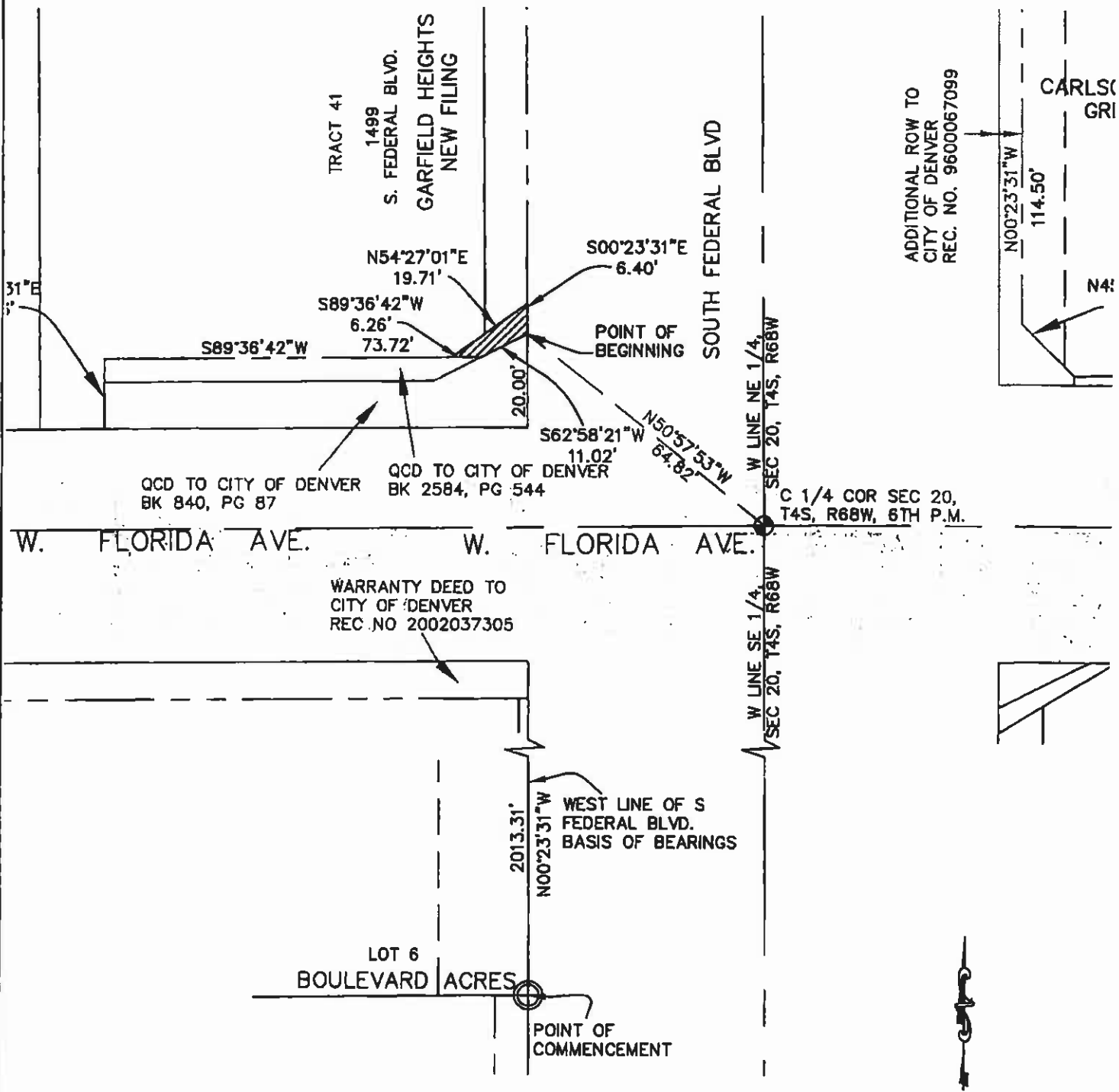


EXHIBIT A



THIS IS NOT A MONUMENTED BOUNDARY SURVEY, IT IS ONLY INTENDED TO DEPICT THE ATTACHED LEGAL DESCRIPTION.

1"=30'

PREPARED BY: HCL ENGINEERING & SURVEYING, LLC 9570 KINGSTON CT., SUITE 310 ENGLEWOOD, CO 80112		PROJECT: PARCEL 31 REV LOCATED IN LOT 17, GARFIELD HEIGHTS	
DATE: 11-25-05		LOCATION (RT - SQ.) NW 1/4, SEC. 20, T4S, R68W	
BY: CAM	CHKD: JPH	JOB NO. 042094	SHEET NO. 2 OF 2

SPECIAL WARRANTY DEED

THIS DEED, is made November 17 2006 between **THE HANDLER FAMILY PARTNERSHIP I, LLLP, A COLORADO REGISTERED LIMITED LIABILITY LIMITED PARTNERSHIP**, whose legal address is **1221 SOUTH CLARKSON STREET, UNIT 217, DENVER, COLORADO 80210**, ("Grantor") and the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado, ("Grantee") whose address is 1437 Bannock Street, Denver, Colorado 80202.

WITNESSETH, That Grantor, for and in consideration of the sum of **SEVEN HUNDRED FORTY DOLLARS AND NO/100 (\$740.00)** the receipt and sufficiency of which is acknowledged, have granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the Grantee, its successors and assigns forever, all of the real property, together with improvements, if any, situate, lying and being in the City and County of Denver and State of Colorado described as follows:

See **Exhibit A**, consisting of the legal description, attached hereto and hereby incorporated;

also known by street and number as:

1499 S. Federal Blvd, Denver, CO

(the "Property")

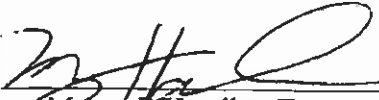
TOGETHER with all and singular the hereditaments and appurtenances thereto belonging or in any manner appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the Grantor, either in law or equity, of, in and to the Property, with the hereditaments and appurtenances.

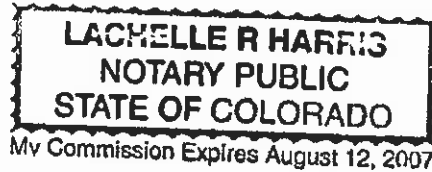
TO HAVE AND TO HOLD the Property, with the appurtenances, unto the Grantee, its successors and assigns forever. Grantor, for Grantor and Grantor's, successors and assigns, do covenant and agree that Grantor shall and will **WARRANT AND FOREVER DEFEND** the Property in the quiet and peaceable possession of Grantee, and Grantee's successors and assigns, against all and every person or persons claiming the whole or any part thereof, by, through, or under Grantor, subject only to the exceptions set forth in **Exhibit B**.

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

HANDLER FAMILY PARTNERSHIP I, LLLP,
A Colorado limited liability limited partnership

By: Norman S. Handler Trust, General Partner

By: 
Maury J. Handler, Trustee

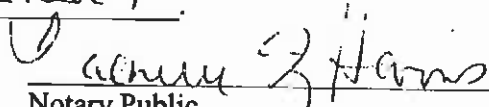


State of Colorado)
) ss
City and County of Denver)

The foregoing instrument was acknowledged before me this November 17, 2007
2006 by Maury J. Handler, as Trustee of the Norman S. Handler Trust, as General Partner of
HANDLER FAMILY PARTNERSHIP I, LLLP, a Colorado limited liability limited partnership.

Witness my hand and official seal.

My commission expires: August 12, 2007


Notary Public