



REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Caroline Martin, City Attorney's Office

FROM: Matt Bryner, P.E. Senior Engineering Manager
Right-of-Way Services

DATE: August 16, 2017

ROW #: 2017-Dedication-0000121 **SCHEDULE #:** 0132327022000 & 0132327023000

TITLE: This request is to dedicate a parcel of land as Public Right of Way as E. Colfax Ave. Located at the intersection of N. Ivy St. and E. Colfax 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 E. Colfax Ave. 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 (**Colfax and Ivy Retail**)

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 E. Colfax Ave. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2017-Dedication-0000121-001) HERE.

A map of the area to be dedicated is attached.

MB/JC/BV

cc: Asset Management, Robert Koehler
City Councilperson & Aides, Chris Herndon District # 8
Council Aide Amanda Schoultz
City Council Staff, Zach Rothmier
Environmental Services, David Erickson
Public Works, Manager's Office, Alba Castro
Public Works, Manager's Office, Angela Casias
Public Works, Right-of-Way Engineering Services, Matt Bryner
Department of Law, Brent Eisen
Department of Law, Shaun Sullivan
Department of Law, Caroline Martin
Department of Law, Stan Lechman
Department of Law, Cynthia Devereaux
Public Works Survey, John Clarke
Public Works Survey, Paul Rogalla
Owner: City and County of Denver
Project file folder 2017-Dedication-0000121

ORDINANCE/RESOLUTION REQUEST

Please email requests to Angela Casias
at angela.casias@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 16, 2017

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 E. Colfax Ave.
Located at the intersection of N. Ivy St. and E. Colfax 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:** Angela Casias
- **Phone:** 720-913-8529
- **Email:** Angela.Casias@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 E. Colfax Ave. 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 (**Colfax and Ivy Retail**)

****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:** E. Colfax and N. Ivy St.
- d. **Affected Council District:** Chris Herndon Dist. #8
- 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-0000121, Colfax and Ivy Retail

Description of Proposed Project: Dedicate a parcel of public right of way as E. Colfax Ave.

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, Colfax and Ivy Retail.



- ### Legend
- Streams
 - Irrigation Ditches Reconstruct (Gardeners)
 - Irrigation Ditches
 - Buildings 2014
 - 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



A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 31ST DAY OF JULY 2017, AT RECEPTION NUMBER 2017099235 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE 6TH P.M., BEING THE SOUTH 7 FEET OF LOTS 18 THROUGH 27, BLOCK 43, DOWNINGTON, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF COLFAX AVENUE AND THE EAST RIGHT-OF-WAY LINE OF IVY STREET; THENCE $N00^{\circ}01'01''E$ ALONG THE SAID EAST RIGHT-OF-WAY LINE OF IVY STREET, 7.00 FEET; THENCE $S89^{\circ}57'58''E$ ALONG A LINE 7.00 FEET NORTH OF AND PARALLEL TO THE SAID NORTH RIGHT-OF-WAY LINE OF COLFAX AVENUE, 259.97 FEET TO THE WEST RIGHT-OF-WAY LINE OF JASMINE STREET; THENCE $S00^{\circ}01'09''W$ ALONG SAID WEST RIGHT-OF-WAY LINE OF JASMINE STREET, 7.00 FEET TO THE INTERSECTION OF THE SAID WEST RIGHT-OF-WAY LINE OF JASMINE STREET AND THE SAID NORTH RIGHT-OF-WAY LINE OF COLFAX AVENUE; THENCE $N89^{\circ}57'58''W$ ALONG THE SAID NORTH RIGHT-OF-WAY LINE OF COLFAX AVENUE, 259.97 FEET TO THE POINT OF BEGINNING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

THE ABOVE DESCRIBED PARCEL CONTAINS 1,820 SQUARE FEET OR 0.0418 ACRES MORE OR LESS.

BASIS OF BEARINGS: BASIS OF BEARINGS: AN ASSUMED BEARING $N00^{\circ}01'01''E$ BEING A 19.75 FOOT OFFSET LINE TO THE EAST RIGHT-OF-WAY LINE OF IVY STREET BETWEEN TWO FOUND MONUMENTS 810.28 FEET APART; ONE MONUMENT BEING A CHISELED CROSS IN THE TOP OF CURB 19.75 FEET WEST OF THE SOUTHWEST CORNER OF LOT 9, BLOCK 43, DOWNINGTON AND THE OTHER BEING AN ALLOY DISK STAMPED 16116 19.75 FEET WEST OF THE NORTHWEST CORNER OF LOT 11, BLOCK 30, DOWNINGTON.

12-352



07/31/2017 11:30 AM
City & County of Denver

R \$0.00

WD

2017099235

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 27th day of July, 2017, by **KRF 5901 LLC**, a Colorado limited liability company, whose address is 1509 YORK ST 201, DENVER, CO 80206-1408 ("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 Exhibit A attached 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 Management
Date 7/31/17

Project Description
SWD
KRF 5901 LLC

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

ATTEST:

KRF 5901 LLC a Colorado limited liability company

By: [Signature]

Name: Jimmy Balafas

Its: CEO KRF 5901, LLC

STATE OF CO)

COUNTY OF Denver) ss.

The foregoing instrument was acknowledged before me this 21st day of July, 2017
by Jimmy Balafas, as CEO of KRF 5901 LLC, a Colorado
Limited Liability Company.

KATHERINE L BETTIS
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID # 20164022330
MY COMMISSION EXPIRES JUNE 10, 2020

Witness my hand and official seal.

My commission expires: 6/10/2020

[Signature]
Notary Public

EXHIBIT A

2014-PROJMSTR-0000729

SHEET 1 OF 2

LAND DESCRIPTION:

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE 6TH P.M., BEING THE SOUTH 7 FEET OF LOTS 18 THROUGH 27, BLOCK 43, DOWNINGTON, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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DAMIEN CAIN PLS 38284
FOR AND ON BEHALF OF
39 NORTH ENGINEERING AND SURVEYING LLC
4495 HALE PARKWAY
SUITE 305
DENVER, CO 80220

PREPARED BY:
39 NORTH ENGINEERING AND SURVEYING LLC
4495 HALE PARKWAY
SUITE 305
DENVER, CO 80220
PH: 303-325-5071
EMAIL: damien.cain@39north.net



EXHIBIT A

SHEET 2 OF 2

2014-PROJMSTR-0000729

LINE TABLE		
LINE	LENGTH	BEARING
L1	7.00'	N00°01'01"E
L2	7.00'	S00°01'09"W



SCALE: 1"=40'

