



Department of Public Works
Right of Way Services
201 W Colfax Avenue, Dept. 507
Denver, CO 80202
P: 720-865-2782
www.denvergov.org/pwprs

REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Caroline Martin, City Attorney's Office

FROM: Matt Bryner., Senior Engineering Manager
Right-of-Way Services

DATE: November 9, 2017

ROW #: 2017-Dedication-0000213 **SCHEDULE #:** 0506104025000

TITLE: This request is to dedicate City owned land as W. Colfax Ave.
Located near the intersection of W. Colfax Ave. and N. Perry 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 W. Colfax Ave.

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 W. Colfax Ave. The land is described as follows:

INSERT PARCEL DESCRIPTION ROW (2017-Dedication-0000213-001) HERE.

A map of the area to be dedicated is attached.

MB/BLV

c: Asset Management, Robert Koehler
City Councilperson & Aides, Paul Lopez District # 3
Council Aide Adriana Lara
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, Angela Casias
Public Works, Right-of-way Engineering Services, Matt Bryner
Department of Law, Brent Eisen
Department of Law, Shaun Sullivan
Department of Law, Caroline Martin
Department of Law, Stan Lechman
Department of Law, Cynthia Devereaux
Public Works Survey, John Lautenschlager
Public Works Survey, Paul Rogalla

ORDINANCE/RESOLUTION REQUEST

Please email requests to Angela Casias
at angela.casias@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: November 9, 2017

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 W. Colfax Ave.
Located near the intersection of W. Colfax Ave. and N. Perry 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:** Angela Casias
- **Phone:** 720-913-8529
- **Email:** Angela.Casias@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 W. Colfax Ave.

****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. Colfax Ave. and N. Perry St.
- d. **Affected Council District:** Paul Lopez Dist. #3
- 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: 2017-Dedication-0000213

Description of Proposed Project: Dedicate a parcel of public right of way as W. Colfax Ave.

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

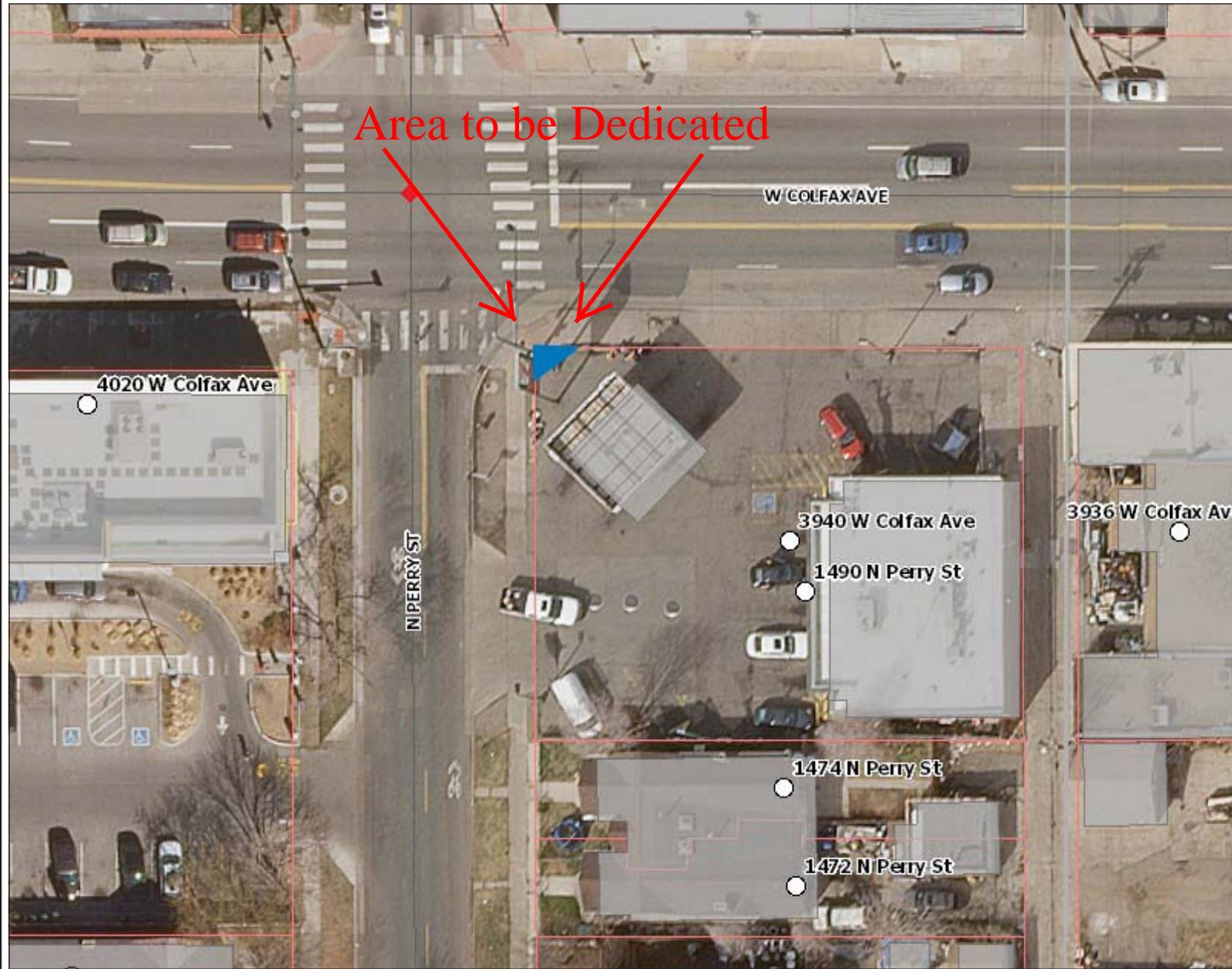
What is the known duration of an MEP: N/A

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.



Area to be Dedicated

Legend

- Active Addresses
 - Associated
 - Land
 - Structure
 - Utility
- 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



Legal Description N. 2017-Dedication-0000213-001

A parcel of land conveyed to the City & County of Denver by Warranty Deed as recorded October 18th 1983, in Book 2934 Page 355, City & County of Denver, Clerk and Recorder's Office, State of Colorado. Said parcel of land is located in the NE1/4 of Section 6, Township 4 South, Range 68 West, of the 6th Principal Meridian, State of Colorado.

A parcel of land lying in Lot 1, Block 8, Colfax Avenue Subdivision of Maple Grove Subdivision, City and County of Denver, State of Colorado, being more particularly described as follows: Beginning at the Northwest corner of Lot 1, Block 8, said Colfax Ave Subdivision of Maple Grove Subdivision; thence S 00°14'51" E (an assumed basis of bearing), along the West line of said Lot 1, a distance of 7.00 feet; thence N 44°52'35" E, a distance of 9.88 feet to a point on the North line of said Lot 1; thence S 90°00'00" W, along said North line, a distance of 7.00 feet to the Point of Beginning, containing 24.4 square feet, more or less.

Handicap Ramp
Perry Colfax
SE. Co.

#25028

Recorded at _____ o'clock _____ M.
Reception No. _____ Recorder.

THIS DEED, Made this 19th day of September, 1983
between THE SOUTHLAND CORPORATION

RECORDER'S STAMP

a corporation duly organized and existing under and by virtue of the laws of the State of Texas of the first part, and

THE CITY AND COUNTY OF DENVER

~~whose legal address is~~ whose legal address is 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 DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION DOLLARS 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, hath granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the said party of the second part, its successors and assigns forever, all the following described Lot or parcel of land, situate, lying and being in the City and County of Denver and State of Colorado, to-wit:

A parcel of land lying in Lot 1, Block 8, COLFAX AVENUE SUBDIVISION OF MAPLE GROVE SUBDIVISION, City and County of Denver, State of Colorado being more particularly described as follows: Beginning at the Northwest corner of Lot 1, Block 8, said COLFAX AVENUE SUBDIVISION; thence S 00° 14' 51" E (an assumed basis of bearings), along the West line of said Lot 1, a distance of 7.00 feet; thence N 44° 52' 35" E, a distance of 9.88 feet to a point on the North line of said Lot 1; thence S 90° 00' 00" W, along said North line, a distance of 7.00 feet to the Point of Beginning, containing 24.4 feet, more or less

also known as street and number vacant ground

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 and assigns forever. And the said THE SOUTHLAND CORPORATION

party of the first part, for itself, its successors and assigns, doth covenant, grant, bargain and agree to and with the said party of the second part, its successors and assigns, that at the time of the enrolling and delivery of these presents it 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 hath 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 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 hath caused its corporate name to be hereunto subscribed by its Vice president, and its corporate seal to be hereunto affixed, attested by its secretary, the day and year first above written.

Attest:

THE SOUTHLAND CORPORATION

[Signature]
Assistant Secretary
STATE OF COLORADO

By *[Signature]*
Vice President

City and County of Dallas

The foregoing instrument was acknowledged before me this 19th day of September, 1983, by John H. Rodgers as Vice President and Joe A. Wainfield as Assistant Secretary of

THE SOUTHLAND CORPORATION

My notarial commission expires July 5, 1986
Witness my hand and official seal.

[Signature]
Notary Public

079463
2934 355
DENVER COUNTY

0903 OCT 18 PM 2 15
F. J. ST. CLAIR

RETURN TO THE RECORDING LAND OFFICE

[Signature]
AS TO FORM

THE STATE OF TEXAS X
COUNTY OF DALLAS X

I, the undersigned ~~Secretary~~ Assistant Secretary of the under designated Corporation, do hereby certify that at a meeting of its Board of Directors held at the office of said corporation in Dallas, Texas, on April 28, 1983, duly and timely called and held in accordance with its by-laws, at which meeting a quorum of said Board was present and acting, the resolution attached hereto and made a part hereof was duly and unanimously enacted, and has not been amended or revoked, and remains in full force and effect.

CERTIFIED on the date shown in the acknowledgement below.

~~Secretary~~ Assistant Secretary of
THE SOUTHLAND CORPORATION

THE STATE OF TEXAS X
COUNTY OF DALLAS X

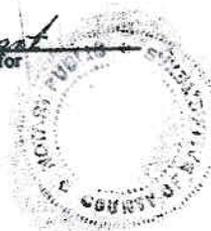
BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared the above ~~Secretary~~ Assistant Secretary of the above designated Corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said Corporation and he executed the same as the act of said Corporation for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 19th day of

September, 1983

Rubin Bryant
Notary Public in and for
Dallas County, Texas

RUBIN BRYANT, Notary Public
in and for the State of Texas
My Commission Expires May 3, 1986



RESOLVED, that the Chairman, the Vice Chairman, the Chief Executive Officer, the President, any Executive Vice President, any Vice President, the Secretary, the Treasurer, or the Controller, now or hereafter elected, be, and each of them hereby is, authorized, in the name and on behalf of the Company, to execute, deliver, accept, assume, assign, amend, consent to, extend, cancel, surrender, or release, and the Secretary or any Assistant Secretary, now or hereafter elected or appointed, be, and each of them hereby is, authorized, in the name and on behalf of the Company, to attest:

- (1) contracts, options, deeds, easements, rights of way, conveyances, mortgages, security agreements, financing statements, and such other instruments as they deem necessary in connection with the purchase, sale, conveyance, or financing of real or personal property or any interest therein;
- (2) leases and subleases of real or personal property in which the Company is lessor, lessee, sublessor, sublessee, whether direct or indirect;
- (3) subordination agreements, certificates, assignments, extensions, discharges, releases, and satisfactions of accounts receivable, notes, bonds, and mortgages, whether relating to real or personal property;
- (4) contracts for the purchase or sale of products or merchandise processed, manufactured, dealt in, or handled by the Company, or for materials, equipment, or supplies necessary or convenient for the transaction of its business, including automotive equipment;
- (5) bonds, indemnifications, or guarantees covering the performance by the Company, or by any affiliate or other entity in which the Company owns or intends to acquire a direct or an indirect interest, or by any franchisee, licensee, distributor, lessor, lessee, sublessor, or sublessee of the Company, of any contract, obligation, or act necessary or convenient for the transaction of business by the Company, or by such affiliate, other entity, franchisee, licensee, distributor, lessor, lessee, sublessor, or sublessee;
- (6) reports and returns, including but not limited to tax returns, to any Federal, state, county, municipal, or other governmental authority;
- (7) powers of attorney and appointments of agents, attorneys, representatives, or customs brokers to transact the business of the Company before any authority and to appear for the Company in the lawful process of any and all claims filed in or before such authority, including but not limited to any municipal, small claims, or other court, any alcoholic beverage authority, the Internal Revenue Service, or the United States Treasury Department, including authority in such agents, attorneys, representatives, and brokers to execute and deliver any documents required in connection therewith and to accept service of process issued by any such court or authority, for and on behalf of the Company, and each individual so appointed shall be deemed to have been appointed by the Board;
- (8) settlements and releases of any and all claims by or against the Company;
- (9) notes, bonds, deeds, mortgages, or any other evidences of, or security for, indebtedness of the Company, including but not limited to security agreements, financing statements, and other documents under the Uniform Commercial Code;
- (10) agreements, indentures, and other instruments relating to the borrowing of money by the Company;
- (11) proxies, discretionary and otherwise, in connection with shares of stock owned by the Company, both as to ordinary and extraordinary matters, including but not limited to, mergers, liquidations, dissolutions, and consolidations;
- (12) pledge agreements, and such other instruments as are deemed necessary by any of the said officers, encumbering shares of stock or other assets owned by the Company;
- (13) applications for letters of credit and similar instruments, together with any and all other documents incident thereto, necessary or convenient for transacting the business of the Company; and
- (14) escrow agreements with banks.