

## **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 13, 2023 12:22 MDT)

- **DATE:** April 13, 2023
- **ROW #:** 2023-DEDICATION-0000075 **SCHEDULE #:** Adjacent to 1)0517400092000 and 2) 0517400109000 and 3) 0517400140000 and 0517400163000
- TITLE: This request is to dedicate three City-owned parcels of land as 1) W. Tennessee Ave., at intersection of W. Tennessee Ave. and S. Dale Ct., 2) W. Tennessee Ave., at intersection of W. Tennessee Ave. and S. Decatur St., and 3) W. Tennessee Ave., at the intersection of W. Tennessee Ave., between S. Dale Ct. and S. Clay 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-0000075-001, 002, 003) HERE.

A map of the area to be dedicated is attached.

### MB/PR/DG

Dept. of Real Estate, RealEstate@denvergov.org c: 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-0000075

> 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

## **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:	April 13, 2023	
Please mark one:		Bill Request	or		<b>Resolution Request</b>			
1.	Has your agen	ncy submitted this request in	n the last 12	2 mont	hs?			
	Yes	🖂 No						
	If yes, plea	ase explain:						
2.	<b>Title:</b> This request is to dedicate three City-owned parcels of land as 1) W. Tennessee Ave., at intersection of W. Tennessee Av and S. Dale Ct., 2) W. Tennessee Ave., at intersection of W. Tennessee Ave. and S. Decatur St., and 3) W. Tennessee Ave., at the intersection of W. Tennessee Ave., between S. Dale Ct. and S. Clay St.							
3.	Requesting Ag Agency Sectio	gency: DOTI-Right-of-Way n: Survey	Services					
4.	<ul> <li>Name: D</li> <li>Phone: 72</li> </ul>	n: (W <i>ith actual knowledge o</i> Dalila Gutierrez 20-865-3207 Dalila.Gutierrez@denvergov.c		ordinan	ace/resolution.)			
5.	will be availab ■ Name: Ja ■ Phone: 72	n: (W <i>ith actual knowledge o <u>le for first and second readin</u> ason Gallardo 20-865-8723 ason.Gallardo@denvergov.or</i>	<u>g, if necessa</u>		nce/resolution <u>who wil</u>	<u>l present the item at M</u>	<u>ayor-Council and who</u>	

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 intersection of S. Decatur St. and S. Clay 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. Decatur Stand S. Clay 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.

Date Entered:



## **EXECUTIVE SUMMARY**

Project Title: 2023-DEDICATION-0000075

**Description of Proposed Project:** Surveyor is requesting a remnant parcel dedication as right-of-way. It is three parcels of W. Tennessee Ave. between intersection of S. Decatur St. and S. Clay 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

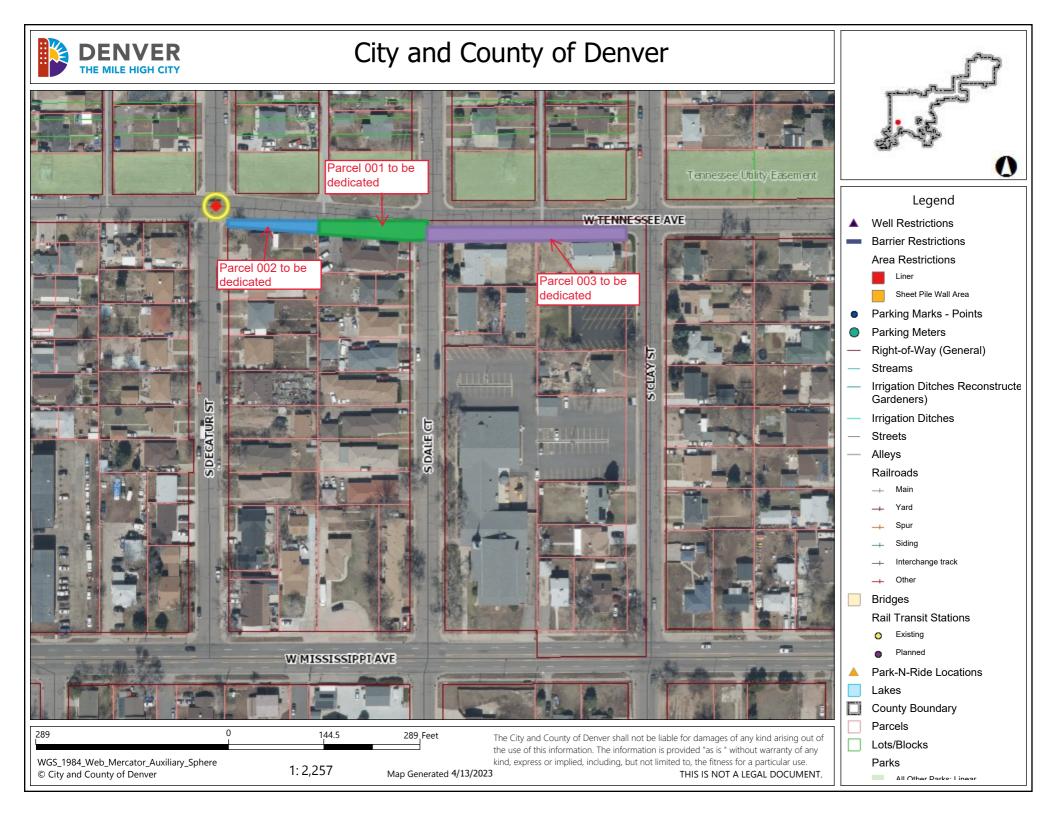
Will an easement be placed over a vacated area, and if so explain: N/A

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.

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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# PARCEL DESCRIPTION ROW NO. 2023-DEDICATION-0000075-001:

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

A PARCEL OF LAND CONVEYED TO THE CITY AND COUNTY OF DENVER BY DEED RECORDED JANUARY 16, 1958 AT BOOK 8137, PAGE 313 IN THE OFFICE OF THE CLERK AND RECORDER OF THE CITY AND COUNTY OF DENVER, COLORADO, DESCRIBED THEREIN AS:

THE NORTH 30 FEET OF THAT PART OF THE SOUTHEAST QUARTER (SE ¼) OF THE SOUTHWEST QUARTER (SW ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION 17, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING ON THE NORTH LINE OF MISSISSIPPI AVENUE 825.625 FEET EAST AND 40 FEET NORTH OF THE SOUTHWEST CORNER OF THE SE ¼ OF SAID SECTION 17: THENCE NORTH 620 FEET; THENCE EAST 165.125 FEET; THENCE SOUTH 620 FEET; THENCE WEST 165.125 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

EXCEPT THAT PARCEL DESCRIBED IN ORDINANCE 278 OF 1960.

# PARCEL DESCRIPTION ROW NO. 2023-DEDICATION-0000075-002:

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

A PARCEL OF LAND CONVEYED TO THE CITY AND COUNTY OF DENVER BY DEED RECORDED NOVEMBER 13, 1950 AT BOOK 6828, PAGE 456 IN THE OFFICE OF THE CLERK AND RECORDER OF THE CITY AND COUNTY OF DENVER, COLORADO, DESCRIBED THEREIN AS:

THE NORTH 30 FEET OF THAT PART OF THE S ½ OF THE SW ¼ OF THE SE ¼ OF SECTION 17, TOWNSHIP 4 SOUTH, RANGE 68 WEST, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 330 FEET NORTH OF THE SW CORNER OF THE SE ¼ OF THE SW ¼ OF THE SE ¼ OF SECTION 17, TOWNSHP 4 SOUTH, RANGE 68 WEST, THENCE NORTH 330 FEET, THENCE EAST 165.125 FEET, THENCE SOUTH 330 FEET, THENCE WEST 165.125 FEET TO THE POINT OF BEGINNING.

EXCEPT THAT PARCEL DESCRIBED IN ORDINANCE 278 OF 1960.

# PARCEL DESCRIPTION ROW NO. 2023-DEDICATION-0000075-003:

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

A PARCEL OF LAND CONVEYED TO THE CITY AND COUNTY OF DENVER BY DEED RECORDED NOVEMBER 13, 1950 AT BOOK 6828, PAGE 457 IN THE OFFICE OF THE CLERK AND RECORDER OF THE CITY AND COUNTY OF DENVER, COLORADO, DESCRIBED THEREIN AS:

THE NORTH 30 FEET OF THE E ½ OF THE SE ¼ OF THE SW ¼ OF THE SE ¼ OF SECTION 17, TOWNSHIP 4 SOUTH, RANGE 68 WEST.

EXCEPT THE EAST 30 FEET THEREOF.

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<pre>VTTMESSETH, That the said part iss</pre>	<pre>WTMPMESSETH, That the said part 1 as</pre>	e City and County of Denver CITY AND COUNTY OF DENVER, a municip consti	al corporation
Set of Section 17, formining 4 South 7 August 19, Augus	SEE of Section 17, 100mining 4 South 7 Anget the second part, is a follows: Beginning at a point 330 feet North of the SW corner of the SW of Section 17, Township 1, South, Hange 60 West, thence North 330 feet, thence East 165.125 feet to point of beginning. TOGETHER with all and singular the herediaments and appurtenances thereanto belonging, or in anywise appertaining, and the reversion and reversion areminders, rents, issues and profits thereof; and all the catter, right, titls, interest, caim and demand whatoever of the aid part 169 of the first part, either in law or equity, of, in and to the above barguined premises, with the herediaments and appurtenances, unto the said part 169 of the first part, either in law or equity, of, in and to the above barguined premises above barguined and described, with the appurtenances, unto the said part (its successors and assigns forever. And the said part 165 of the first part, of them set 50 in the said premises and set and with the said part 165 of the first part, of the said part, its successors and assigns forever. And the said part 165 of the first part, of the said part of the could part, its successors and assigns forever. And the said part 165 of the first part, its successors and assigns forever. And the said part 165 of the first part, for under the said part 165 of the first part, its successors and assigns forever. And the said part 165 of the first part, its successors and assigns forever. And the said part 165 of the first part, the said and there is a show the said part 165 of the first part is successors and assigns forever. And the said part of the second part, its successors and assigns forever. And the said part of the second part, its author the said part 165 of the first part 165 o	WITNESSETH, That the said part ies (\$10.00) DOLLARS, and other good and he said part ies of the first part in hand paid b by confessed and acknowledged, ha ve granted, bar at, bargain, sell, convey and confirm, unto the said pa he following described lot or parcel of land	of the first part, for and in consideration of the sum of d valuable consideration <b>DOUTSALE</b> , by the said party of the second part, the receipt whereof is regained, sold and conveyed, and by these presents do arty of the second part, its successors and assigns forever, ad, situate, lying and being in the City and County
Beginning at a point 330 feet North of the SW corner of the SW of the SW of the SE of Section 17, Township 1 South, Hange 68 West, thence North 330 feet, thence East 155.125 feet themce South 330 feet thence a set 165.125 feet to point of beginning.	Beginning at a point 330 feet North of the SW corner of the SW of the SW of the SW of Section 17, Township 1, South, Hange 66 West, thence North 330 feet, thence East 165.125 feet to point of beginning. TOGETHER with all and singular the hereditaments and appurtenances thereanto belonging, or in anywise appertaining, and the reversion and reversions, remainders, rents, insues and profits thereof; and all the etate, right, titls, hittered, caim and demand whatoever of the said part ics of the first part, either in law or equity, of, in and to the above barguined premises, with the hereditaments and appurtenances. Unto the said part ics of the first part, either in law or equity, of, in and to the above barguined premises, with the hereditaments and appurtenances, unto the maid part of the scond part, its successors and assigns forever. And the said part ics of the first part, either in law or them set of the intervent, its successors and assigns forever. And the said part ics of the first part, its successors and assigns forever. And the said part ics of the first part, its successors and assigns forever. And the said part ics of the first part, its successors and assigns forever. And the said part ics of the first part, its successors and assigns forever. And the said part ics of the first part, its successors and assigns forever. And the said part ics of the first, bargains, sales, liens, taxes, assessments and incumbrances of whatever kind or nature seever. and the above bargained premises in the quiet and possession of the said party of the second part, its auccessors and assigns forest parts have the indice of the first part ics of the said part ics of the first part	SEt of Section 1(, townshi)	part of the St of the SW2 of the p 4 South , Range 68 West, described
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the frank Country of Denver The toresting is strument was acknowledged before me this 25/10 day of October 1950-04 the form and R. R. Anderson WE rease and and official seal.	The first of the set o		
		atter and County of Denver In-Total Ingristrument was acknowledged before Do-And Strong G. Anderson and R. R. A	
			N. Vent. & P352 Ruchoth
No. 952. WARRANTY DEED TO CORPORATION - For Photographic Beauting in Contract State State St. Deaver, Cola.		*	

837922 Recorded at 3.30 o'clock P.M. NOV 13 19980K 6828 PAGE 457 Reception No. 837922 MAE HYNES Recorder.

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City Atty's Office

to Form

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RECORDING appendent

APPRCNED FOR

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b)

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2410 THIS DEED, Made this day of October in the year of our Lord one thousand nine hundred and fifty J. I. ELLSWORTH between

of the City and County of Denver and State of Colorado, of the first part, and THE CITY AND COUNTY OF DENVER, a municipal corporation SCHOOL SCHOOL ST constitution

Colorado organized and existing under and by virtue of the Exis of the State of , of the second part:

WITNESSETH, That the said part Y of the first part, for and in consideration of the sum of TEN (\$10.00) DOLLARS and other good and valuable consideration THETHERS to the said part **y** of the first part in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, ha S granted, bargained, sold and conveyed, and by these presents do eS 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 Denver of and State of Colorado, to-wit:

> The North 30 feet of the  $E_2^1$  of the  $SE_4^1$  of the  $SW_4^1$ of the SEt of Section 17, Township 4 South Range 68 West, also the East 30 feet of the Eo of the SEA of the SWA of the SEA of Section 17, Township 4 South, Range 68, except the South 264 feet thereof.

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 part Y 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 part y of the first part, for him self heirs, executors, and administrators, do es 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 ensealing and delivery of these he is well seized of the premises above conveyed, as of good, sure, perfect, absolute and presents. indefeasible estate of inheritance, in law, in fee simple, and ha S good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as 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 part y of the first part shall and will WARRANT AND FOREVER DEFEND.

IN WITNESS WHEREOF, The said part y of the first part ha S hereunto set his . 3 hand and seal the day and year first above written.

Signed, Sealed and Delivered in the Presence of

J. Ellworth (SEAL) (SEAL) 122% J ..... (SEAL) PUBL STATE OF COLORADO City and County of Denver 2 #1% day of October 1950 . by J. I. Elleworth WITNESS my hand and official seal. My commission expires My Commission expires l'over ber 2, 1932 Notary Public

No. 952. WARRANTY DEED TO CORPORATION-Por Pletagraphic Boo 's Logal Blanks, 1846 Stout St., Denver, Colo

	40281 Recorded at. JAN 16 1958	8137 313	0 <b>0'0</b>			
394	THIS DEED, Made this 6 <sup>th</sup> day of January in the year of our Lord one thousand nine hundred and FIFTY-EFANT between FRANK A. CIZEK AND EDITH CIZEK of the CITY AND County of DENVER and States of Colorado, of the first part, and CITY AND COUNTY OF DENVER, A MUNICIPAL CORPORATION, a corporation organized and existing under and by virtue of the laws of the State of COLORADO, of the second part:	1958 JAN 15 PM 3 51 BECORDED IN EDOX. PAGE ROBERT F. LEE GLERK AND RECORDER	311-16-58 197605 I FEE 10			
#318 - 440	WITNESSETH, That the maid part IES of the first part, for and is consideration of the sum of ONE (\$1.00) DOLLAR AND OTHER GOOD AND VALUABLE CONSIDERATION DEDEMNING to the said part IES of the first part in hand paid by the said party of the second part, the recently there of is bereby confessed and acknowledged, he VE granted, bergained, sold and conveyed, and by these presents do 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 CITV AND County of DENVER and State of Colorado, to-wit: THE NORTH 30 FEET OF THAT PART OF THE SOUTHEAST QUARTER (SE‡) OF THE SOUTHWEST QUARTER (SW\$) OF THE SOUTHEAST QUARTER (SE\$) OF THE SOUTHWEST QUARTER (SW\$) OF THE SOUTHEAST QUARTER (SE\$) OF THE SOUTHWEST QUARTER (SW\$) OF THE SOUTHEAST QUARTER (SE\$) OF THE SOUTHWEST QUARTER (SW\$) OF THE SOUTHEAST QUARTER (SE\$) OF THE SOUTHWEST QUARTER (SW\$) OF THE SOUTHEAST QUARTER (SE\$) OF THE SOUTHWEST QUARTER (SW\$) OF THE SOUTHEAST QUARTER (SE\$) OF THE SOUTHWEST QUARTER (SW\$) OF THE SOUTHEAST QUARTER (SE\$) THENCE LAST FOLLOWS: BEGINNING ON THE NORTH LINE OF MISSISPIN AVENUE 825.625 FEET EAST AND 40 FEET WORTH OF ME SOUTHWEST CORNER OF THE SE\$ OF SAID SECTION 17; THENCE NORTH 620 FEET; THENCE EAST 165.125 FEET; THENCE SOUTH 620 FEET; THENCE WEST 165.125 FEET, MORE OR LESS, TO THE POINT OF BEGINNING TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging or in anywise aspertaining, and the reversion and reversions, remainders and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, claim and demand whatoover of the said part ES of the first part, either in law or equity, of, in and to the solor bargained premises, with the hereditaments and appurtenances. TO HAVE AND TO HOLD the said premises above bargain and described, with the assource, who the said party of the second part, its successors and assigns forever. And the said pa					
to Form	and the above bargained premises in the quiet and peaceable possession of the successors and assigns, against all and every person or persons lawfully claiming thereof, the said partHES of the first part shall and will WARRANT AND FO IN WITNESS WHEREOF, The said part I ES of the first part have her and seal 8 the day and year first above written. Signed, Sealed and Delivered in the Presence of	DREVER DEFEND.				
AS 1 CORDING: 1)/(	STATE OF COLORADO. CITY AND County of DENVER The comparing instrument was acknowledged before me this	(SEAL) (SEAL)				
APPROVED FOR RECORDING	19 58, by FRANK A. CIZEK AND EDITH CIZEK. WITNESS my hand and official seal. My commission apping April 61359 how 61359	Notary Publia				
	No. 952. WARRANTY DEED TO CORPORATION-For Photographic House Correct Contraction Plant Contraction of Contract Photographic Structure Contraction of Contract Photographic Structure Struc	Code Stort SL, Denver, Gole.				