Department of Public Works
Office of the Executive Director
201 W Colfax Avenue
Denver, CO 80202
P: 720-865-8723

REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Caroline Martin, City Attorney's Office

FROM: Matt Bryner., Director Engineer-Architect
Right-of-Way Services

Bryner, Matt R. - PW CE2783
Director Engineer-Architect
2018.12.28 11:08:55 -07'00'

DATE: December 28, 2018

ROW #: 2018-Dedication-0000232 **SCHEDULE #:** 0233200153000

TITLE: This request is to dedicate City owned land as Wewatta St.
Located near the intersection of 18th St. and Wewatta St.

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 Wewatta St.

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 Street. The land is described as follows:

INSERT PARCEL DESCRIPTION ROW (2018-Dedication-0000232-001) HERE.

A map of the area to be dedicated is attached.

MB/BLV

c: Dept. of Real Estate, Katherine Rinehart
City Councilperson Albus Brooks Dist. #9
Council Aide Chy Montoya
Council Aide Emily Brown
Council Aide Evelyn Barnes
City Council Staff, Zach Rothmier
Environmental Services, David Erickson
Public Works, Manager's Office, Alba Castro
Public Works, Manager's Office Jason Gallardo
Public Works, Right-of-way Engineering Services, Matt Bryner
Department of Law, Brad Beck
Department of Law, Blanca Hernandez
Department of Law, Brent Eisen
Department of Law, Deanne Durfee
Department of Law, Caroline Martin
Department of Law, Stan Lechman
Public Works Survey, John Lautenschlager
Public Works Survey, Paul Rogalla

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: December 28, 2018

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, contract amendment, municipal code change, supplemental request, etc****.)*

   This request is to dedicate City owned land as Wewatta St.
   Located near the intersection of 18th St. and Wewatta St.

3. **Requesting Agency:** Public Works-Right-of-Way Services
   Agency Division: Survey

4. **Contact Person:** (W*ith actual knowledge of proposed ordinance/resolution.)*
   - **Name:** Barbara Valdez
   - **Phone:** 720-865-3153
   - **Email:** Barbara.valdez@denvergov.org

5. **Contact Person:** (W*ith 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:** 720-865-8713
   - **Email:** Jason.Gallardo@denvergov.org

6. **General description/background 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 Wewatta St.

*****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:** 18th St. and Wewatta St.
   d. **Affected Council District:** Albus Brooks Dist. #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: 2018-Dedication-0000232

Description of Proposed Project: Dedicate a parcel of public right of way as Wewatta St.

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

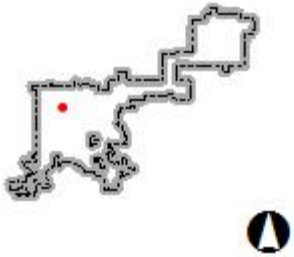
Will land be dedicated to the City if the vacation goes through :N/A

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.

City and County of Denver



Legend

- Streams
- Streets
- Alleys
- Railroads
  - Main
  - Yard
  - Spur
  - Siding
  - Interchange track
  - Other
- Bridges
- Rail Transit Stations
  - Existing
  - Planned
- Park-N-Ride Locations
- Lakes
- County Boundary
- Parcels
- Parks
  - All Other Parks; Linear
  - Mountain Parks

145 0 72.5 145 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

1: 1,128

Map Generated 12/27/2018

PW Legal Description No. 2018-DEDICATION-0000232-001

A PORTION OF THAT PARCEL OF CONVEYED BY BARGAIN & SALE DEED TO THE CITY & COUNTY OF DENVER, RECORDED ON THE 14TH OF JULY 1993, BY RECEPTION NUMBER R-93-0091073 IN THE CLERK AND RECORDER'S OFFICE, CITY AND COUNTY OF DENVERS, STATE OF COLORADO, BEING DESCRIBED AS FOLLOWS:

A PARCEL OF LAND, BEING A PORTION OF NO. B-4, OF THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, PROJECT NO. 92-117, CONTAINING 3,788 SQUARE FEET, MORE OR LESS, BEING A PORTION OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST NORTHERLY CORNER OF BLOCK 3, HOYT & ROBINSON'S ADDITION TO DENVER;

(1) THENCE S 44°59'13" W ALONG THE NORTHWESTERLY LINE OF SAID BLOCK 3, A DISTANCE OF 235.06 FEET TO THE MOST WESTERLY CORNER OF LOT 11, SAID BLOCK 3:
(2) THENCE N 45°00'47" W ALONG THE NORTHWESTERLY EXTENSION OF THE SOUTHWESTERLY LINE OF SAID LOT 11, BLOCK 3 A DISTANCE OF 44.10 FEET TO THE POINT OF BEGINNING;
(3) THENCE S 45°00'15" W A DISTANCE OF 83.67 FEET TO A POINT ON THE WEST LINE OF SAID HOYT AND ROBINSON'S ADDITION TO DENVER;
(4) THENCE N 00°01'13" E ALONG THE WEST LINE, A DISTANCE OF 118.26 FEET TO A PONT ON THE SOUTHWESTERLY LINE OF LOT 15, BLOCK 4, HOYT AND ROBINSON'S ADDITION TO DENVER;
(5) THENCE S 45°00'47" E ALONG SAID SOUTHWESTERLY LINE OF LOT 15, A DISTANCE OF 83.60 FEET TO THE POINT OF BEGINNING;

THE ABOVE DESCRIBED PARCEL CONTAINS 3,498 SQUARE FEET (0.08 ACRES) MORE OR LESS.
THE BASIS OF BEARING IS THE RANGE LINE IN WYNKOOP STREET FROM 18TH STREET TO 19TH STREET BEING N 45°00'00" E AS DEFINED BY 1" STEEL PINS IN CITY AND COUNTY OF DENVER RANGE BOXES AT THE ABOVE INTERSECTIONs OF STREETS.

EXCEPTING THAT PARCEL OF LAND CONVEYED BY BARGAIN & SALE DEED TO ROHR INVESTMENTS, INCORPORATED, RECORDED ON THE 2ND OF AUGUST 2007, BY RECEPTION NUMBER 2007121846 IN THE CLERK AND RECORDER'S OFFICE, CITY AND COUNTY OF DENVERS, STATE OF COLORADO, BEING DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER (SE ¼) OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST NORTHRELY CORNER OF BLOCK 3, HOYT AND ROBINSON'S ADDITION TO DENVER; THENCE S 44°59'13" W ALONG THE NORTHWESTERLY LINE OF SAID BLOCK 3, A DISTANCE OF 235.06 FEET TO THE MOST WESTERLY CORNER OF LOT 11, SAID BLOCK 3;
THENCE N 45°00'47" W ALONG THE NORTHWESTERLY EXTENSION OF THE SOUTHWESTERLY LINE OF SAID LOT 11, BLOCK 3, A DISTANCE OF 127.70 FEET TO THE POINT OF BEGINNING, SAID POINT BEING THE INTERSECTION WITH THE WEST LINE OF SAID HOYT AND ROBINSON'S ADDITION TO DENVER;

THENCE S 00°01’13” W ALONG SAID WEST LINE A DISTANCE OF 54.33 FEET TO THE INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF WEWATTA STREET, AS SHOWN ON THE PLAT OF THE COMMONS SUBDIVISION - FILING NO. 5 FILED WITH THE CLERK AND RECORDER, CITY AND COUNTY OF DENVER, AT RECEPTION NO. 2003131146;
THENCE EASTERLY AND NORTHEASTERLY ALONG SAID RIGHT-OF-WAY EXTENDED, SAID RIGHT-OF-WAY EXTENDED ALSO BEING A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 222.50 FEET, A CENTRAL ANGLE OF 10°55’06”, AND A CHORD WHICH BEARS N 69°45’37” E A DISTANCE OF 42.31 FEET, AN ARC DISTANCE OF 42.40 FEET TO THE INTERSECTION WITH SAID NORTHWESTERLY EXTENSION OF THE SOUTHWESTERLY LINE OF SAID LOT 11, BLOCK 3, SAID POINT ALSO BEING ON THE NORTHWESTERLY LINE OF WEWATTA STREET, AS DESCRIBED IN ORDINANCE NO. 551, SERIES OF 2001;
THENCE N 45°00’47” W ALONG SAID NORTHWESTERLY EXTENSION A DISTANCE OF 56.13 FEET TO THE POINT OF BEGINNING.
CONTAINING 1107 SQUARE FEET, OR 0.025 ACRES, MORE OR LESS.

THE BASIS OF BEARINGS: THE RANGE LINE IN WYNKOOP STREET FROM 18TH STREET TO 19TH STREET IS ASSUMED TO BEAR N 45°00’00” E AS DEFINED BY 1” STEEL PINS IN RANGE BOXES AT THE ABOVE INTERSECTIONS OF STREETS.

R-93-0091073 07/14/1993 9:52 AM 1/ 3
ARIE P. TAYLOR - DENVER COUNTY 0.00

BARGAIN AND SALE

THIS DEED, made this 30th day of JUNE, 1993, between THE DENVER UNION TERMINAL RAILWAY COMPANY, a Colorado corporation (the "DUT"), and THE CITY AND COUNTY OF DENVER, a municipal corporation of the State of Colorado (the "CITY");

WITNESSETH, that the DUT, for and in consideration of the mutual agreements contained in an Easements and Improvements agreement dated the 22 day of November, 1991 between the City and County of Denver, The Regional Transportation District, and The Denver Union Terminal Railway Company and in a Development Agreement between DUT and the CITY dated May 10, 1988, the receipt, sufficiency, and adequacy of the consideration being hereby acknowledged,hereby grants, bargains, sells, conveys and confirms (the DUT's intent is that this instrument shall have the same force and effect as a Bargain and Sale Deed, without covenants of warranty, at common law and will pass the after-acquired title of the DUT) unto the CITY, its successors and assigns forever, all rights, title and interest in and to the following described parcel of land, situate, lying and being in the City and County of Denver, and State of Colorado, to wit:

A parcel of land, No. B-4, of the City and County of Denver, State of Colorado, Project No. 92-117, containing 3,788 square feet, more or less, being a portion of the Southeast quarter (SE 1/4) of Section 28, Township 3 South, Range 68 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado, being more particularly described as follows:

Commencing at the most northerly corner of Block 3, Hoyt & Robinson's Addition to Denver;

1. Thence S.44°59'13"W. along the northwesterly line of said Block 3, a distance of 235.06 feet to the most westerly corner of Lot 11, said Block 3;

2. Thence N.45°00'47"W. along the northwesterly extension of the southwesterly line of said Lot 11, Block 3, a distance of 44.10 feet to the Point of Beginning;

3. Thence S.45°00'15"W. a distance of 83.67 feet to a point on the west line of said Hoyt & Robinson's Addition to Denver;

4. Thence N.00°01'13"E. along said west line, a distance of 118.26 feet to a point on the southwesterly line of Lot 15, Block 4, Hoyt & Robinson's Addition to Denver;

5. Thence S.45°00'47"E. along said southwesterly line of Lot 15, a distance of 83.60 feet to the Point of Beginning;

The above described parcel contains 3,498 square feet (0.08 acre), more or less.

Basis of Bearings is the Range line in Wynkoop Street from 18th Street to 19th Street being N.45°00'00"E. as defined by 1" steel pins in City and County of Denver Range Boxes at the above intersections of streets.

Together with any and all hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and any reversion, remainder, rents, issues and profits thereof; and all the estate, right, title, interest, claim and demand whatsoever, of the DUT, either in law or equity, of, in and to the above-bargained premises, with the hereditaments and appurtenenaces including after acquired property; TO HAVE AND TO HOLD the said above-bargained premises, with the hereditaments and appurtenenaces, unto the CITY AND COUNTY OF DENVER, its successors and assigns forever.

IN WITNESS WHEREOF, the DUT has hereunto set its hand and seal the day and year first above written.

The Denver Union Terminal Railway Company

ATTEST:
By: R.W. McSpadden
Office: SECRETARY - DUT

By: James P. Gatlin
Office: PRESIDENT

STATE OF COLORADO,)
) ss.
COUNTY OF DENVER)

The foregoing instrument was acknowledged before me this 30th day of JUNE, 1993, by JAMES P. GATLIN as PRESIDENT of the Denver Union Terminal Railway Company.

Witness my hand and official seal.

My Commission expires APRIL 25, 1995.

Betty J. Tidball
Notary Public

BETTY J. TIDBALL NOTARY PUBLIC STATE OF COLORADO

RETURN TO:

CITY & COUNTY OF DENVER
ASSET MANAGEMENT
1445 CLEVELAND PL.
DENVER CO. 80202

ATTN: TONY CIUFO

RETURN TO:
ROHR INVESTMENTS, INC.
88 INVERNESS CIRCLE EAST
SUITE A206
ENGLEWOOD, CO 80112

2007121846
Page 1 of 3
08/02/2007 02:27P
RO 00 DD 00
BSD
City & County Of Denver

Asset Mgmt. #: 07-040
Asset Management: Approved
Date: 7-17-07
Project Description: LAND SALE - 18th & CONDUIT
Approved as to Form City Attorney's Office: Date: 7/27/07

BARGAIN AND SALE DEED

KNOW ALL BY THESE PRESENTS, That//
THE CITY & COUNTY OF DENVER, A COLORADO MUNICIPAL CORPORATION
whose address is 1437 BANNOCK ST.
DENVER, CO 80202

CITY & *County of DENVER

and State of COLORADO, for the consideration of
FIVE HUNDRED DOLLARS ($500.00) & OTHER GOOD & VALUABLE CONSIDERATION/////////dollars//

in hand paid, hereby sell(s) and convey(s) to ROHR INVESTMENTS, INCORPORATED

whose legal address is 88 INVERNESS CIRCLE EAST
SUITE A206 ENGLEWOOD, CO 80112
County of ARAPAHOE, and State of COLORADO

the following real property situate in the CITY & County of DENVER

and State of Colorado, to wit:

FOR A LEGAL DESCRIPTION SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART OF THIS BARGAIN & SALE DEED

AS AUTHORIZED BY ORD. NO. 327, SERIES 2007

also known by street and number as assessor's schedule or parcel number: VACANT LAND

with all its appurtenances.

Signed and delivered this 1st day of August, 20 07.

STEPHANIE O'MALLEY, CLERK & RECORDER
EX-OFFICIO CLERK & RECORDER OF THE
CITY & COUNTY OF DENVER

BY: Sheila Vincent
CLERK & RECORDER
DEPUTY CITY CLERK

BY: John W. Hickenlooper
JOHN W. HICKENLOOPER - MAYOR

STATE OF COLORADO,
County of } ss.

The foregoing instrument was acknowledged before me this 1rst day of August, 20 07
by Jacob Werther

Witness my hand and official seal.

My commission expires: January 21, 2009

Notary Public

*If in Denver, insert "City and".

Name and Address of Person Creating Newly Created Legal Description (§38-35-106.5 C.R.S.)

EXHIBIT "A"

LEGAL DESCRIPTION FOR SALE OF CITY OWNED PARCEL

A parcel of land located in the Southeast quarter (SE ¼) of Section 28, Township 3 South, Range 68 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado, more particularly described as follows:

COMMENCING at the most northerly corner of Block 3, Hoyt & Robinson's Addition to Denver;

THENCE S 44°59'13" W along the northwesterly line of said Block 3 a distance of 235.06 feet to the most westerly corner of Lot 11, said Block 3;

THENCE N 45°00'47" W along the northwesterly extension of the southwesterly line of said Lot 11, Block 3, a distance of 127.70 feet to the POINT OF BEGINNING, said point also being the intersection with the west line of said Hoyt & Robinson's Addition to Denver;

THENCE S 00°01'13 W along said west line a distance of 54.33 feet to the intersection with the northerly Right-of-Way of Wewatta Street, as shown on the plat of The Commons Subdivision--Filing No. 5 filed with the Clerk and Recorder, City and County of Denver, at Reception No. 2003131146;

THENCE easterly and northeasterly along said Right-of-Way extended, said Right-of-Way extended also being a non-tangent curve to the left having a radius of 222.50 feet, a central angle of 10°55'06", and a chord which bears N 69°45'37" E a distance of 42.34 feet, an arc distance of 42.40 feet to the intersection with said northwesterly extension of the southwesterly line of said Lot 11, Block 3, said point also being on the northwesterly line of Wewatta Street, as described in Ordinance No. 551, Series of 2001;

THENCE N 45°00'47" W along said northwesterly extension a distance of 56.13 feet to the POINT OF BEGINNING.

Containing 1107 square feet, or 0.025 acres, more or less.

BASIS OF BEARINGS: The range line in Wynkoop Street from 18th Street to 19th Street is assumed to bear N 45°00'00" E as defined by 1" steel pins in range boxes at the above intersection of streets.

Prepared for and on behalf of
The City and County of Denver
201 West Colfax Ave. Suite 507
Denver, Colorado 80202
Ronald T. Ellis. PLS 14592
February 26, 2007

COLORADO REGISTERED
RONALD T. ELLIS
14592
Feb 26, 2007
PROFESSIONAL LAND SURVEYOR