



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: April 1, 2014

ROW #: 2008-0020-04 **SCHEDULE #:** 0228208011000

TITLE: This request is to dedicate a parcel of land as Public Right of Way as Public Alley. Alley bounded by W. 36th Ave., Vallejo St., W. 37th Ave., and Wyandot 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 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 **(2008-0020-04)**

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 # (2008-0020-04-001)

A map of the area to be dedicated is attached.

RD/AG/BLV

- 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
- Public Works Survey, Ali Gulaid
- Public Works Survey, Paul Rogalla
- Owner: City and County of Denver
- Project file folder 2008-0020-04

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: April 1, 2014

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.)*

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3. **Requesting Agency:** PW Right of Way Engineering Services

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:** 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 (2008-0020-04)

****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:** N/A
- b. **Duration:** Permanent
- c. **Location:** Alley bounded by W. 36th Ave., Vallejo St., W. 37th Ave., and Wyandot St.
- d. **Affected Council District:** District 9 Judy Montero
- 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: _____



DENVER
THE MILE HIGH CITY

EXECUTIVE SUMMARY

Project Title: 2008 Dedication, 2234 W. 37th Ave.

Description of Proposed Project: Dedicate a parcel of 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

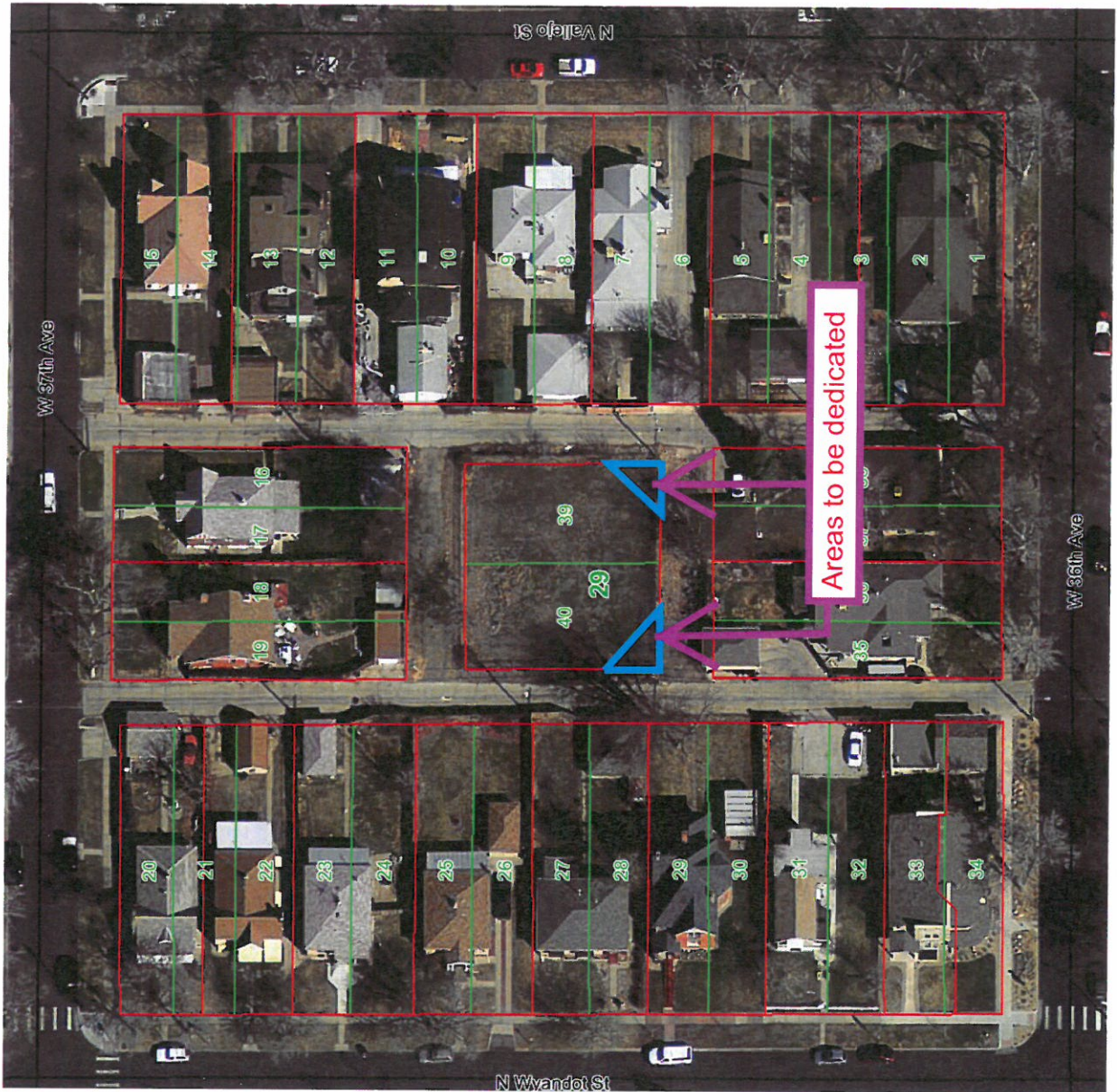
Will an easement be placed over a vacated area, and if so explain: N/A

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 to dedicate it as Public Right-of-Way, as a part of a development project called, 2234 W. 37th Ave.



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



Areas to be dedicated

PROPERTY TO BE DEDICATED TO THE CITY

A parcel of land conveyed by Warranty Deed to the City & County of Denver, recorded on September 17, 2013 by Reception Number 2013136996 in the City and County of Denver Clerk & Recorder's Office, State of Colorado.

A portion of Lots 39 and 40, Block 29, WILSON RESUBDIVISION OF H. WITTERS NORTH DENVER ADDITION, located in the Northwest quarter of Section 28, Township 3 South, Range 68 West of the 6th P.M., City and County of DENVER, State of COLORADO, described more particularly as follows:

BEGINNING at a point on the East line of said Lot 39, said point being 16.00 feet North of the Southeast corner of said Lot 39; thence South, along said East line of Lot 39, a distance of 16.00 feet, to the Southeast corner of said Lot 39; thence West, along the South line of said Lot 39, a distance of 16.00 feet; thence Northeasterly, a distance of 22.63 feet, more or less, to the POINT OF BEGINNING, containing 128 square feet or 0.003 acres, more or less.

AND

BEGINNING at a point on the West line of said Lot 40, said point being 16.00 feet North of the Southwest corner of said Lot 40; thence South, along said West line of Lot 40, a distance of 16.00 feet, to the Southwest corner of said Lot 40; thence East along the South line of said Lot 40, a distance of 16.00 feet; thence Northwesterly, a distance of 22.63 feet, more or less, to the POINT OF BEGINNING, containing 128 square feet or 0.003 acres, more or less.

EXHIBIT "A"

R.O.W. Legal Description No. 2008 - 0020 - 002 - 001

DEDICATION TO THE CITY

A PART OF THE NW-1/4 OF SECTION 28, T. 3 S.,
R. 68 W. OF THE 6th P.M.,
CITY AND COUNTY OF DENVER, STATE OF COLORADO

SHEET 2 OF 2

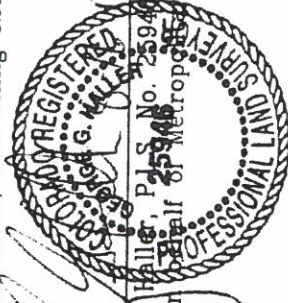
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AND

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George G. Miller, P.L.S. No. 2594
for and on behalf of Metropolitan Surveyors, LLC

NOTICE: According to Colorado law, you must commence any legal action, based upon any defect in this survey within 3 years after you first discover such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

REVISED		ALLEY DEDICATION		Metropolitan Surveyors, LLC. 3534 South Lincoln Street Englewood, Colorado 80153 Phone (303) 781-5407 Fax (303) 781-5166		
1		DRAWN BY:	J.F.B.		DATE:	8/14/13
2		CHECKED BY:	G.G.H.		DATE:	8/14/13
3		APPROVED BY:			DATE:	
4						
5						

JOB NO. 37-2222-2B

DEDICATION TO THE CITY

A PART OF THE NW-1/4 OF SECTION 28, T. 3 S.,
R. 68 W. OF THE 6th P.M.,

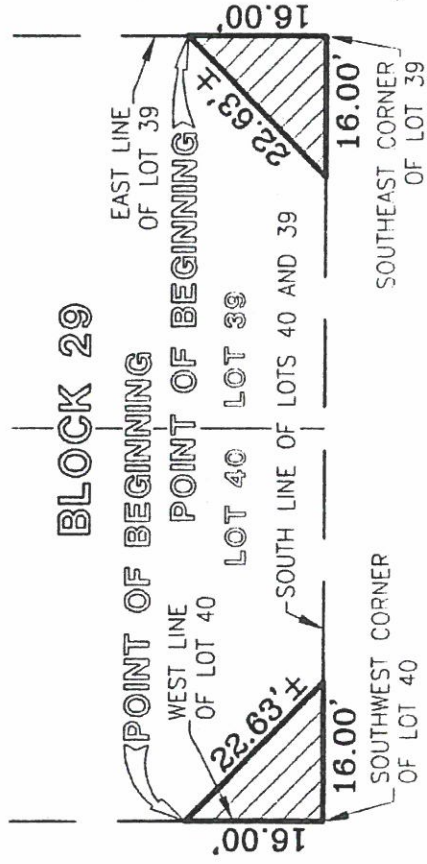
CITY AND COUNTY OF DENVER, STATE OF COLORADO

SHEET 1 OF 2

WEST 37th AVENUE

WYANDOT STREET

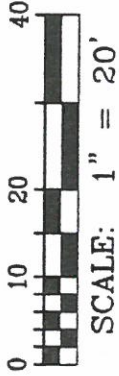
VALLEJO STREET



A L L E Y

20' ALLEY

20' ALLEY



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REVISED

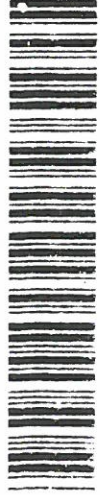
1	
2	
3	
4	
5	

ALLEY DEDICATION

DRAWN BY:	J.F.B.	DATE:	8/14/13
CHECKED BY:	G.C.H.	DATE:	8/14/13
APPROVED BY:		DATE:	

JOB NO. 37-2222-2A

Metropolitan Surveyors, LLC.
 3534 South Lincoln Street
 Englewood, Colorado 80113
 Phone (303) 761-8607
 Fax (303) 761-6166



2013136996

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09/17/2013 01:09P

City & County of Denver MO R0.00 D0.00

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

WARRANTY DEED

THIS DEED, dated September 17, 2013, is between 2222 W. 37th Ave 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), 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 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: Vacant Land
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 sealing 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.

2222 W. 37th Ave LLC

By: Ata Katebini

Title: Public Trustee

STATE OF Colorado
COUNTY OF Jefferson

The undersigned, as Public Trustee for The City and County of Denver, State of Colorado, by this endorsement, hereby confirms the reinstatement of this Evidence of Debt/Deed of Trust/Lien in accordance with the requirements of section 38-38-113, Colorado Revised Statutes.



Date: 9/17/2013
Signature: [Signature]
Public Trustee
City and County of Denver
State of Colorado

The foregoing instrument was acknowledged before me this day 17th of September, 2013, by Ata Katebini as Manager of 2222 W. 37th Ave LLC.

Witness my hand and official seal.
My commission expires:

[Signature]
Notary Public

MARCI GUSTAFSON
Notary Public
State of Colorado
My Commission Expires: March 08, 2017
LIC# 20044028633

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