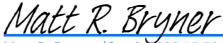


REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

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

FROM: Matt R. Bryner, P.E., Director, Right-of-Way Services 
Matt R. Bryner (Oct 6, 2022 15:50 MDT)

DATE: October 4, 2022

ROW #: 2022-DEDICATION-0000151 **SCHEDULE #:** 0233815015000

TITLE: This request is to dedicate a City-owned parcel of land as Curtis St., located near the intersection of Curtis St. and 5th 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 Curtis 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 Curtis St. The land is described as follows:

INSERT PARCEL DESCRIPTION ROW (2022-DEDICATION-0000151-001) HERE.

A map of the area to be dedicated is attached.

MB/PR/LRA

cc: Dept. of Real Estate, RealEstate@denvergov.org
City Councilperson, Candi CdeBaca District # 9
Council Aide, Liz Stalnaker
Council Aide, Ashleè Wedgeworth
Council Aide, Jessica Zender
Council Aide, Brea Zeise
City Council Staff, Luke Palmisano
Environmental Services, Andrew Ross
DOTI, Manager's Office, Alba Castro
DOTI, Manager's Office Jason Gallardo
DOTI, Director, Right-of-Way Engineering Services, Matt Bryner
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
Department of Law, Stefanie Raph
DOTI Survey, Paul Rogalla
DOTI Ordinance
Project file folder 2022-DEDICATION-0000151

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: October 4, 2022

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 a City-owned parcel of land as Curtis St, located near the intersection of Curtis St., and 5th 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 a remnant parcel dedication as right-of-way. It is a wedge of Curtis Street near the intersection of Curtis St. and 5th St. on the Auraria Campus. The City acquired this a part of the RTD Fastracks West Corridor project but this wedge was never dedicated.

****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:** near the intersection of Curtis St. and 5th St.
- d. **Affected Council District:** Candi CdeBaca 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: 2022-DEDICATION-0000151

Description of Proposed Project: Surveyor is requesting a remnant parcel dedication as right-of-way. It is a wedge of Curtis Street near the intersection of Curtis St. and 5th St. on the Auraria Campus. The City acquired this a part of the RTD Fastracks West Corridor project but this wedge was never dedicated.

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 Public Right-of-Way as Curtis St.

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

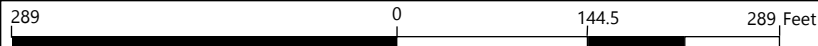
Additional information: This land was deeded to the City and County of Denver for the purpose of dedicating it as Public Right-of-Way as Curtis St.



Legend

-  Well Restrictions
-  Barrier Restrictions
- Area Restrictions
 -  Liner
 -  Sheet Pile Wall Area
-  Streams
-  Irrigation Ditches Reconstruct (Gardeners)
-  Irrigation Ditches
-  Streets
-  Alleys
- Railroads
 -  Main
 -  Yard
 -  Spur
 -  Siding
 -  Interchange track
 -  Other
-  Bridges
- Rail Transit Stations
 -  Existing
 -  Planned
-  Park-N-Ride Locations
-  Lakes
-  County Boundary
-  Parcels
-  Lots/Blocks
- Parks
 -  All Other Parks; Linear
 -  Mountain Parks

Street parcel to be dedicated



PARCEL DESCRIPTION ROW NO. 2022-DEDICATION-0000151-001:

LAND DESCRIPTION – STREET PARCEL

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, COLORADO, AND CONVEYED TO THE CITY AND COUNTY OF DENVER BY QUITCLAIM DEED RECORDED NOVEMBER 10, 2011 AT RECEPTION NUMBER 2011127709 IN THE OFFICE OF THE CLERK AND RECORDER OF THE CITY AND COUNTY OF DENVER, COLORADO, DESCRIBED THEREIN AS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 33 (A FOUND 3 ¼" ALUMINUM CAP STAMPED "MERRICK PLS 13155 2002");

WHENCE THE SOUTHWEST CORNER OF SAID SECTION 33 (A FOUND 3 ¼" ALUMINUM CAP STAMPED "MERRICK PLS 13155 1988) BEARS S 89°47'14" W A DISTANCE OF 2644.35 FEET (BASIS OF BEARING – ASSUMED);

THENCE N 65°41'04" W A DISTANCE OF 490.30 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF 6TH STREET AS SHOWN ON THE WEST DENVER SUBDIVISION RECORDED IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, BEING THE POINT OF BEGINNING;

THENCE S 30°31'07" E, COINCIDENT WITH SAID WESTERLY RIGHT OF WAY LINE, NON-TANGENT WITH THE FOLLWING DESCRIBED CURVE A DISTANCE OF 73.30 FEET;

THENCE, COINCIDENT WITH THE SOUTHERLY LINE OF A PARCEL OF LAND DESCRIBED IN RECEPTION NUMBER 910009795, RECORDED FEBRUARY 7, 1991 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 12°38'52", A RADIUS OF 453.34 FEET, A CHORD BEARING OF N 47°27'38" W A DISTANCE OF 99.87 FEET, AND AN ARC DISTANCE OF 100.07 FEET;

THENCE S 83°08'17" E NON-TANGENT WITH THE LAST DESCRIBED CURVE A DISTANCE OF 36.62 FEET TO THE POINT OF BEINNING.

CONTAINING 883 SQUARE FEET, (0.020 ACRES), MORE OR LESS.

QUITCLAIM DEED
UNION PACIFIC RAILROAD PARCEL
(UPRR 2a Rev1)

THIS DEED, made this 8TH day of SEPTEMBER, 2011, between the **REGIONAL TRANSPORTATION DISTRICT** whose legal address is 1600 Blake Street, Denver, Colorado 80202-1399, grantor or RTD, and the **CITY AND COUNTY OF DENVER**, a Colorado municipal corporation, whose address is 1437 Bannock Street, Room 350, Denver, Colorado 80202, grantee.

WITNESS, that the grantor, for and in consideration of the sum of ONE DOLLAR AND 00/100 (\$1.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has remised, released, sold and QUITCLAIMED, and by these presents does remise, release, sell and QUITCLAIM unto the grantee, its heirs, successors and assigns forever, all the right, title, interest, claim and demand which the grantor has in and to 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:

LEGAL DESCRIPTION SET FORTH IN **EXHIBIT A**
ATTACHED HERETO AND INCORPORATED HEREIN

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging, or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever of the grantor, either in law or equity, to the only proper use, benefit and behoof of the grantee, its heirs and assigns forever,

SUBJECT TO, all rights, reservations and restrictions contained in that certain Quitclaim Deed granted by the Union Pacific Railroad Company ("UPRR") to RTD, dated April 26, 2011, and recorded on April 27, 2011 (the "UPRR Deed") at Reception No. 2011046354, in the real property records of the City and County of Denver, Colorado,

grantee expressly assumes and grantor hereby assigns all covenants made by RTD in the UPRR Deed with respect to the real property conveyed hereby, expressly **EXCEPTING THEREFROM** any and all covenants of indemnification flowing from RTD to the UPRR.

IN WITNESS WHEREOF, the grantor has executed this deed and grantee has accepted the assignment of covenants on the date set forth above.

GRANTOR:

Regional Transportation District

Richard F. Clarke
Richard F. Clarke

Assistant General Manager, Capital Programs

Approved as to legal form:

Lori L. Graham
Lori L. Graham

Associate General Counsel

Asset Mgmt # 11-074

APPROVED AS TO LEGAL FORM
DATE 11-10-11

6th St. & Pikes St

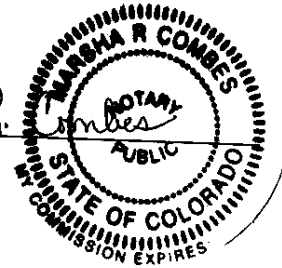
STATE OF COLORADO)
) ss.
CITY AND COUNTY OF DENVER)

The foregoing instrument was acknowledged before me this 8th day of September 2011, by Richard F. Clarke, Assistant General Manager, Capital Programs.

Witness my hand and official seal.

My commission expires: 12-10-12

Marsha R. Combes
Notary Public



GRANTEE (City):



ATTEST:

CITY AND COUNTY OF DENVER,
a Colorado municipal corporation

Dabea Johnson

Clerk and Recorder, Ex-Officio Clerk
of the City and County of Denver

By [Signature]
Mayor

APPROVED AS TO FORM:

Attorney for the City and County of Denver

By [Signature]
Assistant City Attorney


EXHIBIT A
UPRR Parcel 2A Rev 1
Date: March 14, 2011
DESCRIPTION

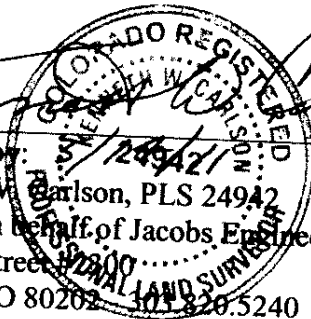
A parcel of land being a portion of the parcel of land described in Reception Number 910009795 recorded February 7, 1991 in the City and County of Denver Clerk and Recorder's Office, lying in the Southwest Quarter of Section 33, Township 3 South, Range 68 West of the 6th Principal Meridian, City and County of Denver, State of Colorado, being more particularly described as follows:

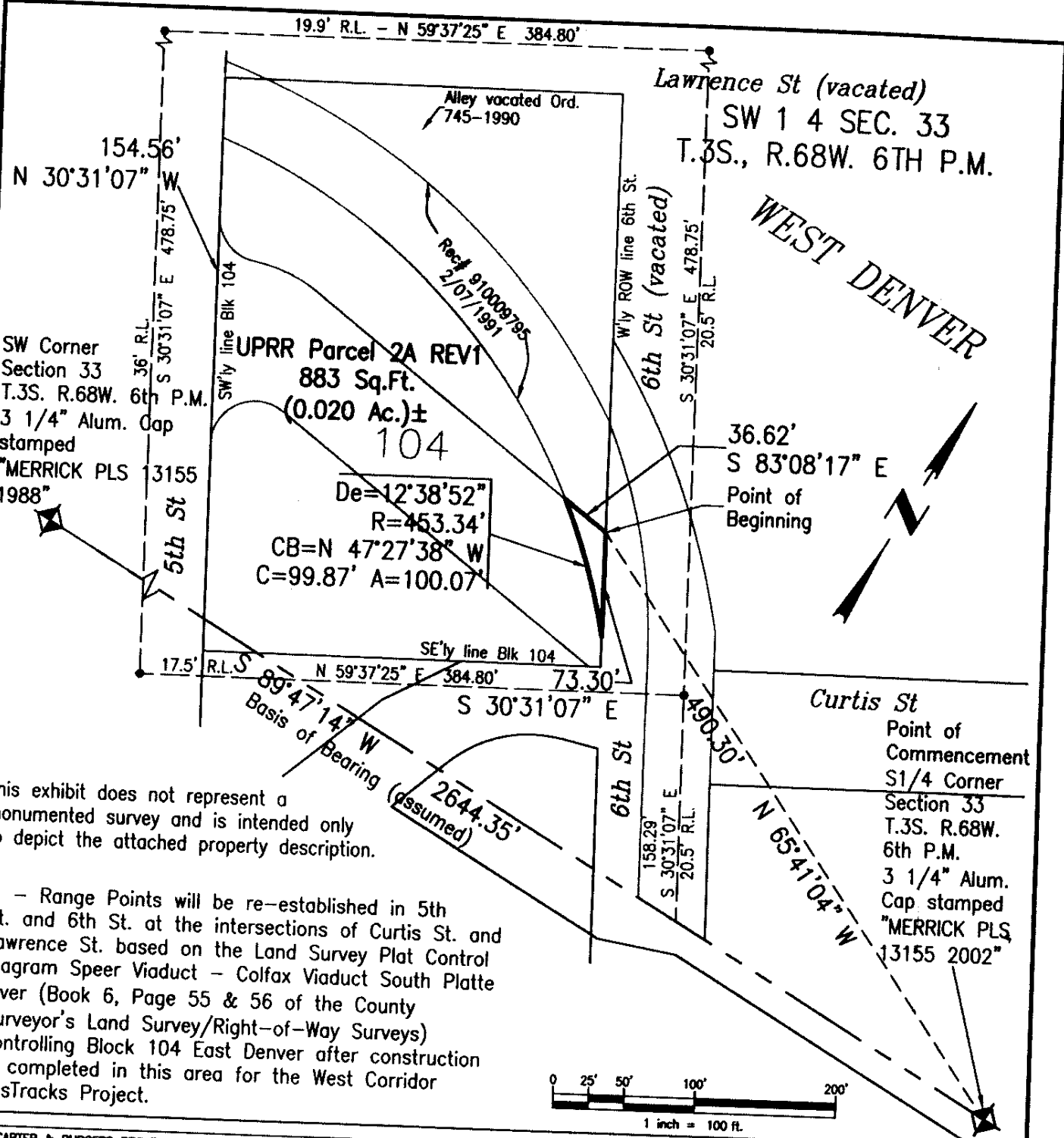
COMMENCING at the South Quarter Corner of said Section 33 (A found 3 1/4" aluminum cap stamped "MERRICK PLS 13155 2002");
WHENCE the Southwest Corner of said Section 33 (A found 3 1/4" aluminum cap stamped "MERRICK PLS 13155 1988) bears S89°47'14"W a distance of 2644.35 feet (Basis of Bearing – assumed);
THENCE N65°41'04"W a distance of 490.30 feet to the westerly right-of-way line of 6th Street as shown on the West Denver subdivision recorded in the City and County of Denver Clerk and Recorder's Office, being the POINT OF BEGINNING;

THENCE S30°31'07"E, coincident with said westerly right of way line, non-tangent with the following described curve a distance of 73.30 feet;
THENCE, coincident with the southerly line of said parcel of land described in Reception Number 910009795, along the arc of a curve to the left, having a central angle of 12°38'52", a radius of 453.34 feet, a chord bearing of N47°27'38"W a distance of 99.87 feet, and an arc distance of 100.07 feet;
THENCE S83°08'17"E non-tangent with the last described curve a distance of 36.62 feet to the POINT OF BEGINNING.

Containing 883 square feet, (0.020 Acres), more or less.


Prepared by: Kenneth W. Carlson, PLS 24942
For and on behalf of Jacobs Engineering Group Inc
707 17th Street
Denver, CO 80202





This exhibit does not represent a monumented survey and is intended only to depict the attached property description.

- Range Points will be re-established in 5th St. and 6th St. at the intersections of Curtis St. and Lawrence St. based on the Land Survey Plat Control Diagram Speer Viaduct - Colfax Viaduct South Platte River (Book 6, Page 55 & 56 of the County Surveyor's Land Survey/Right-of-Way Surveys) controlling Block 104 East Denver after construction is completed in this area for the West Corridor FasTracks Project.

CARTER & BURGESS PROJECT NO.		WXV7410
CLIENT PROJECT NO.		
REVISION DESCRIPTION		3/14/11 - Added range lines
DRAWN	DATE	SCALE
jak	1/20/11	1"=100'
JACOBS		
707 17th Street, Suite 2300, Denver CO 80202 (303) 828-3200 Fax (303) 828-1042		
THIS MATERIAL AND ANY ASSOCIATED ELECTRONIC DATA WAS PREPARED BY CARTER & BURGESS, INC. FOR THE PROJECT INDICATED. ANY REUSE OR MODIFICATION WITHOUT THE WRITTEN CONSENT OF CARTER & BURGESS SHALL BE AT THE SOLE RISK OF THE USER.		

UPRR Parcel 2A REV1 SW 1/4 Section 33, T3S, R68W 6th P.M. City and County of Denver, Colorado		
TITLE: DTR - AHEC		
REVISION:	DRAWING NO. UP-2AREV1_CCD.dwg	SHEET NO. 1 of 1