

## **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:** November 29, 2018

**ROW #:** 2018-Dedication-0000216      **SCHEDULE #:** Adjacent to: 0607327048000, 0607327045000,  
0607300066000, 0607300068000, 0607300069000, 0607321016000, 0607321002000, 0607321006000 & 0607321004000

**TITLE:** This request is to dedicate City owned land as E. Cedar Ave.  
Located at E. Cedar Ave. between Leetsdale Dr. and S. Birch 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 E. Cedar 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 Street. The land is described as follows:

### **INSERT PARCEL DESCRIPTION ROW (2018-Dedication-0000216-001 & 002) HERE.**

A map of the area to be dedicated is attached.

MB/BLV

c: Asset Management, Curtis Anthony  
City Councilperson Mary Beth Susman  
Council Aide Genny Kline  
Council Aide Luke Palmisano  
City Council Staff, Zach Rothmier  
Environmental Services, David Erickson  
Public Works, Manager's Office, Alba Castro  
Public Works, Manager's Office Jason Gallardo  
Public Works, Right-of-way Engineering Services, Matt Bryner  
Department of Law, Brad Beck  
Department of Law, Blanc Hernandez  
Department of Law, Brent Eisen  
Department of Law, Deanne Durfee  
Department of Law, Caroline Martin  
Department of Law, Stan Lechman  
Public Works Survey, Paul Rogalla

## ORDINANCE/RESOLUTION REQUEST

Please email requests to Sarah Stanek  
at [sarah.stanek@DenverGov.org](mailto:sarah.stanek@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:** November 29, 2018

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.**)*

This request is to dedicate City owned land as E. Cedar Ave.  
Located at E. Cedar Ave. between Leetsdale Dr. and S. Birch St.

**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:** Jason Gallardo
- **Phone:** 720-865-8713
- **Email:** Jason.Gallardo@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 E. Cedar Ave.

**\*\*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. Cedar Ave. between Leetsdale Dr. and S. Birch St.
- d. **Affected Council District:** Mary Beth Susman Dist. #5
- 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.

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*To be completed by Mayor's Legislative Team:*

SIRE Tracking Number: \_\_\_\_\_

Date Entered: \_\_\_\_\_



**DENVER**  
THE MILE HIGH CITY

## EXECUTIVE SUMMARY

**Project Title: 2018-Dedication-0000216**

**Description of Proposed Project: Dedicate a parcel of public right of way as E. Cedar Ave.**

**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.**





## Legend

-  Streams
-  Streets
-  Alleys
- Railroads**
  -  Main
  -  Yard
  -  Spur
  -  Siding
  -  Interchange track
  -  Other
-  Bridges
- Rail Transit Stations**
  -  Existing
  -  Planned
-  Park-N-Ride Locations
-  Lakes
-  County Boundary
-  Parcels
- Parks**
  -  All Other Parks; Linear
  -  Mountain Parks

579 0 289.5 579 Feet

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

1:4,514

Map Generated 11/29/2018

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.

THIS IS NOT A LEGAL DOCUMENT.

PW Legal Description 2018-Dedication-0000216-001

A parcel of land conveyed to the City and County of Denver in a warranty deed recorded in the Clerk and Recorder's office of the City and County of Denver, Colorado, March 2, 1940, at Book 5356, Page 418, more particularly described as follows:

That part of the southwest quarter (SW¼) of the southwest quarter (SW¼) of Section 7, Township 4 South, Range 67 West of the 6<sup>th</sup> Principal Meridian, described as follow, towit:

Commencing at a point on the east line of the SW¼ of the SW¼ of Section 7, Township 4 South, Range 67 West, said point being located on the extended south line of Cedar Avenue, extended westerly from Peabody's Heights;

Thence west on the extended south line of said line of said Cedar Avenue 527.62 feet, more or less, to the northeasterly line of County Road No. 13, commonly known as Leetsdale Drive;

Thence northwesterly on the northeasterly line of said County Road 49.42 feet, more or less, to a point exactly 37.5 feet north, when measured at right angles from the aforesaid south line of said Cedar Avenue extended westerly;

Thence east parallel with the extended south line of said Cedar Avenue 559.85 feet, more or less, to the east line of aforesaid SW¼ of SW¼ of said Section;

Thence south on said east line 37.5 feet, more or less, to the place of beginning.

Containing 0.468 Acre, more or less.

AND

PW Legal Description 2018-Dedication-0000216-002

A parcel of land conveyed to the City and County of Denver in a warranty deed recorded in the Clerk and Recorder's office of the City and County of Denver, Colorado, March 2, 1940, at Book 5356, Page 419, more particularly described as follows:

That part of the southwest quarter (SW¼) of the southwest quarter (SW¼) of Section 7, Township 4 South, Range 67 West of the 6<sup>th</sup> Principal Meridian, described as follow, towit:

Commencing at the point of intersection of the east line of the SW¼ of the SW¼ of Section 7, Township 4 South, Range 67 West, and the north line of Cedar Avenue extended westerly from Peabody's Heights;

Thence westerly on the extended north line of said Cedar Avenue 592.14 feet, more or less, to the northeasterly line of County Road No. 13, commonly known as Leetsdale Drive;

Thence southeasterly on the northeasterly line of said County Road 49.42 feet, more or less, to a point exactly 37.5 feet south, when measured at right angles from the aforesaid north line of said Cedar Avenue extended westerly;

Thence east parallel with the extended north line of said Cedar Avenue 559.85 feet, more or less, to the aforesaid east line of SW¼ of SW¼ of said section;

Thence north on said east line to the place of beginning.

Containing 0.496 Acre, more or less.



Recorded at 11.15 o'clock A.M. Mar. 2, 1940

Reception No. 554058

GEORGE F. ROCK

Recorder

THIS DEED, Made this 10th day of January in the year of our Lord one thousand nine hundred and forty, between D.C. Burns Realty and Trust Company,

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 duly

organized and existing under and by virtue of the laws of the 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 (\$1.00) and other good and valuable 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 real estate situate, lying and being in the City and County of Denver and State of Colorado, to-wit:

That part of the southwest quarter (SW $\frac{1}{4}$ ) of the southwest quarter (SW $\frac{1}{4}$ ) of Section 7, Township 4 South, Range 67 West of the 6th Principal Meridian, described as follows, to-wit: Commencing at a point on the east line of the SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 7, Township 4 South, Range 67 West, said point being located on the extended south line of Cedar Avenue, extended westerly from Peabody's Heights; thence west on the extended south line of said line of said Cedar Avenue 527.62 feet, more or less, to the northeasterly line of County Road No. 13, commonly known as Leetsdale Drive; thence northwesterly on the northeasterly line of said County Road 49.42 feet, more or less, to a point exactly 37.5 feet north, when measured at right angles from the aforesaid south line of Cedar Avenue extended westerly thence east parallel with the extended south line of said Cedar Avenue 559.85 feet, more or less, to the east line of aforesaid SW $\frac{1}{4}$  of SW $\frac{1}{4}$  of said Section; thence south on said east line 37.5 feet, more or less, to the place of beginning, for the purpose of opening, extending and establishing Cedar Avenue in the City and County of Denver.

Containing 0.468 Acre, more or less.

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.

IN WITNESS WHEREOF, The said party of the first part hath caused its corporate name to be hereunto subscribed by its President, and its corporate seal to be hereunto affixed, attested by its Secretary, the day and year first above written.

THE D. C. BURNS REALTY AND TRUST COMPANY

By

Secretary

Rx

President

STATE OF COLORADO,  
City and County of Denver ss.

The foregoing instrument was acknowledged before me this 23d day of January

1940, by

T. Mitchell Burns

as

President and

F. Moore

as

Secretary of

The D. C. Burns Realty and Trust Company

a corporation.

My notarial commission expires January 17th, A.D. 1943.

Witness my hand and official seal.

Approved as to form only. MALCOLM LINDSEY,  
Attorney for City and County of Denver.

Approved as to form only. MALCOLM LINDSEY,  
Attorney for City and County of Denver.

Notary Public

THE D. C. BURNS REALTY AND TRUST COMPANY, INC. - The Bradford-Robinson Pkg. Co., Mrs. Robinson's Legal Blank, Denver

Disposition O.K.  
to C. Still



Recorded at 11.15 o'clock A. M. Mar. 2, 1940  
Reception No. 554059 GEORGE F. ROCK Recorder.

BOOK 5356 PAGE 419

(H)

This Deed, Made this 10th day of January  
in the year of our Lord one thousand nine hundred and forty between

Harry E. Huffman and Christine M. Huffman,

of the City and County of Denver and State of Colorado,  
of the first part, and City and County of Denver, a municipal corporation,  
duly organized and existing under and by virtue of the laws of the  
State of Colorado, of the second part;

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration including ~~XXXXXXXXXX~~ to the said parties of the first part in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, have remised, released, sold, conveyed and QUIT CLAIMED, and by these presents do remise, release, sell, convey and QUIT CLAIM unto the said party of the second part, its successors, heirs, successors and assigns forever, all the right, title, interest, claim and demand which the said parties of the first part have in and to the following described real estate situate, lying and being in the City and County of Denver and State of Colorado, to-wit:

That part of the southwest quarter (SW $\frac{1}{4}$ ) of the southwest quarter (SW $\frac{1}{4}$ ) of Section 7, Township 4 South, Range 67 West of the 6th Principal Meridian, described as follows, to-wit: Commencing at the point of intersection of the east line of the SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 7, Township 4 South, Range 67 West and the north line of Cedar Avenue extended westerly from Peabody's Heights; thence westerly on the extended north line of said Cedar Avenue 592.14 feet, more or less, to the northeasterly line of County Road No. 13, commonly known as Leetsdale Drive; thence southeasterly on the northeasterly line of said County Road 49.42 feet, more or less, to a point exactly 37.5 feet south, when measured at right angles from the aforesaid north line of Cedar Avenue extended westerly; thence east parallel with the extended north line of said Cedar Avenue 559.85 feet, more or less, to the aforesaid east line of SW $\frac{1}{4}$  of SW $\frac{1}{4}$  of said section; thence north on said east line to the place of beginning, for the purpose of opening, extending and establishing Cedar Avenue in the City and County of Denver.

Containing 0.496 Acre, more or less.

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 parties 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, heirs, successors and assigns forever.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seal S the day and year first above written.

Signed, Sealed and Delivered in the Presence of

Harry E. Huffman [SEAL]

Christine M. Huffman [SEAL]

[SEAL]

[SEAL]

STATE OF COLORADO,  
City and County of Denver } ss.

The foregoing instrument was acknowledged before me this 10th day of January A.D. 19 40, by Harry E. Huffman and Christine M. Huffman

My commission expires

, 19

Witness my hand and official seal.

ETHEL E. HALLAND, Notary Public

City and County of Denver, Colorado

My Commission expires Oct. 19, 1943

Approved as to form only, MALCOLM LINDSEY,  
Attorney for City and County of Denver.

Mary Rock Assistant City Attorney

Ethel E. Halland  
Notary Public.

11-15-40 Natural person or persons here insert name or names; if by person acting in representative or official capacity or as attorney-in-fact, then insert name of person as executor, attorney-in-fact or other capacity or description; if by officer of corporation, then insert name of such officer or officers, as the president or other officers of such corporation, naming it.—Statutory Acknowledgment, Session 1287.

No. 933. QUIT CLAIM DEED.—The Bradford-Robinson Ptz. Co., Mrs. Robinson's Legal Blanks, Denver.

Description A.K.  
C. Still