



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: April 23, 2019

ROW #: 2017-Dedication-0000181 **SCHEDULE #:** 0510305070000

TITLE: This request is to dedicate a parcel of land as Public Right of Way as Public Alley.
Located in the alley bounded by N. Elati St., W. Ellsworth Ave., N. Fox St. and W. 1st 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 **(55 North Elati Rowhomes)**

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 # (2017-Dedication-0000181-001) HERE.

A map of the area to be dedicated is attached.

MB/DS/bv

cc: Dept. of Real Estate, Katherine Rinehart
City Councilperson & Aides, Jolon Clark District # 7
Council Aide Maggie Thompson
Council Aide Anita Banuelos
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, Dana Sperling
Public Works Survey, Paul Rogalla
Owner: City and County of Denver
Project file folder 2017-Dedication-0000181

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: April 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 N. Elati St., W. Ellsworth Ave., N. Fox St. and W. 1st Ave.

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 **(55 North Elati Rowhomes)**

****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 N. Elati St., W. Ellsworth Ave., N. Fox St. and W. 1st Ave.
- d. **Affected Council District:** Jolon Clark Dist. #7
- 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.

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: _____

Date Entered: _____



DENVER
THE MILE HIGH CITY

EXECUTIVE SUMMARY

Project Title: 2017-Dedication-0000181

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 55 North Elati Rowhomes



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

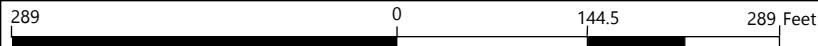
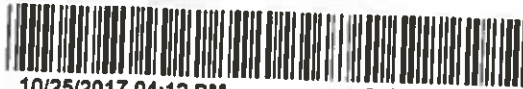


EXHIBIT A

LEGAL DESCRIPTION:

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON 10/25/2017, AT RECEPTION NO. 2017140411 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WESTERLY 8 FEET OF LOT 26 AND THE WESTERLY 8 FEET OF
OF THE SOUTH ½ OF LOT 27, BLOCK 3, LAKE ARCHER SUBDIVISION,
SW QUARTER SECTION 10, TOWNSHIP 4 SOUTH,
RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDAN
CITY AND COUNTY OF DENVER, STATE OF COLORADO.



10/25/2017 04:12 PM
City & County of Denver

R \$0.00

WD

2017140411

Page: 1 of 4

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 19th day of October, 2017, by **Elati 55 LLC**, a Colorado limited liability company, whose address is 2085 Forest St., Denver, CO 80207 ("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. # 17-103

Asset Management: Date: 10/26/17
Approved: RK

Project Description: JWD
Elati 55 LLC

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

ATTEST:

Elati 55 LLC, a Colorado Limited Liability Company

By: [Signature]

Name: Galen Hofer

Its: President/owner

STATE OF Colorado)
COUNTY OF Denver) ss.

The foregoing instrument was acknowledged before me this 19th day of October, 2017
by Galen Hofer, as President/owner of Elati 55 LLC, a Colorado Limited
Liability Company.

Witness my hand and official seal.

My commission expires: 2/6/2020

[Signature]
Notary Public

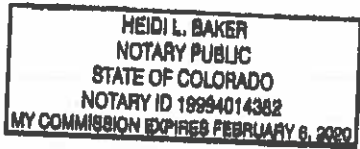


EXHIBIT A

LEGAL DESCRIPTION:

THE WESTERLY 8 FEET OF LOT 26 AND THE WESTERLY 8 FEET OF
THE SOUTH ½ OF LOT 27, BLOCK 3, LAKE ARCHER SUBDIVISION,
CITY AND COUNTY OF DENVER, STATE OF COLORADO.

Prepared by:

Curtis E. Carroll, PLS

8801 West Jewell Place

Lakewood CO, 80227

720-933-4791

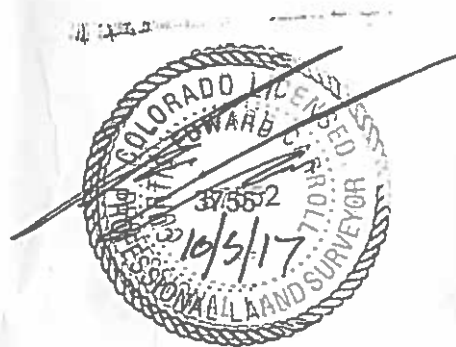
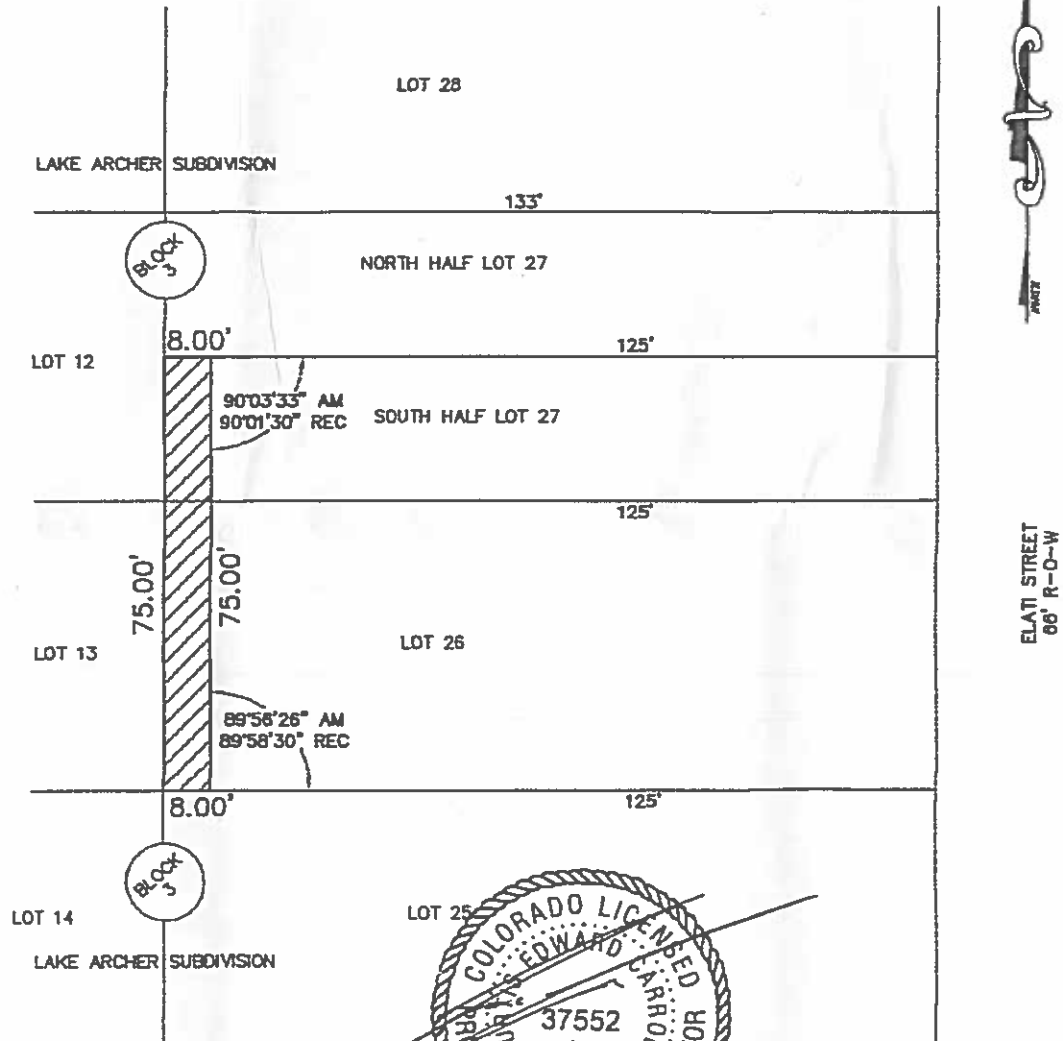


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LEGAL DESCRIPTION:
THE WESTERLY 8 FEET OF LOT 26 AND THE WESTERLY 8 FEET OF
OF THE SOUTH 1/2 OF LOT 27, BLOCK 3, LAKE ARCHER
SUBDIVISION, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

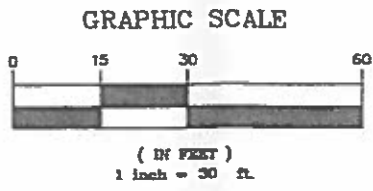
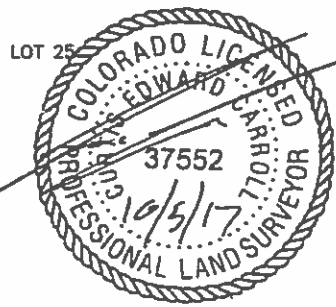


LOT 12

LOT 13

LOT 14

LAKE ARCHER SUBDIVISION



PREPARED BY:
BEAR CREEK LAND SURVEYING
CURTIS E. CARROLL, PLS
CO REG #37552
8801 WEST JEWELL PLACE
LAKEWOOD, CO 80227
PHONE (720)-933-4791