



Permit Operations and Right of Way Enforcement 201 W. Colfax Avenue, Dept. 507

Denver, CO 80202 P: 720-865-2782 F: 720-865-3280

www.denvergov.org/pwprs

REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO:

Karen Walton, City Attorney's Office

FROM:

Robert J. Duncanson R.E., Engineering Manager II

Right-of-Way Services

DATE:

November 22, 2013

ROW #:

22, 2013

2011-0580-06

SCHEDULE #: Parcel 1 – a portion of parcels

 $\begin{array}{c} 0227804027000 \\ 0227804008000 \end{array}$

0227804204000

Parcel 2 – a portion of parcels

0227804213000

0227804211000

TITLE:

This request is to dedicate a parcel of land as Public Right of Way as Huron Street located at

the intersection of Huron St. and 29th 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 Huron St. 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 (29TH & HURON

APARTMENTS)

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 Huron St. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (Parcel #-2011-0580-06-001) HERE.

A map of the area to be dedicated is attached.

RD/PR/bvs

MZ-

cc: Asset Management, Steve Wirth

City Councilperson & Aides, Judy Montero District #9

City Council Staff, Gretchen Williams

Environmental Services, David Erickson

Public Works, Manager's Office, Alba Castro

Public Works, Manager's Office, Nancy Kuhn

Public Works, Right-of-Way Engineering Services, Rob Duncanson

Department of Law, Karen Aviles

Department of Law, Brent Eisen

Department of Law, Karen Walton

Department of Law, Shaun Sullivan

Public Works Survey, John Lautenschlager

Public Works Survey, Paul Rogalla

Owner: City and County of Denver

Project file folder 2011-0580-06

ORDINANCE/RESOLUTION REQUEST

Please email requests to Nancy Kuhn at

Nancy.Kuhn@Denvergov.org by NOON 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:	November 22, 2013
Pl	lease mark one:	☐ Bill Reque	st	or	⊠ Resolu	tion Request		
1.	Has your agency su	ıbmitted this req	uest in the	e last 12	2 months?			
	☐ Yes	⊠ No						
	If yes, please ex	xplain:						
2.	Title: (Include a co-that clearly indicat supplemental reques	es the type of requ	e descript uest: grant	ion – ple t accepta	ease include <u>r</u> ance, contract	name of compan execution, ame	or contractor and condition of the contractor and condition of the conditi	contract control numbe ode change,
	This request is to dec 29th Ave.	dicate a parcel of	land as Pul	blic Rig	ht of Way as	Huron St. locate	d at the intersection	of Huron St. and
3.	Requesting Agency	: PW Right of Wa	ay Engine	ering Se	rvices			
4.	Contact Person: (V Name: Beverly Phone: 720-86 Email: Beverly	y Van Slyke 5-3125			ordinance/res	olution.)		
5.	Contact Person: (Wwill be available for Name: Nancy Phone: 720-86: Nancy	<i>first and second re</i> Kuhn 5-8720	eading, if i	posed or necessar	rdinance/reso r <u>v</u> .)	lution <u>who will j</u>	present the item at M	Mayor-Council and who
6.	General description	of proposed ord	inance inc	cluding	contract sco	e of work if an	plicable:	
	Request for a Resolu	tion for laying out as Huron St. This	, opening parcel(s)	and esta	blishing certa	in real property	as part of the system	of thoroughfares of er for Public Right-of-
	**Please complete the enter N/A for that field	ne following fields ld.)	: (Incomp	lete field	ds may result	in a delay in pro	ocessing. If a field is	not applicable, please
	a. Contract Co	ontrol Number:	N/A					
	b. Duration:	Permanent						
		Huron St. and 29	th Ave.					
		ouncil District:	District #	#9, Judy	Montero			
	e. Benefits:	N/A						
	f. Costs: N/A	A						
7.	Is there any controv explain.	ersy surrounding	this ordi	nance?	(Groups or in	ndividuals who n	nay have concerns a	bout it?) Please
	None							
			To be com	pleted b	y Mayor's Le	gislative Team:		
SIR	E Tracking Number:					Date Enter	ed:	



EXECUTIVE SUMMARY

Project Title: 2011-0580-06 Dedication, 29th & Huron Apartments

Description of Proposed Project: Dedicate a parcel of public right of way as Huron 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 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

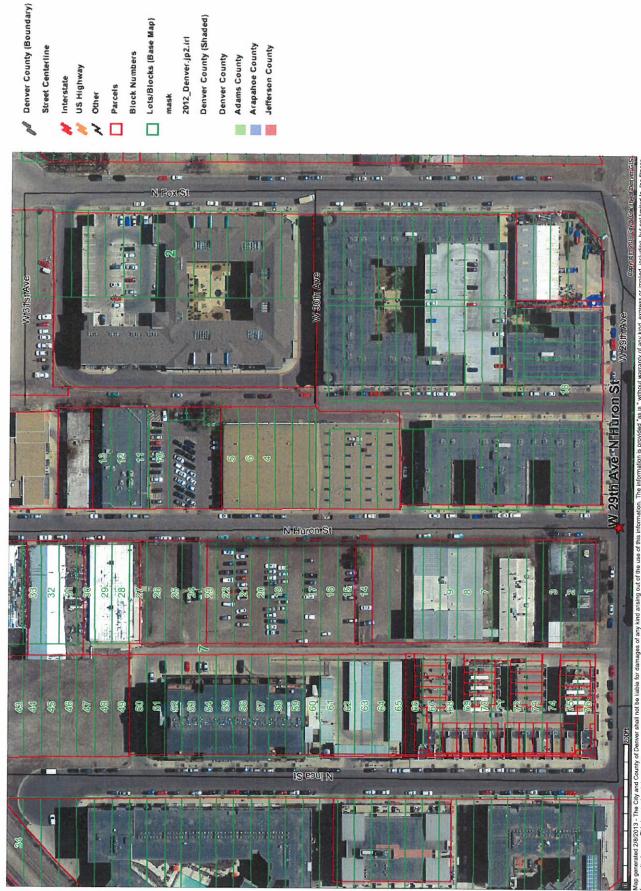
Will land be dedicated to the City if the vacation goes through: N/A

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, (29th & Huron Apartments).





nages of any kind arising out of the use of this information. The information is provided "as is " without warranty of any kind, express or implied, including, but not limited to, the fitness

Huron St. Parcel 1

Denver County Boundary	(American Survey)	Street Centerline		W US Highway	M Other	Block Numbers	Lots/Blocks (Base Map)	Denver County (Shaded)	Denver County	Adams County	Arapahoe County	Jefferson County					190)																		
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Denver County (Boundary)

Street Centerline

US Highway Interstate

Denver County (Shaded)

Denver County

Arapahoe County

Jefferson County

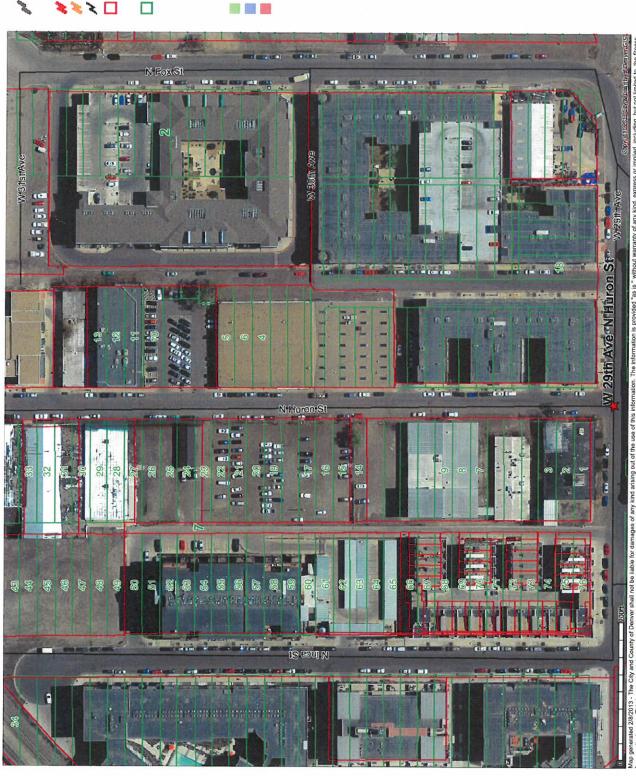
2012_Denver.jp2.irl

mask

Lots/Blocks (Base Map)

Block Numbers

Parcels Other



Denver County (Boundary) Denver County (Shaded) Lots/Blocks (Base Map) Arapahoe County Jefferson County Street Centerline Block Numbers **Denver County** Adams County US Highway Other MV 29th Ave N Huron St Copyright 2013 Cay & County gLoen/96 GIS alouded 'as Is " without warranty of any kind, express or implied, including, but not limited to, the fitness -W-30th-Ave--W-31stAve -N-Huron-St-Map generated 2/8/2013 - The City and County of Denver shall not be liable for damages of any kind arising out of the use of this information. The infortor to a particular use. This is not a legal document. -N-Inca-St-œ

Huron St. Parcel 2

2 Parcels of land conveyed to the City of Denver for right-of-way purposes.

Parcel 1

A portion of the land conveyed by Special Warranty Deed to the City & County of Denver, recorded on the 6th of February 2013 by Reception Number 2013017374 in the City and County of Denver Clerk & Recorders Office, State of Colorado, being more particularly described as follows:

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING THAT PORTION OF LOTS 5 THROUGH 23, BLOCK 7, HOYT AND ROBINSON'S ADDITION TO DENVER, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE RANGE LINE INTERSECTION OF INCA STREET AND WEST 29TH AVENUE;

THENCE NORTH 00°25'19" WEST, ALONG THE 28' RANGE LINE OF INCA STREET A DISTANCE OF 20.00 FEET TO A POINT ON THE EXTENSION OF THE SOUTH LINE OF SAID BLOCK 7;

THENCE NORTH 89°44'31" EAST, ALONG THE SOUTH LINE OF SAID BLOCK 7, A DISTANCE OF 344.19 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK 7;

THENCE NORTH 00°25'47" WEST ALONG THE EAST LINE OF SAID BLOCK 7, A DISTANCE OF 105.28 FEET TO A POINT 20.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT 5 AND THE POINT OF BEGINNING;

THENCE SOUTH 89°44'21" WEST, PARALLEL WITH SAID NORTH LINE, A DISTANCE OF 2.50 FEET;

THENCE NORTH 00°25'47" WEST PARALLEL WITH THE EAST LINE OF SAID BLOCK 7, A DISTANCE OF 458.95 FEET TO A POINT 13.00 FEET NORTH OF THE SOUTH LINE OF SAID LOT 23;

THENCE NORTH 89°43'46" EAST PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 2.50 FEET TO A POINT ON THE EAST LINE OF SAID BLOCK 7; THENCE SOUTH 00°25'47" EAST ALONG SAID EAST LINE, A DISTANCE OF 458.95 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,147 SQUARE FEET OR 0.03 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE 28' RANGE LINE IN INCA STREET NORTH OF 29TH AVENUE, ASSUMED TO BEAR NORTH 00°25'19" WEST.

Parcel 2

A portion of the land conveyed by Special Warranty Deed to the City & County of Denver, recorded on the 6th of February 2013 by Reception Number 2013017375 in the City and County of Denver Clerk & Recorders Office, State of Colorado, being more particularly described as follows:

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING THAT PORTION OF LOTS 23 THROUGH 33, BLOCK 7, HOYT AND ROBINSON'S ADDITION TO DENVER, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE RANGE LINE INTERSECTION OF INCA STREET AND WEST 29TH AVENUE;

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THENCE NORTH 00°25'47" WEST ALONG THE EAST LINE OF SAID BLOCK 7, A DISTANCE OF 564.22 FEET TO A POINT 13.00 FEET NORTH OF THE SOUTH LINE OF SAID LOT 23 AND THE POINT OF BEGINNING;

THENCE SOUTH 89°43'46" WEST PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 2.50 FEET;

THENCE NORTH 00°25'47" WEST PARALLEL WITH THE EAST LINE OF SAID BLOCK 7, A DISTANCE OF 255.61 FEET TO A POINT 7.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT 33;

THENCE NORTH 89°43'24" EAST PARALLEL WITH SAID NORTH LINE, A DISTANCE OF 2.50 FEET TO A POINT ON THE EAST LINE OF SAID BLOCK 7; THENCE SOUTH 00°25'47" EAST ALONG SAID EAST LINE, A DISTANCE OF 255.61 FEET TO THE POINT OF BEGINNING.

CONTAINING 639 SQUARE FEET OR 0.01 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE 28' RANGE LINE IN INCA STREET NORTH OF 29TH AVENUE, ASSUMED TO BEAR NORTH 00°25'19" WEST.







After recording, return to: Karen A. Aviles Denver City Attorney's Office, 201 W. Colfax, Dept. 1207 Denver, CO 80202

SPECIAL WARRANTY DEED

THIS DEED is made as of this 21 day of December 2012, by and between EDWARDS PROSPECT PARK, LLC, an Ohio limited liability company ("Grantor"), whose address is 495 S. High Street, Suite 150, Columbus, OH 43215, and THE CITY AND COUNTY OF DENVER, a home rule city and municipal corporation of the State of Colorado ("Grantee"), whose address is 1437 Bannock Street, Denver, CO 80202.

Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto Grantee, its successors and assigns forever, all the real property together with improvements, if any, situate, lying and being in Denver County, Colorado, located at 2901, 2915, 2925 and 3001 Huron Street, Denver, Colorado and being a 2.5 foot wide strip of land as more particularly described on Exhibit A attached hereto and incorporated herein (the "Property").

TOGETHER WITH all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversions, remainders, rents, issues and profits thereof; and all the estate, right, title, interest, claim and demand whatsoever of the Grantor, either in law or in equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the Property above bargained and described, with the appurtenances unto Grantee, its successors and assigns forever. And Grantor, for itself, its successors and assigns, covenants and agrees that Grantor shall and will WARRANT AND FOREVER DEFEND the above bargained premises in the quiet and peaceable possession of Grantee, its successors and assigns, against all and every person or persons lawfully claiming or to claim the whole or any part thereof, by, through, or under Grantor, except for all matters of record.

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

GRANTOR:

EDWARDS PROSPECT PARK, LLC, an Ohio limited liability company

By: EDWARDS ASSOCIATES PROSPECT PARK, LLC, an Ohio limited liability company, Sole Member and Manager

By: Jeffrey W. Edwards, Manager

STATE OF OHIO

) ss

COUNTY OF FRANKLIN

The foregoing instrument was acknowledged before me this 25 day of December, 2012, by Jeffrey W. Edwards, Manager of Edwards Associates Prospect Park, LLC, an Ohio limited liability company, as the Sole Member and Manager of Edwards Prospect Park, LLC, an Ohio limited liability company on behalf of the limited liability company.

WITNESS my hand and official seal.

Notory Public

My commission expires: Notary Public

SUSAN WILGUS Notary Public In and For the State of Ohio My Commission Expires

June 25, 2015

PARCEL 1

EXHIBIT A TO SPECIAL WARRANTY DEED (LEGAL DESCRIPTION)

[2.5' running along the East side of approx. Lots 5-23]

[See attached]

PARCE ()

DESCRIPTION

SITUATED IN THE SOUTHEAST 1/4 OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO.

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING THAT PORTION OF LOTS 5 THROUGH 23, BLOCK 7, HOYT AND ROBINSON'S ADDITION TO DENVER, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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THENCE NORTH 00'25'47" WEST ALONG THE EAST LINE OF SAID BLOCK 7, A DISTANCE OF 105.28 FEET TO A POINT 20.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT 5 AND THE POINT OF BEGINNING;

THENCE SOUTH 89'44'21" WEST, PARALLEL WITH SAID NORTH LINE, A DISTANCE OF 2.50 FEET;

THENCE NORTH 00'25'47" WEST PARALLEL WITH THE EAST LINE OF SAID BLOCK 7, A DISTANCE OF 458.95 FEET TO A POINT 13.00 FEET NORTH OF THE SOUTH LINE OF SAID LOT 23;

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CONTAINING 1,147 SQUARE FEET OR 0.03 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE 28' RANGE LINE IN INCA STREET NORTH OF 29TH AVENUE, ASSUMED TO BEAR NORTH 00'25'19" WEST.

PREPARED BY: AARON MURPHY

PLS 38162

ON BEHALF OF: HARRIS KOCHER SMITH

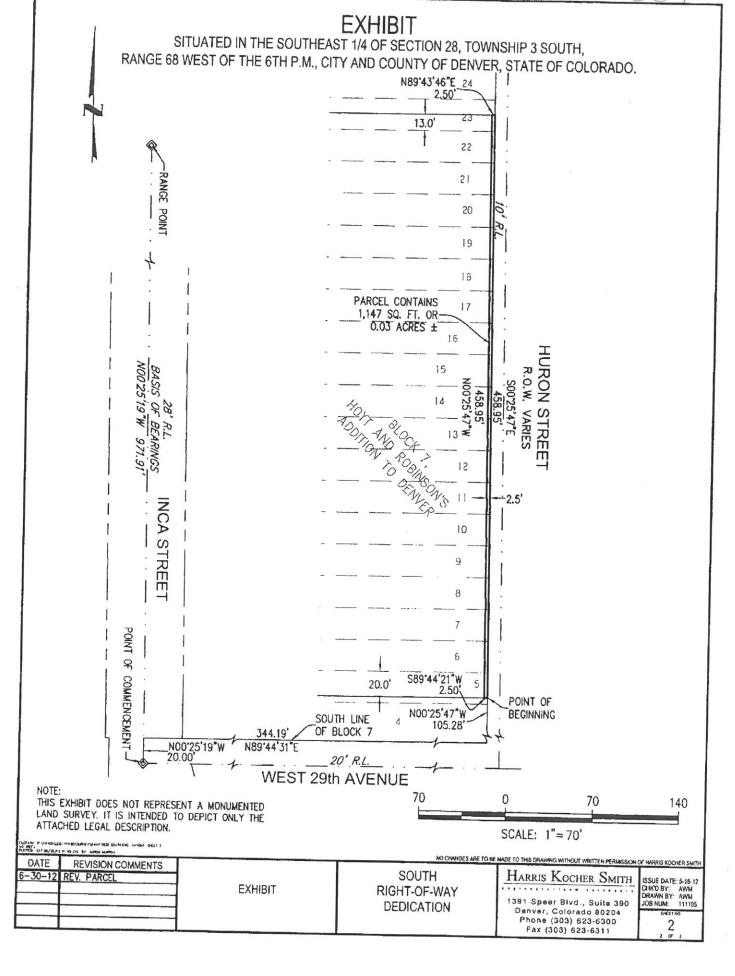
1391 SPEER BLVD. SUITE 390

DENVER, CO 80204



DATE REVISION COMMENTS		NO CHANGES ARE	TO BE MADE TO THIS DRAWING WITHOUT WRITTEN PERMISSION	OF HARRIS KOCHER SAITH
6-30-12 REV. PARCEL	DESCRIPTION	SOUTH RIGHT-OF-WAY DEDICATION	HARRIS KOCHER SMITH	ISSUE DATE: 5-18-12 CHKD 8Y: AWM

PARCEC 1



After recording, return to: Karen A. Aviles Denver City Attorney's Office, 201 W. Colfax, Dept. 1207 Denver, CO 80202



SPECIAL WARRANTY DEED

THIS DEED is made as of this 21 day of December 2012, by and between EDWARDS PROSPECT PARK, LLC, an Ohio limited liability company ("Grantor"), whose address is 495 S. High Street, Suite 150, Columbus, OH 43215, and THE CITY AND COUNTY OF DENVER, a home rule city and municipal corporation of the State of Colorado ("Grantee"), whose address is 1437 Bannock Street, Denver, CO 80202.

Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto Grantee, its successors and assigns forever, all the real property together with improvements, if any, situate, lying and being in Denver County, Colorado, located at 3003-3011 Huron Street, Denver, Colorado and being a 2.5 foot wide strip of land as more particularly described on Exhibit A attached hereto and incorporated herein (the "Property").

TOGETHER WITH all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversions, remainders, rents, issues and profits thereof; and all the estate, right, title, interest, claim and demand whatsoever of the Grantor, either in law or in equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the Property above bargained and described, with the appurtenances unto Grantee, its successors and assigns forever. And Grantor, for itself, its successors and assigns, covenants and agrees that Grantor shall and will WARRANT AND FOREVER DEFEND the above bargained premises in the quiet and peaceable possession of Grantee, its successors and assigns, against all and every person or persons lawfully claiming or to claim the whole or any part thereof, by, through, or under Grantor, except for all matters of record.

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

GRANTOR:

EDWARDS PROSPECT PARK, LLC, an Ohio limited liability company

By: EDWARDS ASSOCIATES PROSPECT PARK, LLC, an Ohio limited liability company, Sole Member and Manager

By: Jeffrey W. Edwards, Manager

STATE OF OHIO) s

COUNTY OF FRANKLIN

The foregoing instrument was acknowledged before me this 2/5/day of December, 2012, by Jeffrey W. Edwards, Manager of Edwards Associates Prospect Park, LLC, an Ohio limited liability company, as the Sole Member and Manager of Edwards Prospect Park, LLC, an Ohio limited liability company on behalf of the limited liability company.

WITNESS my hand and official seal.

Notary Public

My commission expires:_ Notary Public

SUSAN WILGUS
Notary Public
In and For the State of Ohio
My Commission Expires

June 25, 2015

EXHIBIT A TO SPECIAL WARRANTY DEED (LEGAL DESCRIPTION)

[2.5' running along the East side of approx. Lots 23-33]

[See attached]

PARCEL 2

DESCRIPTION

SITUATED IN THE SOUTHEAST 1/4 OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO.

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING THAT PORTION OF LOTS 23 THROUGH 33, BLOCK 7, HOYT AND ROBINSON'S ADDITION TO DENVER, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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PREPARED BY: AARON MURPHY

PLS 38162

ON BEHALF OF: HARRIS KOCHER SMITH

1391 SPEER BLVD. SUITE 390

DENVER, CO 80204



DATE REVISION COMMENTS		NO CHANGES ARE	TO BE MADE TO THIS DRAWING WITHOUT WRITTEN PERVASSION	OF HARRIS KOCHER SWITH
6-30-12 REV. PARCEL	DESCRIPTION	NORTH RIGHT-OF-WAY DEDICATION	10010	DRAWN BY: AWM

PARCEL Z

