



## 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:** January 23, 2019

**ROW #:** 2018-Dedication-0000151      **SCHEDULE #:** 0232128010000

**TITLE:** This request is to dedicate a parcel of land as Public Right of Way as Public Alley.  
Located in the alley bounded by W. 21<sup>st</sup> Ave., N. Eliot St. W. 22<sup>nd</sup> Ave. and N. Decatur 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 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 (**Eliot Street Triplex**)

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-0000151-001) HERE.**

A map of the area to be dedicated is attached.

MB/JS/bv

cc: Dept. of Real Estate, Katherine Rinehart  
City Councilperson & Aides, Rafael Espinoza District # 1  
Council Aide Amanda Sandoval  
Council Aide Gina Volpe  
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, Jon Spirk  
Public Works Survey, Paul Rogalla  
Owner: City and County of Denver  
Project file folder 2018-Dedication-0000151

## 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: January 23, 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 W. 21<sup>st</sup> Ave., N. Eliot St. W. 22<sup>nd</sup> Ave. and N. Decatur 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 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 (**Eliot Street Triplex**)

**\*\*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:** Alley bounded by W. 21<sup>st</sup> Ave., N. Eliot St., W. 22<sup>nd</sup> Ave. and N. Decatur St.
- d. **Affected Council District:** Rafael Espinoza Dist. #1
- 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-0000151, Eliot Street Triplex**

**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 Eliot Street Triplex.**



### Legend

-  Streams
-  Buildings
-  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



Being that parcel of land conveyed by Special Warranty Deed to the City and County of Denver, recorded on the 1st day of November 2018, at Reception No. 2018141515 in the City and County of Denver Clerk and Recorder's Office, State of Colorado, being more particularly described as follows:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST 1/4 OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO BEING THAT PAT OF 4, 5, AND THE NORTH 5/6 OF LOT 6, BLOCK 5, RATHBONE SUBDIVISION, CITY AND COUNTY OF DENVER, BEING, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND 2.5" ALUMINUM CAP IN RANGE BOX IN THE INTERSECTION OF WEST 22ND AVE. AND ELIOT ST.  
THENCE S50°36'56"E, A DISTANCE OF 221.23 FEET TO THE NORTHEAST CORNER OF LOT 4, ALSO BEING THE POINT OF BEGINNING;  
THENCE S00°00'44"E, A DISTANCE OF 70.81 FEET;  
THENCE S89°55'40"W, A DISTANCE OF 2.00 FEET;  
THENCE N00°00'44"W, A DISTANCE OF 70.81 FEET;  
THENCE N89°59'16"E, A DISTANCE OF 2.00 FEET MORE OF LESS TO THE POINT OF BEGINNING.

CONTAINING ±142 SQUARE FEET (0.003 ± ACRES) MORE OR LESS

BASIS OF BEARINGS: A 19.95 FOOT RANGE LINE IN DECATUR STREET BETWEEN WEST 22ND AVENUE AND WEST 21ST AVENUE HAVING AN ASSUMED BEARING OF S00°01'23"E, A DISTANCE OF 439.96 FEET BETWEEN AN AXEL IN RANGE BOX AT THE INTERSECTION OF DECATUR STREET AND WEST 22ND AVENUE AND A 1 INCH BRASS PLUG IN GUTTER AT THE INTERSECTION OF DECATUR STREET AND WEST 21ST AVENUE.



11/01/2018 01:24 PM  
City & County of Denver

R \$28.00

WD

2018141515

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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 1st day of November, 2018, by **BRENT HUBBELL AND KATHRYN HUBBELL**, individuals, whose address is 7120 West Warren Avenue, Lakewood, CO 80227, 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. #: 18-182

Project Description: 2134 Eliot St. 2018 - Dedication - 0000151

Asset Management: Date: 11/1/18

Approved: [Signature]

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

**GRANTOR:**

**BRENT HUBBELL**

By: *Brent Hubbell*

Its: Individual/Owner

STATE OF Colorado )

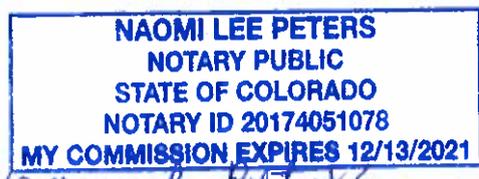
) ss.

COUNTY OF Denver )

The foregoing instrument was acknowledged before me this 1 day of Nov 2018 by *Brent Hubbell*.

Witness my hand and official seal.

My commission expires: 12/13/2021



*Naomi L. Peters*  
Notary Public

**GRANTOR:**

**KATHRYN HUBBELL**

By: *Kathryn Hubbell*

Its: \_\_\_\_\_

STATE OF Colorado )

) ss.

COUNTY OF Denver )

The foregoing instrument was acknowledged before me this 1 day of Nov 2018 by *Kathryn Hubbell*.

Witness my hand and official seal.

My commission expires: 12/13/2021



*Naomi L. Peters*  
Notary Public

# EXHIBIT A

A PARCEL OF LAND LOCATED IN THE SOUTHWEST ONE-QUARTER SECTION 32, TOWNSHIP 3 SOUTH, RANG 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, BEING THAT PART OF LOTS 4-5, AND THE NORTH  $\frac{5}{8}$  OF LOT 6, BLOCK 5, RATHBONE SUBDIVISION, CITY AND COUNTY OF DENVER, STATE OF COLORADO

PAGE 1 OF 2

## LAND DESCRIPTION:

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Prepared By:  
**Altitude Land Consultants, Inc**  
Karl W. Franklin, PE-PLS-EXW  
Colorado PLS 37969

Date: 10/24/18  
Job No. 18-035

  
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