


REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

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

FROM: Glen D. Blackburn, P.E., Director, Right-of-Way Services 

DATE: December 12, 2023

ROW #: 2023-DEDICATION-0000159 **SCHEDULE #:** Adjacent to 22 schedule numbers – See 2nd page

TITLE: This request is to dedicate a City-owned parcel of land as Public Alley, bounded by East 22nd Avenue, North Elm Street, East 23rd Avenue and North Eudora 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 Public Alley.

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 Right-of-Way. The land is described as follows:

INSERT PARCEL DESCRIPTION ROW (2023-DEDICATION-0000159-001) HERE.

A map of the area to be dedicated is attached.

GB/PR/LRA

cc: Dept. of Real Estate, RealEstate@denvergov.org
City Councilperson, Darrell Watson, District # 9
Council Aide, N/A
Council Aide, N/A
City Council Staff, Luke Palmisano
Environmental Services, Andrew Ross
DOTI, Manager's Office, Alba Castro
DOTI, Manager's Office Jason Gallardo
DOTI, Deputy Director, Right-of-Way Services, Glen Blackburn
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
DOTI Survey, Paul Rogalla
DOTI Ordinance
Project file folder 2023-DEDICATION-0000159

Near 4933 E 22nd Ave - bounded by E 22nd Ave, N Elm St., E 23rd Ave, and N Eudora St

22 parcels

0131123012000, 0131123010000, 0131123009000, 0131123008000, 0131123007000, 0131123006000,
0131123025000, 0131123026000, 0131123003000, 0131123002000, and 0131123001000

0131123024000, 0131123023000, 0131123022000, 0131123021000, 0131123020000, 0131123019000,
0131123018000, 0131123017000, 0131123016000, 0131123015000, and 0131123013000

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: December 12, 2023

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 Public Alley, bounded by East 22nd Avenue, North Elm Street, East 23rd Avenue and North Eudora 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 remnant alley parcel dedication as right-of-way in the More's Park Heights area.

*****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:** Bounded by East 22nd Avenue, North Elm Street, East 23rd Avenue and North Eudora Street
- d. **Affected Council District:** Darrell Watson, 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: 2023-DEDICATION-0000159

Description of Proposed Project: Surveyor is requesting remnant alley parcel dedication as right-of-way in the More's Park Heights area.

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 Alley.

Has a Temp MEP been issued, and if so, what work is underway: N/A

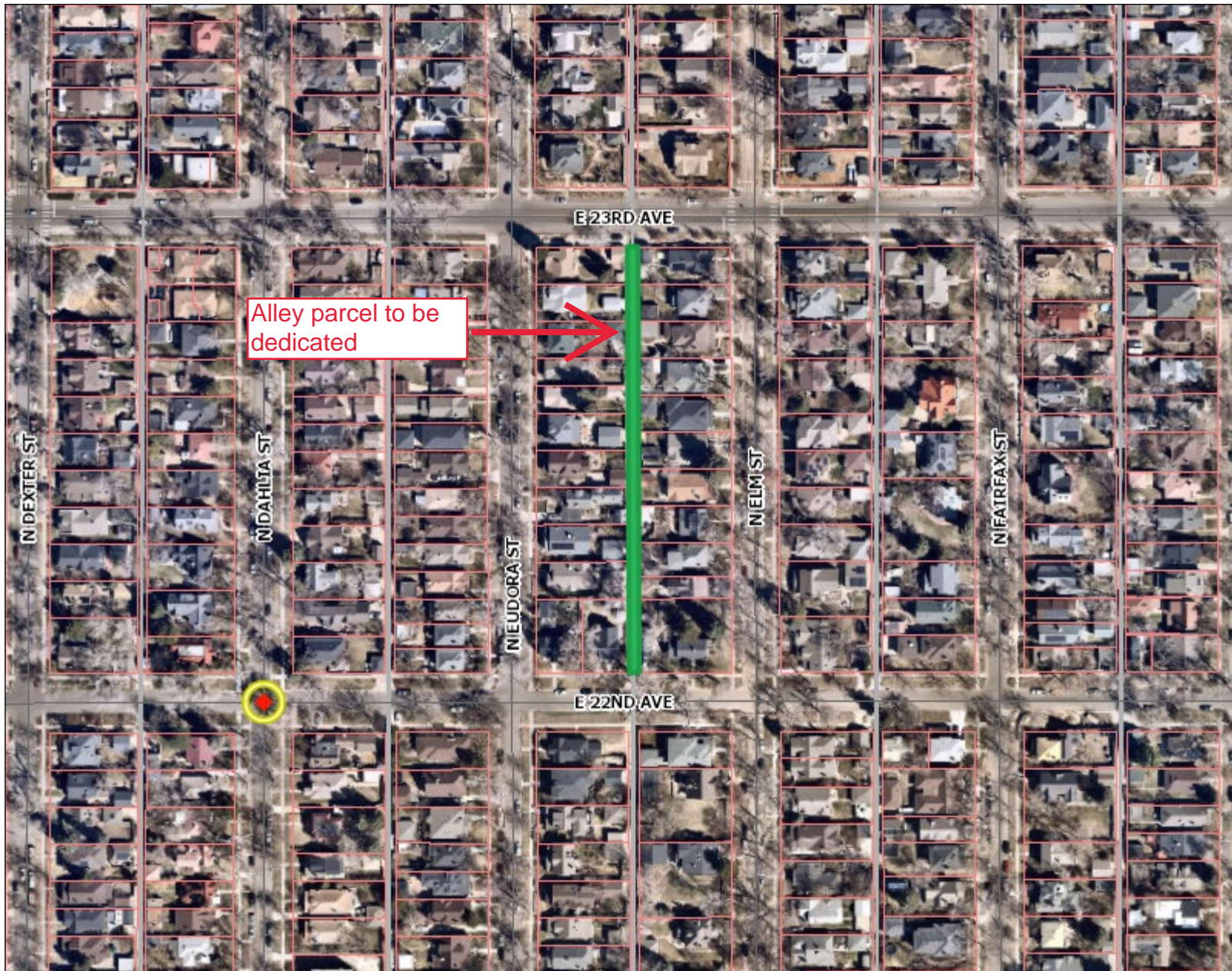
What is the known duration of a MEP: N/A

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

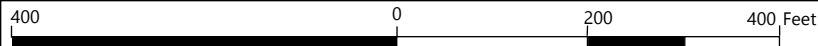
Will an easement relinquishment be submitted at a later date: N/A

Additional information: This land was deeded to the City and County of Denver for the purpose of dedicating it as Public Alley.



Legend

- Streets
- Alleys
- ▭ County Boundary
- ▭ Parcels



PARCEL DESCRIPTION ROW NO. 2023-DEDICATION-0000159-001:

LAND DESCRIPTION – PUBLIC ALLEY

A PARCEL OF LAND CONVEYED TO THE CITY AND COUNTY OF DENVER BY DEED RECORDED DECEMBER 14TH, 1889 AT BOOK 547, PAGE 585 IN THE OFFICE OF THE CLERK AND RECORDER OF THE CITY AND COUNTY OF DENVER, COLORADO, DESCRIBED THEREIN AS:

THE WEST OR REAR SEVEN (7) FEET OF LOTS NUMBERED ONE (1) TO TWENTY THREE (23) INCLUSIVE, AND THE EAST OR REAR SEVEN (7) FEET OF LOTS NUMBERED TWENTY FOUR (24) TO FORTY SIX (46) ALL INCLUSIVE, IN BLOCK SEVEN (7), IN MORE'S PARK HEIGHTS.

Lis Pendens
 Howard C Thompson et al
 vs.
 Erastus Thompson et al
 Filed for Record at
 4 o'clock PM
 Dec 14th 1889
 Jostt. Smith
 Recorder

State of Colorado
 County of Arapahoe
 In The District Court
 Howard C Thompson
 vs.
 Erastus Thompson & Samuel A Thompson
 Plaintiffs
 Erastus Thompson William Thompson
 Ida Collins Eva Spait May Thompson
 and Sylvester H Thompson Defendants
 Notice of Pendency
 To Whom it May Concern:

Notice is hereby given that an action has been commenced and is now pending in this Court upon a Complaint of the above named Defendants for the purpose of obtaining a partition and division of the premises therein described among the owners thereof or for a sale thereof under the direction of this Court and for a division of the proceeds of such sale among such owners according to their respective rights. Which premises were at the time of the commencement of this action and the filing of this notice situated in the County of Arapahoe State of Colorado and are described in the said Complaint as follows:

Lots from Thirty seven (37) to Forty two (42) both inclusive in Block Seven (7) First Re-Sub-division of Byron Mower as more fully appears by the Complaint in the said action and filed with the Clerk of this Court in Arapahoe County to which reference is hereby made
 Dated December 14th 1889
 E W Waybright
 Atty for Plaintiffs

Dedication
 Elmer W. Merritt et al
 to
 Alley in Blk 7
 Morris Park Heights
 Recorded 4 o'clock PM
 December 14th 1889
 Jostt. Smith
 Recorder

This Indenture witnesseth that for and in consideration of One Dollar to us we have paid the receipt of which is hereby acknowledged. We Elmer W Merritt and Philo D Gronow of the County of Arapahoe and State of Colorado have dedicated and set apart to and for the use and occupancy of the public and do hereby dedicate and set apart to and for the use occupancy and enjoyment as and for a public Alley for and by and of the public all that tract or parcel of land situated in the County of Arapahoe State of Colorado and described as follows to wit:

The West or rear seven (7) feet of Lots Numbered One (1) to Twenty three (23) inclusive and the East or rear seven feet of Lots Numbered Twenty four (24) to Forty six (46) inclusive in Block Number Seven (7) in Morris Park Heights as the same appears of Record in the office of the Clerk and Recorder of Arapahoe County said property above described being a strip of ground fourteen (14) feet wide and running the whole length (North and South) of said Block Seven (7) through the center thereof
 In Witness Whereof we

... \$175 payable ...
 ... and turnly for ...
 ... whole amount ...
 ... per cent per annum ...
 ... to him the ...
 ... to the party of the ...
 ... Eighty (88) ...
 ... as shown on ...
 ... the Recorder of ...
 ... to 7 days 100 ...
 ... paid clear ...
 ... thereon punctually ...
 ... taxes that shall be ...
 ... when due ...
 ... of the first part ...
 ... and deliver to the ...
 ... assigned a deed of ...
 ... adopted by him ...
 ... of said premises ...
 ... the payment ...
 ... the same becomes ...
 ... part shall have the ...
 ... giving the party of ...
 ... personally ...
 ... in this Contract ...
 ... assume possession ...
 ... part shall upon ...
 ... thereof with all ...
 ... of the first part ...
 ... And all money ...
 ... tract and have been ...
 ... at the time of ...
 ... shall be ...
 ... for the time of the ...
 ... and the said ...
 ... thereon subsequent ...
 ... first shall be cancelled ...
 ... and assigns of ...
 ... duplicate to be ...
 ... part has set his hand ...
 ... Rosasco (seal) ...
 ... Brown (seal)