



**Department of Public Works**  
Permit Operations and Right of Way Enforcement  
201 W. Colfax Avenue, Dept. 507  
Denver, CO 80202  
P: 720-865-2782  
F: 720-865-3280  
www.denvergov.org/pwprs

**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:** December 5, 2013  
**ROW #:** 2013-0533-01      **SCHEDULE #:** 0504300045000  
0504319008000

**TITLE:** This request is to dedicate a City owned land as Public Alley.  
Located east of Yuma St. between Mulberry Pl. & 11<sup>th</sup> 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 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 Alley. The land is described as follows.

**INSERT PARCEL DESCRIPTION ROW (Parcel #-2013-0533-01-001) HERE.**

A map of the area to be dedicated is attached.

RD/JL/BA

- cc: Asset Management, Steve Wirth
- City Councilperson & Aides, Judy Montero District # 9
- City Council Staff, Gretchen Williams
- Environmental Services, David Erickson
- Public Works, Manager's Office, Alba Castro
- Public Works, Manager's Office, Nancy Kuhn
- Public Works, Right-of-Way Engineering Services, Rob Duncanson
- Department of Law, Karen Aviles
- Department of Law, Brent Eisen
- Department of Law, Karen Walton
- Public Works Survey, Ali Gulaid
- Public Works Survey, Paul Rogalla
- Owner: City and County of Denver
- Project file folder 2013-0533-01

## ORDINANCE/RESOLUTION REQUEST

Please email requests to Nancy Kuhn at  
[Nancy.Kuhn@Denvergov.org](mailto:Nancy.Kuhn@Denvergov.org) by **NOON 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: December 5, 2013

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 – please 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 a City owned land as Public Alley. Located east of Yuma St. between Mulberry Pl. & 11th Ave.

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

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

- **Name:** Beverly Aragon
- **Phone:** 720-865-3125
- **Email:** [Beverly.Aragon@denvergov.org](mailto:Beverly.Aragon@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:** Nancy Kuhn
- **Phone:** 720-865-8720
- **Email:** [Nancy.Kuhn@denvergov.org](mailto:Nancy.Kuhn@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 Public Alley.

**\*\*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.)

- a. **Contract Control Number:** N/A
- b. **Duration:** Permanent
- c. **Location:** East of Yuma St. between Mulberry Pl. & 11<sup>th</sup> Ave.
- d. **Affected Council District:** Judy Montero, District #9
- e. **Benefits:** N/A
- f. **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 Entered: \_\_\_\_\_



**DENVER**  
THE MILE HIGH CITY

## EXECUTIVE SUMMARY

**Project Title: 2013-0533-01 Dedication of right of way at East of Yuma**

**Description of Proposed Project: This request is to dedicate a City owned land as Public Alley. Located East of Yuma St. between Mulberry Pl. & 11th Ave.**

**Explanation of why the public right-of-way must be utilized to accomplish the proposed project: Dedicating City owned land to Public Right of Way, from the vacant parcel program approved through City Council.**

**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: N/A**



Public Alley





Public Alley



PW Legal Description No. 2013-0533-01-001

Parcel No.1

A parcel (s) of land as deeded to the City and County of Denver by Quit Claim Deed, recorded October 18, 1966 in the Clerk & Recorders Office in Book 9658 at Page(s) 643-652, being further described as Follows:

Parcel No. 40 (As described on Deed)

That part of the NW 1/4 SW 1/4 of Section 4, Township 4 South, Range 68 West of the 6th P.M. described as follows:

Beginning at a point on the north line of said NW 1/4 SW 1/4, 19.4 feet east of the east line of Lot 13, Block 7, First Addition to Jerome Park; thence south parallel with the east line of Lots 13 to 27 in said Block 7, 352 feet to the south line of the north 20 feet of said Lot 27 extended east; thence west to the east line of the alley adjoining said Lots: thence north 352 feet more or less along the east line of said alley to the north line of said NW 1/4 SW 1/4; thence east to the point of beginning.

Parcel No.2

A parcel (s) of land as deeded to the City and County of Denver by Warranty Deed, recorded April 26, 1943 in the Clerk & Recorders Office in Book 5672 at Page 307, being further described as follows:

North Twenty (20) feet of Lot Twenty-seven (27), Block Seven (7), First Addition to Jerome Park.



PARCEL 1

92534

OCT 18 1935

QUIT CLAIM DEED

137

KNOW ALL MEN BY THESE PRESENTS, that the DENVER URBAN RENEWAL AUTHORITY, a body corporate and politic of the State of Colorado, duly organized and existing under and by virtue of the laws of the State of Colorado, for consideration of ONE (\$1.00) DOLLAR and other good and valuable considerations in hand paid, receipt of which is hereby acknowledged, does hereby sell and quit claim to the CITY AND COUNTY OF DENVER, a municipal corporation duly organized and existing under and by virtue of the Constitution of the State of Colorado, the following described real property situate in the City and County of Denver, State of Colorado, to-wit:

Parcel No. 1

That part of Lots 30 to 34, Block 6, Jerome Park Addition, located within boundaries described as follows:

Beginning at the northwest corner of said Lot 34; thence easterly on the north line of said Block 6, 97.69 feet; thence southwesterly on the arc of a circle convex to the northwest and having a radius of 106.21 feet to a point on the southwesterly line of said Lots 30 to 34 inclusive and 40.30 feet from the said northwest corner; thence northwesterly on the said southwesterly line to the point of beginning.

Parcel No. 2

PLATTED 35-72

That part of Lot 1, Block 4, First Addition to Jerome Park defined as follows:

Beginning at the northwest corner of Block 4; thence south along west line of Block 4 a distance of 34.14 feet; thence northeasterly a distance of 28.36 ft. to a point on the northeasterly line of Block 4, and 14.24 ft. southeasterly from the northwest corner of Block 4; thence northwesterly on the said northeasterly line 14.24 ft. to point of beginning.

Parcel No. 3

5-20

That part of Lot 1, Block 7, First Addition to Jerome Park defined as follows:

Beginning at the northwest corner of said Block 7; thence easterly on the north line of said Block 7 a distance of 7 ft.; thence southwesterly to a point on the west line of said Block 7, and 7 ft. south of the northwest corner of said Block 7; thence north on west line of said Block 7 to the point of beginning.

APPROVED FOR RECORDING  
LAND OFFICE

As to Form  
City Clerk's Office

9658 633

Streets, Avenues & Alleys in  
Jerome Park Urban Renewal Project

92534

Parcel No. 34

A portion of Lot 20, Block 5, Jerome Park Addition according to the recorded plat thereof, described as follows:  
Beginning at the southeast corner of said Lot 20; thence west along the south line of said Lot 3.43 ft.; thence northerly to a point on the north line of said Lot 5.17 ft. west of the northeast corner of said Lot; thence east to said northeast corner; thence south along east line of said Lot 20 to point of beginning.

INDEXED

*Law*

Parcel No. 35

A portion of Lot 1, Block 5, Jerome Park Addition, described as follows:  
Beginning at the southeast corner of said Lot 1; thence west along the south line of said Lot 10.39 ft.; thence northerly to a point on the north line of said Lot 12.12 ft. west of the northeast corner of said Lot; thence east to the northeast corner of said Lot; thence south along east line of said Lot to point of beginning.

INDEXED

*35-12*

Parcel No. 36

The east 10 ft. of Lot 13, Block 6, Jerome Park Addition.

INDEXED

*Law*

*35-12*

Parcel No. 37

All of the south reserved strip Jerome Park Addition except the east 339.38 ft. thereof.

INDEXED

*Law*

*35-12*

Parcel No. 33

That part of S $\frac{1}{4}$  of the N $\frac{1}{4}$  of Section 4, T 4G, R 62W of the 6th 2N located within boundaries described as follows:  
Beginning at a point of intersection of the westerly extension of the south line of Lots 25 to 17 inclusive of Block 6, Jerome Park Addition and the southwesterly line of the alley in said Block 6; thence westerly on the said westerly extension to a point on a line which is 75 feet east of and parallel with the west line of Block 4, First Addition to Jerome Park; thence southerly on the said parallel line to a point which is 20 ft. north of the south line of Lot 13, said Block 4; thence easterly on a line parallel with the said south line of Lot 13, 20 feet; thence northerly on a line parallel with the said west line to the westerly extension of the south line of Jerome Park Addition; thence easterly on said westerly extension to the southwesterly extension of the southwesterly line of the alley in said Block 6; thence northwesterly on the said southwesterly extension to the point of beginning.

INDEXED

*Law*

*35-12*

Parcel No. 40

That part of the N $\frac{1}{4}$  S $\frac{1}{4}$  of Section 4, Township 4 South, Range 68 West of the 6th 7.M. described as follows:  
Beginning at a point on the north line of said N $\frac{1}{4}$  S $\frac{1}{4}$ , 19.4 ft. east of the east line of Lot 13, Block 7, First Addition to Jerome Park; thence south parallel with the east line of Lots 13 to 27 in said Block 7 352 ft., to the south line of the north 20 ft. of said Lot 27 extended east; thence west to the east line of the alley adjoining said Lots; thence north 352 ft. more or less along the east line of said alley to the north line of said N $\frac{1}{4}$  S $\frac{1}{4}$ ; thence east to the point of beginning.

PLATED

*Law*

*5-20*



95534

Signed and delivered this 27th day of September, 1966.



DENVER URBAN RENEWAL AUTHORITY

*Sterling Kahn*  
Chairman

*Robert J. Warner*  
Robert J. Warner, Acting Secretary

STATE OF COLORADO }  
City and County of Denver } ss.

The foregoing instrument was acknowledged before me this 27th day of September, 1966, by Sterling Kahn as Chairman, and Robert J. Warner as Acting Secretary, of the Denver Urban Renewal Authority, a body corporate and politic.

Witness my hand and official seal.

My commission expires March 2, 1969.



*David R. Lusk*  
Notary Public

UCI-1045 681007 LSI-CC 000

STATE OF COLORADO  
CITY AND COUNTY OF DENVER  
RECORDED IN 95534 613  
7-1 STAFFIN  
CLEAN AND ACCURATE

002534

9553 652

Parcel 2

BOOK 5672 PAGE 307

No. 211. WARRANTY DEED—Corporation to Corporation.—The Bradford-Robinson Plat. Co., Mfrs. Robinson's Legal Plank Denver.

Receipt No. 123366  
**WARRANTY DEED**  
The American Brake Shoe  
& Foundry Co.  
City & County of Denver  
Filed for Record at 2:40 o'clock P. M.  
APR. 26, A. D. 19 43  
PAUL H. BURKE  
CLERK & RECORDER

**This Deed**, Made this 8th day of  
March, in the year of our Lord, one thousand  
nine hundred and forty-three, between  
The American Brake Shoe and Foundry  
Company,  
a corporation duly organized and existing under and by virtue of  
the laws of the State of Delaware, of the first part, and  
The City and County of Denver, Colorado

of the second part:

WITNESSETH, That the said party of the first part, for and in consideration of the sum of  
Ten Dollars (\$10.00) and other good and valuable consideration **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 does grant, bargain,  
sell, convey and confirm, unto the said party of the second part, its successors and assigns forever, all the following  
described or parcel of land, situate, lying and being in the City & County of Denver  
and State of Colorado, to-wit:

**North Twenty (20) feet of Lot Twenty-seven (27),  
Block Seven (7), First Addition to Jerome Park.**



PARCEL 1

BOOK 5072 PAGE 308

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 the estate, right, 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 and assigns forever. And the said

party of the first part, for itself, its successors and assigns, doth covenant, grant, bargain and agree to and with the said party of the second part, its successors and assigns, that at the time of the enrolling and delivery of these presents it is well seized of the premises above conveyed, as of 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, leases, taxes, assessments and incumbrances of whatever kind or nature soever.

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 or persons lawfully claiming or to claim the whole or any part thereof, the said party of the first part shall and will WARRANT AND FOREVER DEFEND.

IN WITNESS WHEREOF, The said party of the first part hath caused its corporate name to be hereunto subscribed by its Vice-president, and its corporate seal to be hereunto affixed, attested by its secretary, the day and year first above written.

Attest: [Signature]

THE AMERICAN BRAKE SHOE AND FOUNDRY COMPANY,

By: [Signature] Vice President

STATE OF COLORADO }  
COUNTY OF NEW YORK } SS

I, Estelle W. Cooper, a notary public in and for said County of New York, do hereby certify that Sumner T. McCall

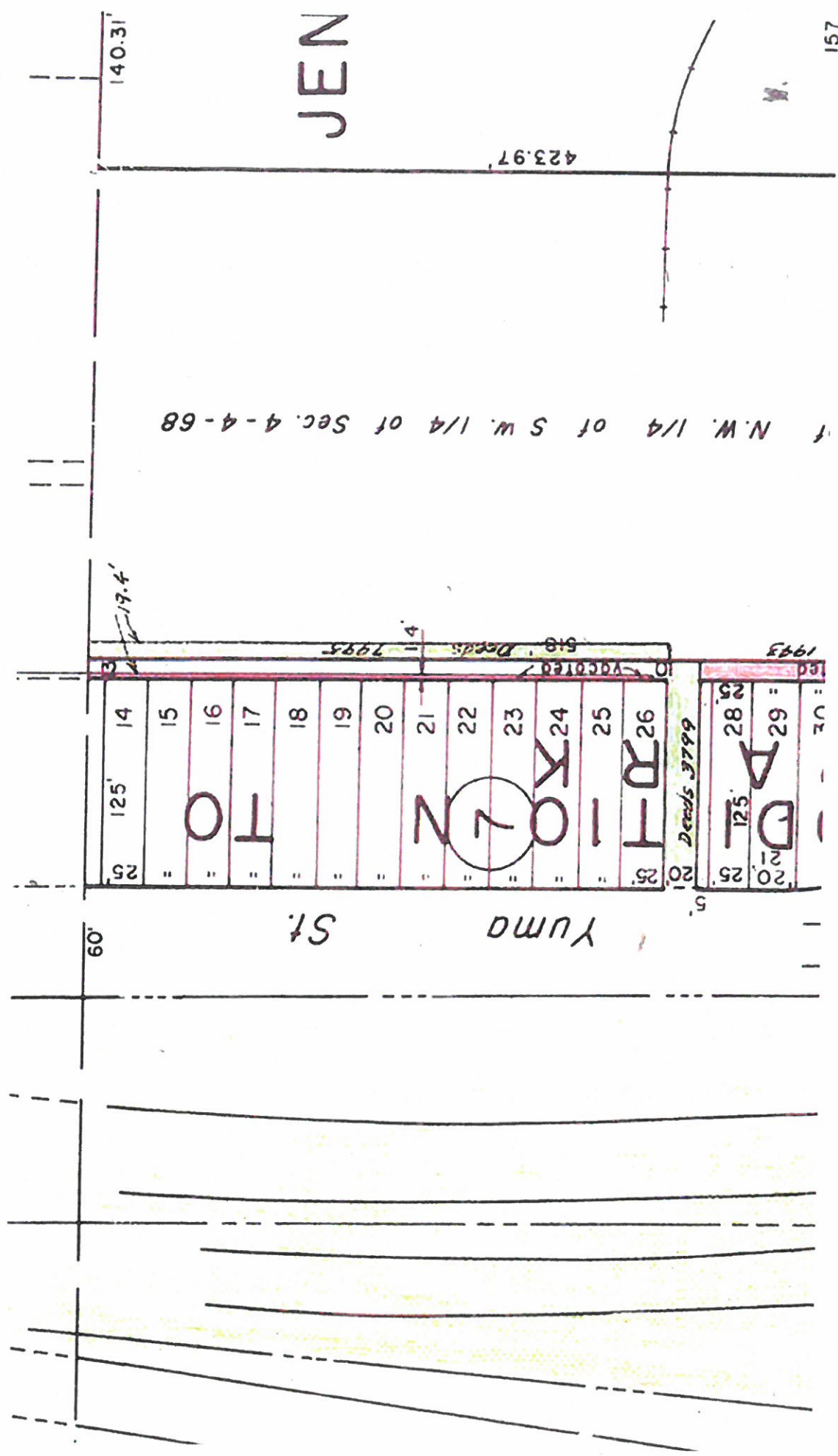
who are personally known to me to be the same persons whose names are subscribed to the foregoing deed as having executed the same respectively as Vice-president and Assistant secretary of The American Brake Shoe and Foundry Company, a corporation, and who are known to me to be such officers respectively appeared before me this day in person, and severally acknowledged: That the seal affixed to the foregoing instrument is the corporate seal of said corporation; that the same was thereunto affixed by the authority of said corporation; that said instrument was by like authority subscribed with its corporate name; that the said Sumner T. McCall is the Vice-president of said corporation and the said [Name] is the Assistant secretary thereof; that by the authority of said corporation they respectively subscribed their names thereto as Vice-president and Assistant secretary, and that they signed, sealed and delivered the said instrument of writing as their free and voluntary act and deed, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Given under my hand and seal this 8th day of March A. D. 1943

My commission expires [blank] 19 [blank]



[Signature] Estelle W. Cooper  
Notary Public



N.W. 1/4 of S.W. 1/4 of Sec. 4-4-68

JEN

423.97'

140.31'

157

M.

19.4'

58' Deeds 7995

1943

25	125'	14
=		15
=		16
=		17
=		18
=		19
=		20
=		21
=		22
=		23
=		24
=		25
25'		26

Deeds 3799

25'	125'	28
=		29
=		30

Yuma St.

60'