



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: August 8, 2019

ROW #: 2019-Dedication-0000060 **SCHEDULE #:** 0619200003000

TITLE: This request is to dedicate a parcel of land as Public Right of Way as S. Colorado Blvd.
Located at the intersection of S. Colorado Blvd. and E. Arizona 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 S. Colorado Blvd. 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 **(Raising Cane's Restaurant)**

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 S. Colorado Blvd. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2019-Dedication-0000060-001) HERE.

A map of the area to be dedicated is attached.

MB/TB/bv

cc: Dept. of Real Estate, Katherine Rinehart
City Councilperson Paul Kashmann District # 6
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, Thomas Breitnauer
Public Works Survey, Paul Rogalla
Public Works Ordinance
Owner: City and County of Denver
Project file folder 2019-Dedication-0000060

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: August 9, 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 S. Colorado Blvd.
Located at the intersection of S. Colorado Blvd. and E. Arizona 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 S. Colorado Blvd. 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 (**Raising Cane's Restaurant**)

****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:** S. Colorado Blvd. and E. Arizona Ave.
- d. **Affected Council District:** Dist. #6 Paul Kashmann
- 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: _____



EXECUTIVE SUMMARY

DENVER
THE MILE HIGH CITY

Project Title: 2019-Dedication-0000060

Description of Proposed Project: Dedicate a parcel of land as public right of way as S. Colorado Blvd.

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

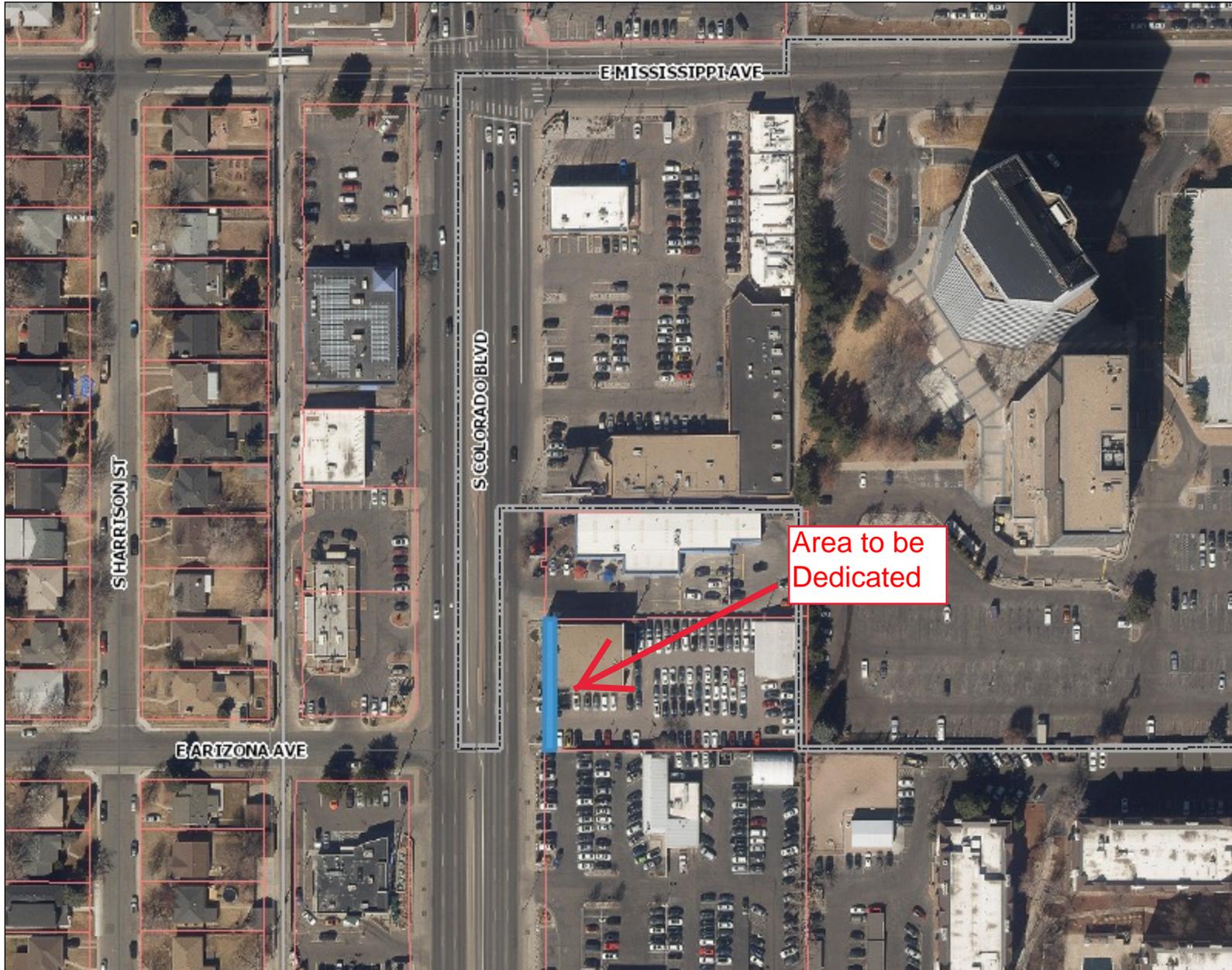
What is the known duration of an MEP: N/A

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

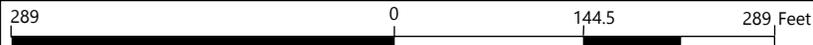
Will an easement relinquishment be submitted at a later date: N/A

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 Raising Cane's Restaurant.



Legend

-  Well Restrictions
-  Barrier Restrictions
- Area Restrictions**
 -  Liner
 -  Sheet Pile Wall Area
-  Streams
-  Streets
-  Alleys
- Railroads**
 -  Main
 -  Yard
 -  Spur
 -  Siding
 -  Interchange track
 -  Other
-  Bridges
- Rail Transit Stations**
 -  Existing
 -  Planned
-  Park-N-Ride Locations
-  Lakes
-  County Boundary
-  Parcels
- Parks**
 -  All Other Parks; Linear
 -  Mountain Parks



A PARCEL OF LAND CONVEYED BY WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 15TH DAY OF JULY, 2019, AT RECEPTION NUMBER 2019091418 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

A PORTION OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN THE SPECIAL WARRANTY DEED RECORDED OCTOBER 1, 2015 AT RECEPTION NO. 2015138820 IN THE OFFICE OF THE CLERK AND RECORDER FOR THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING A PORTION OF BLOCK 8, CHERRY CREEK GARDENS, IN THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, PER THE PLAT RECORDED DECEMBER 12, 1884 IN BOOK 3 AT PAGE 25 IN SAID OFFICE OF THE CLERK AND RECORDER, LYING WITHIN THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 19, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, IN SAID CITY, COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH 1/16 CORNER OF SAID SECTION 19, BETWEEN SECTION 24 AND SECTION 19, FROM WHICH THE WEST LINE OF SAID NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 19 BEARS NORTH 00°00'26" WEST, WITH ALL BEARINGS CONTAINED HEREIN BEING REFERENCED TO SAID WEST LINE;

THENCE ALONG SAID WEST LINE, NORTH 00°00'26" WEST, A DISTANCE OF 660.57 FEET TO THE INTERSECTION OF SAID WEST LINE AND THE WESTERLY PROLONGATION OF THE SOUTH LINE OF BLOCK 8, CHERRY CREEK GARDENS;

THENCE ALONG SAID WESTERLY PROLONGATION OF THE SOUTH LINE OF BLOCK 8, NORTH 89°49'01" EAST, A DISTANCE OF 69.00 FEET TO THE SOUTHWEST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN SPECIAL WARRANTY DEED AT RECEPTION NO. 2015138820 AND THE POINT OF BEGINNING;

THENCE ALONG THE WEST LINE OF SAID CERTAIN PARCEL OF LAND, SAID WEST LINE ALSO BEING THE EAST RIGHT-OF-WAY OF SOUTH COLORADO BOULEVARD (PUBLIC RIGHT-OF-WAY, WIDTH VARIES, PER THE DEDICATIONS RECORDED IN BOOK 463, PAGE 413, ARAPAHOE COUNTY RECORDS, AND IN BOOK 1007, PAGE 541, ARAPAHOE COUNTY RECORDS), NORTH 00°00'26" WEST, A DISTANCE OF 126.19 FEET TO THE NORTHWEST CORNER OF SAID CERTAIN PARCEL OF LAND;

THENCE ALONG THE NORTH LINE OF SAID CERTAIN PARCEL OF LAND, NORTH 89°42'41" EAST, A DISTANCE OF 9.32 FEET TO A LINE PARALLEL WITH AND DISTANT 9.32 FEET EASTERLY FROM THE WEST LINE OF SAID CERTAIN PARCEL OF LAND;

THENCE ALONG SAID PARALLEL LINE, SOUTH 00°00'26" EAST, A DISTANCE OF 126.20 FEET TO THE SOUTH LINE OF SAID CERTAIN PARCEL OF LAND, BEING THE SOUTH LINE OF SAID BLOCK 8, CHERRY CREEK GARDENS;

THENCE ALONG SAID SOUTH LINE, SOUTH 89°49'01" WEST, A DISTANCE OF 9.32 FEET TO THE SOUTHWEST CORNER OF SAID CERTAIN PARCEL OF LAND AND THE POINT OF BEGINNING.

CONTAINS 1,176 SQUARE FEET OR 0.027 ACRES, MORE OR LESS.



07/15/2019 04:15 PM
City & County of Denver

R \$0.00

WD

2019091418

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

July THIS SPECIAL WARRANTY DEED ("Deed"), made as of this 11 day of July, 2019, by **1190 SOUTH COLORADO BOULEVARD, LLC**, a Florida limited liability company, whose address is 6218 N. Federal Hwy, Fort Lauderdale, FL 33308-1904, 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. # 19-107

Project Description: 1190 S. Colorado
2019-Dedication-D0000

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

ATTEST:

1190 SOUTH COLORADO BOULEVARD, LLC, a Florida limited liability company

By: Ira Lang

Name: Ira Lang

Its: Manager

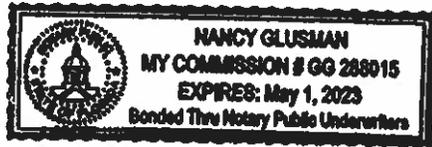
STATE OF FL)
COUNTY OF Broward) ss.

The foregoing instrument was acknowledged before me this 11 day of JULY, 2019
by Ira Lang, as Manager of **1190 SOUTH COLORADO BOULEVARD, LLC**, a Florida limited liability company.

Witness my hand and official seal.

My commission expires: May 1, 2023

[Signature]
Notary Public



**EXHIBIT A
LAND DESCRIPTION**

2018-PM-0000370

A PORTION OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN THE SPECIAL WARRANTY DEED RECORDED OCTOBER 1, 2015 AT RECEPTION NO. 2015138820 IN THE OFFICE OF THE CLERK AND RECORDER FOR THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING A PORTION OF BLOCK 8, CHEERY CREEK GARDENS, IN THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, PER THE PLAT RECORDED DECEMBER 12, 1884 IN BOOK 3 AT PAGE 25 IN SAID OFFICE OF THE CLERK AND RECORDER, LYING WITHIN THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 19, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, IN SAID CITY, COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH 1/16 CORNER OF SAID SECTION 19, BETWEEN SECTION 24 AND SECTION 19, FROM WHICH THE WEST LINE OF SAID NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 19 BEARS NORTH 00°00'26" WEST, WITH ALL BEARINGS CONTAINED HEREIN BEING REFERENCED TO SAID WEST LINE;

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THENCE ALONG SAID WESTERLY PROLONGATION OF THE SOUTH LINE OF BLOCK 8, NORTH 89°49'01" EAST, A DISTANCE OF 69.00 FEET TO THE SOUTHWEST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN SPECIAL WARRANTY DEED AT RECEPTION NO. 2015138820 AND THE **POINT OF BEGINNING**;

THENCE ALONG THE WEST LINE OF SAID CERTAIN PARCEL OF LAND, SAID WEST LINE ALSO BEING THE EAST RIGHT-OF-WAY OF SOUTH COLORADO BOULEVARD (PUBLIC RIGHT-OF-WAY, WIDTH VARIES, PER THE DEDICATIONS RECORDED IN BOOK 463, PAGE 413, ARAPAHOE COUNTY RECORDS, AND IN BOOK 1007, PAGE 541, ARAPAHOE COUNTY RECORDS), NORTH 00°00'26" WEST, A DISTANCE OF 126.19 FEET TO THE NORTHWEST CORNER OF SAID CERTAIN PARCEL OF LAND;

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THENCE ALONG SAID SOUTH LINE, SOUTH 89°49'01" WEST, A DISTANCE OF 9.32 FEET TO THE SOUTHWEST CORNER OF SAID CERTAIN PARCEL OF LAND AND THE **POINT OF BEGINNING**.

CONTAINS 1,176 SQUARE FEET OR 0.027 ACRES, MORE OR LESS.

AS SHOWN ON EXHIBIT "A" ATTACHED HERETO, MADE A PART HEREOF

JESUS A. LUGO, PLS 38081
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR
FOR AND ON BEHALF OF ALTURA LAND CONSULTANTS, LLC
6950 SOUTH TUCSON WAY, UNIT C
CENTENNIAL, COLORADO 80112

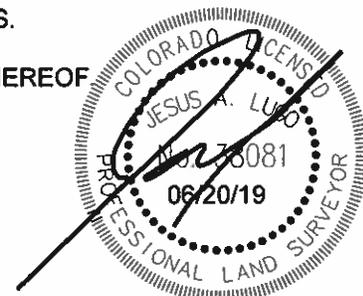
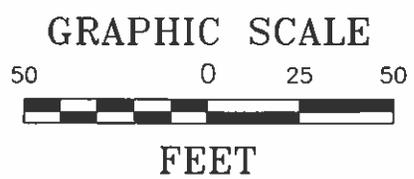
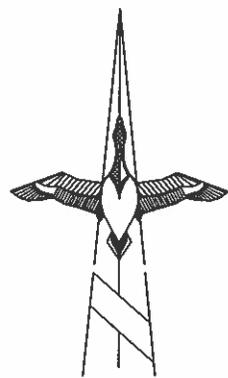
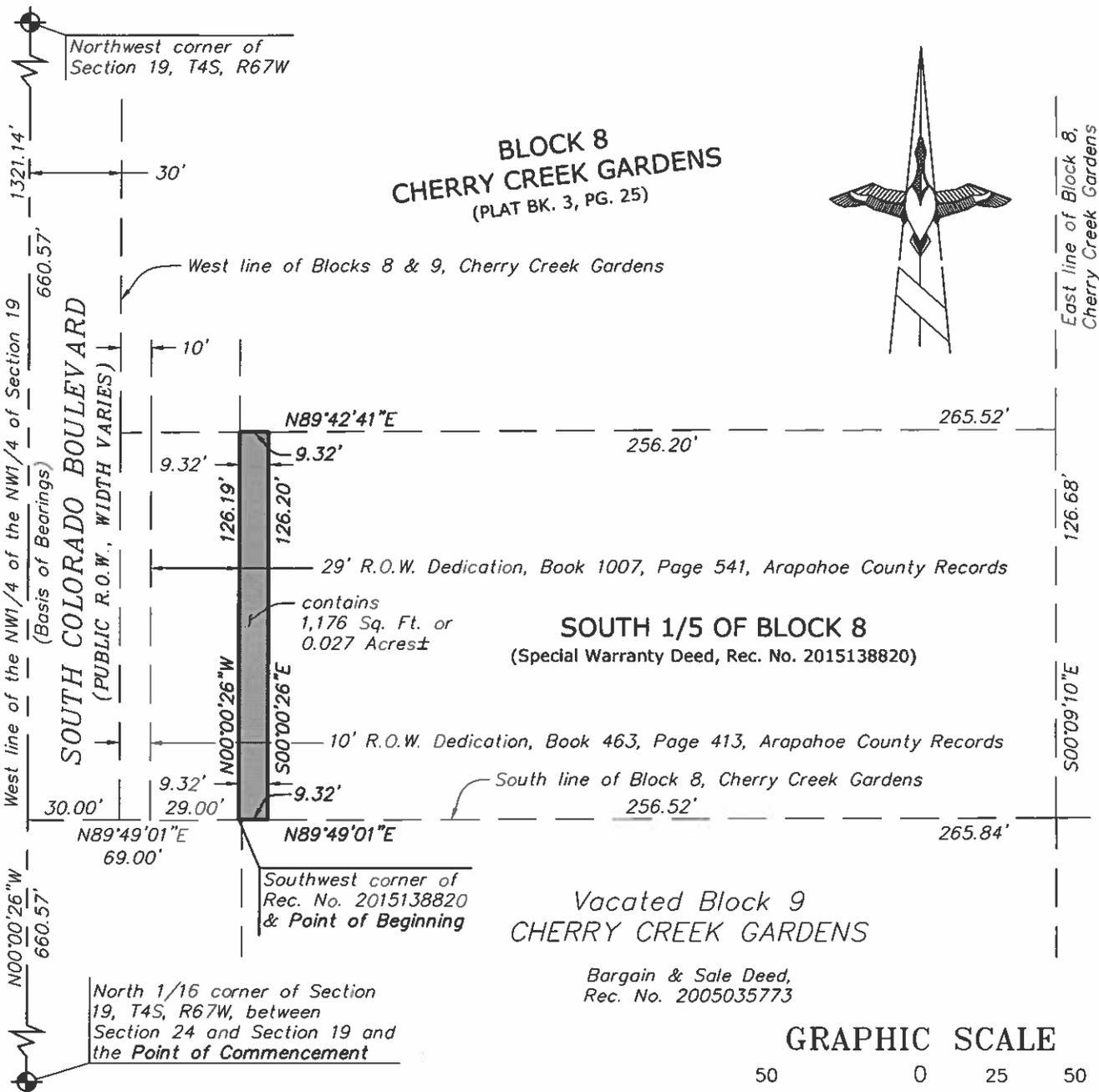


EXHIBIT A

2018-PM-0000370

PORTION OF THE NW1/4 NW1/4 OF SECTION 19,
TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE 6TH P.M.,
CITY & COUNTY OF DENVER, STATE OF COLORADO



NOTE:
THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED LAND SURVEY. THE PURPOSE OF THIS EXHIBIT IS SOLELY TO DEPICT THE ATTACHED PROPERTY DESCRIPTION.

Plot Saved On: 6-20-19 At: 06:53am As: N:\Projects\2018 Projects\18091-RAISING GAMES COLORADO & ARIZONA\DWG\18091-RAISING GAME'S ROW DEDICATION_06-07-19 - Br: Kelly



SHEET 2 OF 2

JOB NO. 18091
DATE: 06/07/19
SCALE: 1" = 50'