




REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Caroline Martin, City Attorney's Office

FROM: Matt R. Bryner, P.E., Director, Right-of-Way Services 

DATE: August 3rd, 2021

ROW #: 2020-DEDICATION-0000156 **SCHEDULE #:** Adjacent to 0527213055000

TITLE: This request is to dedicate three City-owned parcels of land as Public Right-of-Way as 1) W. Warren Ave., located at the intersection of W. Warren Ave. and S. Acoma St., 2) S. Acoma St., located at the intersection of W. Warren Ave. and S. Acoma St., and 3) S. Broadway, located at the intersection of W. Evans Ave. and S. Broadway.

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 1) W. Warren Ave., 2) S. Acoma St., and 3) S. Broadway. This parcel(s) of land is being dedicated by the City and County of Denver for Public Right-of-Way, as part of the development project, "Evans & Broadway."

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 Right-of-Way. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2020-DEDICATION-0000156-001-002-003) HERE.

A map of the area to be dedicated is attached.

MB/AL/RL

cc: Dept. of Real Estate, Katherine Rinehart
City Councilperson, Jolon Clark District # 7
Councilperson Aide, Tate Carpenter
Councilperson Aide, Maggie Thompson
Councilperson Aide, Anita Banuelos
City Council Staff, Zach Rothmier
Environmental Services, Andrew Ross
DOTI, Manager's Office, Alba Castro
DOTI, Manager's Office, Jason Gallardo
DOTI, Director, 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, Rachonda Dixon
DOTI Survey, Alan Lemke
DOTI Ordinance
Owner: City and County of Denver
Project file folder 2020-DEDICATION-0000156

City and County of Denver Department of Transportation & Infrastructure
Right-of-Way Services
201 W. Colfax Ave. | Denver, CO 80215
www.denvergov.org/doti
Phone: 720-913-1311

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 3rd, 2021

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:** This request is to dedicate three City-owned parcels of land as Public Right-of-Way as 1) W. Warren Ave., located at the intersection of W. Warren Ave. and S. Acoma St., 2) S. Acoma St., located at the intersection of W. Warren Ave. and S. Acoma St., and 3) S. Broadway, located at the intersection of W. Evans Ave. and S. Broadway.

3. **Requesting Agency:** DOTI, Right-of-Way Services
Agency Section: Survey

4. **Contact Person:** (With actual knowledge of proposed ordinance/resolution.)

- **Name:** Rebecca Long
- **Phone:** 720-547-5344
- **Email:** Rebecca.Long@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:** 720-865-8723
- **Email:** Jason.Gallardo@denvergov.org

6. **General description/background of proposed resolution 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 1) W. Warren Ave., 2) S. Acoma St., and 3) S. Broadway. This parcel(s) of land is being dedicated by the City and County of Denver for Public Right-of-Way, as part of the development project, "Evans & Broadway."

****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:** At the intersections of W. Warren Ave., S. Acoma St. and W. Evans Ave., and S. Broadway
- d. **Affected Council District:** Jolon Clark District # 7
- e. **Benefits:** N/A
- f. **Contract Amount (indicate amended amount and new contract total):** N/A

7. **Is there any controversy surrounding this resolution?** (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

Project Title: 2020-DEDICATION-0000156

Description of Proposed Project: Dedication of a parcel of land as Public Right-of-Way as 1) W. Warren Ave., 2) S. Acoma St., and 3) S. Broadway.

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 be dedicated as 1) W. Warren Ave., 2) S. Acoma St., and 3) S. Broadway.

Has a Temp MEP been issued, and if so, what work is underway: N/A

What is the known duration of a 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

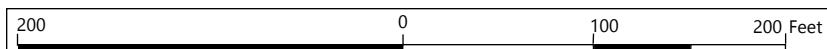
Will an easement relinquishment be submitted at a later date: N/A

Additional information: This land was deeded to the City and County of Denver for the purpose of dedicating it as 1) W. Warren Ave., 2) S. Acoma St., and 3) S. Broadway., as part of a development project called, "Evans & Broadway."



Legend

- ▲ Well Restrictions
- Barrier Restrictions
- Area Restrictions
 - Liner
 - Sheet Pile Wall Area
- Streams
- Irrigation Ditches Reconstruct (Gardeners)
- Irrigation Ditches
- 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



PARCEL DESCRIPTION ROW NO. 2020-DEDICATION-0000156-001:

LAND DESCRIPTION – STREET PARCEL NO. 1

PARCEL 1 OF THAT LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 24TH DAY OF JUNE, 2021, AT RECEPTION NUMBER 2021121182 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

A PARCEL OF LAND WITHIN BLOCK 9, ROSEDALE, TOGETHER WITH THE VACATED ALLEY DESCRIBED IN ORDINANCE 370 SERIES OF 1991, RECORDED JULY 3, 1991 AT RECEPTION NO. 1991060774, LOCATED IN THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE 20 FOOT RANGE LINE ALONG W. WARREN AVENUE WITH THE 20 FOOT RANGE LINE ALONG S. BROADWAY AND CONSIDERING SAID S. BROADWAY RANGE LINE TO BEAR NORTH 00°15'45" WEST, WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE NORTH 00°15'45" WEST, ALONG SAID S. BROADWAY RANGE LINE, A DISTANCE OF 24.00 FEET;

THENCE SOUTH 89°33'54" WEST, A DISTANCE OF 20.00 FEET TO THE INTERSECTION OF THE EASTERLY LINE OF SAID BLOCK 9 WITH A LINE 4.00 FEET NORTH OF AND PARALLEL WITH THE SOUTHERLY LINE OF SAID BLOCK 9, AND THE **POINT OF BEGINNING**;

THENCE SOUTH 00°15'45" EAST, ALONG SAID EASTERLY LINE, A DISTANCE OF 4.00 FEET TO SAID SOUTHERLY LINE OF BLOCK 9;

THENCE SOUTH 89°33'54" WEST, ALONG SAID SOUTHERLY LINE, A DISTANCE OF 266.02 FEET TO THE WESTERLY LINE OF SAID BLOCK 9;

THENCE NORTH 00°15'38" WEST, ALONG SAID WESTERLY LINE, A DISTANCE OF 4.00 FEET TO LAST SAID PARALLEL LINE;

THENCE NORTH 89°33'54" EAST, ALONG LAST SAID PARALLEL LINE, A DISTANCE OF 266.02 FEET TO THE **POINT OF BEGINNING**;

PARCEL NO. 1 CONTAINS A CALCULATED AREA OF 1,064 SQUARE FEET OR 0.0244 ACRES, MORE OR LESS.

PARCEL DESCRIPTION ROW NO. 2020-DEDICATION-0000156-002:

LAND DESCRIPTION – STREET PARCEL NO. 2

PARCEL 2 OF THAT LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 24TH DAY OF JUNE, 2021, AT RECEPTION NUMBER 2021121182 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

A PARCEL OF LAND WITHIN BLOCK 9, ROSEDALE, TOGETHER WITH THE VACATED ALLEY DESCRIBED IN ORDINANCE 370 SERIES OF 1991, RECORDED JULY 3, 1991 AT RECEPTION NO. 1991060774, LOCATED IN THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE 20 FOOT RANGE LINE ALONG W. WARREN AVENUE WITH THE 20 FOOT RANGE LINE ALONG S. BROADWAY AND CONSIDERING SAID S. BROADWAY RANGE LINE TO BEAR NORTH 00°15'45" WEST, WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE NORTH 00°15'45" WEST, ALONG SAID S. BROADWAY RANGE LINE, A DISTANCE OF 24.00 FEET;

THENCE SOUTH 89°33'54" WEST, ALONG A LINE 4.00 FEET NORTH OF AND PARALLEL WITH THE SOUTHERLY LINE OF SAID BLOCK 9, A DISTANCE OF 286.02 FEET TO THE INTERSECTION WITH THE WESTERLY LINE OF SAID BLOCK 9, AND THE **POINT OF BEGINNING**;

THENCE NORTH 00°15'38" WEST, ALONG SAID WESTERLY LINE, A DISTANCE OF 531.89 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE DESCRIBED IN RULE AND ORDER RECORDED FEBRUARY 11, 2011 AT RECEPTION NO. 2011016186, IN THE OFFICE OF THE CITY AND COUNTY OF DENVER CLERK AND RECORDER;

THENCE NORTH 44°45'17" EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 5.66 FEET TO THE INTERSECTION WITH A LINE 4.00 FEET EAST OF AND PARALLEL WITH SAID WESTERLY LINE OF BLOCK 9;

THENCE SOUTH 00°15'38" EAST, ALONG LAST SAID PARALLEL LINE, A DISTANCE OF 535.87 FEET TO THE INTERSECTION WITH SAID PARALLEL LINE 4.00 FEET NORTH OF THE SOUTHERLY LINE OF BLOCK 9;

THENCE SOUTH 89°33'54" WEST, ALONG LAST SAID PARALLEL LINE, A DISTANCE OF 4.00 FEET TO THE **POINT OF BEGINNING**;

PARCEL NO. 2 CONTAINS A CALCULATED AREA OF 2,136 SQUARE FEET OR 0.0490 ACRES, MORE OR LESS.

PARCEL DESCRIPTION ROW NO. 2020-DEDICATION-0000156-003:

LAND DESCRIPTION – STREET PARCEL NO. 3

PARCEL 3 OF THAT LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 24TH DAY OF JUNE, 2021, AT RECEPTION NUMBER 2021121182 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

A PARCEL OF LAND WITHIN BLOCK 9, ROSEDALE, TOGETHER WITH THE VACATED ALLEY DESCRIBED IN ORDINANCE 370 SERIES OF 1991, RECORDED JULY 3, 1991 AT RECEPTION NO. 1991060774, LOCATED IN THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE 20 FOOT RANGE LINE ALONG W. WARREN AVENUE WITH THE 20 FOOT RANGE LINE ALONG S. BROADWAY AND CONSIDERING SAID S. BROADWAY RANGE LINE TO BEAR NORTH 00°15'45" WEST, WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE NORTH 00°15'45" WEST, ALONG SAID S. BROADWAY RANGE LINE, A DISTANCE OF 368.38 FEET;

THENCE SOUTH 89°33'54" WEST, A DISTANCE OF 20.00 FEET TO THE EASTERLY LINE OF SAID BLOCK 9, AND THE **POINT OF BEGINNING**;

THENCE NORTH 05°10'55" WEST, A DISTANCE OF 84.07 FEET;

THENCE NORTH 00°15'45" WEST, A DISTANCE OF 67.76 FEET TO THE RIGHT-OF-WAY LINE DESCRIBED IN RULE AND ORDER RECORDED FEBRUARY 11, 2011 AT RECEPTION NO. 2011016186, IN THE OFFICE OF THE CITY AND COUNTY OF DENVER CLERK AND RECORDER;

THENCE ALONG SAID RIGHT-OF-WAY LINE FOR THE FOLLOWING FOUR (4) COURSES:

- 1) NORTH 89°34'30" EAST, A DISTANCE OF 0.71 FEET;
- 2) SOUTH 14°18'00" EAST, A DISTANCE OF 16.49 FEET;
- 3) SOUTH 00°15'45" EAST, A DISTANCE OF 36.99 FEET;
- 4) NORTH 89°34'30" EAST, A DISTANCE OF 2.50 FEET TO SAID EASTERLY LINE OF BLOCK 9;

THENCE SOUTH 00°15'45" EAST, ALONG LAST SAID EASTERLY LINE, A DISTANCE OF 98.54 FEET TO THE **POINT OF BEGINNING**;

PARCEL NO. 3 CONTAINS A CALCULATED AREA OF 626 SQUARE FEET OR 0.0144 ACRES, MORE OR LESS.



06/24/2021 03:40 PM
City & County of Denver

R \$0.00

WD

2021121182

Page: 1 of 5

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
Project Description: 2020-Dedication-0000156
Asset Mgmt No.: 21-017

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED ("Deed"), made as of this 24th day of June, 2021, by **AES APARTMENTS VENTURE, LLC**, a Delaware limited liability company, whose address is 3889 Maple Ave., Suite 200, Dallas, TX 75219, 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.

EXHIBIT "A" LAND DESCRIPTION

Three parcels of land within Block 9, Rosedale, together with the vacated alley described in Ordinance 370 series of 1991, recorded July 3, 1991 at Reception No. 1991060774, located in the Northwest Quarter of Section 27, Township 4 South, Range 68 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado, being more particularly described as follows:

Parcel No. 1

Commencing at the intersection of the 20 foot range line along W. Warren Avenue with the 20 foot range line along S. Broadway and considering said S. Broadway range line to bear North 00°15'45" West, with all bearings contained herein being relative thereto;

Thence North 00°15'45" West, along said S. Broadway range line, a distance of 24.00 feet;

Thence South 89°33'54" West, a distance of 20.00 feet to the intersection of the easterly line of said Block 9 with a line 4.00 feet North of and parallel with the southerly line of said Block 9, and the **Point of Beginning**;

Thence South 00°15'45" East, along said easterly line, a distance of 4.00 feet to said southerly line of Block 9;

Thence South 89°33'54" West, along said southerly line, a distance of 266.02 feet to the westerly line of said Block 9;

Thence North 00°15'38" West, along said westerly line, a distance of 4.00 feet to last said parallel line;

Thence North 89°33'54" East, along last said parallel line, a distance of 266.02 feet to the **Point of Beginning**;

Parcel No. 1 contains a calculated area of 1,064 square feet or 0.0244 acres, more or less.

Parcel No. 2

Commencing at the intersection of the 20 foot range line along W. Warren Avenue with the 20 foot range line along S. Broadway and considering said S. Broadway range line to bear North 00°15'45" West, with all bearings contained herein being relative thereto;

Thence North 00°15'45" West, along said S. Broadway range line, a distance of 24.00 feet;

Thence South 89°33'54" West, along a line 4.00 feet North of and parallel with the southerly line of said Block 9, a distance of 286.02 feet to the intersection with the westerly line of said Block 9, and the **Point of Beginning**;

Thence North 00°15'38" West, along said westerly line, a distance of 531.89 feet to the southerly right-of-way line described in rule and order recorded February 11, 2011 at Reception No. 2011016186, in the office of the City and County of Denver Clerk and Recorder;

Thence North 44°45'17" East, along said southerly right-of-way line, a distance of 5.66 feet to the intersection with a line 4.00 feet East of and parallel with said westerly line of Block 9;

Thence South 00°15'38" East, along last said parallel line, a distance of 535.87 feet to the intersection with said parallel line 4.00 feet North of the southerly line of Block 9;

Thence South 89°33'54" West, along last said parallel line, a distance of 4.00 feet to the **Point of Beginning**;

Parcel No. 2 contains a calculated area of 2,136 square feet or 0.0490 acres, more or less.

EXHIBIT "A" LAND DESCRIPTION

Parcel No. 3

Commencing at the intersection of the 20 foot range line along W. Warren Avenue with the 20 foot range line along S. Broadway and considering said S. Broadway range line to bear North 00°15'45" West, with all bearings contained herein being relative thereto;

Thence North 00°15'45" West, along said S. Broadway range line, a distance of 368.38 feet;

Thence South 89°33'54" West, a distance of 20.00 feet to the easterly line of said Block 9, and the **Point of Beginning**;

Thence North 05°10'55" West, a distance of 84.07 feet;

Thence North 00°15'45" West, a distance of 67.76 feet to the right-of-way line described in rule and order recorded February 11, 2011 at Reception No. 2011016186, in the office of the City and County of Denver Clerk and Recorder;

Thence along said right-of-way line for the following four (4) courses:

- 1) North 89°34'30" East, a distance of 0.71 feet;
- 2) South 14°18'00" East, a distance of 16.49 feet;
- 3) South 00°15'45" East, a distance of 36.99 feet;
- 4) North 89°34'30" East, a distance of 2.50 feet to said easterly line of Block 9;

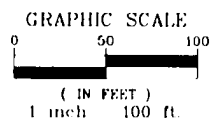
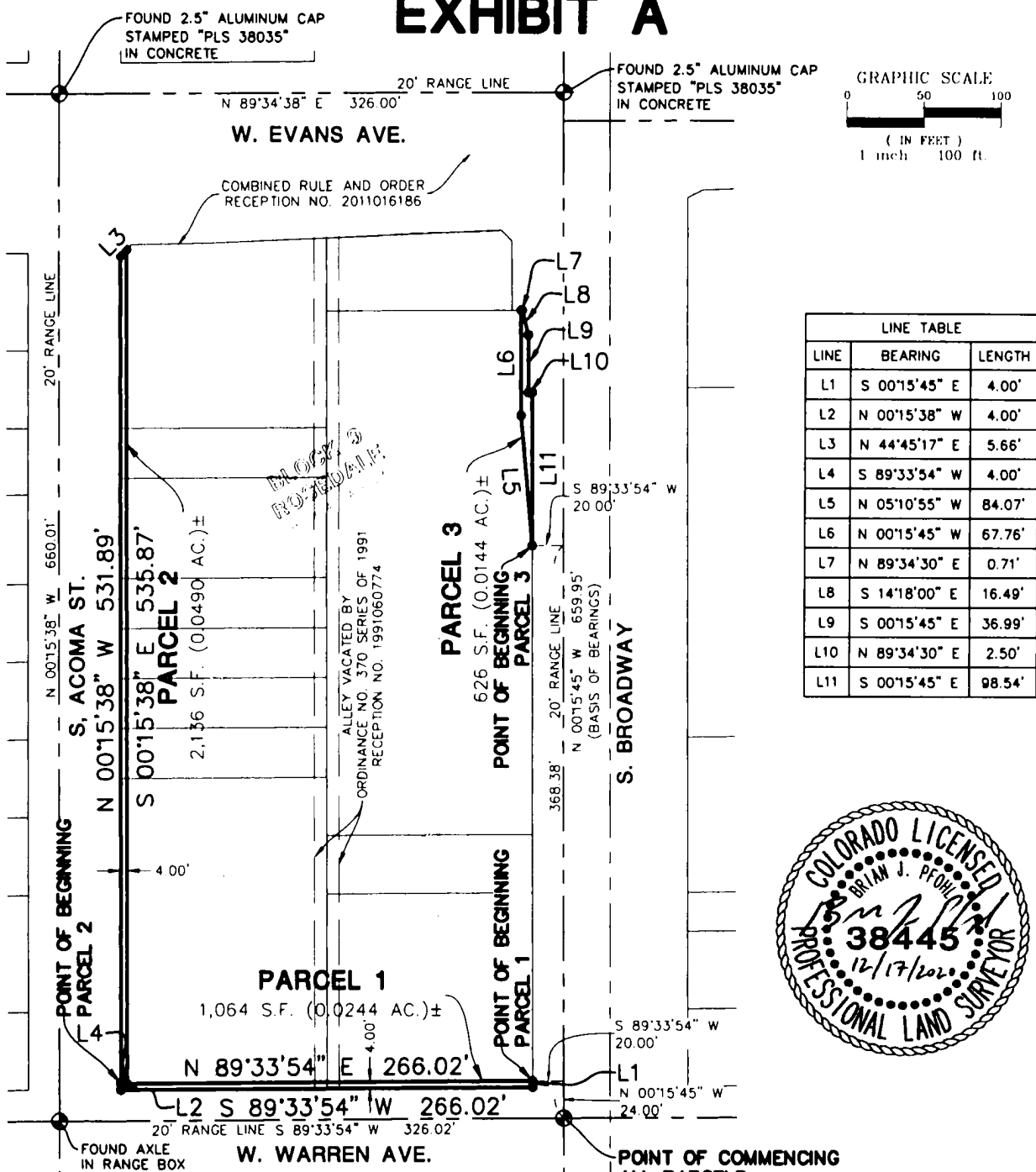
Thence South 00°15'45" East, along last said easterly line, a distance of 98.54 feet to the **Point of Beginning**;

Parcel No. 3 contains a calculated area of 626 square feet or 0.0144 acres, more or less.



Brian J. Pfohl, P.L.S. 38445
for and on behalf of Manhard Consulting
7600 E. Orchard Road, Suite 150-N
Greenwood Village, Colorado 80111
303.531.3216

EXHIBIT A



LINE TABLE		
LINE	BEARING	LENGTH
L1	S 00°15'45" E	4.00'
L2	N 00°15'38" W	4.00'
L3	N 44°45'17" E	5.66'
L4	S 89°33'54" W	4.00'
L5	N 05°10'55" W	84.07'
L6	N 00°15'45" W	67.76'
L7	N 89°34'30" E	0.71'
L8	S 14°18'00" E	16.49'
L9	S 00°15'45" E	36.99'
L10	N 89°34'30" E	2.50'
L11	S 00°15'45" E	98.54'



NOTE:
 ● DENOTES CHANGE OF DIRECTION ONLY. THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED SURVEY. IT IS INTENDED ONLY TO DEPICT THE ATTACHED LEGAL DESCRIPTION.

7600 East Orchard Road, Suite 150-N, Greenwood Village, CO 80111 ph 303 708 0500 manhard.com
 Civil Engineering | Surveying & Geospatial Services | GIS
 Water Resource Management | Construction Management

EVANS & BROADWAY
 CITY AND COUNTY OF DENVER, COLORADO
 EXHIBIT A

PROJ. MGR.: JMR	SHEET
DRAWN BY: EGL	3 OF 3
DATE: 12/17/2020	KHA.DNCO06.00
SCALE: 1" = 100'	