



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

**TO:** Caroline Martin, City Attorney's Office

**FROM:** Matt Bryner, Director Engineer-Architect  
Right-of-Way Services

**DATE:** February 4, 2019

**ROW #:** 2018-Dedication-0000147      **SCHEDULE #:** 0514426048998

**TITLE:** This request is to dedicate a parcel of land as Public Right of Way as Public alley.  
Located in the alley bounded by S. Gaylord St., E. Tennessee Ave., S. Vine St. and E. Mississippi 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 (**Lotus Group Advisors Office**)

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 # (2018-Dedication-0000147-001) HERE.**

A map of the area to be dedicated is attached.

MB/RP/bv

cc: Dept. of Real Estate, Katherine Rinehart  
City Councilperson & Aides, Paul Kashmann District # 6  
Council Aide Valerie Kerns  
Council Aide Brent Fahrberger  
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, Maureen McGuire  
Department of Law, Martin Plate  
Department of Law, Deanne Durfee  
Department of Law, Caroline Martin  
Department of Law, Stan Lechman  
Public Works Survey, Ron Post  
Public Works Survey, Paul Rogalla  
Owner: City and County of Denver  
Project file folder 2018-Dedication-0000147

## 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: February 4, 2019

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 in the alley bounded by S. Gaylord St., E. Tennessee Ave., S. Vine St. and E. Mississippi 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:** 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 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 (**Lotus Group Advisors Office**)

**\*\*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:** 1005 S. Gaylord St.
- d. **Affected Council District:** Dist. #6 Paul Kashmann
- 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: 2018-Dedication-0000147**

**Description of Proposed Project: Dedicate a parcel of land as 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 of dedicating it as Public Right-of-Way, as a part of a development project called Lotus Group Advisors Office.**



### 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
-  Lots/Blocks
- Parks
  -  All Other Parks; Linear
  -  Mountain Parks



A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 23RD DAY OF JANUARY 2019, AT RECEPTION NUMBER 2019007898 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

A PORTION OF THAT PROPERTY DESCRIBED IN RECEPTION 2018018708, RECORDED FEBRUARY 16, 2018 AT THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 46, BLOCK 11, MYRTLE HILL, THENCE  $N89^{\circ}42'33''E$ , 3.00 FEET ALONG THE NORTH LINE OF SAID LOT 46; THENCE  $S0^{\circ}22'19''E$ , 50.00 FEET ALONG A LINE EAST OF AND PARALLEL WITH THE WEST LINE OF SAID LOT 46, AND LOT 45, SAID BLOCK 11; THENCE  $S89^{\circ}42'24''W$ , 3.00 FEET ALONG THE SOUTH LINE OF SAID LOT 45, TO THE SOUTHWEST CORNER OF SAID LOT 45; THENCE  $N0^{\circ}22'19''W$ , 50.00 FEET ALONG THE WEST LINE OF SAID LOT 45 AND LOT 46 TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 150 SQUARE FEET, 0.003 ACRES.

BASIS OF BEARINGS: BEARINGS ARE BASED ON THE WEST LINE OF LOT 45 AND LOT 46, BLOCK 13, ASSUMED TO BEAR  $N0^{\circ}22'19''W$  AND BEING MONUMENTED BY FOUND NAILS WITH DISCS AT THE NORTHWEST CORNER OF LOT 46 AND THE SOUTHWEST CORNER OF LOT 45, WITH ALL BEARINGS CONTAINED HEREON RELATIVE THERETO.



01/23/2019 03:19 PM  
City & County of Denver

R \$0.00

WD

2019007898

Page: 1 of 4

D \$0.00

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 22<sup>nd</sup> day of January, 2019, by **MARTORELLO HOLDINGS, LLC**, a Colorado limited liability company, whose address is 1043 South Vine Street, Denver, CO 80209, United States ("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 the attached Exhibit(s) 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.

Asset Mgmt # 14-17

Project Description: 1005 Gaylord St.  
2018 - Delicaton - 0000147

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

ATTEST:

MARTORELLO HOLDINGS, LLC, a Colorado limited liability company

By: 

Name: RAFAEL A. MARTORELLO

Its: MANAGING MEMBER

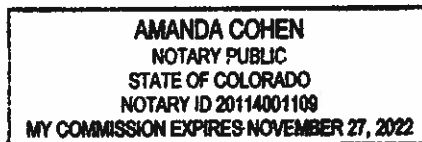
STATE OF CO. )  
 ) ss.  
COUNTY OF Denver )

The foregoing instrument was acknowledged before me this 23 day of January, 2019 by Raphael Martorello as member of MARTORELLO HOLDINGS, LLC, a Colorado limited liability company.

Witness my hand and official seal.

My commission expires: November 27, 2022

  
Notary Public



# EXHIBIT A

SHEET 1 OF 2

## LAND DESCRIPTION

A PORTION OF THAT PROPERTY DESCRIBED IN RECEPTION 2018018708, RECORDED FEBRUARY 16, 2018 AT THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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PREPARED BY FELIX J. CHAVEZ  
REVIEWED BY JERALD W. RICHMOND, PLS.26298  
FOR AND ON BEHALF OF CHAVEZDSS, LLC  
992 S. 4<sup>TH</sup> STREET, STE.100/266  
BRIGHTON, CO 80601

OCTOBER 30, 2018

Jerald W.  
Richmond

Digitally signed by  
Jerald W.  
Richmond  
Date: 2018.11.05  
10:53:54 -07'00'





2018-PROJASTR-000095-  
ROW

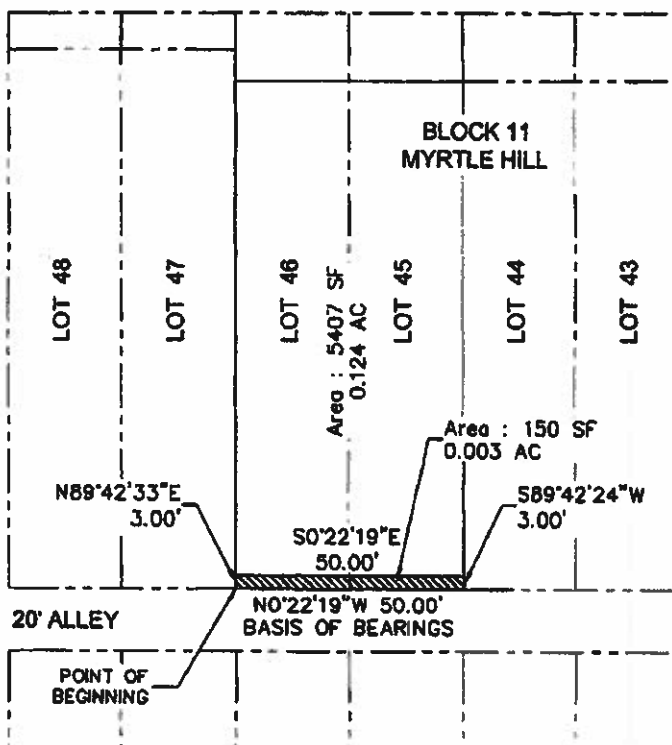
# EXHIBIT A

SHEET 2 OF 2



S. GAYLORD ST.  
(60' R.O.W.)

E. TENNESSEE AVE.  
(60' R.O.W.)



**Jerald W.  
Richmond**

Digitally signed by  
Jerald W. Richmond  
Date: 2018.11.05  
10:51:47 -07'00'



OCTOBER 30, 2018

THIS EXHIBIT DOES NOT REPRESENT A  
MONUMENTED LAND SURVEY. IT IS ONLY  
TO DEPICT THE ATTACHED DESCRIPTION

CHAVEZDSS, LLC  
992 S. 4TH ST., STE.100/266  
BRIGHTON, CO 80601