


REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Caroline Martin, City Attorney's Office

FROM: Matt R. Bryner, P.E., Director, Right-of-Way Services 

DATE: September 29th, 2020

ROW #: 2020-DEDICATION-0000006 **SCHEDULE #:** Parcel A: 0219428026000; Parcel B: 0219428027000

TITLE: This request is to dedicate two City-owned parcels of land as Public Right-of-Way as 1) N. Tennyson St. (parcel A), located at the intersection of N. Tennyson St. and W. 39th Ave., and 2) Public Alley (parcel B), bounded by W. 38th Ave., N. Tennyson St., W. 39th Ave., and N. Stuart 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) N. Tennyson St., and 2) Public Alley. This parcel(s) of land is being dedicated by the City and County of Denver for Public Right-of-Way, as part of the development project, '39th and Tennyson Mixed Use.'

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 Right-of-Way and Public Alley. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2020-DEDICATION-0000006-001-002) HERE.

A map of the area to be dedicated is attached.

MB/AG/RL

cc: Dept. of Real Estate, Katherine Rinehart
City Councilperson, Amanda Sandoval District # 1
Councilperson Aide, Gina Volpe
Councilperson Aide, Naomi Grunditz
City Council Staff, Zach Rothmier
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, Maureen McGuire
Department of Law, Martin Plate
Department of Law, Deanne Durfee
Department of Law, Caroline Martin
Department of Law, Rachonda Dixon
DOTI Survey, Ali Gulaid
DOTI Ordinance
Owner: City and County of Denver
Project file folder 2020-DEDICATION-0000006

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: September 29th, 2020

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:** This request is to dedicate two City-owned parcels of land as Public Right-of-Way as 1) N. Tennyson St. (parcel A), located at the intersection of N. Tennyson St. and W. 39th Ave., and 2) Public Alley (parcel B), bounded by W. 38th Ave., N. Tennyson St., W. 39th Ave., and N. Stuart St.

3. **Requesting Agency:** DOTI, Right-of-Way Services
Agency Section: Survey

4. **Contact Person:** (With actual knowledge of proposed ordinance/resolution.)

- **Name:** Rebecca Long
- **Phone:** 720-913-4518
- **Email:** Rebecca.Long@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:** 720-865-8723
- **Email:** Jason.Gallardo@denvergov.org

6. **General description/background of proposed resolution 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 1) N. Tennyson St., and 2) Public Alley. This parcel(s) of land is being dedicated by the City and County of Denver for Public Right-of-Way, as part of the development project, '39th and Tennyson Mixed Use.'

****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:** The intersection of N. Tennyson St. and W. 39th Ave (parcel A), and bounded by W. 38th Ave., N. Tennyson St., W. 39th Ave., and N. Stuart St. (parcel B).
- d. **Affected Council District:** Amanda Sandoval, District #1
- e. **Benefits:** N/A
- f. **Contract Amount (indicate amended amount and new contract total):**

7. **Is there any controversy surrounding this resolution?** (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: _____

EXECUTIVE SUMMARY

Project Title: 2020-DEDICATION-0000006

Description of Proposed Project: Dedication of two parcels of land as Public Right-of-Way as 1) N. Tennyson St., and 2) 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 be dedicated as Public Right-of-Way and Public Alley.

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 Public Right-of-Way and Public Alley, as part of a development project called, '39th and Tennyson Mixed Use.'

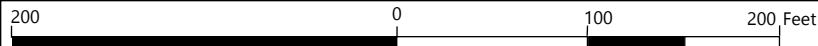


Parcel 'A' to be dedicated
Schedule #:
0219428026000

Parcel 'B' to be dedicated
Schedule #:
0219428027000

Legend

- ▲ Well Restrictions
- Barrier Restrictions
- Area Restrictions
 - Liner
 - Sheet Pile Wall Area
- 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



PARCEL DESCRIPTION ROW NO. 2020-DEDICATION-0000006-001:

LAND DESCRIPTION- STREET PARCEL "A"

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 9TH DAY OF MARCH 2020, AT RECEPTION NO. 2020034092 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

A PORTION OF LOTS 1 THROUGH 4 INCLUSIVE OF BLOCK 5 OF T.J. O'DONNELL'S RESUBDIVISION OF BLOCK 5, ARGYLE PARK, RECORDED IN BOOK 18, PAGE 1 OF THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S RECORDS, LYING WITHIN THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 19, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WESTERLY THREE (3) FEET OF SAID LOTS 1 THROUGH 4 INCLUSIVE, BLOCK 5, T.J. O'DONNELL'S RESUBDIVISION OF BLOCK 5, ARGYLE PARK, CITY AND COUNTY OF DENVER STATE OF COLORADO.

CONTAINING +/- 326 SQUARE FEET OR +/- .007 ACRES OF LAND, MORE OR LESS.

PARCEL DESCRIPTION ROW NO. 2020-DEDICATION-0000006-002:

LAND DESCRIPTION- ALLEY PARCEL "B"

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 9TH DAY OF MARCH 2020, AT RECEPTION NO. 2020034092 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

A PORTION OF LOTS 1 THROUGH 4 INCLUSIVE OF BLOCK 5 OF T.J. O'DONNELL'S RESUBDIVISION OF BLOCK 5, ARGYLE PARK, RECORDED IN BOOK 18, PAGE 1 OF THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S RECORDS, LYING WITHIN THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 19, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EASTERLY TWO (2) FEET OF SAID LOTS 1 THROUGH 4 INCLUSIVE, BLOCK 5, T.J. O'DONNELL'S RESUBDIVISION OF BLOCK 5, ARGYLE PARK, CITY AND COUNTY OF DENVER STATE OF COLORADO.

CONTAINING +/- 217 SQ. FT. OR +/- .005 ACRES OF LAND, MORE OR LESS.



03/09/2020 12:32 PM
City & County of Denver

R \$0.00

WD

2020034092

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
Project Description: 20-~~18~~-DEDICATION-0000006-2018PM0000668
3870 Tennyson Street – ROW and Alley Dedication
Asset Mgmt. No.: 20-029

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED (“Deed”), made as of this 22nd day of February, 2020 by **AI Tennyson, LLC**, a Colorado limited liability company, whose address is 445 Broadway, #27, Denver, CO 80203, 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.

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

ATTEST:

AI Tennyson, LLC, a Colorado Limited Liability Company

By: C. Bunn

Name: Preston Churchill Bunn

Its: Manager

STATE OF Colorado)
COUNTY OF Denver) ss.

The foregoing instrument was acknowledged before me this 22nd day of February, 2020 by Preston Churchill Bunn, as Manager of AI Tennyson, LLC, a Colorado Limited Liability Company.

Witness my hand and official seal.

My commission expires: 8/11/21

Brian Kenneth Eley
Notary Public

Brian Kenneth Eley
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20174033890
MY COMMISSION EXPIRES 08/11/21

EXHIBIT A
LAND DESCRIPTION
SHEET 1 OF 2

2018-PROJMSTR-0000668-ROW

PARCEL "A"

A PORTION OF LOTS 1 THROUGH 4 INCLUSIVE OF BLOCK 5 OF T.J. O'DONNELL'S RESUBDIVISION OF BLOCK 5, ARGYLE PARK, RECORDED IN BOOK 18, PAGE 1 OF THE CITY AND COUNTY OF DENVER CLERK AND RECORDERS RECORDS, LYING WITHIN THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 19, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY & COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WESTERLY THREE (3) FEET OF SAID LOTS 1 THROUGH 4 INCLUSIVE, BLOCK 5, T.J. O'DONNELL'S RESUBDIVISION OF BLOCK 5, ARGYLE PARK, CITY AND COUNTY OF DENVER STATE OF COLORADO.

CONTAINING ± 326 SQUARE FEET OR ± 0.007 ACRES OF LAND, MORE OR LESS.

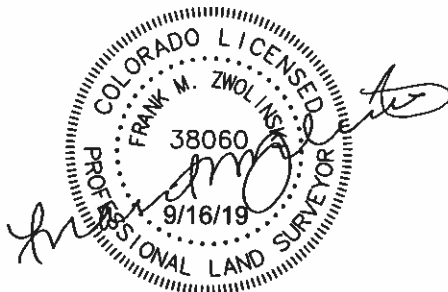
PARCEL "B"

A PORTION OF LOTS 1 THROUGH 4 INCLUSIVE OF BLOCK 5 OF T.J. O'DONNELL'S RESUBDIVISION OF BLOCK 5, ARGYLE PARK, RECORDED IN BOOK 18, PAGE 1 OF THE CITY AND COUNTY OF DENVER CLERK AND RECORDERS RECORDS, LYING WITHIN THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 19, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY & COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EASTERLY TWO (2) FEET OF SAID LOTS 1 THROUGH 4 INCLUSIVE, BLOCK 5, T.J. O'DONNELL'S RESUBDIVISION OF BLOCK 5, ARGYLE PARK, CITY AND COUNTY OF DENVER STATE OF COLORADO.

CONTAINING ± 217 SQUARE FEET OR ± 0.005 ACRES OF LAND, MORE OR LESS.

End of Legal Description.



Frank M. Zwolinski, P.L.S.
Colorado License #38060
For and on behalf of Power Surveying Company, Inc.
303-702-1617



720 W. 84TH AVE. UNIT #240
THORNTON, COLORADO 80260

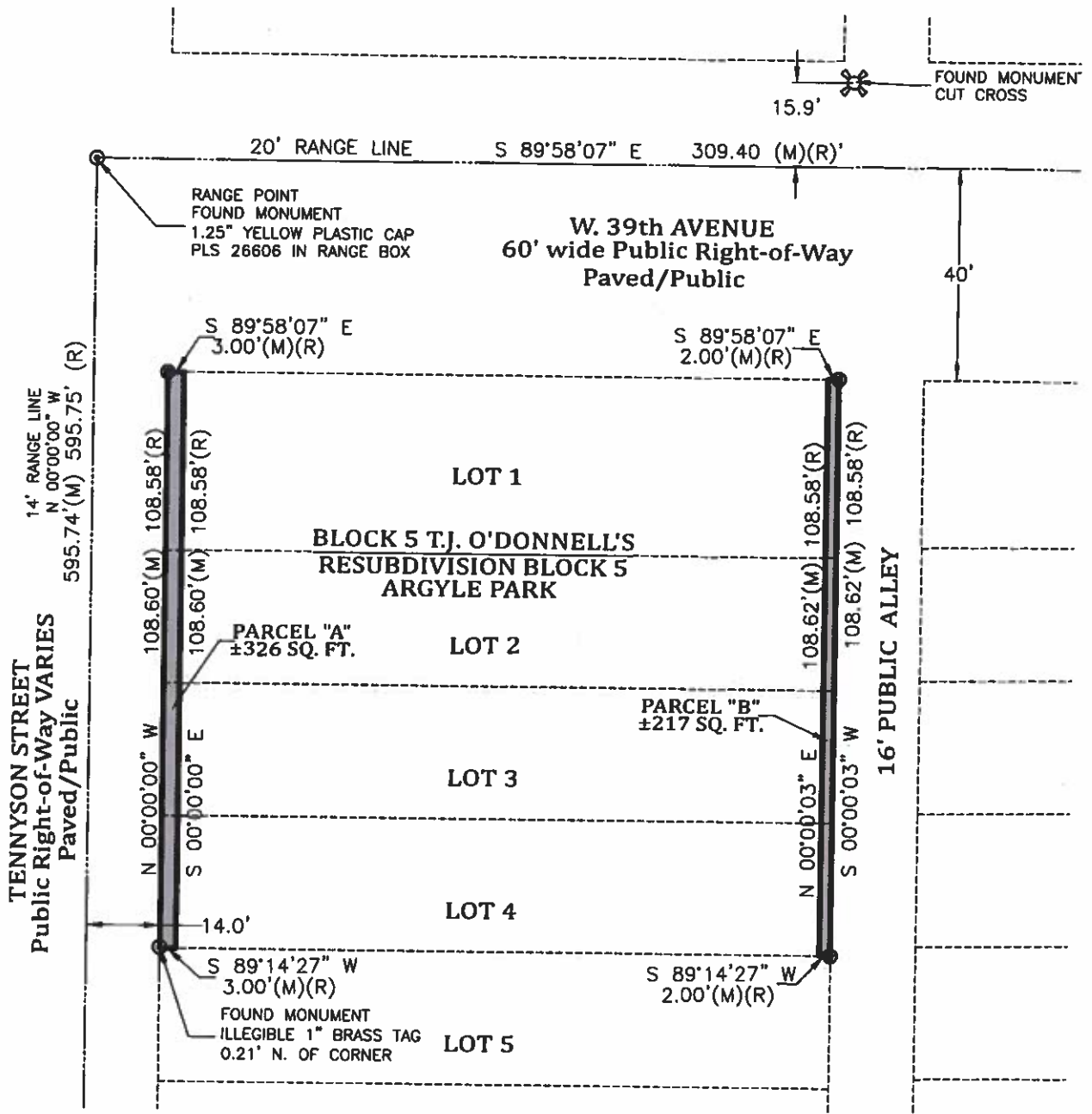
PH 303-702-1617
FAX 303-702-1488
WWW.POWERSURVEYING.COM

DRAWING BY: RBG
FILE NO. 18-317 ROW DED 9-16-19.DWG

DATE: 1/28/20

EXHIBIT A
EXHIBIT OF LAND DESCRIPTION
SHEET 2 OF 2

2018 PROJ MSTR 0000668-ROW



LEGEND

- FND NAIL & BRASS TAG PLS 37929
- ⊙ MONUMENT FOUND, AS NOTED
- (C) CALCULATED
- (M) AS MEASURED
- (R) PER RECORD
- FND FOUND
- POB POINT OF COMMENCEMENT
- POC POINT OF BEGINNING



SCALE: 1" = 30'



POWER
Surveying Company, Inc.

Established 1948

720 W. 84TH AVE., UNIT #240
THORNTON, COLORADO 80260

PH. 303-702-1617
FAX. 303-702-1488
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