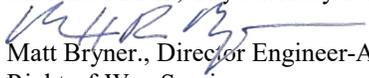


REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Caroline Martin, City Attorney's Office

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

DATE: June 28, 2019

ROW #: 2019-Dedication-0000082 **SCHEDULE #:** 0506200205000, 0506200089000, 0506200088000,
0506200087000, 0506200258000, 0506200248000, 0506200247000,
0506200058000, 0506200242000, 0506200160000, 0506200190000,
& 0506200191000

TITLE: This request is to dedicate City owned land as N. Xavier St.
Located near the intersection of W. 13th Ave. and N. Xavier 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 N. Xavier 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 N. Xavier St. The land is described as follows:

INSERT PARCEL DESCRIPTION ROW (2019-Dedication-0000082-001) HERE.

A map of the area to be dedicated is attached.

MB/BLV

c: Dept. of Real Estate, Katherine Rinehart
City Councilperson Rafael Espinoza
Council Aide Amanda Sandoval
Council Aide Gina Volpe
Council Aide Adriana Magana
Council Aide Jesus Orrantia
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, Maureen McGuire
Department of Law, Martin Plate
Department of Law, Deanne Durfee
Department of Law, Caroline Martin
Department of Law, Stan Lechman
Public Works Survey, Paul Rogalla
PW Ordinance
Project file folder 2019-Dedication-0000082

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: June 28, 2019

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 N. Xavier St.
Located near the intersection of W. 13th Ave. and N. Xavier St.

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

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

- **Name:** Barbara Valdez
- **Phone:** 720-865-3153
- **Email:** Barbara.valdez@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:** 720-865-8713
- **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 N. Xavier 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:** W. 13th Ave. & N. Xavier St.
- d. **Affected Council District:** Rafael Espinoza Dist. #1
- 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: _____



DENVER
THE MILE HIGH CITY

EXECUTIVE SUMMARY

Project Title: 2019-Dedication-0000082

Description of Proposed Project: Dedicate a parcel of public right of way as N. Xavier 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

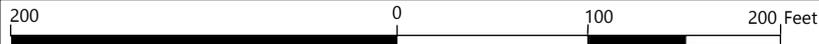
Will an easement relinquishment be submitted at a later date: N/A

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



Legend

-  Well Restrictions
-  Barrier Restrictions
- Area Restrictions**
-  Liner
-  Sheet Pile Wall Area
-  Streams
-  Buildings
-  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



AS NORTH XAVIER STREET

A PARCEL OF LAND LOCATED IN THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN IN THE CITY AND COUNTY OF DENVER, COLORADO, ACQUIRED AS PARCEL NO. 3 IN A QUIT CLAIM DEED RECORDED APRIL 23, 1941 AT BOOK 5481, PAGE 535 IN THE CLERK AND RECORDER'S OFFICE OF SAID CITY AND COUNTY OF DENVER, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF THE SOUTH HALF (S ½) OF THE NORTHWEST QUARTER (NW ¼) OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN AND THE EXTENDED WEST LINE OF XAVIER STREET PRODUCED SOUTH;
THENCE SOUTH ON SAID EXTENDED WEST LINE OF XAVIER STREET 49.87 FEET TO THE TRUE POINT OF BEGINNING;
THENCE CONTINUING SOUTH ON SAID EXTENDED WEST LINE OF SAID XAVIER STREET PRODUCED SOUTH APPROXIMATELY 535 FEET, TO THE NORTHERLY LINE OF THE RIGHT OF WAY OF THE DENVER AND INTERMOUNTAIN RAILROAD COMPANY;
THENCE EASTERLY ON SAID RIGHT OF WAY LINE TO A POINT 52.54 FEET EAST AT RIGHT ANGLES FROM AFORESAID PRODUCED WEST LINE OF XAVIER STREET, SAID POINT BEING THE POINT OF INTERSECTION OF SAID RIGHT OF WAY LINE AND THE EXTENDED EAST LINE OF SAID XAVIER STREET PRODUCED SOUTH;
THENCE NORTH ON THE PRODUCED EAST LINE OF SAID XAVIER STREET, EXTENDED FROM THE NORTH TO A POINT 49.35 FEET SOUTH OF THE NORTH LINE OF AFORESAID SOUTH HALF (S ½) OF THE NORTHWEST QUARTER (NW ¼) OF SECTION 6;
THENCE WEST 52.54 FEET, MORE OR LESS TO THE TRUE POINT OF BEGINNING.

EXCEPT

A PARCEL OF LAND CALLED PARCEL V-22 IN ORDINANCE 681 OF 2009, RECORDED NOVEMBER 30, 2009 AT RECEPTION NUMBER 2009154954 IN THE CLERK AND RECORDER'S OFFICE OF THE CITY AND COUNTY OF DENVER, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 6, WHENCE THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 6 BEARS S89°38'18"E, A DISTANCE OF 1279.22 FEET;
THENCE S63°32'22"E, A DISTANCE OF 1041.05 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF XAVIER STREET EXTENDED SOUTHERLY, BEING THE POINT OF BEGINNING;
THENCE S89°38'18"E, A DISTANCE OF 52.54 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SAID XAVIER STREET EXTENDED SOUTHERLY;
THENCE S00°13'26"E ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 129.23 FEET TO A POINT ON THE NORTH LINE OF A 50 FOOT RAILROAD RIGHT-OF-WAY;
THENCE N87°23'00"W, ALONG SAID NORTH LINE, A DISTANCE OF 52.60 FEET TO THE WEST RIGHT-OF-WAY LINE OF SAID XAVIER STREET EXTENDED SOUTHERLY;
THENCE N00°13'26"W, ALONG SAID WEST RIGHT-OF-WAY LINE EXTENDED SOUTHERLY, A DISTANCE OF 127.16 FEET TO THE POINT OF BEGINNING.

QUIT CLAIM DEED

THIS DEED, Made this 16th day of April in the year of our Lord one thousand nine hundred and forty-one, between NANCY L. TANNER, also known as Mrs. A. A. Tanner, 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 of the State of Colorado, of the second part,

WITNESSETH, That the said party of the first part for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations 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, has remised, released, sold, conveyed and QUIT CLAIMED, and by these presents does remise, release, sell, convey and QUIT CLAIM unto the said party of the second part, its successors and assigns forever, all the right, title, interest, claim and demand which the said party of the first part has in and to the following described parcels situate, lying and being in the City and County of Denver and State of Colorado, to-wit: PARCEL NO. 1

That part of the south half ($S\frac{1}{2}$) of the northwest quarter ($NW\frac{1}{4}$) of Section Six (6), Township four (4) South, Range Sixty-eight (68) West of the 6th Principal Meridian, described as follows, to-wit:

Commencing at the intersection of the north line of the south half ($S\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$) of Section 6, Township 4 South, Range 68 West of the 6th Principal Meridian and the west line of Winona Court, as shown on the recorded plat of Pleasant Hill (a Subdivision);

Description P. 5

thence south on the west line of said Winona Court 44.01 feet;

thence westerly on a straight line 597.44 feet, more or less, to a point on the extended west line of Xavier Street, produced south, distant 49.87 feet south of the north line of the south half ($S\frac{1}{2}$) of the northwest quarter ($NW\frac{1}{4}$) of said Section 6;

thence northwesterly on a straight line 127.47 feet, more or less, to a point on the extended east line of the north and south alley in Block 2 in I. P. McDowell's Subdivision, extended south, said point being 26.10 feet south of the north line of aforesaid south half ($S\frac{1}{2}$) of the northwest quarter ($NW\frac{1}{4}$) of said Section 6;

thence westerly on a straight line 192.28 feet, more or less, to a point on the extended west line of Yates Street, produced south, said point being 27.98 feet south of the north line of said south half ($S\frac{1}{2}$) of northwest quarter ($NW\frac{1}{4}$) of said Section 6;

thence north on said extended west line of Yates Street 27.98 feet to the north line of south half ($S\frac{1}{2}$) of northwest quarter ($NW\frac{1}{4}$) of said section;

thence east on said north line 914.72 feet, more or less, to the point of beginning; for the purpose of opening, widening and extending West 13th Avenue in the City and County of Denver; containing 0.872 Acre, more or less; also, PARCEL NO. 2 **YATES**

That part of the south half ($S\frac{1}{2}$) of the northwest quarter ($NW\frac{1}{4}$) of Section six (6), Township four (4) South, Range Sixty-eight (68) West of the 6th Principal Meridian, described as follows, to-wit:

Commencing at the intersection of the north line of the south half ($S\frac{1}{2}$) of the northwest quarter ($NW\frac{1}{4}$) of Section 6,

Township 4 South, Range 68 West of the 6th Principal Meridian and the extended west line of Yates Street produced south;

thence south on the said extended west line of Yates Street 27.98 feet to the true point of beginning;

thence continuing south on said extended west line of said Yates Street produced south a distance of 546.00 feet, more or less, to the northerly line of the right of way of The Denver and Intermountain Railroad Company;

thence easterly on said right of way line to a point 52.28 feet east at right angles from aforesaid produced west line of Yates Street, said point being the point of intersection of said right of way line and the extended east line of said Yates Street produced south;

thence north on the produced east line of said Yates Street extended from the north to a point 27.47 feet south of the north line of aforesaid south half ($S\frac{1}{2}$) of the northwest quarter ($NW\frac{1}{4}$) of said Section 6;

thence west 52.28 feet, more or less, to the true point of beginning; for the purpose of extending and establishing Yates Street in the City and County of Denver; containing 0.656 Acre, more or less; also, PARCEL NO. 3 **XAVIER**

That part of the south half ($S\frac{1}{2}$) of the northwest quarter ($NW\frac{1}{4}$) of Section Six (6), Township Four (4) South, Range Sixty-eight (68) West of the 6th Principal Meridian, described as follows, to-wit:

Commencing at the intersection of the north line of the south half ($S\frac{1}{2}$) of the northwest quarter ($NW\frac{1}{4}$) of Section 6, Township 4 South, Range 68 West of the 6th Principal Meridian and the extended west line of Xavier Street produced south;

thence south on said extended west line of Xavier Street 49.87 feet to the true point of beginning;

thence continuing south on said extended west line of said Xavier Street produced south approximately 535 feet, to the northerly line of the right of way of The Denver and Inter-mountain Railroad Company;

thence easterly on said right of way line to a point 52.54 feet east at right angles from aforesaid produced west line of Xavier Street, said point being the point of intersection of said right of way line and the extended east line of said Xavier Street produced south;

thence north on the produced east line of said Xavier Street, extended from the north to a point 49.35 feet south of the north line of aforesaid south half ($S\frac{1}{2}$) of the northwest Quarter ($NW\frac{1}{4}$) of said Section 6;

thence west 52.54 feet, more or less, to the true point of beginning; for the purpose of extending and establishing Xavier Street in the City and County of Denver; containing 0.646 Acre, more or less; also, PARCEL NO. 4 **WOLFF**

That part of the south half ($S\frac{1}{2}$) of the northwest quarter ($NW\frac{1}{4}$) of Section Six (6), Township Four (4) South, Range Sixty-eight (68) West of the 6th Principal Meridian, described as follows, to-wit:

Commencing at the intersection of the north line of the south half ($S\frac{1}{2}$) of the northwest quarter ($NW\frac{1}{4}$) of Section 6, Township 4 South, Range 68 West of the 6th Principal Meridian and the extended west line of Wolff Street produced south;

thence south on said extended west line of Wolff Street 46.75 feet to the true point of beginning;

thence continuing south on the extended west line of said Wolff Street produced south approximately 553 feet, to the

northerly line of the right of way of The Denver and Inter-
mountain Railroad Company;

thence easterly on said right of way line to a point 60.5
feet east at right angles from aforesaid produced west line of
Wolff Street, said point being the point of intersection of said
right of way line and the extended east line of said Wolff
Street produced south;

thence north on the produced east line of said Wolff Street
extended from the north to a point 46.16 feet south of the north
line of aforesaid south half ($S\frac{1}{2}$) of the northwest quarter of
said Section 6;

thence west on said north line 60.5 feet, more or less to
the ^{true} point of beginning; for the purpose of extending and estab-
lishing Wolff Street in the City and County of Denver. Contain-
ing 0.768 Acre, more or less; also, PARCEL NO. 5

That part of the south half ($S\frac{1}{2}$) of the northwest quarter
($NW\frac{1}{4}$) of Section Six (6), Township Four (4) South, Range Sixty-
eight (68) West of the 6th Principal Meridian, in the City and
County of Denver, described as follows, to-wit:

Commencing at a point on the extended east line of Yates
Street produced south four hundred and eight (408) feet from
the north line of the south half ($S\frac{1}{2}$) of the northwest quarter
($NW\frac{1}{4}$) of aforesaid Section 6;

thence east parallel with said north line two hundred and
sixty-five (265) feet to the extended west line of Xavier Street
produced south;

thence south on said extended west line of Xavier Street
produced south a distance of 177 feet, more or less, to the

northerly line of the right of way of The Denver and Intermountain Railroad Company;

thence westerly on the northerly line of said railroad right of way to aforesaid extended east line of Yates Street produced south;

thence north on said extended east line of Yates Street approximately 168 feet to the place of beginning; containing 1.05 Acres, more or less; also, PARCEL NO. 6

That part of the south half ($S\frac{1}{2}$) of the northwest quarter ($NW\frac{1}{4}$) of Section Six (6), Township Four (4) South, Range Sixty-eight (68) West of the 6th Principal Meridian, in the City and County of Denver, described as follows, to-wit:

Commencing at a point on the extended west line of Wolff Street produced south four hundred and eight (408) feet from the north line of the south half ($S\frac{1}{2}$) of the northwest quarter ($NW\frac{1}{4}$) of aforesaid Section 6;

thence west parallel with said north line one hundred and forty (140) feet to a point one hundred and twenty-five (125) feet east of the extended east line of Xavier Street produced south;

thence south parallel with said extended east line of Xavier Street produced south approximately 180 feet to the northerly line of the right of way of The Denver and Intermountain Railroad Company;

thence easterly on the northerly line of said railroad right of way to aforesaid extended west line of Wolff Street produced south;

thence north on said extended west line of Wolff Street 192 feet, more or less, to the place of beginning. Containing 0.60 Acre, more or less; also PARCEL NO. 7

That part of the south half ($S\frac{1}{2}$) of the northwest quarter ($NW\frac{1}{4}$) of Section Six (6), Township Four (4) South, Range Sixty-eight (68) West of the 6th Principal Meridian, in the City and County of Denver, described as follows, to-wit:

Commencing at a point on the extended east line of Wolff Street produced south four hundred and eight (408) feet from the north line of the south half ($S\frac{1}{2}$) of the northwest quarter ($NW\frac{1}{4}$) of aforesaid Section 6;

thence south on the extended east line of said Wolff Street 195 feet, more or less, to the northerly line of the right of way of The Denver and Intermountain Railroad Company;

thence easterly on the northerly line of said railroad, right of way to the west line of Wolff Street in Knox Addition to Denver;

thence north on the west line of said Wolff Street 210 feet, more or less, to a point 408 feet south of aforesaid north line of the south half ($S\frac{1}{2}$) of the northwest quarter ($NW\frac{1}{4}$) of said Section 6;

thence west parallel with said north line 90 feet, more or less, to the place of beginning; containing 0.42 Acre, more or less.

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 said party 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, its successors

and assigns forever.

IN WITNESS WHEREOF, The said party of the first part has hereunto set her hand and seal the day and year first above written.

Nancy L. Tanner also known as
Mrs. A. A. Tanner NANCY L. TANNER, also known as
Mrs. A. A. Tanner,

By *Edgar F. Conant*
Edgar F. Conant, her Attorney in Fact.

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

The foregoing instrument was acknowledged before me this
21st day of April, A. D. 1941, by Edgar F. Conant, attorney in
fact for Nancy L. Tanner, also known as Mrs. A. A. Tanner.
My commission expires April 25, 1941. Witness my
hand and official seal.

Illie
Notary Public.



*approved as to form only:
Malcolm Luntzow, attorney
City and County of Denver
By: *Mary Lorch*
Deputy*