



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: December 4th, 2019

ROW #: 2018-DEDICATION-0000096 **SCHEDULE #:** Adjoining 0010200190000

TITLE: This request is to dedicate a parcel of land as Public Right-of-Way as N. Argonne St., bounded by E. 63rd Ave., N. Argonne St., E. 61st Ave. and N. Tower Rd.

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 N. Argonne St. 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, Galaxy Hotel Development.

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 N. Argonne St. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2018-DEDICATION-0000096-001) HERE.

A map of the area to be dedicated is attached.

MB/JL/RL

cc: Dept. of Real Estate, Katherine Rinehart
City Councilperson, Stacie Gilmore District # 11
Councilperson Aide, Magen Elenz
Councilperson Aide, Lynette Gil Fonseca
Councilperson Aide, Melissa Sotelo
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, 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, Johanna Lee
Public Works Survey, Paul Rogalla
Public Works Ordinance
Owner: City and County of Denver
Project file folder 2018-DEDICATION-0000096

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.

Please mark one: Bill Request or Resolution Request **Date of Request:** December 4th, 2019

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 a parcel of land as Public Right-of-Way as N. Argonne St., bounded by E. 63rd Ave., N. Argonne St., E. 61st Ave. and N. Tower Rd.

3. Requesting Agency: Public Works, Right-of-Way Services
Agency Division: 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:** 720-865-8713
- **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 N. Argonne St. 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, Galaxy Hotel Development.

****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:**
- d. **Affected Council District:**
- 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: _____



DENVER
THE MILE HIGH CITY

EXECUTIVE SUMMARY

Project Title: 2018-DEDICATION-0000096

Description of Proposed Project: Dedication of a parcel of land as Public Right-of-Way as N. Argonne 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 be dedicated 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

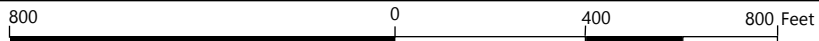
Will an easement relinquishment be submitted at a later date: N/A

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 part of a development project called Galaxy Hotel Development.



Legend

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



PARCEL DESCRIPTION ROW NO. 2018-DEDICATION-0000096-001:

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 21ST DAY OF NOVEMBER, 2019, AT RECEPTION NUMBER 2019164893 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

A PORTION OF SPECIAL WARRANTY DEED RECORDED IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER OFFICE AT RECEPTION NO. 2017097374 AND SITUATED IN THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN AND BEING, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS:

ALL BEARINGS ARE GRID BEARINGS OF THE COLORADO STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD83. BEARINGS ARE BASED ON THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE 6TH P.M. BEING MONUMENTED ON THE NORTH BY A 3.25" ALUMINUM CAP IN A RANGE BOX STAMPED "PLS 27278 NWC S10" AND ON THE SOUTH BY A 3.25 " ALUMINUM CAP IN RANGE BOX STAMPED "PLS 38252 W1-4 S10" AND BEARS S00°30'00"E.

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 10; THENCE ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 10 S00°30'00"E, A DISTANCE OF 1,460.01 FEET TO THE INTERSECTION OF SAID WEST LINE WITH THE EXTENDED SOUTH LINE OF DENVER GATEWAY CENTER FILING NO. 2 TRACT E; THENCE ALONG SAID EXTENDED SOUTH LINE OF DENVER GATEWAY CENTER FILING NO. 2 TRACT E N88°57'00"E, A DISTANCE OF 70.00 FEET TO THE EAST RIGHT OF WAY OF TOWER ROAD AND THE SOUTHWEST CORNER OF SAID TRACT E; THENCE ALONG THE SOUTH LINE OF SAID DENVER GATEWAY CENTER FILING NO. 2 TRACT E N88°57'00"E, A DISTANCE OF 356.59 FEET TO THE SOUTHEAST CORNER OF SAID TRACT E TO A POINT ON THE SOUTH LINE OF A SPECIAL WARRANTY DEED RECORDED IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER OFFICE AT RECEPTION NO. 2017066878; THENCE ALONG THE SAID SOUTH LINE AND A PORTION OF THE SOUTH LINE OF SAID SPECIAL WARRANTY DEED AT RECEPTION NO. 2017097374, S66°16'40"E, A DISTANCE OF 274.95 FEET; THENCE CONTINUING ALONG THE SOUTH LINE OF RECEPTION NO. 2017097374, S64°08'46"W, A DISTANCE OF 136.29 FEET TO THE POINT OF BEGINNING;

THENCE N00°26'19"W, A DISTANCE OF 487.18 FEET TO A POINT ON THE SOUTH LINE OF TRACT "B" DENVER GATEWAY CENTER FILING NO.2 RECORDED AT RECEPTION NO. 9700113371

THENCE ALONG SAID SOUTH LINE N89°30'00"E, A DISTANCE OF 40.00 FEET TO A POINT ON THE EAST LINE OF SAID RECEPTION NO. 2017097374;

THENCE ALONG SAID EAST LINE S00°36'35"E, A DISTANCE OF 507.74 FEET TO A POINT ON THE SOUTH LINE OF SAID RECEPTION NO. 2017097374;

THENCE N64°08'46"W, A DISTANCE OF 46.31 FEET TO THE **POINT OF BEGINNING**.

PARCEL CONTAINS 20,268 SQUARE FEET OR 0.465 ACRES, MORE OR LESS.



11/21/2019 04:46 PM
City & County of Denver

R \$0.00

WD

2019164893

Page: 1 of 7

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 13 day of NW, 2019, by **AIRPORT HOTEL LLC**, a Colorado limited liability company, whose address is 4001 Bella Tuscany Drive, Modesto, CA 95356-9339 (“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 (the “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, subject to all matters listed on **Exhibit B**, attached hereto and incorporated herein.

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

[Signature Page Follows]

Asset Mgmt. #: 19-171

Project Description: 6211 Argonne St.
2018 - Delicadon - 0000096

CALIFORNIA ALL PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of : California
County of: Stanislaus

On NOVEMBER 13 2014 before me, J.S. Skaria, Notary Public, personally appeared

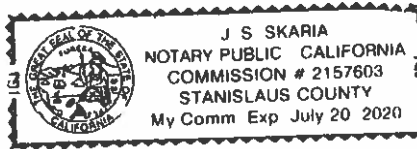
VISAJ PAL SINGH DHILLON

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the state of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary



**Exhibit A
To Special Warranty Deed**

The Property

2017-PRQJMSR-0000135-DEED-001

EXHIBIT A

PARCEL DESCRIPTION

A PORTION OF SPECIAL WARRANTY DEED RECORDED IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER OFFICE AT RECEPTION NO. 2017097374 AND SITUATED IN THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN AND BEING, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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THENCE N64°08'46"W, A DISTANCE OF 46.31 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 20,268 SQUARE FEET OR 0.465 ACRES, MORE OR LESS.



BRIAN J. DENNIS, PLS.
COLORADO PL. SURV. NO. 38069
FOR AND ON BEHALF OF GALLOWAY & COMPANY, INC.

EXHIBIT "B"

POINT OF COMMENCEMENT
NORTHWEST CORNER OF SECTION
10, T3S, R66W, FOUND 3.25"
ALUMINUM CAP IN RANGE BOX
STAMPED *PLS27278 GW
CONSULTING, INC.



WEST LINE NW 1/4 OF SECTION 10, T.3S., R.66W.
S0°30'00"E 1460.01'
TOWER ROAD
100' PUBLIC RIGHT-OF-WAY

BASIS OF BEARINGS
S0°30'00"E 2448.90'

N88°57'00"E
70.00'

N88°57'00"E
356.59'
BLUE GRAMA DRAW
DRAINAGE CHANNEL
100' RIGHT-OF-WAY

TRACT E
DENVER GATEWAY CENTER
FILING NO. 2

DEED RECEPTION
NO. 2017066878
OWNER: DIA INVESTMENTS LLC
6238 TOWER RD

DEED RECEPTION
NO. 2017097374
OWNER: AIRPORT HOTEL LLC
6211 ARGONNE ST

TRACT C
OWNER: CITY AND COUNTY OF DENVER
ARGONNE STREET
80' PUBLIC RIGHT-OF-WAY
TRACT B
DENVER GATEWAY CENTER FILING NO. 2

N89°30'00"E
40.00'

N0°26'10"W 487.18'
RIGHT OF WAY CONTAINS
20,258 sq.ft. 0.465 acres

S0°36'35"E 507.74'

DENVER GATEWAY
CENTER FILING NO. 4

S0°28'19"E 1498.37'

ARGONNE STREET

DENVER GATEWAY
CENTER FILING NO. 4



POINT OF BEGINNING

N64°08'46"W
48.31'

S84°08'46"E 138.29'

S66°16'40"E 274.95'

WEST CORNER OF SECTION 10,
T3S, R66W, FOUND 3.25" ALUMINUM
CAP IN RANGE BOX STAMPED
*PLS38252 E] S.9 JR ENG.



SCALE: 1"=100'

NOTE: THIS IS NOT A MONUMENTED SURVEY AND IS ONLY INTENDED TO DEPICT THE ATTACHED LEGAL DESCRIPTION.

EXHIBIT B
ARGONNE STREET
CITY & COUNTY OF DENVER

CITY AND COUNTY OF DENVER
STATE OF COLORADO

#	Date	Issue / Description	Int.

Galloway
Planning Architecture Engineering
6182 E Willow Drive, Suite 200
Greenwood Village CO 80111
303.770.9904 D
www.gallowayllc.com
© 2018 Galloway & Company Inc. All Rights Reserved

Project No: GHG001.01
Drawn By: JJA & BWD
Checked By: BJD
Date: 2018-08-08

Exhibit B

(Exceptions listed on Title Commitment effective June 10, 2019)

1. Any facts, rights, interests or claims that are not shown by the Public Records but which could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
2. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
3. Any encroachments, encumbrances, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by Public Records.
4. Any lien or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.
5. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the Public Records or attaching subsequent to the effective date hereof but prior to the date the proposed Insured acquires of record for the value the estate or interest or mortgage thereon covered by this Commitment.

NOTE: The above exception will not appear on policies where closing and settlement has been performed by the Company.

6. Water rights, claims of title to water, whether or not these matters are shown by the Public Records.
7. All taxes and assessments, now or heretofore assessed, due or payable.
NOTE: This tax exception will be amended at policy upon satisfaction and evidence of payment of taxes.
8. Any existing leases or tenancies, and any and all parties claiming by, through or under said lessees.

18. Terms, conditions, provisions, agreements and obligations contained in the Wastewater Easement and Indemnity Agreement as set forth below:

Recording Date: January 20, 1998
Recording No.: [Reception No. 9800008315](#)

First Amendment to Wastewater Easement and Indemnity Agreement:
Recording Date: June 23, 1998
Recording No.: [Reception No. 9800095560](#)

21. Terms, conditions, provisions, agreements and obligations contained in the Ordinance No. 140, Series of 2000 as set forth below:

Recording Date: March 6, 2000
Recording No.: [Reception No. 2000031268](#)

39. Permanent Non-Exclusive Easement for maintaining, repairing and servicing wastewater facilities, granted to the City and County of Denver in instrument recorded June 4, 2019 at [Reception No. 2019070125](#).