



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: May 19, 2017

ROW #: 2017-Dedication-0000055 **SCHEDULE #:** 0515608051000

TITLE: This request is to dedicate a parcel of land as Public Right of Way as Public Alley. Located at the intersection of S. Broadway and E. Exposition Ave.

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. 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 (**742 S. Broadway**)

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 Public Alley. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2017-Dedication-0000055-001) HERE.

A map of the area to be dedicated is attached.

MB/KL/BV

cc: Asset Management, Robert Koehler
City Councilperson & Aides, Jolon Clark District # 7
Council Aide Maggie Thompson
Council Aide Anita Banuelos
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, Keith Luttrell
Public Works Survey, Paul Rogalla
Owner: City and County of Denver
Project file folder 2017-Dedication-0000055

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: May 19, 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.**)

This request is to dedicate a parcel of land as Public Right of Way as Public Alley.
Located at the intersection of S. Broadway and E. Exposition Ave.

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. 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 (**742 S. Broadway**)

****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:** Near S. Broadway and E. Exposition
- d. **Affected Council District:** Jolon Clark Dist. 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: _____



DENVER
THE MILE HIGH CITY

EXECUTIVE SUMMARY

Project Title: 2017-Dedication-0000055, 742 S. Broadway

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, as a part of a development project called, 742 S. Broadway.

PROPERTY DESCRIPTION:

THAT PARCEL AS DESCRIBED IN SPECIAL WARRANTY DEED RECORDED AT RECEPTION #2017065619 BEING DESCRIBED AS FOLLOWS;

THAT PART OF LOTS 39 THROUGH 46, BLOCK 1, FIRST ADDITION TO LINCOLN SUBDIVISION, SITUATE IN THE SE 1/4 OF SECTION 15, T.4.S., R.68.W. OF THE SIXTH P.M., CITY & COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEASTERLY CORNER OF LOT 46; THENCE S00°00'57"W, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF THE ALLEY, A DISTANCE OF 200.03 FEET TO THE SOUTHEASTERLY CORNER OF LOT 39; THENCE N89°57'45"W, ALONG THE SOUTHERLY LINE OF SAID LOT 39, A DISTANCE OF 2.00 FEET; THENCE N00°00'57"E, ALONG A LINE 2.00 FEET WESTERLY OF & PARALLEL TO THE WESTERLY RIGHT-OF-WAY LINE OF THE ALLEY, A DISTANCE OF 189.03 FEET; THENCE N44°58'19"W, A DISTANCE OF 15.56 FEET TO A POINT ON THE SOUTHERLY LINE OF AN EAST/WEST ALLEY; THENCE S89°57'34"E, ALONG THE NORTHERLY LINE OF LOT 46, A DISTANCE OF 13.00 FEET TO THE POINT OF BEGINNING, CONTAINING AN AREA OF 461 SQ. FT., +/-.



- ### Legend
- 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





2017065619

Page: 1 of 4

05/18/2017 09:30 AM
City & County of Denver

R \$0.00

WD

D \$0.00

Asset Mgmt. # 17-507

After recording, return to:
Division of Real Estate
City and County of Denver
201 West Colfax Avenue, Dept. 1010
Denver, Colorado 80202

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED ("Deed"), made as of this 15 day of MAY, 2017, by **ROTH CORPORATION**, a Colorado Corporation, whose address is 17801 EAST 40TH AVE., AURORA , CO 80011 ("Grantor") to the **CITY AND COUNTY OF DENVER**, a Colorado municipal corporation of the State of Colorado and home rule city, whose address is 1437 Bannock Street, Denver, Colorado 80202 ("Grantee").

WITNESSETH, that Grantor, for and in consideration of the sum of Ten Dollars and 00/100 (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged and by these presents does hereby grant, bargain, sell, convey and confirm, unto Grantee, and its successors and assigns forever, the real property described below, together with all improvements thereon, owned by Grantor situate, lying and being in the City and County of Denver, State of Colorado, and being more particularly described on Exhibit A attached hereto and incorporated herein ("Property");

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 of the estate, right, title, interest, claim and demand whatsoever of Grantor, either in law or equity, of, in, and to the above-bargained Property, together with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the Property above bargained and described with the appurtenances, unto Grantee, and its successors and assigns forever. Grantor, for itself and its successors and assigns does covenant and agree that it shall and will WARRANT AND FOREVER DEFEND the above-bargained Property in the quiet and peaceable possession of Grantee, and its successors and assigns, against all and every person or persons claiming the whole or any part thereof, by, through, or under Grantor.

No separate bill of sale with respect to improvements on the Property will be executed.

Approved: PK
Asset Management
Date: 05/18/17

Project Description:
SWD
Roth Corporation

IN WITNESS WHEREOF, Grantor has executed this Deed on the date set forth above.

ATTEST:

ROTH CORPORATION

By: [Signature]
a Colorado Corporation

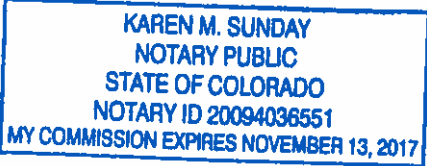
STATE OF Colorado)
) ss.
COUNTY OF Adams)

The foregoing instrument was acknowledged before me this 15 day of May, 2017
by John Threlen, as President of ROTH CORPORATION, a
Colorado Corporation.

Witness my hand and official seal.

My commission expires: 11-13-2017

[Signature]
Notary Public



DESCRIPTION
"EXHIBIT A"
RIGHT OF WAY ACQUISITION
OF A PORTION OF
LOTS 39 - 46, BLOCK 1,
FIRST ADDITION TO LINCOLN SUBDIVISION
(742 S BROADWAY)
SITUATE IN THE SE 1/4 OF SECTION 16, T.4.S., R.68.W. OF THE SIXTH P.M.
CITY & COUNTY OF DENVER, STATE OF COLORADO

PROPERTY DESCRIPTION:

THAT PART OF LOTS 39 THROUGH 46, BLOCK 1, FIRST ADDITION TO LINCOLN SUBDIVISION, SITUATE IN THE SE 1/4 OF SECTION 16, T.4.S., R.68.W. OF THE SIXTH P.M., CITY & COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT THE NORTHEASTERLY CORNER OF LOT 46; THENCE S00°00'57"W, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF THE ALLEY, A DISTANCE OF 200.03 FEET TO THE SOUTHEASTERLY CORNER OF LOT 39; THENCE N89°57'45"W, ALONG THE SOUTHERLY LINE OF SAID LOT 39, A DISTANCE OF 2.00 FEET; THENCE N00°00'57"E, ALONG A LINE 2.00 FEET WESTERLY OF & PARALLEL TO THE WESTERLY RIGHT-OF-WAY LINE OF THE ALLEY, A DISTANCE OF 189.03 FEET; THENCE N44°58'19"W, A DISTANCE OF 15.56 FEET TO A POINT ON THE SOUTHERLY LINE OF AN EAST/WEST ALLEY; THENCE S89°57'34"E, ALONG THE NORTHERLY LINE OF LOT 46, A DISTANCE OF 13.00 FEET TO THE POINT OF BEGINNING, CONTAINING AN AREA OF 461 SQ. FT., +/-.

NOTES:

BASIS OF BEARINGS: A RECORD BEARING OF N00°01'00"E FOR THE RANGE LINE 20.00 FEET WESTERLY OF THE EASTERLY RIGHT-OF-WAY LINE OF BROADWAY, MONUMENTED AS SHOWN HEREON.

NOTICE 13-80-105(3)(a) C.R.S.: ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

SURVEYOR'S CERTIFICATION:

I, BRADLEY D. PETERSON, A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF COLORADO, DO HEREBY STATE THAT THIS "DESCRIPTION" WHICH IS BASED UPON A 09 NOVEMBER, 2016 "ALTA/NSPS LAND TITLE SURVEY" WAS GENERATED BY ME & IS CORRECT TO THE BEST OF MY PROFESSIONAL BELIEF, KNOWLEDGE & OPINION.

BRADLEY D. PETERSON, P.L.S. NO. 28660
 FOR & ON BEHALF OF TRISTATE SURVEYING, INC.

DATE



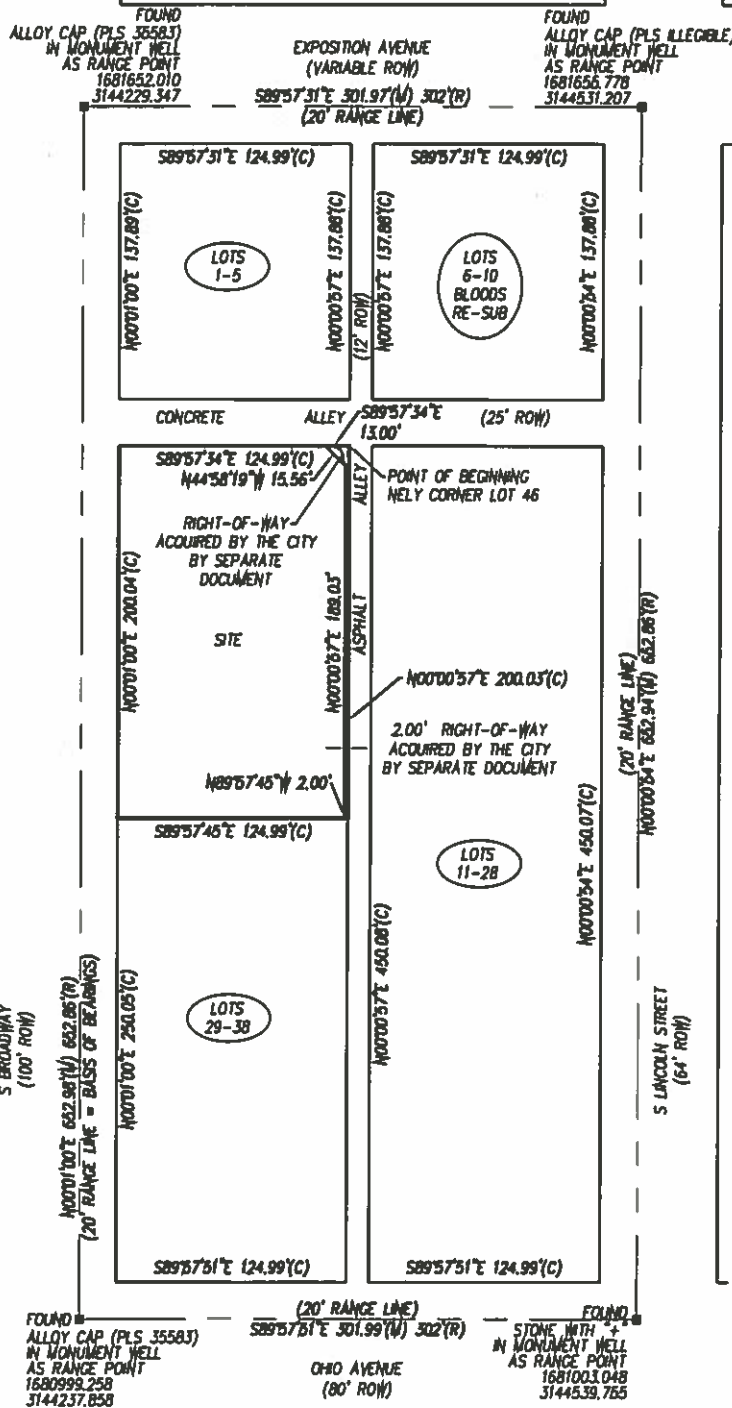
TRISTATE SURVEYING, INC.
 Bradley D. Peterson, PLS



7871 S. DELAWARE STREET LITTLETON, CO 80120-4220
 303-995-9072 brad@tristatesurveying.com

DRAWN BY: BDP	DATE: 06 MARCH 17
CHECKED BY: JLT	201670_ACO_DESC
JOB NO: 201670	SHEET 1 of 2

"EXHIBIT A"
OF A PORTION OF
LOTS 39 - 48, BLOCK 1,
FIRST ADDITION TO LINCOLN SUBDIVISION
(742 1/2 BROADWAY)
SITUATE IN THE SE 1/4 OF SECTION 16, T.4.S., R.68.W. OF THE SIXTH P.M.
CITY & COUNTY OF DENVER, STATE OF COLORADO



NOTES:

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NOTICE 13-80-105(3)(c) C.R.S.: ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

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 303-906-9072 brod@tristatesurveying.com

DRAWN BY:	BDP	DATE:	06 MARCH 17
CHECKED BY:	JLT	DRAWING NO.:	201670_ACO_EXH
JOB NO.:	201670	SHEET:	2 of 2

SCALE: 1"=100'