

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: August 6, 2019

ROW #: 2019-Dedication-0000090 **SCHEDULE #:** Adjacent to: 0506200221000, 0506200178000,
0506200199000, 0506200186000, 0506200213000, 0506200214000,
0506200197000, 0506200174000 & 0506200173000

TITLE: This request is to dedicate City owned land as N. Zenobia St.
Located near the intersection of W. 13th Ave., and N. Zenobia 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. Zenobia 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 (2019-Dedication-0000090-001) HERE.

A map of the area to be dedicated is attached.

MB/BLV

c: Dept. of Real Estate, Katherine Rinehart
City Councilperson Amanda Sandoval Dist #1
Council Aide Amanda Sandoval
Council Aide Gina Volpe
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-0000090

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: August 6, 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. Zenobia St.
Located near the intersection of W. 13th Ave., and N. Zenobia 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. Zenobia 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. and N. Zenobia St.
- d. **Affected Council District:** Amanda Sandoval 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-0000090

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

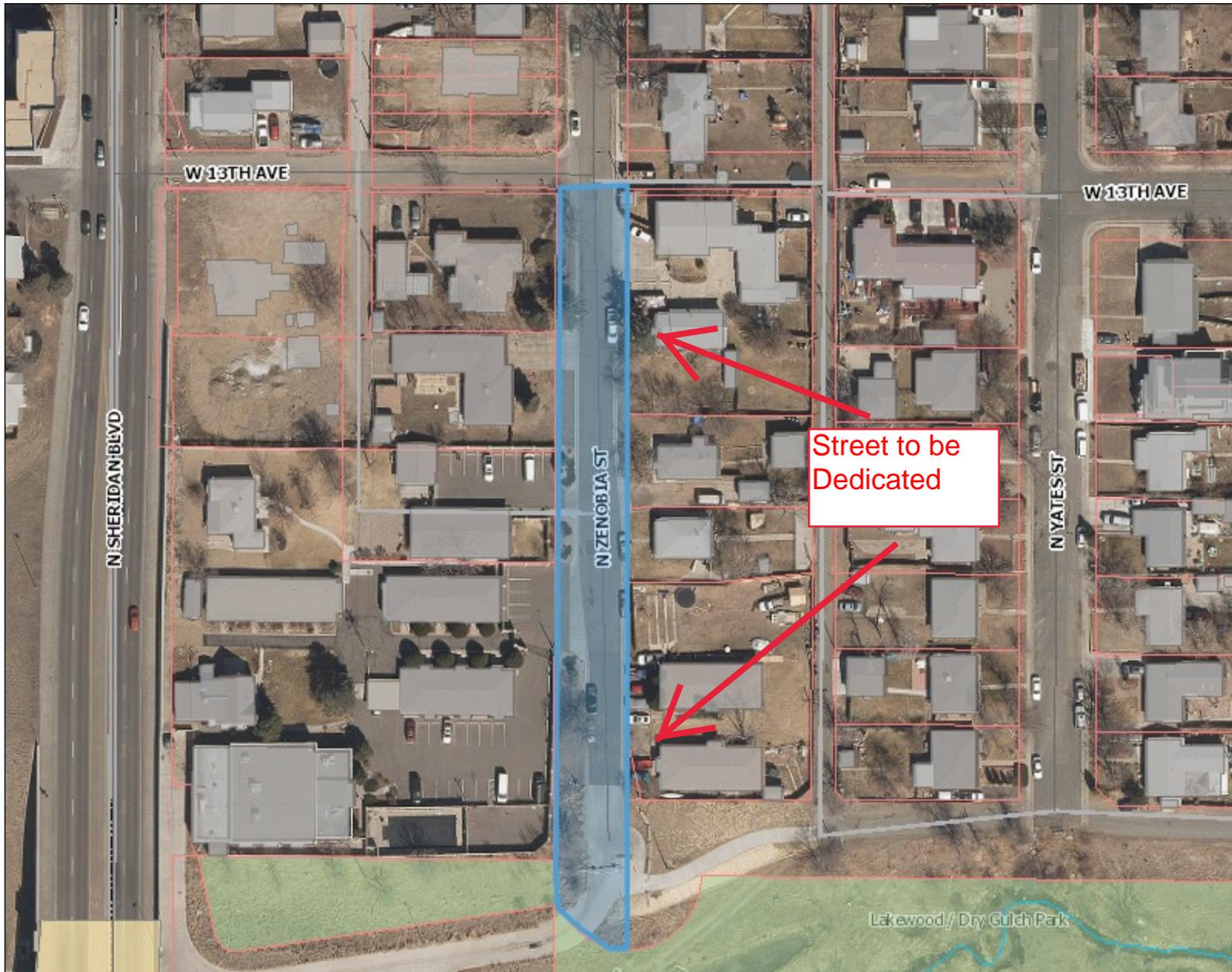
What is the known duration of an MEP: N/A

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

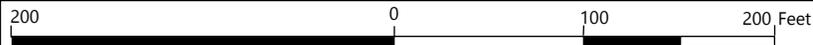
Will an easement relinquishment be submitted at a later date: N/A

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 ZENOBIA 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 BY A DEED RECORDED MAY 11, 1936 AT BOOK 4948, PAGE 593 IN THE CLERK AND RECORDER'S OFFICE OF SAID CITY AND COUNTY OF DENVER, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE POINT OF INTERSECTION OF THE EAST LINE OF ZENOBIA STREET WITH THE NORTH LINE OF SW $\frac{1}{4}$ OF NW $\frac{1}{4}$ OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, SAID POINT BEING DISTANT 347.82 FEET, EAST OF THE NORTHWEST CORNER OF SW $\frac{1}{4}$ OF NW $\frac{1}{4}$ OF SAID SECTION;

THENCE SOUTH AND PARALLEL WITH THE WEST LINE OF SAID SECTION 6 A DISTANCE OF 561 FEET, MORE OR LESS, TO THE NORTH LINE OF RIGHT OF WAY OF THE DENVER AND INTER-MOUNTAIN RAILROAD COMPLANY;

THENCE WESTERLY ALONG SAID RIGHT OF WAY LINE TO A POINT DISTANT 299 FEET EASTERLY, WHEN MEASURED PARALLEL WITH NORTH LINE OF SW $\frac{1}{4}$ OF NW $\frac{1}{4}$ OF SAID SECTION, FROM WEST LINE OF SAID SECTION 6;

THENCE NORTH AND PARALLEL WITH WEST LINE OF SAID SECTION TO NORTH LINE OF SW $\frac{1}{4}$ OF NW $\frac{1}{4}$ OF SAID SECTION;

THENCE EAST ON SAID NORTH LINE 48.82 FEET, MORE OR LESS, TO POINT OF BEGINNING.

EXCEPT

A PARCEL OF LAND CALLED PARCEL V-20 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 S33°01'34"E, A DISTANCE OF 549.45 FEET TO A POINT ON A CURVE ON THE WEST RIGHT-OF-WAY LINE OF ZENOBIA STREET EXTENDED SOUTHERLY, BEING THE POINT OF BEGINNING;

THENCE ALONG A CURVE TO THE LEFT RAVING A DELTA OF 88°38'52", A RADIUS OF 50.00 FEET, AN ARC LENGTH OF 77.36 FEET AND A CHORD BEARING S44°22'57"E, A DISTANCE OF 69.87 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SAID ZENOBIA STREET EXTENDED SOUTHERLY;

THENCE S00°03'31"E, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 53.73 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 48.87 FEET TO THE WEST RIGHT-OF-WAY LINE OF SAID ZENOBIA STREET EXTENDED SOUTHERLY; THENCE N00°03'31"W, ALONG SAID WEST RIGHT-OF-WAY LINE EXTENDED SOUTHERLY, A DISTANCE OF 101.44 FEET TO THE POINT OF BEGINNING.

Grade

NO. 127720- RECORDED 1.40 P.M. MAY 11, 1936. BOOK 4948 PAGE 593
ALBERT C. MONSON, RECORDER
No. 733 WARRANTY DEED- For Sale by The C. F. Hooper Blank Book & Litho. Co., Denver, Colo.

This Deed, Made this 6th day of May in the year of our Lord one thousand nine hundred and thirty-six between
of the NANCY L. TANNER County of _____ and State of Colorado, of the first part, and
CITY AND COUNTY OF DENVER, a Municipal Corporation,
of the City and County of Denver and State of Colorado, of the second part;

Witnesseth, That the said party _____ of the first part, for and in consideration of the sum of
---Ten and no/100 (\$10.00) --- DOLLARS,
to the said part y _____ of the first part in hand paid by the said part y _____ of the second part, the receipt
whereof is hereby confessed and acknowledged, ha S _____ granted, bargained, sold and conveyed, and by these
presents do es _____ grant, bargain, sell, convey and confirm, unto the said part y _____ of the second part,
its ~~xxxx~~ successors and assigns forever, all the following described parcel of land, situate, lying
and being in the City and County of Denver and State of Colorado, to-wit:

That part of the northwest quarter (NW $\frac{1}{4}$) of southwest quarter (SW $\frac{1}{4}$) of northwest quarter (NW $\frac{1}{4}$) of Section 6, Township 4 South, Range 68 West of the 6th Principal Meridian, described as follows, to wit:
Commencing at the point of intersection of the east line of Zenobia Street with the north line of SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 6, Township 4 South, Range 68 West of the 6th Principal Meridian, said point being distant 347.82 feet, east of the northwest corner of SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of said section; thence south and parallel with the west line of said Section 6 a distance of 561 feet, more or less, to the north line of right of way of The Denver and Inter-Mountain Railroad Company; thence westerly along said right of way line to a point distant 299 feet easterly, when measured parallel with north line of SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of said section, from west line of said Section 6; thence north and parallel with west line of said section to north line of SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of said section; thence east on said north line 48.82 feet, more or less, to point of beginning. For public road or highway purposes.

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 heirs and assigns forever. And the said party of the first part, for her self her heirs, executors, and administrators, does covenant, grant, bargain and agree to and with the said party of the second part, its SUCCESSORS heirs and assigns, that at the time of the ensembling and delivery of these presents, she 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, has 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, liens, 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 heirs 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 has hereunto set her hand and seal the day and year first above written.

Signed, Sealed and Delivered in the Presence of

Nancy L. Tanner (SEAL)

Lucille Parks

(SEAL)

Herbert Scarrett

(SEAL)

FOR A APPROVED:
TELLER AMMONS, Attorney

City and County of Denver,

By *Mary Douch*
Assistant City Attorney

Description O.K.
G. Still

Florida
STATE OF ~~CONNECTICUT~~,
County of *Hillsborough*

I, *Lucille Parks* a Notary Public in and for
said *Hillsborough* County, in the State aforesaid, do hereby certify that

Nancy L. Tanner

who is personally known to me to be the person whose name is subscribed to the foregoing Deed, appeared before me this day in person, and acknowledged that she signed, sealed and delivered the said instrument of writing as her free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and seal, this *9th* day of *May* A.D. 193*6*.

My commission expires *Aug. 14* A. D. 193*8*.



Lucille Parks
Notary Public.