

**REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY**

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

**FROM:** Matt R. Bryner, P.E., Director, Right-of-Way Services

*Matt R. Bryner*  
Matt R. Bryner (Apr 12, 2023 09:29 MDT)

**DATE:** April 12, 2023

**ROW #:** 2023-DEDICATION-0000072 **SCHEDULE #:** Adjacent to 1) 0517400004000,  
2) 0517400026000 and 3) 0517400027000

**TITLE:** This request is to dedicate three City-owned parcels of land as 1) W. Tennessee Ave., located at intersection of W. Tennessee Ave. and S. Federal Blvd., 2) W. Tennessee Ave., located at intersection of W. Tennessee Ave. and S. Eliot St., and 3) W. Tennessee Ave., located at the intersection of W. Tennessee Ave. and S. Eliot 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 1) W. Tennessee Ave., 2) W. Tennessee Ave., and 3) W. Tennessee 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 Public Right-of-Way. The land is described as follows:

**INSERT PARCEL DESCRIPTION ROW (2023-DEDICATION-0000072-001, 002, 003) HERE.**

A map of the area to be dedicated is attached.

MB/PR /DG

c: Dept. of Real Estate, [RealEstate@denvergov.org](mailto:RealEstate@denvergov.org)  
City Councilperson Jolon Clark District # 7  
Council Aide Iris Tan  
City Council Staff, Luke Palmisano  
Environmental Services, Andrew Ross  
DOTI, Manager's Office, Alba Castro  
DOTI, Manager's Office Jason Gallardo  
DOTI, Director, Right-of-Way Engineering Services, Matt Bryner  
Department of Law, Johna Varty  
Department of Law, Martin Plate  
Department of Law, Deanne Durfee  
Department of Law, Ivone Avila-Ponce  
Department of Law, Uyen Tran  
DOTI Survey, Paul Rogalla  
DOTI Ordinance  
Project file folder 2023-DEDICATION-0000072

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

## ORDINANCE/RESOLUTION REQUEST

Please email requests to Jason Gallardo  
at [Jason.Gallardo@DenverGov.org](mailto: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: April 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 three City-owned parcels of land as 1) W. Tennessee Ave., located at intersection of W. Tennessee Ave. and S. Federal Blvd., 2) W. Tennessee Ave., located at intersection of W. Tennessee Ave. and S. Eliot St., and 3) W. Tennessee Ave., located at the intersection of W. Tennessee Ave. and S. Eliot St.

3. **Requesting Agency:** DOTI-Right-of-Way Services  
**Agency Section:** Survey

4. **Contact Person:** (With actual knowledge of proposed ordinance/resolution.)

- **Name:** Dalila Gutierrez
- **Phone:** 720-865-3207
- **Email:** [Dalila.gutierrez@denvergov.org](mailto:Dalila.gutierrez@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](mailto:Jason.Gallardo@denvergov.org)

6. **General description/background of proposed resolution including contract scope of work if applicable:** Surveyor is requesting a remnant parcel dedication as right-of-way. It is three parcels of W. Tennessee Ave. between intersections of S. Federal Blvd. and S. Eliot 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:** At the intersection of W. Tennessee Ave. between S. Federal Blvd. and S. Eliot St.
- d. **Affected Council District:** Jolon Clark District # 7
- 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-0000072

**Description of Proposed Project:** Surveyor is requesting a remnant parcel dedication as right-of-way. It is three parcels of W. Tennessee Ave. between intersections of S. Federal Blvd. and S. Eliot 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 be dedicated as 1) W. Tennessee Ave., 2) W. Tennessee Ave., and 3) W. Tennessee Ave.

**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 1) W. Tennessee Ave., 2) W. Tennessee Ave., and 3) W. Tennessee Ave.



## Legend

- ▲ Well Restrictions
- Barrier Restrictions
- Area Restrictions
  - Liner
  - Sheet Pile Wall Area
- Streams
- Irrigation Ditches Reconstruct (Gardeners)
- Irrigation Ditches
- 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

289 0 144.5 289 Feet

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
© City and County of Denver

1:2,257

Map Generated 4/11/2023

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THIS IS NOT A LEGAL DOCUMENT.



THREE PARCELS OF LAND, ALL BEING WITHIN THE SOUTH 105 FEET OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 4 SOUTH, RANGE 68 WEST, 6<sup>TH</sup> PRINCIPAL MERIDIAN, CONVEYED TO THE CITY AND COUNTY OF DENVER BY DEED RECORDED SEPTEMBER 3, 1957 AT BOOK 8084, PAGE 198 IN THE OFFICE OF THE CLERK AND RECORDER OF THE CITY AND COUNTY OF DENVER, COLORADO, AND DESCRIBED THEREIN AS:

**PARCEL DESCRIPTION ROW NO. 2023-DEDICATION-0000072-001:**

**LAND DESCRIPTION – WEST TENNESSEE AVENUE PARCEL NO. 1:**

BEGINNING AT A POINT WHICH IS 50 FEET EAST OF THE WEST BOUNDARY OF SAID QUARTER SECTION AND 30 FEET NORTH OF THE SOUTH BOUNDARY OF SAID ONE HUNDRED FIVE (105) FOOT STRIP; THENCE NORTHERLY 12 FEET AND PARALLEL TO WEST BOUNDARY OF SAID QUARTER SECTION; THENCE EASTERLY 125 FEET AND PARALLEL TO THE SOUTH BOUNDARY OF SAID 105 FOOT STRIP; THENCE SOUTHERLY 12 FEET AND PARALLEL TO THE WEST BOUNDARY OF SAID QUARTER SECTION; THENCE WESTERLY 125 FEET AND PARALLEL TO THE SOUTH BOUNDARY OF SAID 105 FOOT STRIP TO THE PLACE OF BEGINNING.

**PARCEL DESCRIPTION ROW NO. 2023-DEDICATION-0000072-002:**

**LAND DESCRIPTION – WEST TENNESSEE AVENUE PARCEL NO. 2:**

BEGINNING AT A POINT WHICH IS 191 FEET EAST OF THE WEST BOUNDARY OF SAID QUARTER SECTION AND 30 FEET NORTH OF THE SOUTH BOUNDARY OF SAID ONE HUNDRED AND FIVE (105) FOOT STRIP; THENCE NORTHERLY 12 FEET AND PARALLEL TO THE WEST BOUNDARY OF SAID QUARTER SECTION; THENCE EASTERLY 125 FEET AND PARALLEL TO THE SOUTH BOUNDARY OF SAID 105 FOOT STRIP; THENCE SOUTHERLY 12 FEET AND PARALLEL TO THE WEST BOUNDARY OF SAID QUARTER SECTION; THENCE WESTERLY 125 FEET AND PARALLEL TO THE SOUTH BOUNDARY OF SAID 105 FOOT STRIP TO THE PLACE OF BEGINNING.

**PARCEL DESCRIPTION ROW NO. 2023-DEDICATION-0000072-003:**

**LAND DESCRIPTION – WEST TENNESSEE AVENUE PARCEL NO. 3:**

BEGINNING AT A POINT WHICH IS 376 FEET EAST OF THE WEST BOUNDARY OF SAID QUARTER SECTION AND 30 FEET NORTH OF THE SOUTH BOUNDARY OF SAID 105 FOOT STRIP; THENCE NORTHERLY 12 FEET AND PARALLEL TO THE WEST BOUNDARY OF SAID QUARTER SECTION; THENCE SOUTHEASTERLY TO A POINT WHICH IS 12 FEET EAST OF THE POINT OF BEGINNING AND 30 FEET NORTH OF THE SOUTH LINE OF SAID 105 FOOT STRIP; THENCE WESTERLY 12 FEET TO PLACE OF BEGINNING.

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THIS DEED, Made this 9th day of August, in the year of our Lord one thousand nine hundred and fifty seven between PUBLIC SERVICE COMPANY OF COLORADO, a corporation duly organized and existing under and by virtue of the laws of the State of Colorado, of the first part, and CITY AND COUNTY OF DENVER, a municipal corporation of the State of Colorado, of the second part,

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WITNESSETH, That the said party of the first part, for and in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration, 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 tract or parcel situate, lying and being in the City and County of Denver and State of Colorado, to-wit:

The following tracts of land, all being within the South one hundred five (105) feet of the North Half of the Southwest Quarter of the Southeast Quarter (N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ ) Section 17, Township Four (4) South, Range Sixty-eight (68) West, 6th P.M., described as follows:

Parcel 1: Beginning at a point which is 50 feet East of the west boundary of said quarter section and 30 feet North of the south boundary of said one hundred five (105) foot strip; thence northerly 12 feet and parallel to west boundary of said quarter section; thence easterly 125 feet and parallel to the south boundary of said 105 foot strip; thence southerly 12 feet and parallel to the west boundary of said quarter section; thence westerly 125 feet and parallel to the south boundary of said 105 foot strip to the place of beginning.

Parcel 2: Beginning at a point which is 191 feet East of the west boundary of said quarter section and 30 feet North of the south boundary of said one hundred and five (105) foot strip; thence northerly 12 feet and parallel to the west boundary of said quarter section; thence easterly 125 feet and parallel to the south boundary of said 105 foot strip; thence southerly 12 feet and parallel to the west boundary of said quarter section; thence westerly 125 feet and parallel to the south boundary of said 105 foot strip to the place of beginning.

Parcel 3: Beginning at a point which is 376 feet East of the west boundary of said quarter section and 30 feet North of the south boundary of said 105 foot strip; thence northerly 12 feet and parallel to the west boundary of said quarter section; thence southeasterly to a point which is 12 feet east of the point of beginning and 30 feet north of the south line of said 105 foot strip; thence westerly 12 feet to place of beginning. The grantor reserves and excepts to and for itself, its successors and assigns an easement for its electric conductors across the hereinbefore described premises. Grantee covenants and agrees that it will not alter or change the grade of the street so as to reduce the clearance between the said street and conductors to less than 39 feet at 60° Fahrenheit. The above described tract of land is to be used for road purposes only and in the event it is no longer used for such purpose, the land will revert to Public Service Company of Colorado, its successors or assigns.

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 party of the second part, its successors and assigns forever.

As to Form

APPROVED FOR RECORDING:  
LAND OFFICE BY *[Signature]*

City Atty's Office

92113

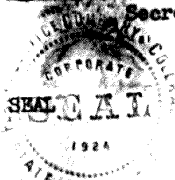
8084 199

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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:

H. A. Mitchell  
Secretary



PUBLIC SERVICE COMPANY OF COLORADO

By

M. M. Koch

Vice President

STATE OF COLORADO

CITY AND COUNTY OF DENVER )

SS

The foregoing instrument was acknowledged before me this 9th day of August, 1957, by M. M. Koch as Vice President and H. A. MITCHELL as Secretary of Public Service Company of Colorado, a corporation.

My commission expires February 1, 1961  
Witness my hand and official seal.

Mamie M. Andrews  
Notary Public

SEP-357 139282

LST- QC

0.00

RECORDED IN 8084 198  
PAGE 1  
CLERK AND ORDER

STANSFIELD  
a g Hamburg

92113

8084 199

353  
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ATTEST:

H. Mitchell  
Secretary

SEAL

PUBLIC SERVICE COMPANY OF COLORADO

By M. M. Koch  
Vice President

STATE OF COLORADO )  
CITY AND COUNTY OF DENVER ) SS

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Mamie McAndrews  
Notary Public

SEP-3-57 139282 LSI-QC 0.00

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