

201 W Colfax Ave, Dept. 507
Denver, CO 80202
p: 720.865.2782
e: Denver.ROW@denvergov.org
www.denvergov.org/PWPRS

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

TO:

Charlene Thompson, City Attorney's Office

FROM:

Robert F. Duncarson P.E., Engineering Manager II

Right-of-Way Services

DATE:

June 14, 2016

**ROW #:** 

2016-Dedication-0000120

**SCHEDULE #:** 

0227106047000, 0223307013000, 0223307011000,

0223303040000, & 0223301012000

TITLE:

This request is to dedicate parcels of land as Public Right of Way as Brighton Blvd. and also Wynkoop St.

Located at the intersections of Brighton Blvd. and 38th St., Brighton Blvd. and 40th St. and Wynkoop and

38th 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 Brighton Blvd. and also Wynkoop St. This parcel(s) of land is being dedicated to the City and County of Denver for Public Right-of-Way, as part of the development

project (RTD EAST CORRIDOR COMMUTER RAIL PROJECT)

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 land for Public Right-of-Way purposes as Brighton Blvd. and also Wynkoop St.. The land is described as follows.

#### INSERT PARCEL DESCRIPTION ROW # (2016-Dedication-0000120-001) HERE.

A map of the area to be dedicated is attached.

#### RD/WR/BLV

cc: Asset Management, Steve Wirth

City Councilperson & Aides, Albus Brooks District #9

Council Aide Chy Montoya Council Aide Brande Micheau City Council Staff, Shelley Smith 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, Rob Duncanson

Department of Law, Brent Eisen
Department of Law, Stan Lechman
Department of Law, Adam Hernandez
Department of Law, Cynthia Devereaux
Public Works Survey, Scott Castaneda
Public Works Survey, Warren Ruby

Public Works Survey, Paul Rogalla Owner: City and County of Denver

Project file folder 2016-Dedication-0000120



### **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.

|      | 4   | 11                                  |   |                           |               |   |  | T T  |  |
|------|---|-------------------------------------|---|---------------------------|---------------|---|--|--|--|
|      |   |                                     |   |                           |               |   |  | Date of Request:                               | June 14, 2016                                    |
| Plea | ise mark or   | ne:                                 | ☐ Bill Request  | or                        |               | Resolution 1                                | Request                                  |  |  |
| 1.   | Has your a  | igency s                            | ubmitted this reques  | t in the las              | t 12          | months?                                     |  |  |  |
|      |   | es                                  | ⊠ No  |                           |               |   |  |  |  |
|      | If yes,   | please e                            | xplain:   |                           |               |   |  |  |  |
|      | Title: (Include a concise, one sentence <u>description</u> – please include <u>name of company or contractor</u> and <u>contract control number</u> - that clearly indicates the type of request: <b>grant acceptance, contract execution, contract amendment, municipal code change,</b> supplemental request, etc.) |                                     |   |                           |               |   |  |  |  |
|      | This red  | quest is t<br>I at the i            | o dedicate parcels of latersections of Brighton                     | and as Pub<br>on Blvd. an | lic R         | Right of Way as Br<br>Sth St., Brighton Bly | ighton Blvd.<br>vd. and 40 <sup>th</sup> | . and also Wynkoop<br>St. and Wynkoop ar       | St.<br>ad 38 <sup>th</sup> St.                   |
| 3.   | Requesting  | g Agenc                             | y: Public Works – Rig   | ght-of-Way                | / Ser         | rvices / Survey                             |  |  |  |
| 4.   | <ul><li>Name:</li><li>Phone</li></ul>   | : Barba                             | With actual knowledg<br>ra Valdez<br>65-3153<br>ra.Valdez@denvergov |                           | sed o         | ordinance/resolutio                         | on.)                                     |  |  |
| 5.   | will be ava  ■ Name ■ Phone   | ilable for<br>: Angel<br>: 720-9    | <i>r first and second read</i><br>a Casias                          | ling, if nec              |               |   | n <u>who will p</u>                      | resent the item at M                           | layor-Council and who                            |
| 6.   | General de  | escriptio                           | on/background of pro  | posed ord                 | linar         | nce including cont                          | ract scope                               | of work if applicab                            | le:  |
|      | Request the munic   | for a Res<br>cipality;<br>or Public | olution for laying out, i.e. as Brighton Blvd. Right-of-Way, as par | opening and also W        | nd e:<br>/ynk | stablishing certain                         | real property                            | y as part of the syste<br>s being dedicated to | em of thoroughfares of<br>the City and County of |
|      |   |                                     |   |                           |               |   |  |  |  |
|      |   |                                     | following fields: (Inco<br>– please do not leave l                  |                           | lds n         | nay result in a dela                        | y in process                             | ing. If a field is not                         | applicable, please                               |
|      | a. C  | ontract                             | Control Number: 1   | N/A                       |               |   |  |  |  |
|      | b. C  | ontract                             |   |                           |               |   |  |  |  |
|      |   | ocation:                            | 0   |                           |               |   | St.                                      |  |  |
|      | d. A  | ffected                             | Council District: All   | bus Brooks                | s Dis         | st. #9                                      |  |  |  |
|      |   | enefits:                            | N/A   |                           |               |   |  |  |  |
|      | f. C  | ontract                             | Amount (indicate an   | nended am                 | oun           | it and new contra                           | ct total): N                             | √A   |  |
| 7.   | Is there an explain.  | ny contr                            | oversy surrounding t  | this ordina               | ınce          | <b>?</b> (Groups or indiv                   | iduals who i                             | may have concerns (                            | about it?) Please                                |
|      |   |                                     | T   | o be compl                | leted         | l by Mayor's Legisi                         | lative Team:                             |  |  |
| SIR  | E Tracking  | Numbe                               | T:  |                           |               |   | Date Ente                                | red:   |  |



### **EXECUTIVE SUMMARY**

Project Title: 2016-Dedication-0000120, RTD East Corridor Commuter Rail Project

Description of Proposed Project:Dedicate a parcel of public right of way as Brighton Blvd., and also Wynkoop 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 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, as a part of a development project called, RTD East Corridor Commuter Rail Project.



Please return Recorded document to: Real Property Manager Regional Transportation District 1600 Blake Street Denver, Colorado 80202

No. 933, Rev. 4-94, QUITCLAIM DEED



City & County of Denver

QCD

#### **QUITCLAIM DEED**

THIS DEED, made this or day of 20 16, between the REGIONAL TRANSPORTATION DISTRICT, a political subdivision of the State of Colorado, whose legal address is 1600 Blake Street, Denver, Colorado 80202-1399, grantor, and the CITY AND COUNTY OF DENVER, a Colorado municipal corporation, whose legal address is 1437 Bannock Street, Room 350, Denver, Colorado 80202, grantee.

WITNESS, that the grantor, for and in consideration of the sum of TEN DOLLARS AND 00/100 (\$10.00), the receipt and sufficiency of which is hereby acknowledged, has remised, released, sold and QUITCLAIMED, and by these presents do remise, release, sell and QUITCLAIM unto the grantee(s), its heirs, successors and assigns forever, all the right, title, interest, claim and demand which the grantor(s) has in and to the real property, together with improvements, if any, situate, lying and being in the City and County of Denver and State of Colorado, described in Exhibit A, attached hereto and incorporated herein.

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 grantor, either in law or equity, to the only proper use, benefit and behoof of the grantee(s) its heirs and assigns forever.

IN WITNESS WHEREOF, the grantor has executed this deed on the date set forth above.

| Regional Transportation District By:  | Approved as to Legal Form:                        |
|---|---|
| Henry J. Stopplecamp, P.E., Arking Assistant General Manager<br>Capital Programs                              | Lori Graham, Associate General Counsel            |
| STATE OF COLORADO   |   |
| COUNTY OF DERVET  |   |
| The foregoing instrument was acknowledged before me HEATY TO STEPPECTORY, ACTING ASSIST                       | this 10 day of June 20 16 by ant General Manager, |
| Witness my hand and official seal.  | groms   |
| My commission expires: 12-7-18  | · D. O. Lina                                      |
| LORI K CAHILL NOTARY PUBLIC STATE OF COLORADO NOTARY ID # 20064049456 MY COMMISSION EXPIRES DECEMBER 07, 2018 | Noiseg. Pelblic                                   |

#### EXHIBIT "A" PARCEL NO. RTD-CCD-3 (PARCEL NO. EC-21) Date: April 13, 2016 DESCRIPTION

That parcel of land conveyed to RTD by Warranty Deed recorded at Reception No. 2011126783 on November 8, 2011 in the City and County of Denver Clerk and Recorder's Office and described therein as follows:

Parcel No. EC-21 of the RTD East Corridor Commuter Rail Project, containing 43 square feet. (0.001 Acres), being a portion of Lot 1, Block 7 of Ironton, recorded in the City and County of Denver Clerk and Recorder's Office, located in the Southwest Quarter of Section 23, Township 3 South, Range 68 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado, being more particularly described as follows:

COMMENCING at the Southwest Corner of said Section 23:

THENCE N31°26'59"E a distance of 1507.12 feet to an intersection of the Southeasterly right-ofway line of Brighton Boulevard with the Southwesterly right-of-way line of 38th Street, said point also being the Northwest corner of said Block 7 and to the POINT OF BEGINNING;

THENCE \$45°05'05"E, coincident with said Southwesterly right-of-way line of 38th Street, a distance of 14.28 feet:

THENCE N67°58'12"W a distance of 15.50 feet to a point lying on said Southeasterly right-ofway line of Brighton Boulevard:

THENCE N44°54'13"E, coincident with said Southeasterly right-of-way line of Brighton Boulevard, a distance of 6.03 feet to the POINT OF BEGINNING.

Containing 43 square feet, (0.001 Acres), more or less.

Basis of Bearings: All bearings are based on the line connecting "D 394" to "DR B" being a grid bearing of N77°31'03"E as obtained from a Global Positioning System (GPS) survey based on National Geodetic Survey (NGS) data. Said grid bearing is NAD 83 (CONUS), UTM Zone 13 North. "D 394" (PID KK1292) is a NGS mark monumented with a 3.5 inch disk set flush in concrete bridge abutment, stamped in part

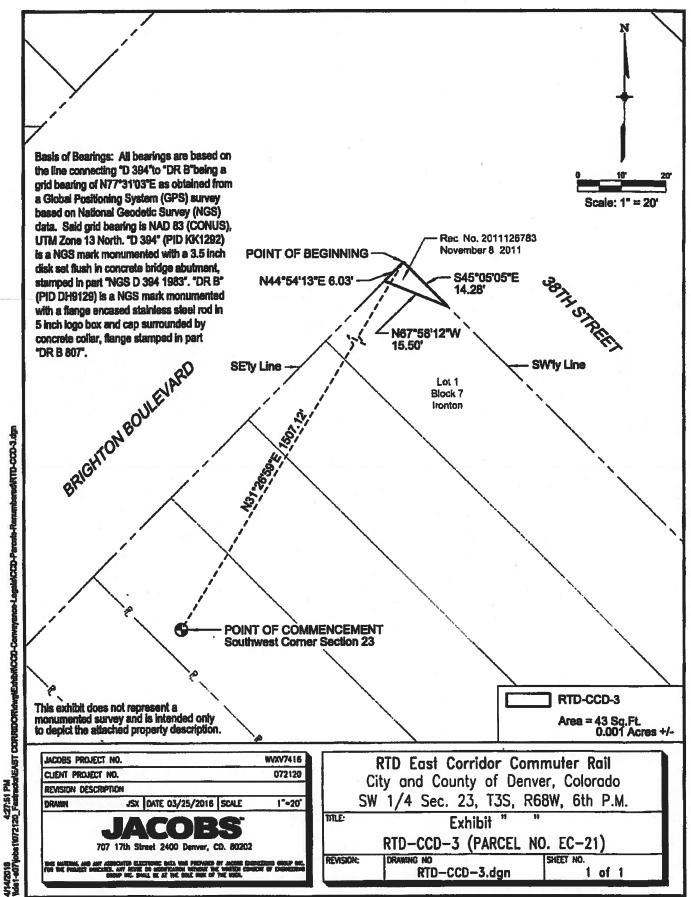
"NGS D 394 1983". "DR B" (PID DH9129) is a NGS mark monumented with a flange encased stainless steel rod in 5 inch logo box and cap surrounded by concrete collar, flange stamped in part "DR B 807".

Prepared by

Kenneth W

ring Group Inc. For and on

707 17th Street Denver, CO 80202941







Legend

Active Addresses

- Associated Land 0
- Structure 0

SPECTA SI

Que Rolling like to

- Utility 0
- Streams
- Irrigation Ditches Reconstructe Gardeners)
  - Irrigation Ditches
    - Buildings 2014
      - Streets
- Alleys

- Railroads

  - Main
- Yard
- Interchange track Siding
- Bridges

Other

Rail Transit Stations

- Planned Existing
- Park-N-Ride Locations
  - County Boundary Lakes

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- Parcels
- Parks

Mountain Parks

All Other Parks

The City and County of Denver shall not be liable for damages of any kind arising out of the use of this information. The information is provided "as is " without warranty of any kind, express or implied, including, but not limited to, the fitness for a particular use.

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#### EXHIBIT "A" PARCEL NO. RTD-CCD-4 (PARCEL NO. EC-19A) Date: April 13, 2016 DESCRIPTION

That parcel of land conveyed to RTD by Bargain and Sale Deed recorded at Reception No. 2011094881, EC-19A on August 25, 2011 in the City and County of Denver Clerk and Recorder's Office and described therein as follows:

Parcel No. EC-19A of the RTD East Corridor Commuter Rail Project, containing 31 square feet, (0.001 Acres), being a portion of Lot 13, Block 39 of St. Vincent's Addition, Second Filing, recorded in the City and County of Denver Clerk and Recorder's office, located in the Southwest Quarter of Section 23, Township 3 South, Range 68 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado, being more particularly described as follows:

#### **COMMENCING** at the Southwest Corner of said Section 23:

THENCE N32°07'22"E a distance of 1585.04 feet to an intersection of the Southeasterly right-ofway line of Brighton Boulevard with the Northeasterly right-of-way line of 38th Street, said point also being the Southwest corner of said Block 39 and to the POINT OF BEGINNING:

THENCE N44°54'12"E, coincident with said Southeasterly right-of-way line of Brighton Boulevard, a distance of 8.52 feet;

THENCE S04°20'48"W a distance of 11.22 feet to a point lying on said Northeasterly right-ofway line of 38th Street;

THENCE N45°05'05"W, coincident with said Northeasterly right-of-way line of 38th Street, a distance of 7.30 feet to the POINT OF BEGINNING.

Said Parcel No. EC-19A containing 31 square feet, (0.001 Acres), more or less.

Basis of Bearings: All bearings are based on the line connecting "D 394" to "DR B" being a grid bearing of N77°31'03"E as obtained from a Global Positioning System (GPS) survey based on National Geodetic Survey (NGS) data. Said grid bearing is NAD 83 (CONUS), UTM Zone 13 North. "D 394" (PID KK1292) is a NGS mark monumented with a 3.5 inch disk set flush in concrete bridge abutment, stamped in part

"NGS D 394 1983". "DR B" (PID DH9129) is a NGS mark monumented with a flange encased stainless steel rod in 5 inch logo box and cap surrounded by concrete collar, flange stamped in part "DR B 807".

Son

Kenneth W

For and on behalf of Jacob

Fing Group Inc.

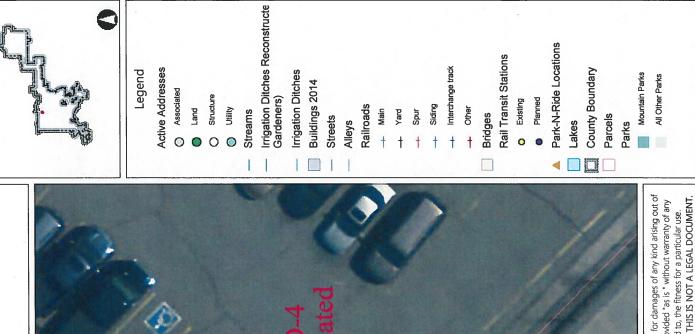
707 17th Street Denver, CO 80200 NAL L

BRIGHTON BOULEVARD Basis of Bearings: All bearings are based on the line connecting "D 394" to "DR B"being a grid bearing of N77°31'03"E as obtained from a Global Positioning System (GPS) survey based on National Geodetic Survey (NGS) data. Said grid bearing is NAD 83 (CONUS), UTM Zone 13 North. "D 394" (PID KK1292) Scale: 1" = 20' is a NGS mark monumented with a 3.5 inch disk set flush in concrete bridge abutment, stamped in part "NGS D 394 1983". "DR B" (PID DH9129) is a NGS mark monumented with a flange encased stainless steel rod in 5 inch logo box and cap surrounded by concrete collar, flange stamped in part \*DR B 807\*. Rec. No. 2011094881 **SETy Line** August 25, 2011 EC-19A Block 39 Vincent's Addition. SI. N44°54'12"E 8.52" Second Filing **POINT OF BEGINNING** S04°20'48'W 11.22 adKTD-CCD-4.dpn Lot 13 N45"05'05"W **NE'ly Line** POINT OF COMMENCEMENT **Southwest Corner Section 23** RTD-CCD-4 This exhibit does not represent a monumented survey and is intended only to depict the attached property description Area = 31 Sq.Ft. 0.001 Acres +/-JACOBS PROJECT NO. WXXV7416 RTD East Corridor Commuter Rail CLIENT PROJECT NO. 072120 City and County of Denver, Colorado REVISION DESCRIPTION SW 1/4 Sec. 23, T3S, R68W, 6th P.M. JSX DATE 03/25/2016 SCALE 1"-20" DRAWN TITLE: Exhibit RTD-CCD-4 (PARCEL NO. EC-19A) 707 17th Street 2400 Denver, CO. 80202 THE BOOK OF MODERN REVISION; DRAWING NO. SHEET NO. RTD-CCD-4.dgn 1 of 1

2016-SRVY-000002-00T

VI-42018 Me1-e07ybbe14072120\_Fsstrade#EAST CORYUDORM#glEddbMCCD-Co







### EXHIBIT "A" PARCEL NO. RTD-CCD-5 (PARCEL NO. EC-22) Date: April 13, 2016 DESCRIPTION

That parcel of land conveyed to RTD by Warranty Deed recorded at Reception No. 2011028521 on March 15, 2011 in the City and County of Denver Clerk and Recorder's Office and described therein as follows:

Parcel No. EC-22 of the RTD East Corridor Commuter Rail Project, containing 26 square feet, (0.001 Acres), being a portion of Lot 17, Block 8 of Ironton, recorded in the City and County of Denver Clerk and Recorder's office, located in the Southwest Quarter of Section 23, Township 3 South, Range 68 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado, being more particularly described as follows:

COMMENCING at the Southwest Corner of said Section 23;

THENCE N41°46'09"E a distance of 1548.03 feet to an intersection of the Northwesterly right-of-way line of Wynkoop Street with the Northeasterly right-of-way line of 38th Street, said point also being the Southeast corner of said Block 8 and to the POINT OF BEGINNING;

THENCE N45°05'05"W, coincident with said Northeasterly right-of-way line of 38th Street, a distance of 7.06 feet:

THENCE N89°10'39"E a distance of 10.11 feet to a point lying on said Northwesterly right-of-way line of Wynkoop Street;

THENCE S44°54'13"W, coincident with said Northwesterly right-of-way line of Wynkoop Street, a distance of 7.24 feet to the POINT OF BEGINNING.

Said Parcel No. EC-22 containing 26 square feet, (0.001 Acres), more or less.

Basis of Bearings: All bearings are based on the line connecting "D 394" to "DR B" being a grid bearing of N77°31'03"E as obtained from a Global Positioning System (GPS) survey based on National Geodetic Survey (NGS) data. Said grid bearing is NAD 83 (CONUS), UTM Zone 13 North. "D 394" (PID KK1292) is a NGS mark monumented with a 3.5 inch disk set flush in concrete bridge abutment, stamped in part

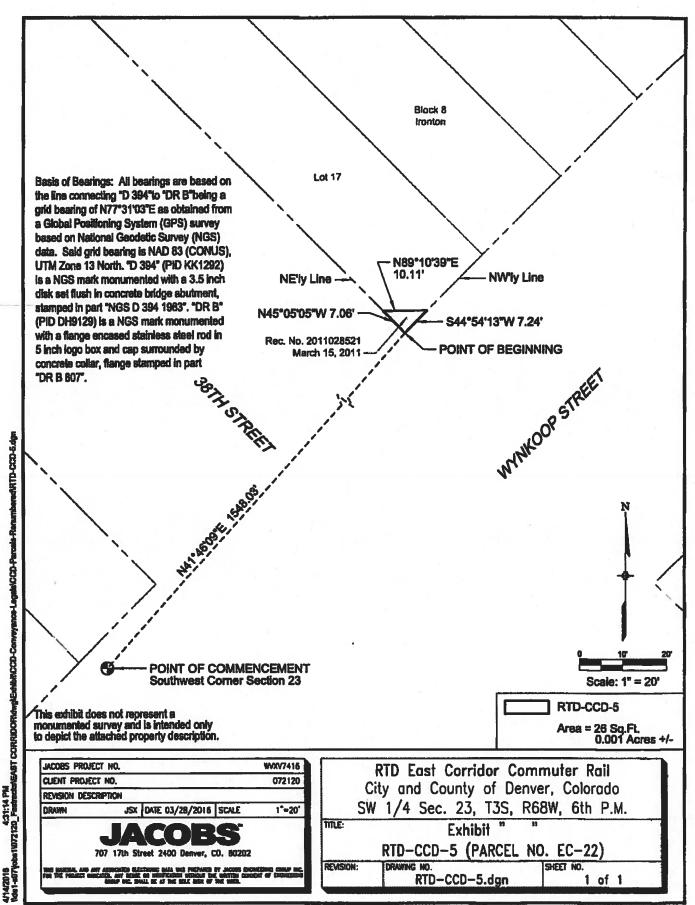
"NGS D 394 1983". "DR B" (PID DH9129) is a NGS mark monumented with a flange encased stainless steel rod in 5 inch logo box and cap surrounded by concrete collar, flange stamped in part "DR B 807".

Prepared by:

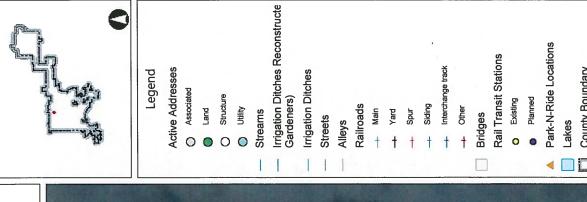
Kenneth W. Carlson PLS 24942

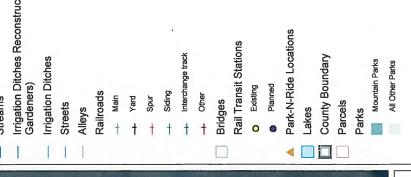
For and on bein Hot Jacobs Engineering Group Inc.

707 17th Street #2600 ONAL Denver, CO 80202









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The City and County of Deriver shall not be liable for damages of any kind arising out of the use of this information. The information is provided "as is" without warranty of any kind, express or implied, including, but not limited to, the fitness for a particular use.

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### EXHIBIT "A" PARCEL NO. RTD-CCD-6 (PARCEL NO. EC-19) Date: April 13, 2016 DESCRIPTION

That parcel of land conveyed to RTD by Warranty Deed recorded at Reception No. 2011094881, Parcel EC-19 recorded August 25, 2011 in the City and County of Denver Clerk and Recorder's Office and described therein as follows:

Parcel No. EC-19 of the RTD East Corridor Commuter Rail Project, containing 5,584 square feet, (0.128 Acres), being a portion of Lots 1-15, Block 30 of St. Vincent's Addition, recorded in the City and County of Denver Clerk and Recorder's office, located in the Southwest Quarter of Section 23, Township 3 South, Range 68 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado, being more particularly described as follows:

COMMENCING at the Southwest Corner of said Section 23;

THENCE N36°22'29"E a distance of 2369.50 feet to an intersection of the Southeasterly right-of-way line of Brighton Boulevard with the Southwesterly right-of-way line of 40th Street, said point also being the Northwest corner of said Block 30 and to the POINT OF BEGINNING;

THENCE S44°58'33"E, coincident with said Southwesterly right-of-way line of 40th Street, a distance of 26.68 feet;

THENCE N85°27'03"W a distance of 8.81 feet;

THENCE S44°51'58"W a distance of 190.82 feet;

THENCE S51°28'04"W a distance of 169.86 feet to a point lying on said Southeasterly right-of-way line of Brighton Boulevard;

THENCE N44°47'57"E, coincident with said Southeasterly right-of-way line of Brighton Boulevard, a distance of 365.34 feet to the POINT OF BEGINNING.

Said Parcel No. EC-19 containing 5,584 square feet, (0.128 Acres), more or less.

Basis of Bearings: All bearings are based on the line connecting "D 394" to "DR B" being a grid bearing of N77"31'03"E as obtained from a Global Positioning System (GPS) survey based on National Geodetic Survey (NGS) data. Said grid bearing is NAD 83 (CONUS), UTM Zone 13 North. "D 394" (PID KK1292) is a NGS mark monumented with a 3.5 inch disk set flush in concrete bridge abutment, stamped in part

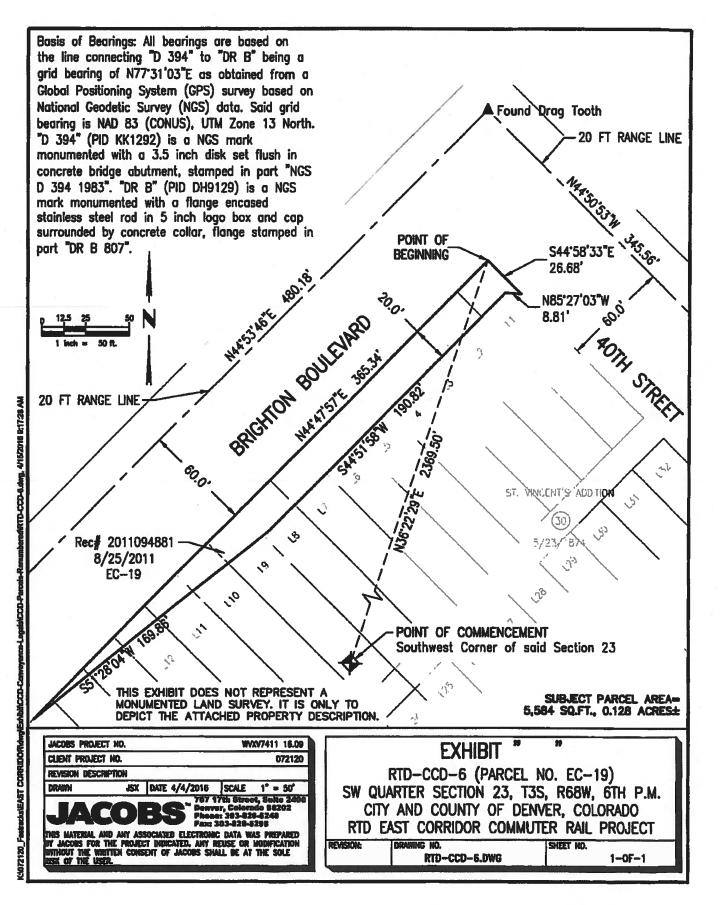
"NGS D 394 1983". "DR B" (PID DH9129) is a NGS mark monumented with a flange encased stainless steel rod in 5 inch logo box and cap surrounded by concrete collar, flange stamped in part "DR B 807".

Prepared by

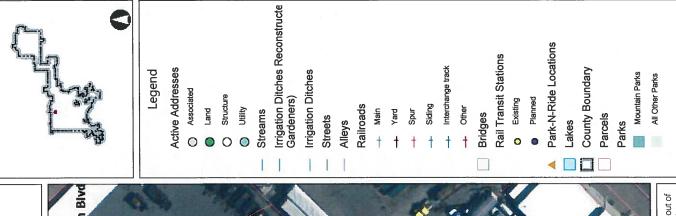
Kenneth W. Carlson PLS 24942

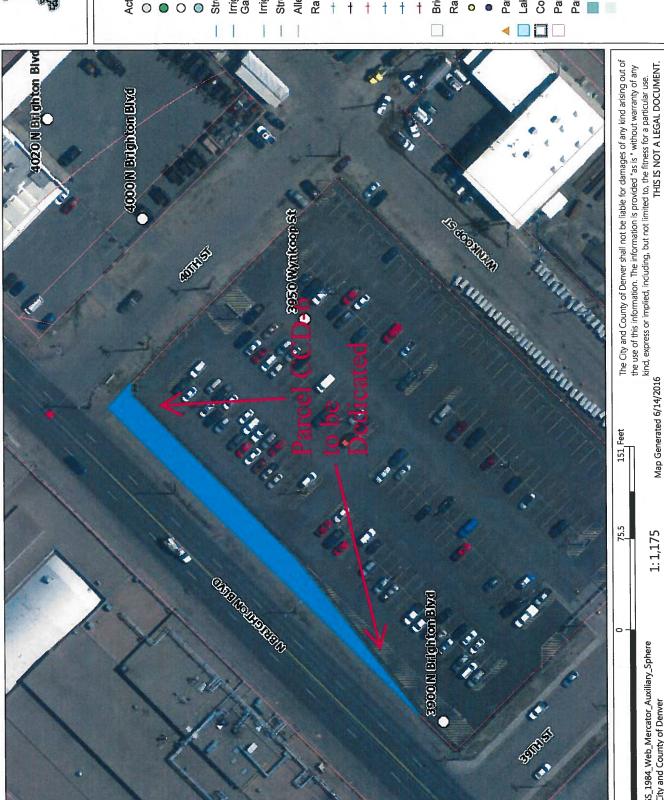
For and on behalf of Jacobs Engineering Group Inc.

707 17th Street (12/190); Denver, @0.50202









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### EXHIBIT "A" PARCEL NO. RTD-CCD-7 (PARCEL NO. EC-92) Date: April 13, 2016 DESCRIPTION

That parcel of land conveyed to RTD by Warranty Deed recorded at Reception No. 2011047189 recorded April 29, 2011 in the City and County of Denver Clerk and Recorder's Office and described therein as follows:

Parcel No. EC-92 of the RTD East Corridor Commuter Rail Project, containing 233 square feet, (0.005 Acres), being a portion of Lot 16, Block 27 of St. Vincent's Addition, recorded in the City and County of Denver Clerk and Recorder's office, located in the Southwest Quarter of Section 23, Township 3 South, Range 68 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado, being more particularly described as follows:

#### COMMENCING at the Southwest Corner of said Section 23;

THENCE N36°38'56"E a distance of 2448.66 feet to an intersection of the Southeasterly right-of-way line of Brighton Boulevard with the Northeasterly right-of-way line of 40<sup>th</sup> Street, said point also being the Southwest corner of said Block 27 and to the **POINT OF BEGINNING**;

THENCE N44°47'57"E, coincident with said Southeasterly right-of-way line of Brighton Boulevard, a distance of 25.00 feet to the Northeast corner of said Lot 16;

THENCE S45°12'03"E, coincident with the Northeasterly line of said Lot 16, a distance of 1.42 feet:

THENCE S12°36'54"W a distance of 29.62 feet to a point lying on said Northeasterly right-of-way line of 40<sup>th</sup> Street;

THENCE N44°58'33"W, coincident with said Northeasterly right-of-way line of 40<sup>th</sup> Street, a distance of 17.19 feet to the **POINT OF BEGINNING**.

Said Parcel No. EC-92 containing 233 square feet, (0.005 Acres), more or less.

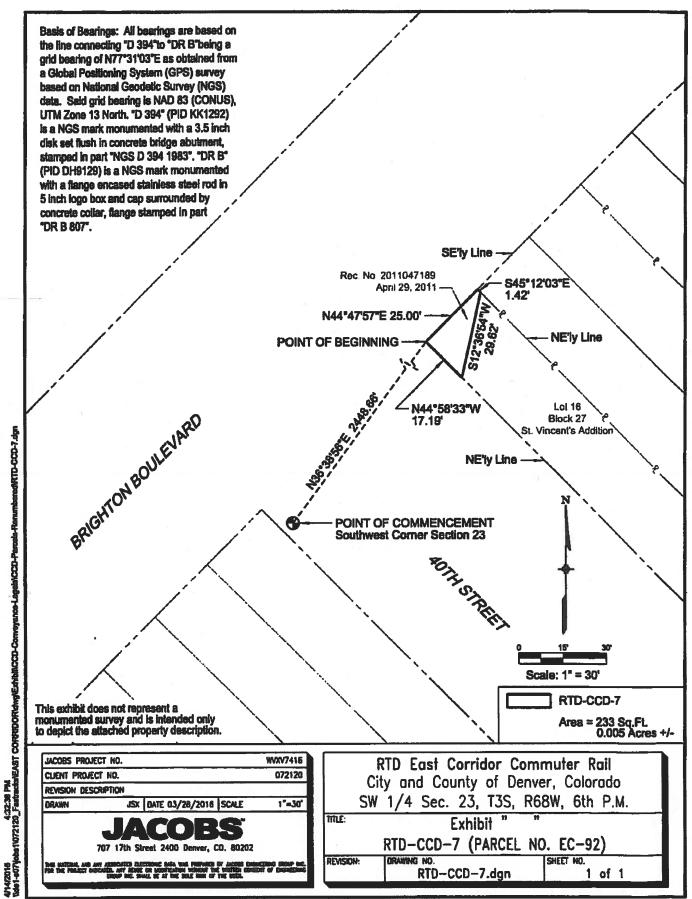
Basis of Bearings: All bearings are based on the line connecting "D 394" to "DR B" being a grid bearing of N77°31'03"E as obtained from a Global Positioning System (GPS) survey based on National Geodetic Survey (NGS) data. Said grid bearing is NAD 83 (CONUS), UTM Zone 13 North. "D 394" (PID KK1292) is a NGS mark monumented with a 3.5 inch disk set flush in concrete bridge abutment, stamped in part

"NGS D 394 1983". "DR B" (PID DH9129) is a NGS mark monumented with a flange encased stainless steel rod in 5 inch logo box and cap surrounded by concrete collar, flange stamped in part "DR B 807".

Prepared by:

Kenneth W.

For and on behalf of Jacobs Engineering Group Inc.





CATERICANS RESERVE

# Parcel CCD-7



