

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: January 17, 2024

ROW #: 2024-DEDICATION-0000030 **SCHEDULE #:** Adjacent to 1) 0221404040000, 2) 0221404013000, 3) 0221403001000, 4) 0221403005000, 5) 0221402018000 and 0221402019000, and 6) 0221402019000

TITLE: This request is to dedicate six parcels of land as Public Right-of-Way as 1) West 44th Avenue, located at the intersection of West 44th Avenue and North Lipan Street, 2) West 44th Avenue, located at the intersection of West 44th Avenue and North Kalamath Street, 3) West 44th Avenue, located at the intersection of West 44th Avenue and North Kalamath Street, 4) West 44th Avenue, located at the intersection of West 44th Avenue and North Jason Street, 5) West 44th Avenue, located at the intersection of West 44th Avenue and North Jason Street, and 6) West 44th Avenue, located at the intersection of West 44th Avenue and North Inca 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 1) West 44th Avenue, 2) West 44th Avenue, 3) West 44th Avenue, 4) West 44th Avenue, 5) West 44th Avenue and 6) West 44th Avenue.

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 1) West 44th Avenue, 2) West 44th Avenue, 3) West 44th Avenue, 4) West 44th Avenue, 5) West 44th Avenue and 6) West 44th Avenue. The land is described as follows:

INSERT PARCEL DESCRIPTION ROW (2024-DEDICATION-0000030-001, 002, 003, 004, 005 AND 006) HERE.

A map of the area to be dedicated is attached.

GB/PR/BV



cc: Dept. of Real Estate, RealEstate@denvergov.org
City Councilperson Amanda Sandoval District #1
Council Aide Gina Volpe
Council Aide Melissa Horn
Council Aide Alessandra Dominguez
Environmental Services, Andrew Ross
DOTI, Manager's Office, Alba Castro
DOTI, Manager's Office Nicholas Williams
DOTI, 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, Janet Valdez
DOTI Survey, Paul Rogalla
DOTI Ordinance
Project file folder 2024-DEDICATION-0000030

City and County of Denver Department of Transportation & Infrastructure
Right-of-Way Services
201 W. Colfax Ave. | Denver, CO 80215
www.denvergov.org/doti
Phone: 720-913-1311

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ORDINANCE/RESOLUTION REQUEST

Please email requests to Nicholas Williams
at Nicholas.Williams@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: January 17, 2024

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 six parcels of land as Public Right-of-Way as 1) West 44th Avenue, located at the intersection of West 44th Avenue and North Lipan Street, 2) West 44th Avenue, located at the intersection of West 44th Avenue and North Kalamath Street, 3) West 44th Avenue, located at the intersection of West 44th Avenue and North Kalamath Street, 4) West 44th Avenue, located at the intersection of West 44th Avenue and North Jason Street, 5) West 44th Avenue, located at the intersection of West 44th Avenue and North Jason Street, and 6) West 44th Avenue, located at the intersection of West 44th Avenue and North Inca Street.

3. **Requesting Agency:** DOTI-Right-of-Way Services
Agency Section: 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:** Nicholas Williams
- **Phone:** 720-865-8709
- **Email:** Nicholas.Williams@denvergov.org

6. **General description/background of proposed resolution including contract scope of work if applicable:** Surveyor is requesting a remnant street parcel dedication as West 44th Avenue from North Lipan Street to North Inca Street.

****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:** West 44th Avenue from North Lipan Street to North Inca Street.
- d. **Affected Council District:** Amanda Sandoval, District #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: _____

EXECUTIVE SUMMARY

Project Title: 2024-DEDICATION-0000030

Description of Proposed Project: Surveyor is requesting a remnant street parcel dedication as West 44th Avenue from North Lipan Street to North Inca Street.

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 West 44th Avenue

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 West 44th Avenue.



Legend

- Streets
- Alleys
- ▭ County Boundary
- ▭ Parcels



**PARCEL DESCRIPTION ROW NO. 2024-DEDICATION-0000030-001, 002, 003, 004,
005, and 006:**

LAND DESCRIPTION – WEST 44TH AVENUE:

SIX PARCELS OF LAND LYING IN THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, CONVEYED TO THE CITY AND COUNTY OF DENVER BY DEED RECORDED DECEMBER 19, 1890 AT BOOK 712, PAGE 131 IN THE OFFICE OF THE CLERK AND RECORDER OF THE CITY AND COUNTY OF DENVER, COLORADO, DESCRIBED AS FOLLOWS:

LOTS NUMBERED TWO (2) AND TWENTY NINE (29) IN BLOCK NUMBERED ONE (1);
ALSO LOTS NUMBERED TWO (2) AND TWENTY NINE (29) IN BLOCK NUMBERED TWO (2);
ALSO LOTS NUMBERED TWO (2) AND TWENTY NINE (29) IN BLOCK NUMBERED THREE (3);
ALL BEING IN VIADUCT ADDITION TO DENVER.

This Deed, Made this Twenty second day of August in the year of our Lord One Thousand Eight

QUIT CLAIM DEED.

The Denargo Land Company

TO

The City of Denver

Filed for Record at 2:30 o'clock P.M.,

Dec. 19 1892.

Jos. H. Smith Recorder.

Hundred and Ninety... between The Denargo Land Company a corporation organized and existing under and by virtue of the laws of the State of Colorado by N.P. Hill its President and Crawford Hill its Secretary thereto by resolution of its Board of Directors duly authorized of the County of Arapahoe and State of Colorado, of the first part, and The City of Denver a municipal Corporation organized and existing under and by virtue of the laws of the State of Colorado of the County of Arapahoe and State of Colorado, of the second part:

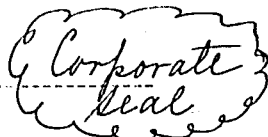
Witnesseth, That the said part... of the first part, for and in consideration of the sum of One Dollar and for the further consideration that the premises herein granted shall always be used only for the purpose of a public highway to the said part... of the first part in hand paid by the said part... of the second part, the receipt whereof is hereby confessed and acknowledged, had... remised, released, sold, conveyed and quit claimed, and by these presents des... remise, release, sell, convey and quit claim unto the said part... of the second part, its successors heirs and assigns forever, all the right, title, interest, claim and demand which the said part... of the first part had... in and to the following described Real Estate situate, lying and being in

the County of Arapahoe and State of Colorado, to-wit: Lots numbered Two (2) and Twenty nine (29) in Block numbered one (1) also lots numbered Two (2) and Twenty nine (29) in Block numbered Two (2); also lots numbered Two (2) and Twenty nine (29) in Block numbered Three (3); all being in Viaduct addition to Denver - the same to be used only for the purposes of a public highway, and to revert to the grantor herein whenever it shall cease to be used.

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 part... of the first part, either in law or equity, to the only proper use, benefit and behoof of the said part... of the second part, its successors heirs and assigns forever.

In Witness Whereof, The said part... of the first part hath hereunto set hand and seal the day and year first above written caused its corporate name to be hereunto subscribed by the hand of its President, its Corporate seal to be hereunto affixed and attested by its Secretary, the day and year first above written. Signed, Sealed and Delivered in Presence of

attest: Crawford Hill Secretary



The Denargo Land Company



by N. P. Hill President



STATE OF COLORADO, } SS. COUNTY OF ARAPAHOE, }

I, Thomas Longe

a Notary Public

in and for said County, in the State aforesaid, do hereby certify that N.P. Hill, President and Crawford Hill, Secretary of the Denargo Land Company

who are 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 they signed, sealed and delivered the said instrument of writing as the free and voluntary act, for the uses and purposes therein set forth and deeds of the Denargo Land Company for the uses and purposes therein set forth and that the said President had authority from said Company to sign its name and the said Secretary to attach its Corporate seal to said instrument

Given under my hand and Notarial seal this twenty sixth day of August A. D. 1892.



Thomas Longe

Notary Public.

My Commission expires 7th March 1892.