



REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Karen Walton, City Attorney's Office
FROM: Robert J. Duncanson P.E., Engineering Manager II
Right-of-Way Services

DATE: November 5, 2013

ROW #: 2012-0180-05 **SCHEDULE #:** 0503826030000

TITLE: This request is to dedicate a parcel of land as Public Right of Way as Public Alley. Located between Broadway to Lincoln and 8th Ave. to 9th 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 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 (8th and Lincoln Apts.).

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 # 2012-0180-05-001 HERE.

A map of the area to be dedicated is attached.

RD/PPK/LRA

cc: Asset Management, Steve Wirth
City Councilperson & Aides, District # 10, Jeanne Robb
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
Public Works Survey, Peter Kent
Public Works Survey, Paul Rogalla
Owner: City and County of Denver
Project file folder 2012-0180-05

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 5, 2013**

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, 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 between Broadway to Lincoln and 8th Ave. to 9th Ave.

3. **Requesting Agency:** Public Works, Right of Way Engineering Services

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

- **Name:** Lisa R. Ayala
- **Phone:** 720-865-3153
- **Email:** lisa.ayala@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:** Nancy Kuhn
- **Phone:** 720-865-8720
- **Email:** Nancy.Kuhn@denvergov.org

6. **General description 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 (8th and Lincoln Apts.).

****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.)*

- a. **Contract Control Number:** NO
- b. **Duration:** Permanent
- c. **Location:** between Broadway to Lincoln St. and 8th Ave to 9th Ave.
- d. **Affected Council District:** # 10, Jeanne Robb
- e. **Benefits:** N/A
- f. **Costs:** N/A

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

Revised 08/16/10



DENVER
THE MILE HIGH CITY

EXECUTIVE SUMMARY

Project Title: 2012-0180-05 Dedication as Public Alley between Broadway to Lincoln and 8th Ave. to 9th Ave.

Description of Proposed Project: This request is to 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: NO

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, (8th and Lincoln Apts.).



Protecting the Present & Building the Future
Accountability, Innovation, Empowerment, Performance, Integrity,
Diversity, Teamwork, Respect, Excellence, Safety

8th & Lincoln



EXHIBIT "A"

ENC-0130-05-001

Vigil Land Consultants

S U R V E Y O R S

480 Yuma Street ■ Denver, Colorado 80204
Off: (303) 436-9233 ■ Fax: (303) 436-9235

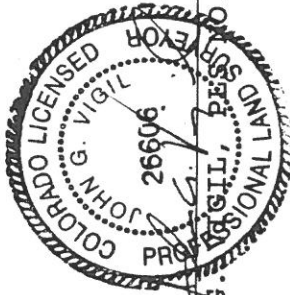
Date 02-27-13

Job No. 12008

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING A PORTION OF LOTS 26 AND 27, BLOCK 8, FIRST ADDITION TO ARLINGTON HEIGHTS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 27; THENCE SOUTH ALONG THE EAST LINE OF SAID LOT 27, A DISTANCE OF 20.00 FEET; THENCE ON AN ANGLE TO THE RIGHT OF 90°03'53", A DISTANCE OF 62.81 FEET; THENCE ON AN ANGLE TO THE LEFT OF 28°18'48", A DISTANCE OF 20.78 FEET; THENCE ON AN ANGLE TO THE RIGHT OF 28°18'48", A DISTANCE OF 44.00 FEET TO A POINT ON THE WEST LINE OF SAID LOT 26; THENCE ON AN ANGLE TO THE RIGHT OF 89°56'38", ALONG SAID WEST LINE AND THE WEST LINE OF SAID LOT 27, A DISTANCE OF 30.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 27; THENCE ON AN ANGLE TO THE RIGHT OF 90°03'22", ALONG THE NORTH LINE OF SAID LOT 27, A DISTANCE OF 125.12 FEET TO THE POINT OF BEGINNING. CONTAINING 3,040 SQUARE FEET OR 0.070 ACRES MORE OR LESS.



JOHN G. VIGIL, P.E.S.S. NO. 26606

2012-0110-05-001

Vigil Land Consultants

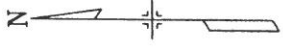
SURVEYORS

480 Yuma Street ■ Denver, Colorado 80204
Off: (303) 436-9233 ■ Fax: (303) 436-9235

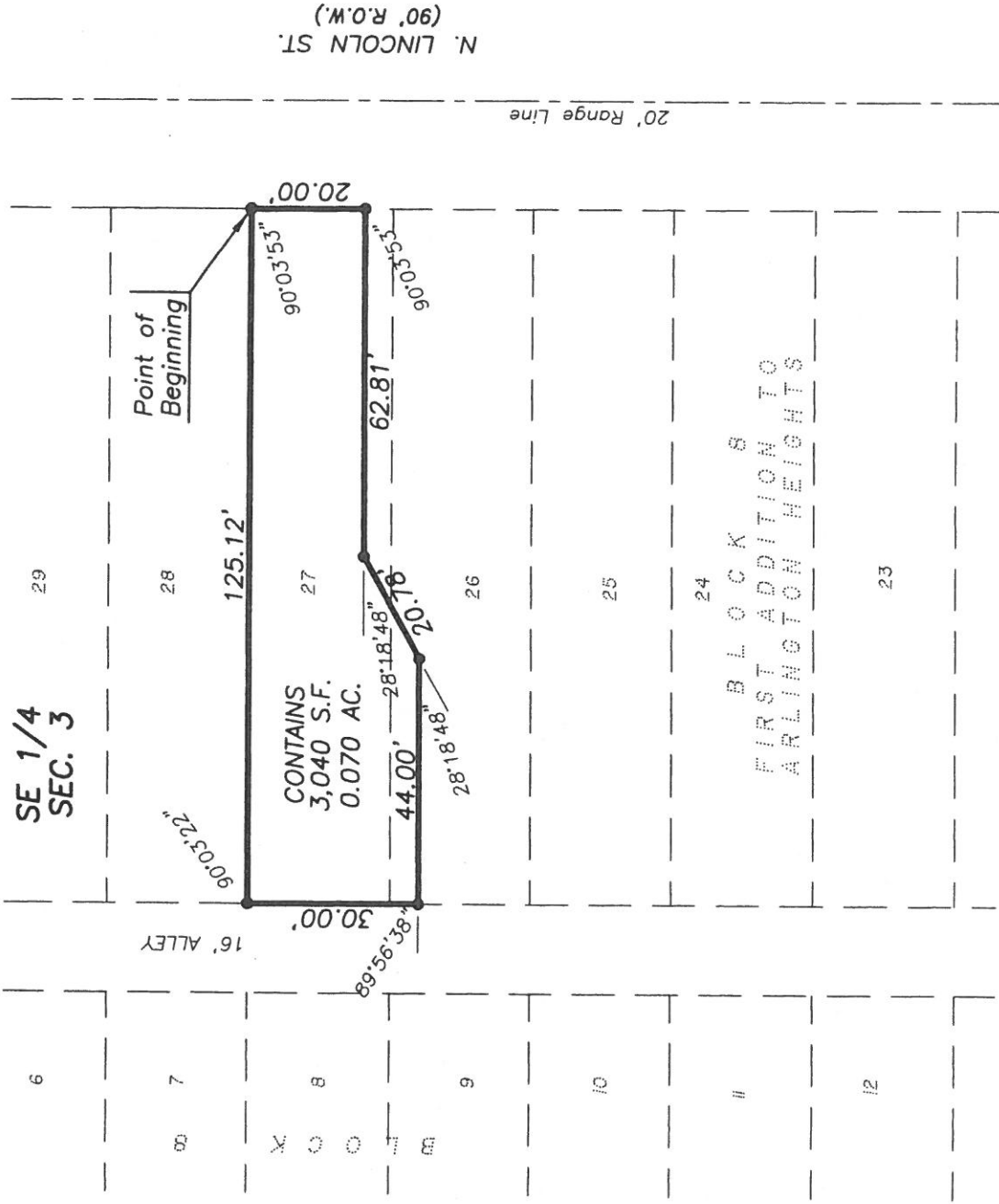
Date 02-27-13

Job No. 12008

ATTACHMENT TO LEGAL DESCRIPTION - NOT A SURVEY



SCALE: 1"=30'





2013064280

Page: 1 of 3
05/06/2013 02:07P

City & County of Denver

RD.00

00.00

WARRANTY DEED

CITY & COUNTY OF DENVER
ASSET MANAGEMENT
201 W. CORCORAN AVE DEPT 1012
DENVER, CO 80202

THIS DEED, dated 4-30, 2013, is between **Robinson Brothers Investments, LLC** a Colorado limited liability company ("Grantor"), 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.

WITNESS, that the Grantor, for and in consideration of the sum of TEN DOLLARS AND 00/100 (\$10.00), 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 the Grantee, its successors and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the City and County of Denver and State of Colorado, described as follows:

EXHIBIT A attached hereto and incorporated herein

Assessor's schedule or parcel number:
Address: Vacant Land

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

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the Grantee, its successors and assigns forever. The Grantor covenants, grants, bargains, and agrees to and with the Grantee, its successors and assigns, that at the time of the enrolling and delivery of these presents, it is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature whatsoever, except for all matters of record.

The grantor shall and will **WARRANT AND FOREVER DEFEND** the above bargained premises in the quiet and peaceable possession of the grantee, its successors and assigns, against all and every person or persons lawfully claiming the whole or any part thereof, except for all matters of record.

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

Robinson Brothers Investments, LLC

By: [Signature]
Name: Jeffrey S. Robinson
Title: MANAGER

STATE OF Colorado
COUNTY OF Denver

The foregoing instrument was acknowledged before me this day 30th of April, 2013 by Jeffrey S. Robinson, Manager of Robinson Brothers Investments, LLC.

Witness my hand and official seal.
My commission expires: 5/25/2013 Ashlee Cook
Notary Public



Name and Address of Person Creating Newly Created Legal Description (\$38-35-106.5, C.R.S.)

CERTIFICATION

The Clerk and Recorder for the CITY AND COUNTY OF DENVER State of Colorado does hereby certify this document to be a full, true and correct copy of the original document recorded in my office.



Clerk and Recorder
by [Signature]
Deputy County Clerk
Date May 6, 2013
Bridget M. Svalberg

Asset Mgmt. # 13-054

Asset Management Date: 5-6-13

Project Description: Row