

REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Ivone Avila-Ponce, City Attorney's Office

FROM: Matt R. Bryner, P.E., Director, Right-of-Way Services *Matt R. Bryner*
Matt R. Bryner (Feb 2, 2023 12:58 MST)

DATE: February 2, 2023

ROW #: 2022-DEDICATION-0000036 **SCHEDULE #:** Adjacent to 0522609049000

TITLE: This request is to dedicate three City-owned parcels of land as 1) S. Acoma St., located near the intersection of S. Acoma St. and W. Mexico Ave., 2) Public Alley, bounded by S. Acoma St., W. Mexico Ave., S. Broadway, and W. Iowa Ave., and 3) Public Alley, bounded by S. Acoma St., W. Mexico Ave., S. Broadway, and W. Iowa 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 1) S. Acoma St., 2) Public Alley, and 3) Public Alley. 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, "1630 S Acoma St."

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 1) S. Acoma St., 2) Public Alley, and 3) Public Alley. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2022-DEDICATION-0000036-001, 002, 003) HERE.

A map of the area to be dedicated is attached.

MB/TB/DG

cc: Dept. of Real Estate, RealEstate@denvergov.org
City Councilperson, Jolon Clark District # 7
Councilperson Aide, Tate Carpenter
Councilperson Aide, Iris Tan
Councilperson Aide, Maggie Thompson
City Council Staff, Luke Palmisano
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, Johna Varty
Department of Law, Martin Plate
Department of Law, Deanne Durfee
Department of Law, Ivone Avila-Ponce
Department of Law, Joann Tristani
Department of Law, Stefanie Raph
DOTI Survey, Tom Breitnauer
DOTI Ordinance
Owner: City and County of Denver
Project file folder 2022-DEDICATION-0000036

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: February 2, 2023

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 1) S. Acoma St., located near the intersection of S. Acoma St. and W. Mexico Ave., 2) Public Alley, bounded by S. Acoma St., W. Mexico Ave., S. Broadway, and W. Iowa Ave., and 3) Public Alley, bounded by S. Acoma St., W. Mexico Ave., S. Broadway, and W. Iowa Ave.

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

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

- **Name:** Dalila Gutierrez
- **Phone:** 720-865-3207
- **Email:** Dalila.gutierrez@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:** Demolition of an existing structure and build a new mixed-use building for homeless shelter dorm rooms, offices and supportive services called "1630 S Acoma St." The developer was asked to dedicate three parcels as 1) S. Acoma St., 2) Public Alley, and 3) Public Alley.

****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:** Bounded by S. Acoma St., W. Mexico Ave., S Broadway, and W. Iowa Ave
- 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: 2022-DEDICATION-0000036

Description of Proposed Project: Demolition of an existing structure and build a new mixed-use building for homeless shelter dorm rooms, offices and supportive services called "1630 S Acoma St." The developer was asked to dedicate three parcels as 1) S. Acoma St., 2) Public Alley, and 3) 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 be dedicated as 1) S. Acoma St., 2) Public Alley, and 3) Public Alley.

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

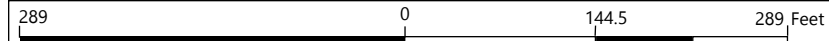
Will an easement be placed over a vacated area, and if so explain: N/A

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) S. Acoma St., 2) Public Alley, and 3) Public Alley, as part of a development project called, "1630 S Acoma St."



- ### Legend
- Well Restrictions
 - Barrier Restrictions
 - Area Restrictions
 - Liner
 - Sheet Pile Wall Area
 - Active Addresses
 - Associated
 - Land
 - Structure
 - Utility
 - 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



PARCEL DESCRIPTION ROW NO. 2022-DEDICATION-0000036-001

LAND DESCRIPTION – STREET PARCEL NO. 1

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 8TH DAY OF DECEMBER, 2022, AT RECEPTION NUMBER 2022147881 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

THE WEST TWO (2) FEET OF LOTS 7 THROUGH 14, BLOCK 9, OVERLAND PARK SUBDIVISION, SITUATED IN THE SW 1/4 OF SECTION 22, T. 4 S., R. 68 W. OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO.

CONTAINING 400 SQUARE FEET, MORE OR LESS.

PARCEL DESCRIPTION ROW NO. 2022-DEDICATION-0000036-002

LAND DESCRIPTION - ALLEY PARCEL NO. 2

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 8TH DAY OF DECEMBER, 2022, AT RECEPTION NUMBER 2022147881 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

THE SOUTH TWO (2) FEET OF LOT 14, BLOCK 9, OVERLAND PARK SUBDIVISION, EXCEPTING THE WEST TWO (2) FEET THEREOF, AND EXCEPTING THEREFROM THAT PORTION OF SAID LOT 14 LAYING WITHIN THAT PARCEL OF LAND RECORDED IN THE DENVER CLERK AND RECORDER'S OFFICE AT RECEPTION NO. 1998065454, SITUATED IN THE SW 1/4 OF SECTION 22, T. 4 S., R. 68 W. OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO.

CONTAINING 202 SQUARE FEET, MORE OR LESS.

PARCEL DESCRIPTION ROW NO. 2022-DEDICATION-0000036-003

LAND DESCRIPTION - ALLEY PARCEL NO. 3

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 8TH DAY OF DECEMBER, 2022, AT RECEPTION NUMBER 2022147881 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

THE EAST TWO (2) FEET OF LOTS 7 THROUGH 14, BLOCK 9, OVERLAND PARK SUBDIVISION, EXCEPTING THEREFROM THAT PORTION OF SAID LOT 14 LAYING WITHIN THAT PARCEL OF LAND RECORDED IN THE DENVER CLERK AND RECORDER'S OFFICE AT RECEPTION NO. 1998065454, SITUATED IN THE SW 1/4 OF SECTION 22, T. 4 S., R. 68 W. OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO.

CONTAINING 356 SQUARE FEET, MORE OR LESS.

After signing, return to:
Division of Real Estate
Attn: Jason Clements
City and County of Denver
201 West Colfax Avenue, Dept. 1010
Denver, Colorado 80202
Project Description: 2022-DEDICATION-0000036
Asset Mgmt No.: 22-161



2022147881
Page: 1 of 4
D \$0.00

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED (“Deed”), made as of this 6th day of December, 2022, by URBAN PEAK SHELTER, LLC, a Colorado limited liability company, whose address is 2100 Stout Street, Denver, CO 80205, 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

Parcel A:

The West Two (2) Feet of Lots 7 through 14, Block 9, Overland Park Subdivision, situated in the SW 1/4 of Section 22, T. 4 S., R. 68 W. of the 6th P.M., City and County of Denver, State of Colorado.

Containing 400 square feet, more or less.

Parcel B:

The South Two (2) Feet of Lot 14, Block 9, Overland Park Subdivision, Excepting the West Two (2) Feet thereof, and Excepting therefrom that portion of said Lot 14 laying within that parcel of land recorded in the Denver Clerk and Recorder's Office at Reception No. 1998065454, situated in the SW 1/4 of Section 22, T. 4 S., R. 68 W. of the 6th P.M., City and County of Denver, State of Colorado.

Containing 202 square feet, more or less.

Parcel C:

The East Two (2) Feet of Lots 7 through 14, Block 9, Overland Park Subdivision, Excepting therefrom that portion of said Lot 14 laying within that parcel of land recorded in the Denver Clerk and Recorder's Office at Reception No. 1998065454, situated in the SW 1/4 of Section 22, T. 4 S., R. 68 W. of the 6th P.M., City and County of Denver, State of Colorado.

Containing 356 square feet, more or less.

The above description was prepared by me, or under my direct supervision, on May 10, 2022.

James W. Rogers, PLS No. 9655



Not Valid Without
Signature And Date

Revised: May 10, 2022

Revised: April 2, 2022

Proj: Overland

J.N. 102001

Sheet 1 of 2

Date: January 12, 2022



AEGIS Surveying, Inc.

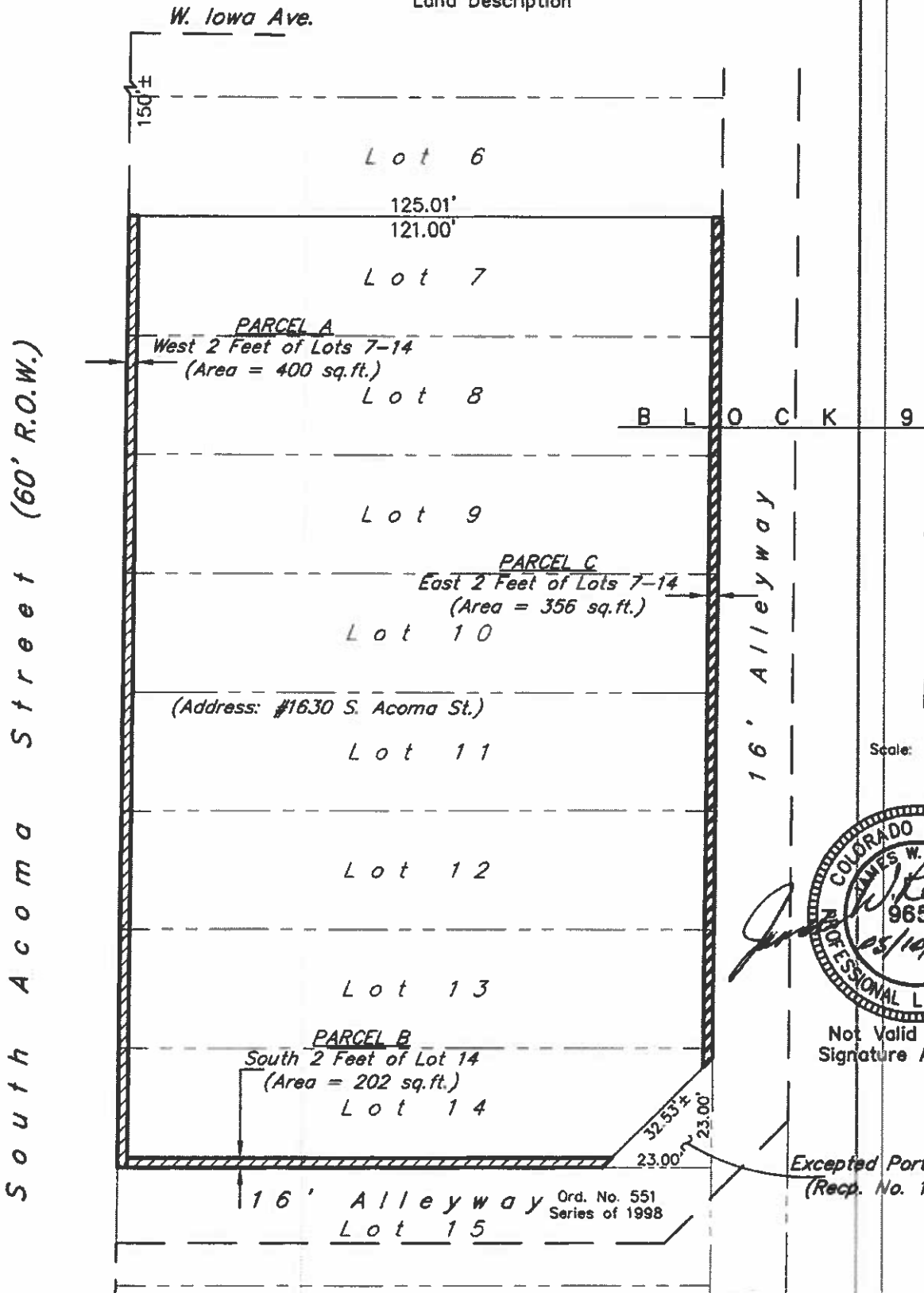
3395 Yates Street

Denver, Colorado 80212

(303) 477-9319

EXHIBIT A

Land Description



Not Valid Without Signature And Date

Excepted Portion of Lot 14
(Recp. No. 1998065454)

Revised: May 10, 2022
Revised: April 2, 2022