

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: July 11, 2017

ROW #: 2017-Dedication-0000129 **SCHEDULE #:** Adjacent to 0511308035000

TITLE: This request is to dedicate City owned land as Public Alley.
Located near the intersection of E. 5th and Grant 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 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 Alley. The land is described as follows:

INSERT PARCEL DESCRIPTION ROW (2017-Dedication-0000129-001) HERE.

A map of the area to be dedicated is attached.

MB/BLV

c: Asset Management, Robert Koehler
City Councilperson & Aides, Wayne New District # 10
Council Aide Melissa Horn
Council Aide Molly Williams
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,
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: July 11, 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.**)

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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 Public Alley.

****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:** E. 5th and Grant St.
- d. **Affected Council District:** Wayne New Dist. #10
- 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

DENVER
THE MILE HIGH CITY

Project Title: 2017-Dedication-0000129

Description of Proposed Project: Dedicate a parcel of public right of way as Public Alley.

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

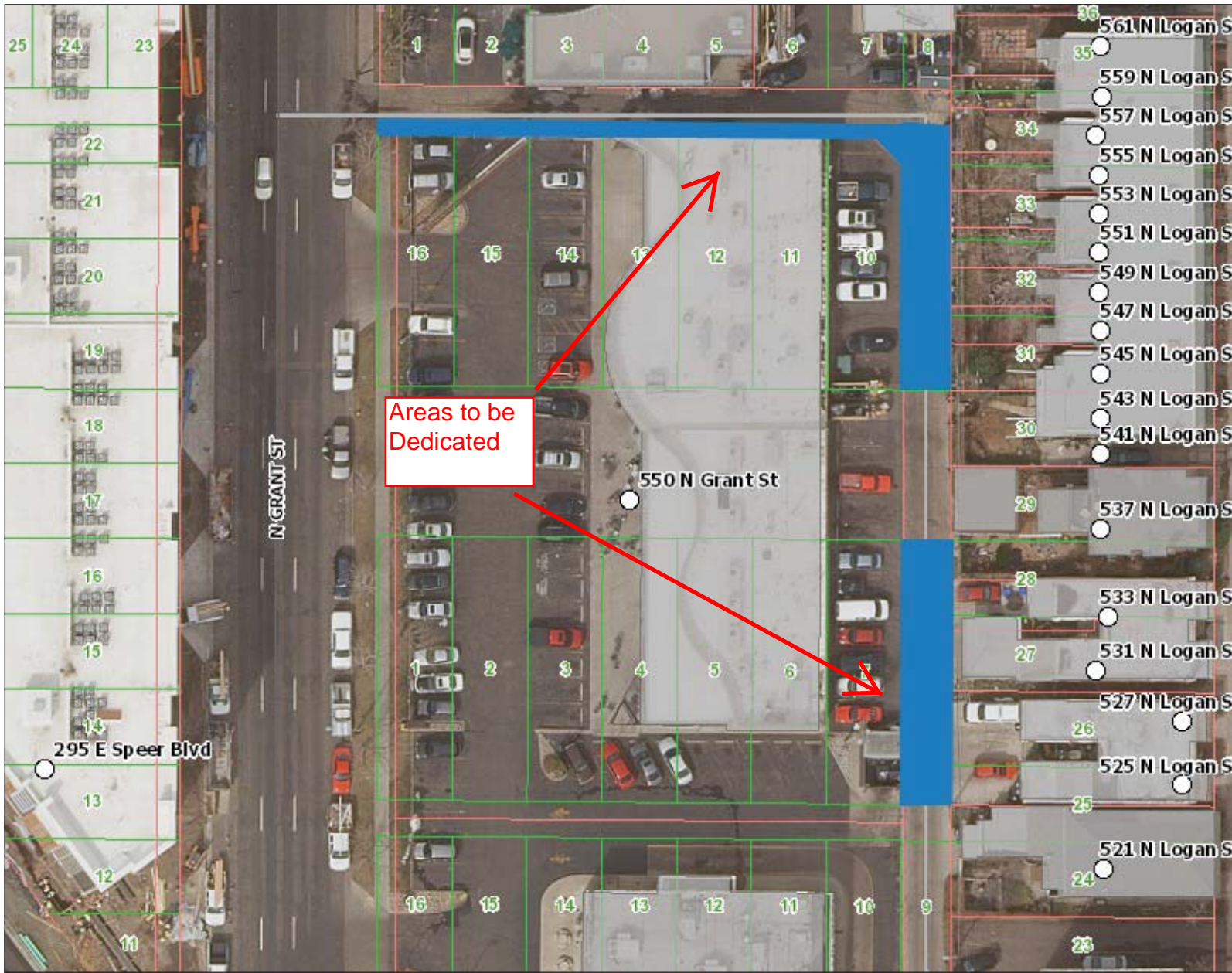
What is the known duration of an MEP: N/A

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.



Areas to be Dedicated

- ### Legend
- Active Addresses
 - Associated
 - Land
 - Structure
 - Utility
 - Streams
 - Irrigation Ditches Reconstructe Gardeners)
 - Irrigation Ditches
 - Buildings 2014
 - Streets
 - Alleys
 - Railroads
 - + Main
 - + Yard
 - + Spur
 - + Siding
 - + Interchange track
 - + Other
 - Bridges
 - Rail Transit Stations
 - Existing
 - Planned
 - Park-N-Ride Locations
 - Lakes
 - County Boundary
 - Parcels
 - Lots/Blocks
 - Parks
 - All Other Parks; Linear
 - Mountain Parks



Two parcels of land conveyed by Quit Claim Deed to the City and County of Denver, recorded on April 1, 1927, at Book 3698, Page 563 in the City and County of Denver Clerk and Recorder's Office, State of Colorado, being more particularly described as follows:

Parcel 1

Beginning at the Northwest corner of Lot 16, Block 1, East Broadway Terrace Second Filing;
Thence East along the North lines of Lots 16, 15, 14, 13, 12, 11, 10, and 9 in said Block 1, 191.08 feet, more or less, to the Northeast corner of said Lot 9;
Thence South along the East line of said Lot 9, 88 feet, more or less, to the Southeast corner of said Lot 9;
Thence West along the South line of said Lot 9, 16 feet to a point on the South line of said Lot 9;
Thence North 16 feet West of and parallel to the East line of said Lot 9, 74 feet to a point, said point being 14 feet South of the North line of said Lot 9;
Thence Northwesterly, 14.1 feet, more or less, to a point, said point being 4 feet South of the North line of said Lot 10, and 26 feet West of the East line of said Lot 9;
Thence West, 4 feet South of and parallel to the North lines of said Lots 10, 11, 12, 13, 14, 15, and 16, in said Block 1, 165.09 feet, more or less, to a point on the West Line of said Lot 16, said point being 4 feet south of the Northwest corner of said Lot 16;
Thence North 4 feet along the West line of said Lot 16 to the Northwest corner of said Lot 16, and the point of Beginning.

Together with

Parcel 2

The easterly 16 feet of Lot 8, Block 3, East Broadway Terrace Second Filing

This Deed, Made this 7th day of March in the year of our Lord one thousand nine hundred and twenty seven, between GENERAL OUTDOOR ADVERTISING COMPANY, INC.,

a corporation duly organized and existing under and by virtue of the laws of the State of ^{new Jersey and} Colorado, of the first part, and THE 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 One dollar and other 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 remised, released, sold, conveyed and QUIT CLAIMED, and by these presents doth 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 hath in and to the following described Property, situate, lying

and being in the City & County of Denver and State of Colorado, to-wit: Commencing at the North West Corner of Lot sixteen (16), Block one (1), East Broadway Terrace, Second Filing; thence East along the North lines of Lots sixteen (16), Fifteen (15), fourteen (14), thirteen (13), twelve (12), eleven (11), ten (10) and nine (9), in said Block, one hundred and ninety one, and eight hundredths (191.08) feet, more or less, to the North East corner of said Lot nine (9); thence South, eighty eight (88) feet, more or less, to the South East Corner of said Lot nine (9); thence West along the South line of said Lot nine (9), a distance of sixteen (16) feet to a point; thence North and parallel with the East line of said Lot nine (9), seventy four (74) feet to a point, said point being fourteen (14) feet, South of the North line of said Lot nine (9); thence Northwesterly, fourteen and one tenth (14.1) feet, more or less, to a point, said point being four (4) feet South of the North line of said Lot ten (10), and twenty six (26) feet, West of the East line of said Lot nine (9); thence West and parallel to the North lines of said Lots, 10, 11, 12, 13, 15 and 16, in said Block, one hundred and sixty five and nine one hundredths (165.09) feet, more or less, thence North four (4) to the place of beginning.

ALSO, Commencing at the South West Corner of Lot one (1), Block three (3), East Broadway Terrace, Second Filing; thence East along the South lines of Lots one (1), two (2), three (3), four (4), five (5), six (6), seven (7) and eight (8), in said Block, one hundred and ninety one and sixty-one hundredths (191.61) feet, more or less, to the South East corner of said Lot eight (8); thence, North eighty eight (88) feet, more or less, to the North East Corner of said Lot eight (8); thence West, along the North line of said Lot eight (8), a distance of sixteen (16) feet, to a point; thence South, and parallel with the East line of said Lot eight (8), seventy four (74) feet to a point, said point being fourteen (14) feet North of the South line of said Lot eight (8), thence Southwesterly, fourteen and one tenth (14.1) feet, more or less, to a point, said point being four feet North of the South line of said Lot seven (7), and twenty six (26) feet West of the East line of said Lot eight (8); thence West and parallel to the South lines of said Lots 7, 6, 5, 4, 3, 2 and one (1) in said Block, one hundred and sixty five and sixty one hundredths (165.60) feet, more or less to the West line of said Block; thence south four (4) feet, to the place of beginning.

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 part of the second part, its ~~heirs~~ **SUCCESSORS** and assigns forever.

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.



GENERAL OUTDOOR ADVERTISING Co., INC.

By *H. E. Fisk*
Vice-President.

Attest:

J. W. Digges

Secretary.

New York
STATE OF ~~COLORADO~~

COUNTY OF New York

} ss

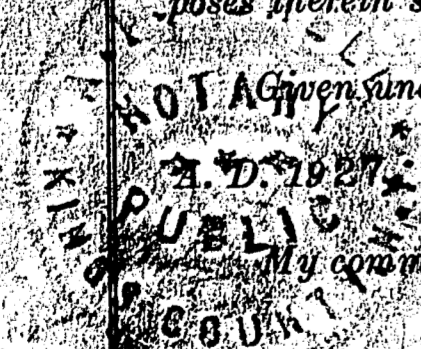
I, A. P. Schell, a Notary Public in and for said New York County, in the State aforesaid, do hereby certify that *H. E. Fisk and J. W. Digges*

who are personally known to me to be the same persons whose names are subscribed to the foregoing deed as having executed the same respectively as Vice-President and Secretary of The General Outdoor Advertising Company, Inc.

a corporation, and who are known to me to be such officers, respectively, appeared before me this day in person, and severally acknowledged: That the seal affixed to the foregoing instrument is the corporate seal of said corporation; that the same was thereunto affixed by the authority of said corporation; that said instrument was by like authority subscribed with its corporate name; that the said

H. E. Fisk is the Vice-President of said corporation, and the said *J. W. Digges* is the Secretary thereof; that by the authority of said corporation they respectively subscribed their names thereto as Vice-President and Secretary, and that they signed, sealed and delivered the said instrument of writing as their free and voluntary act and deed, and as a free and voluntary act and deed of said corporation for the uses and purposes therein set forth.

NOT Given under my hand and NOTARIAL seal, this 12th day of March



NOTARY PUBLIC, KINGS COUNTY
KINGS Co. CLK'S No. 248, REG. No. 8267
N. Y. Co. CLK'S No. 1030, REG. Nos 766
COMMISSION EXPIRES MARCH 30, 1928

A. P. Schell
NOTARY PUBLIC.

FORM APPROVED: 3/28/27
HENRY R. MAY, CITY ATTORNEY

Ernest A. Hays
ASSISTANT ATTORNEY