



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: Karen Walton, City Attorney's Office
FROM: Robert J. Duncanson P.E., Engineering Manager II
Right-of-Way Services
DATE: March 16, 2012
ROW #: 2012-0037-01 **SCHEDULE #:** Parcel # 1 – see Legal Description
TITLE: This request is to dedicate a parcel of land as Public Right of Way as 11th Ave.
Located at the intersection of 11th Ave. and N. Tamarac 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 11th Ave. This parcel(s) of land is being dedicated to the City and County of Denver for Public Right-of-Way.

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 land for Public Right-of-Way purposes as 11th Ave. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2012-0037-01-001) HERE.

A map of the area to be dedicated is attached.

RD/JL/AS

- cc: Asset Management, Steve Wirth
- City Councilperson, Mary Beth Susman, District #5
- City Council Staff, Gretchen Williams
- Environmental Services, David Erickson
- Public Works, Manager's Office, Alba Castro
- Public Works, Manager's Office, Christine Downs
- Public Works, Manager's Office, Stacie Loucks
- Public Works, Right-of-Way Engineering Services, Rob Duncanson
- Department of Law, Karen Aviles
- Department of Law, Karen Walton
- Department of Law, Arlene Dykstra
- Public Works Survey, Ali Gulaid
- Public Works Survey, Paul Rogalla
- Owner: City and County of Denver
- Project file folder 2012-0037-01



ORDINANCE/RESOLUTION REQUEST

Please email requests to Stacy Loucks at
Stacie.Loucks@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: **March 16, 2012**

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.)*

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

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

- **Name:** Lisa Ayala
- **Phone:** 720-865-3153
- **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:** Stacie Loucks
- **Phone:** 720-865-8720
- **Email:** Stacie.Loucks@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 11th Ave. This parcel(s) of land is being dedicated to the City and County of Denver for Public Right-of-Way.

***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:** 11th Ave and N. Tamarac St.
- d. **Affected Council District:** Council Dist. # 5, Marcia Johnson
- 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: _____



EXECUTIVE SUMMARY

DENVER
THE MILE HIGH CITY

Project Title: 2012-0037-01 Dedication 11th Ave. and N. Tamarac St.

Description of Proposed Project: To dedicate a parcel of land as Public Right of Way as 11th Ave. Located at the intersection of 11th Ave and N. Tamarac 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 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.

Easement Dedication as Right-of-Way.

An Easement for Road or Street from the Department of the Air Force to the City and County of Denver, Colorado. Recorded in Book 8795 Page 298 dated January 30th 1962 in the City and County of Denver Clerk & Recorder's Office.

A parcel of land located in Section 4, Township 4 South, Range 67 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado.

That portion of 11th Avenue being 30' north and 30' south of the east-west centerline of said Section 4, located between the west line of Tamarac Street extended south and the west line of Verbena Street extended south. Said Tamarac Street and Verbena Street were dedicated by the Kensington and East Kensington Subdivisions in the City and County of Denver, State of Colorado.

EASEMENT ORIGINAL

8795 298

JUN 30 1962

DEPARTMENT OF THE AIR FORCE
EASEMENT FOR ROAD OR STREET

93637

ON LAND AIR COMMAND DA-43-066-103-6761

THE SECRETARY OF THE AIR FORCE, under and by virtue of the authority vested in him by Title 10, United States Code, Section 688 having found that the granting of this easement will not be against the public interest, hereby grants to

THE CITY AND COUNTY OF DENVER, COLORADO

hereinafter designated as the grantee, an easement for a right-of-way for a road or street over, across, in, and upon lands of the United States at the location shown in red on Exhibit attached hereto and made a part hereof, and more particularly described as follows:

That portion of East 11th Avenue within Kensington and East Kensington Subdivisions of the City and County of Denver, State of Colorado, as originally platted, sixty (60) feet more or less in width, including the west line of Tamarac Street, and the line of Parkview Street.

THIS EASEMENT is granted subject to the following conditions:

1. The use, maintenance, use, and maintenance of said road or street, including culverts and other drainage facilities shall be performed at the cost or expense to the United States, under the general supervision and subject to the approval of the officer of the Air Force having immediate jurisdiction over said premises hereinafter designated as "said officer".
2. The grantee shall at all times maintain said road or street in good condition and shall promptly make all repairs thereto needed to preserve a smooth surface highway.
3. Any property of the United States damaged or destroyed by the grantee incident to the use and occupation of the said premises shall be promptly repaired or replaced by the grantee. If in the satisfaction of the said officer, or in the event of such repair or replacement the grantee shall, if required by said officer, pay to the United States money in an amount sufficient to compensate for the loss sustained by the United States property.
4. The use and occupation of said road or street shall be subject to such orders and regulations as the said officer may prescribe from time to time in order to properly protect the interests of the United States.
5. The United States shall in no event be liable for any damages or injuries to the said road or street which may be caused by or result from any operations undertaken by the Government, and no claim or right to compensation shall accrue from such damages or injuries.

APPROVED FOR RECORDING
LAND OFFICE

DA FORM 547a
1 NOV 56

11th Ave.



Map generated 10/13/2016 - This 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 fitness for a particular use. This is not a legal document.