




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: November 5th, 2020

ROW #: 2020-DEDICATION-000008 **SCHEDULE #:** 0629200037000

TITLE: This request is to dedicate a City-owned parcel of land as Public Right-of-Way as S. Holly St., located at the intersection of E. Asbury Ave. and S. Holly 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 S. Holly 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, "Evans & Holly 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 Public Right-of-Way. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2020-DEDICATION0000008-001) HERE.

A map of the area to be dedicated is attached.

MB/TB/RL

cc: Dept. of Real Estate, Katherine Rinehart
City Councilperson, Paul Kashmann District # 6
Councilperson Aide, Brent Fahrberger
Councilperson Aide, Morgan Watters
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, Thomas Breitnauer
DOTI Ordinance
Owner: City and County of Denver
Project file folder 2020-DEDICATION-0000008

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: November 5th, 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 a City-owned parcel of land as Public Right-of-Way as S. Holly St., located at the intersection of E. Asbury Ave. and S. Holly 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:** 720-547-5344
- **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 S. Holly 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, "Evans & Holly 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:** At the intersection of E. Asbury Ave. and S. Holly St.
- d. **Affected Council District:** Paul Kashmann District # 6
- e. **Benefits:** N/A
- f. **Contract Amount (indicate amended amount and new contract total):** N/A

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-0000008

Description of Proposed Project: Dedication of a parcel of land as Public Right-of-Way as S. Holly 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 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

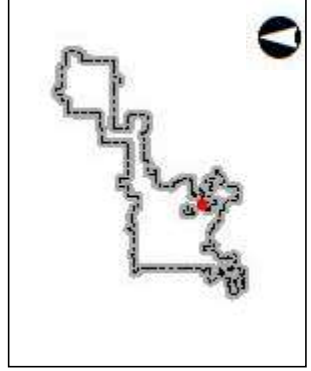
Additional information: This land was deeded to the City and County of Denver for the purpose of dedicating it as Public Right-of-Way, as part of a development project called, "Evans & Holly Development."



The City and County of Denver shall not be liable for damages 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 for a particular use.
THIS IS NOT A LEGAL DOCUMENT.

Legend

- Well Restrictions
- Barrier Restrictions
- Area Restrictions
 - Liner
 - Sheet Pile Wall Area
- Streams
- Irrigation Ditches Reconstruct (Gardens)
- 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-0000008-001:

LAND DESCRIPTION – STREET PARCEL:

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 15TH DAY OF JULY, 2020, AT RECEPTION NUMBER 2020100585 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: BEARINGS ARE BASED UPON THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 29 BEING MONUMENTED AT THE NORTHWEST CORNER BY AN AXLE IN A RANGE BOX AND AT THE NORTH QUARTER CORNER BY AN AXLE IN A RANGE BOX, ASSUMED TO BEAR SOUTH 89°53'16" EAST, AS RECORDED IN THE ZONE LOT AMENDMENT DOCUMENT UNDER THE RECEPTION NUMBER 2019168147 IN THE CITY AND COUNTY OF DENVER, WITH ALL BEARINGS HEREIN RELATIVE THERETO;

COMMENCING AT THE SAID NORTHWEST CORNER OF SECTION 29;

THENCE SOUTHERLY ALONG THE WEST LINE OF SAID NORTHWEST QUARTER OF SECTION 29 SOUTH 00°10'18" EAST A DISTANCE OF 511.43 FEET;

THENCE DEPARTING SAID WEST LINE NORTH 89°49'35" EAST A DISTANCE OF 33.00 FEET TO THE COMMON LINE OF THE EAST RIGHT-OF-WAY LINE OF SOUTH HOLLY STREET AS DESCRIBED IN BOOK 2222 AT PAGE 10 OF THE RECORDS OF THE CITY AND COUNTY OF DENVER AND THE WEST LINE OF A PARCEL OF LAND IN BOOK 123 AT PAGE 189 OF THE RECORDS OF THE CITY AND COUNTY OF DENVER AND THE **POINT OF BEGINNING**;

THENCE DEPARTING THE SAID EAST RIGHT-OF-WAY LINE AND ALONG THE COMMON LINE OF THE NORTH LINE OF SAID PARCEL OF LAND RECORDED IN BOOK 123 AT PAGE 189 AND THE SOUTH LINE OF A PARCEL OF LAND RECORDED IN BOOK 63 AT PAGE 003 RECEPTION NUMBER L009195 IN THE RECORDS OF THE CITY AND COUNTY OF DENVER NORTH 89°57'53" EAST A DISTANCE OF 11.00 FEET;

THENCE DEPARTING THE SAID SOUTH LINE OF A PARCEL OF LAND RECORDED IN BOOK 63 AT PAGE 003 SOUTH 00°10'18" EAST A DISTANCE OF 397.44 FEET, BEING PARALLEL WITH THE SAID EAST RIGHT-OF-WAY LINE OF SOUTH HOLLY STREET TO THE INTERSECTION OF THE SOUTH LINE OF SAID PARCEL OF LAND RECORDED BOOK 123 AT PAGE 189 WHICH IS ALSO THE COMMON LINE WITH THE NORTH LINE OF A SHORT TERM LEASE AGREEMENT BETWEEN THE UNITED STATES POSTAL SERVICE AND THE COLORADO DEPARTMENT OF HIGHWAYS AS RECORDED IN BOOK 2587 AT PAGES 110-115 IN THE CITY AND COUNTY OF DENVER;

THENCE WESTERLY ALONG THE SAID COMMON LINE NORTH 83°45'20" WEST A DISTANCE OF 11.07 FEET TO THE SAID EAST RIGHT-OF-WAY LINE OF SOUTH HOLLY STREET;

THENCE NORTHERLY ALONG THE SAID COMMON LINE OF THE EAST RIGHT-OF-WAY LINE OF SOUTH HOLLY STREET AND THE SAID WEST LINE ON THE PARCEL OF LAND RECORDED IN BOOK 123 AT PAGE 189 NORTH 00°10'18" WEST A DISTANCE OF 396.23 FEET TO THE **POINT OF BEGINNING**;

CONTAINING 4,361 SQUARE FEET OR 0.1002 ACRES MORE OR LESS.



07/15/2020 03:49 PM
City & County of Denver
Electronically Recorded

R \$43.00

WD

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: 2020-Dedication-0000008
Asset Mgmt No.: 20-111

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED (“Deed”), made as of this 15 day of July, 2020, by **KRF 965, LLC**, a Colorado limited liability company and **KRF HOLLY LLC** a Colorado limited liability company, whose address is 1509 York Street, Suite 201, Denver, CO 80206, 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.

70541900




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

GRANTOR:

KRF 965, LLC,
a Colorado limited liability company

By: KRF II, LLC,
a Colorado limited liability company, its Sole Member

By: 
George Balafas, President

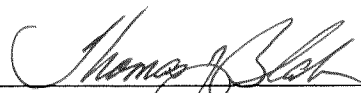
STATE OF COLORADO)

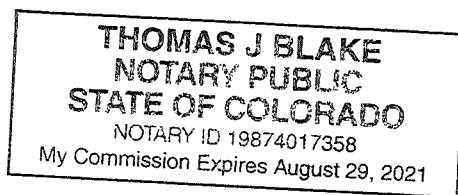
) ss

CITY AND COUNTY OF DENVER)

The foregoing instrument was acknowledged before me this 15 day of July 2020, by George Balafas, as President of KRF II, LLC, as Sole Member of KRF 965 LLC.

WITNESS my hand and official seal.
My commission expires 8-29-21



Notary Public



GRANTOR:

KRF HOLLY LLC,
a Colorado limited liability company

By: Kentro Real Estate Fund I, LLC,
a Colorado limited liability company, its Manager

By: 
George Balafas,
Member


STATE OF COLORADO)

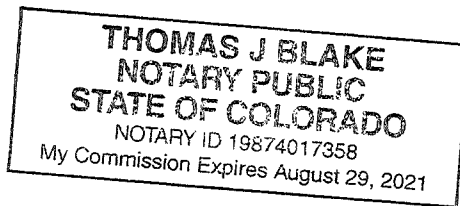
) ss

CITY AND COUNTY OF DENVER)

The foregoing instrument was acknowledged before me this 15 day of July 2020, George Balafas, as Member of Kentro Real Estate Fund I, LLC, as Manager of KRF HOLLY LLC.

WITNESS my hand and official seal.
My commission expires 8-29-21


Notary Public



2018-PROJ/MSTR-0000059-ROW

EXHIBIT A
LAND DESCRIPTION
SHEET 1 OF 4

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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(CONTINUED ON SHEET 2)

2018-PROJMSTR-0000059-ROW

EXHIBIT A
LAND DESCRIPTION
SHEET 2 OF 4

(CONTINUED FROM SHEET 1)

THENCE WESTERLY ALONG THE SAID COMMON LINE NORTH 83°45'20" WEST A DISTANCE OF 11.07 FEET TO THE SAID EAST RIGHT-OF-WAY LINE OF SOUTH HOLLY STREET;

THENCE NORTHERLY ALONG THE SAID COMMON LINE OF THE EAST RIGHT-OF-WAY LINE OF SOUTH HOLLY STREET AND THE SAID WEST LINE ON THE PARCEL OF LAND RECORDED IN BOOK 123 AT PAGE 189 NORTH 00°10'18" WEST A DISTANCE OF 396.23 FEET TO THE **POINT OF BEGINNING**;

CONTAINING 4,361 SQUARE FEET OR 0.1002 ACRES MORE OR LESS.

PREPARED BY:

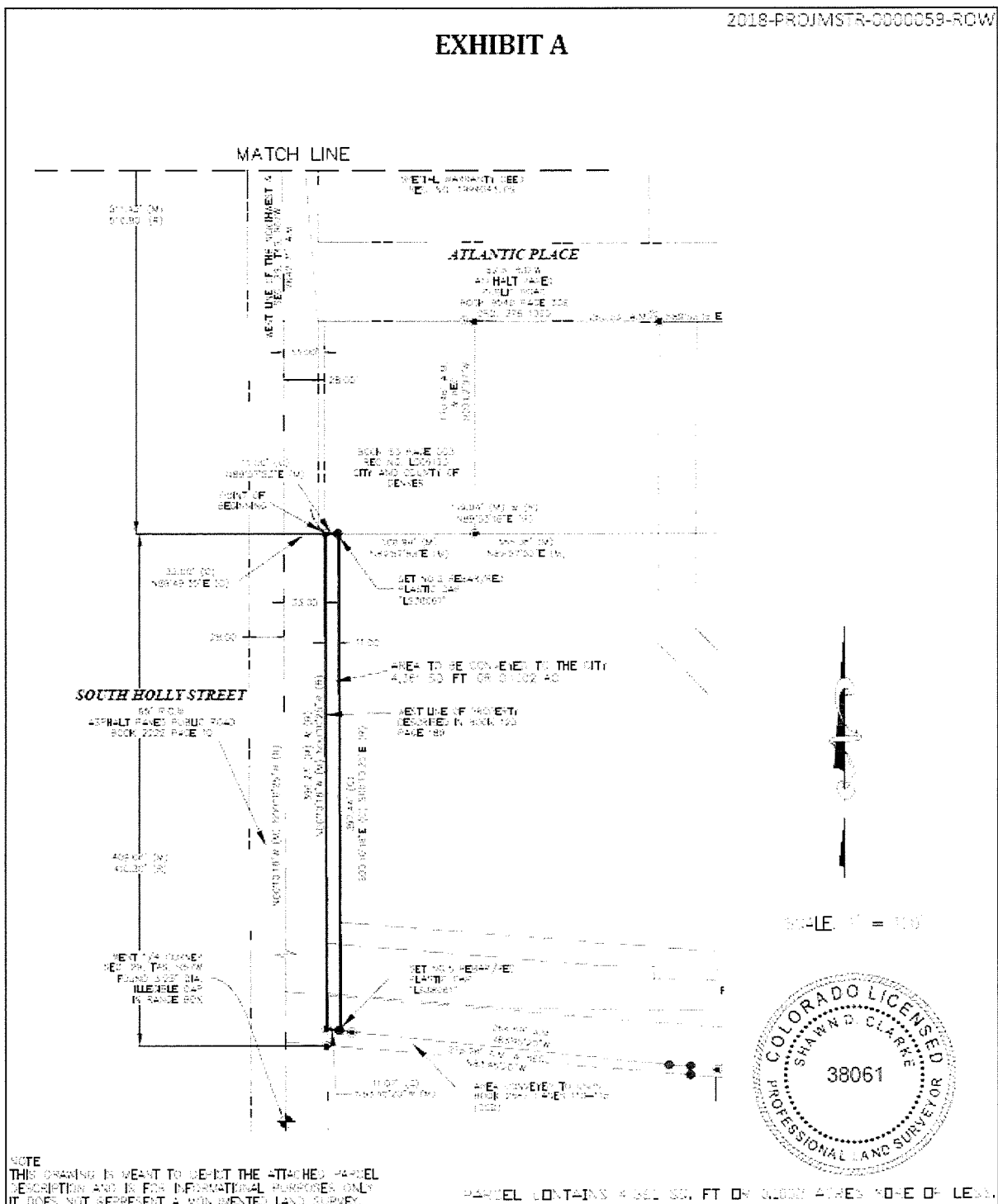
SHAWN D. CLARKE, PLS

COLORADO REG. NO. 38061

FOR AND BEHALF OF BOWMAN CONSULTING GROUP, LTD.

2018-PROJMSTR-0000059-ROW

EXHIBIT A



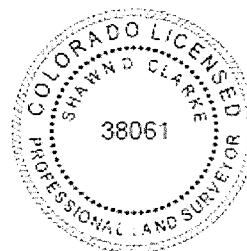
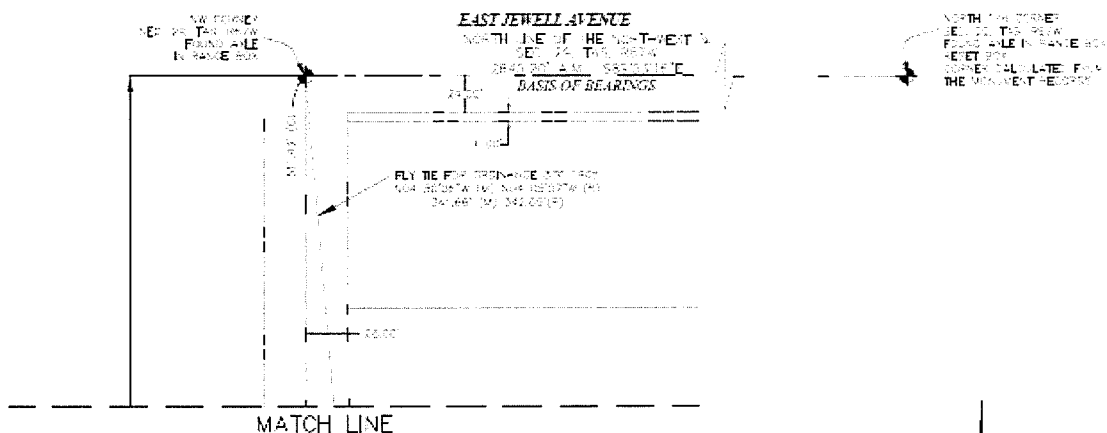
NOTE
THIS DRAWING IS MEANT TO DEPICT THE ATTACHED PARCEL DESCRIPTION AND IS FOR INFORMATIONAL PURPOSES ONLY. IT DOES NOT REPRESENT A MONUMENTED LAND SURVEY.

PANEL CONTAINS 4 361 SQ. FT OF 0.008 ACRES (0.0% OF L&A).

SEC 29, T4S, R67W 6TH P.M. DENVER COUNTY COLORADO	RIGHT-OF-WAY EXHIBIT		SHEET	 1525 Dale Blvd., Suite 100, Lakewood, Colorado 80401 Phone: (303) 801-2900 www.bowmanconsulting.com	
	BY: DWR	CHK: SDC	DATE: 02/22/20		3
	BOG PROJECT NO: 080572				4

EXHIBIT A

2018-PROJMSTR-0000059-ROW



NOTE
THIS DRAWING IS MEANT TO DEPICT THE ATTACHED PARCEL
DESCRIPTION AND IS FOR INFORMATIONAL PURPOSES ONLY.
IT DOES NOT REPRESENT A MONUMENTED LAND SURVEY.

PARCEL CONTAINS A 661.50 FT OR 6100' APPROXIMATE OR LESS.

SEC 29, T4S, R67W 6TH P.M. DENVER COUNTY COLORADO	RIGHT-OF-WAY EXHIBIT			SHEET 4 OF 5	Bowman CONSULTING 1520 24th Blvd., Suite 300, Lakewood, Colorado 80401 Phone: (303) 801-1500 www.bowmanconsulting.com
	BY: BJA	CHK: SDC	DATE: 02/22/20		
	BOC PROJECT NO. 000572				