



## 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:** February 19, 2014

**ROW #:** 2012-0430-08    **SCHEDULE #:** 0512508031000

**TITLE:** This request is to dedicate a parcel of land as Public Right of Way as Public Alley. Bounded by Steele St., Adams St., 1<sup>st</sup> Ave., and Ellsworth 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 (**Steele Creek-88 Steele**)

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 # ( 2012-0430-08-001) HERE.**

A map of the area to be dedicated is attached.

RD/JL/BLV

cc: Asset Management, Steve Wirth  
City Councilperson & Aides, Jeanne Robb District # 10  
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 2012-0430-08

**ORDINANCE/RESOLUTION REQUEST**

Please email requests to Nancy Kuhn at [Nancy.Kuhn@Denvergov.org](mailto: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:** February 19, 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.)*

This request is to dedicate a parcel of land as Public Right of Way as Public Alley.  
Bounded by Steele St., Adams St., 1st Ave., and Ellsworth Ave..

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](mailto: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](mailto: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 (Steele Creek-88 Steele)

**\*\*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 Steele St., Adams St., 1st Ave., and Ellsworth Ave
- d. **Affected Council District:**
- 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: 2012-0430-08 Dedication, Steele Creek - 88 Steele**

**Description of Proposed Project: Dedicate a parcel of public right of way as a 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, (Steele Creek - 88 Steele)**

88 Steele St



LEGAL DESCRIPTION – ROW DEDICATION

A parcel of land conveyed by Warranty Deed to the City & County of Denver, recorded on May 6, 2013 by Reception Number 2013064363 in the City and County of Denver Clerk & Recorder's Office, State of Colorado.

Being a part of Block 17, Burlington Capitol Hill Addition to the City of Denver, located in the southeast quarter of Section 12, Township 4 South, Range 68 West of the 6th Principal Meridian, City and County of Denver, State of Colorado, being described as follows:

Bearings are based on the 20-foot range line in Adams St., between Ellsworth Avenue and First Avenue, being assumed to bear N 00°16'22" E, between a found aluminum cap "LS 13155" in range box at the intersection of Ellsworth Avenue & Adams Street, and a found plastic cap "LS 19003" in range box at the intersection of E. First Avenue and Adams Street, Burlington Capitol Hill Addition to the City of Denver.

The west five (5) feet of Lots 37-40, inclusive, Block 17, Burlington Capitol Hill Addition to the City of Denver, City and County of Denver, State of Colorado.

Containing 210 square feet, or, 0.048 acres, more or less.  
Exhibit A attached and by this reference made a part hereof.

EXHIBIT A  
ROW DEDICATION - BLOCK 17, BURLINGTON CAPITOL HILL ADDITION  
SECTION 12, TOWNSHIP 4 SOUTH, RANGE 68 WEST, 6  
OF THE 6TH PRINCIPAL MERIDIAN,  
CITY AND COUNTY OF DENVER, STATE OF COLORADO

LEGAL DESCRIPTION - ROW DEDICATION

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Containing 210 square feet, or, 0.048 acres, more or less.

Exhibit A attached and by this reference made a part hereof.

Thomas M. Girard, PLS No. 38151  
For and on behalf of  
Atwell, LLC  
3033 E. First Ave  
Suite 415  
Denver, CO 80206



K:\2001-487\DWG\PLAN SET\5\1E-FINAL\ROW DEDICATION\2001-487 ROW BASE.DWG 2/8/2013 12:20 PM THOMAS GIRARD

PROJECT: 88 STEELE  
DATE: 02/08/13  
SHEET 1 OF 2

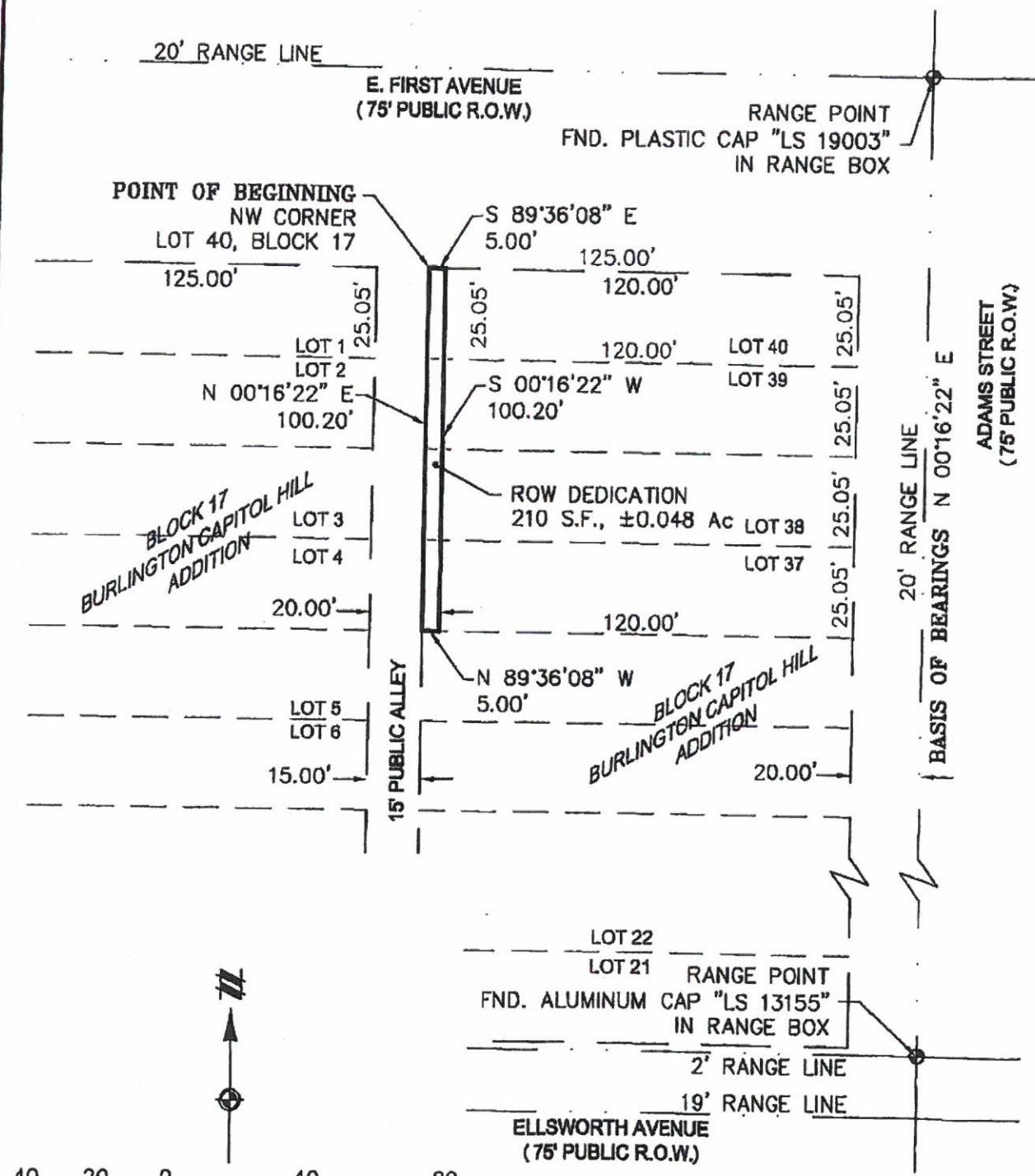
DR: T. GIRARD  
CH: D. BACCI  
P.M. B. CALVERT



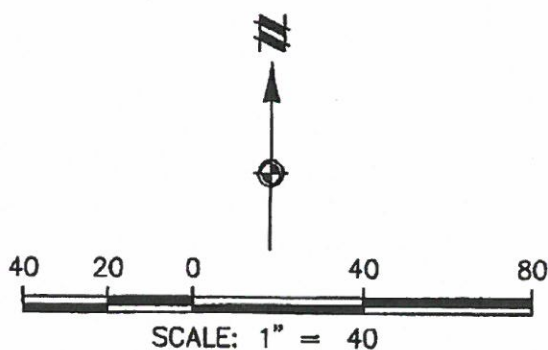
**ATWELL**  
966.830.4308 | www.atwell-group.com  
OFFICES IN NORTH AMERICA AND ASIA  
3033 E. FIRST AVENUE, SUITE 415  
DENVER, CO 80206  
303.825.7100

Land Development & Real Estate  
Power & Energy  
Telecommunications  
Infrastructure & Transportation  
Environmental & Solid Waste  
Water & Natural Resources

EXHIBIT A  
 ROW DEDICATION - BLOCK 17, BURLINGTON CAPITOL HILL ADDITION  
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 OF THE 6TH PRINCIPAL MERIDIAN,  
 CITY AND COUNTY OF DENVER, STATE OF COLORADO



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PROJECT: 88 STEELE DR: T. GIRARD  
 DATE: 02/08/13 CH: D. BACCI  
 SHEET 2 OF 2 P.M. B. CALVERT



**ATWELL**  
 866.830.4200 | www.atwell-group.com  
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 3033 E. FIRST AVENUE, SUITE 415  
 DENVER, CO 80206  
 303.823.7100

Land Development & Real Estate  
 Power & Energy  
 Telecommunications  
 Infrastructure & Transportation  
 Environmental & Solid Waste  
 Water & Natural Resources

Asset Mgmt. # 13-058

WARRANTY DEED

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

THIS DEED, dated May 6<sup>th</sup>, 2013, is between BMC Steele Creek 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: 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 ensealing 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.

BMC Steele Creek LLC, a Colorado limited liability company

By: [Signature]

Title: Manager

RECORDER  
Deputy County Clerk  
Date May 6 2013

2013064363  
Page: 1 of 4  
05/06/2013 02:58P  
City & County Of Denver WD R0.00 D0.00

STATE OF Colorado  
COUNTY OF Denver


Approved: [Signature]  
Asset Management  
Date: 5-6-13

Project Descriptions: Bow  
80 Steele



The foregoing instrument was acknowledged before me this day 6 of MAY, 2013 by MATTHEW JOHNSON, as MANAGER for BMC Steele Creek LLC, a Colorado limited liability company.

Witness my hand and official seal.  
My commission expires: 1/27/2014

  
\_\_\_\_\_  
Notary Public



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