



## 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:** January 8, 2018

**ROW #:** 2017-Dedication-0000063      **SCHEDULE #:** 0436400013000

**TITLE:** This request is to dedicate a parcel of land as Public Right of Way as S. Sheridan Blvd. Located at the intersection of S. Sheridan Blvd. and W. Colgate Dr.

**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 S. Sheridan Blvd. 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 (**Quick Service Restaurant**)

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 S. Sheridan Blvd. The land is described as follows.

### **INSERT PARCEL DESCRIPTION ROW # (2017-Dedication-0000063-001) HERE.**

A map of the area to be dedicated is attached.

MB/RE/BV

cc: Asset Management, Robert Koehler  
City Councilperson & Aides, Kevin Flynn District # 2  
Council Aide Dana Montano  
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, Ron Ellis  
Public Works Survey, Paul Rogalla  
Owner: City and County of Denver  
Project file folder 2017-Dedication-0000063



# EXECUTIVE SUMMARY

**DENVER**  
THE MILE HIGH CITY

**Project Title: 2017-Dedication-0000063, Quick Service Restaurant**

**Description of Proposed Project: Dedicate a parcel of public right of way as S. Sheridan Blvd.**

**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, Quick Service Restaurant**

## ORDINANCE/RESOLUTION REQUEST

Please email requests to Angela Casias  
at [angela.casias@DenverGov.org](mailto: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: January 8, 2018

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 S. Sheridan Blvd.  
Located at the intersection of S. Sheridan Blvd. and W. Colgate Dr.

**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 S. Sheridan Blvd. 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 (**Quick Service Restaurant**)

**\*\*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:** S. Sheridan Blvd. at W. Colgate Dr.
- d. **Affected Council District:** Kevin Flynn Dist. #2
- e. **Benefits:** N/A
- f. **Contract Amount (indicate amended amount and new contract total):**

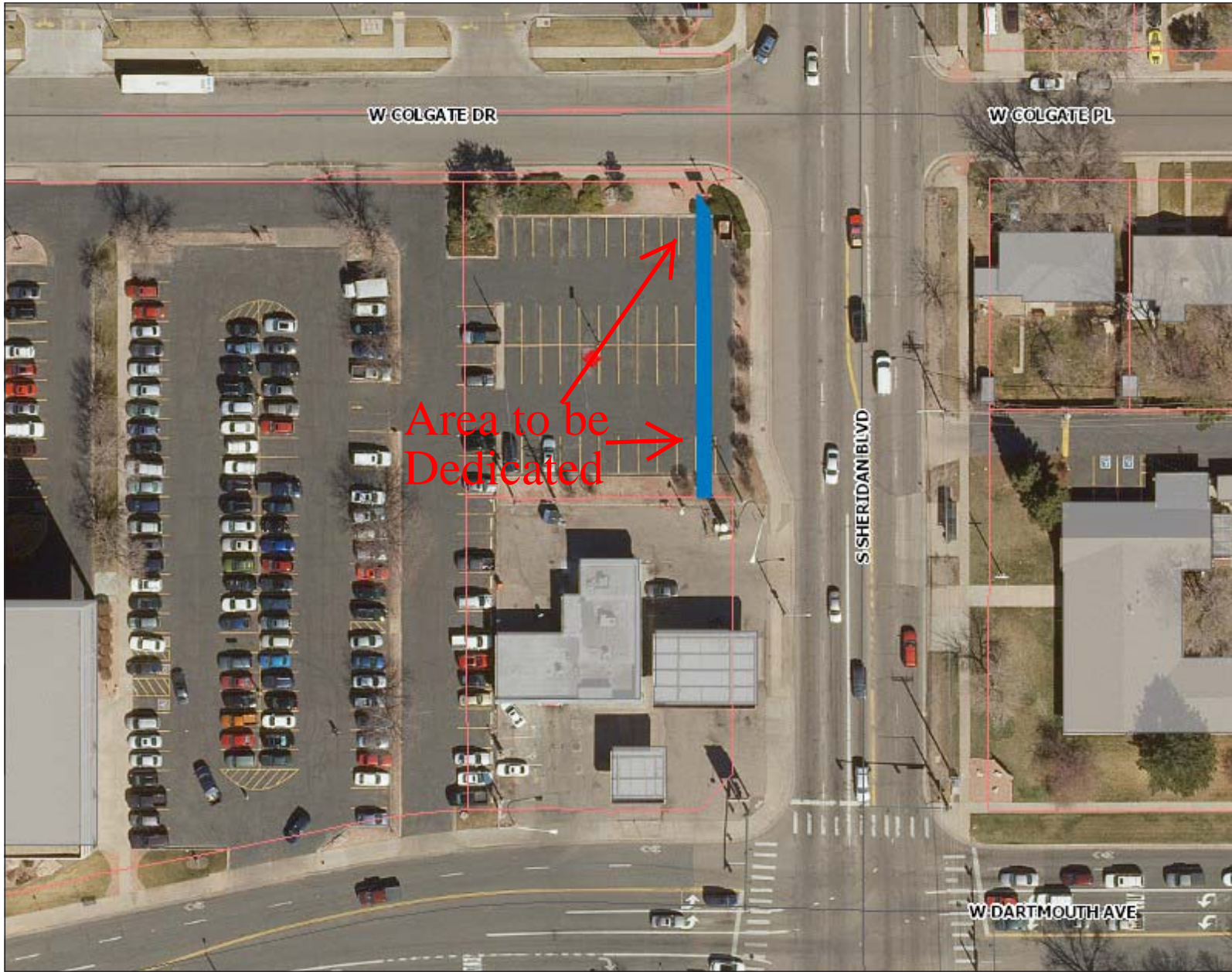
**7. Is there any controversy surrounding this ordinance?** (Groups or individuals who may have concerns about it?) **Please explain.**

None.

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: \_\_\_\_\_

Date Entered: \_\_\_\_\_



Area to be Dedicated

### Legend

- Streams
- Buildings
- Streets
- Alleys
- Railroads**
  - Main
  - Yard
  - Spur
  - Siding
  - Interchange track
  - Other
- Bridges
- Rail Transit Stations**
  - Existing
  - Planned
- Park-N-Ride Locations
- Lakes
- County Boundary
- Parcels
- Parks**
  - All Other Parks; Linear
  - Mountain Parks

137 0 68.5 137 Feet

**EXHIBIT A**  
"PROPERTY"  
SHEET 1 OF 2  
DESCRIPTION

A parcel of land being a portion of Parcel C as described in the deed recorded at Reception No. 2014130939 of the records of the Clerk and Recorder of the City and County of Denver, said Parcel also being a portion of Lot 2, Block 43 of Bear Valley Subdivision recorded at Reception No. 64912, situated in the Southeast Quarter of Section 36, Township 4 South, Range 69 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado, more particularly described as follows:

**BEGINNING** at a point on the South Line of said Lot 2 and the Southwest Corner of Parcel No. 2 as described in the deed recorded in Book 2143 at Page 613 and in Resolution No. 175, Series of 2010;  
Thence South 89°52'00" West along said South Line, a distance of 6.00 feet;  
Thence North 00°08'00" West, a distance of 139.25 feet to the West line of said Parcel No. 2 and a point of non-tangent curvature;  
Thence along the West Line of said Parcel No. 2 the following two (2) courses:  
1) Along the arc of said curve to the right an arc length of 17.69 feet, said curve having a radius of 25.00 feet, a central angle of 40°32'09", and a chord which bears South 20°24'04" East a chord distance of 17.32 feet;  
2) South 00°08'00" East, a distance of 123.00 feet to the **POINT OF BEGINNING**.

Said Parcel contains 805 square feet or 0.02 acres, more or less.

Basis of Bearings: Bearings are based on the East Line of the Southeast Quarter of Section 36, Township 4 South, Range 69 West of the 6th Principal Meridian as bearing North 00°08'00" West and being monumented at the East Quarter Corner with a 3 1/2" aluminum cap in range box stamped "PLS 17669", and the Southeast Corner with an illegible 3" aluminum cap in range box.

PREPARED BY: AARON MURPHY  
PLS 38162

ON BEHALF OF: HARRIS KOCHER SMITH  
1120 LINCOLN STREET, SUITE 1000  
DENVER, CO 80203  
303.623.6300

527

Asset Mgmt. #: 17-146



01/04/2018 03:50 PM  
City & County of Denver

R \$0.00

WD

2018001769

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

**SPECIAL WARRANTY DEED**

**THIS SPECIAL WARRANTY DEED ("Deed")**, made as of this \_\_\_\_\_ day of \_\_\_\_\_, 2017, by **KCH SHERIDAN, LLC**, a Colorado limited liability company, whose address is 1211 South White Chapel Blvd, Southlake, TX 76092 ("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 A 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 and subject to existing encumbrances, conditions and restrictions, relating to the herinabove described property described on Exhibit B.

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.

Approved: [Signature] Date: 01/04/18

Asset Description: [Signature] KCH Sheridan LLC

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

ATTEST:

**KCH SHERIDAN, LLC**, a Colorado limited liability company

By: \_\_\_\_\_

Name: Jason Keen

Its: Manager

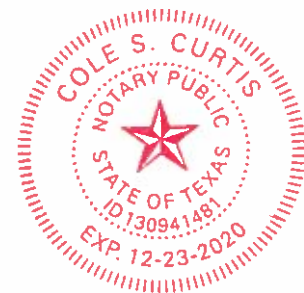
STATE OF Texas )  
 ) ss.  
COUNTY OF Tarrant )

The foregoing instrument was acknowledged before me this 3rd day of January, ~~2017~~ 2018  
by Jason Keen, as Manager of **KCH SHERIDAN, LLC**, a  
Colorado limited liability company, a Colorado Limited Liability Company.

Witness my hand and official seal.

My commission expires: 12-23-2020

Cole S. Curtis  
Notary Public



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**PREPARED BY:** AARON MURPHY  
PLS 38162

**ON BEHALF OF:** HARRIS KOCHER SMITH  
1120 LINCOLN STREET, SUITE 1000  
DENVER, CO 80203  
303.623.6300





**Exhibit B**

- 1. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF BEAR VALLEY SUBDIVISION RECORDED MARCH 7, 1961 UNDER RECEPTION NO. 64912.**
- 2. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN ORDINANCE NO. 267, SERIES OF 1978 RECORDED JULY 11, 1978 IN BOOK 1701 AT PAGE 507.**
- 3. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN RECIPROCAL PERMANENT ACCESS EASEMENT AGREEMENT RECORDED SEPTEMBER 24, 2002 UNDER RECEPTION NO. 2002170002. FIRST AMENDMENT TO RECIPROCAL PERMANENT ACCESS EASEMENT AGREEMENT RECORDED DECEMBER 23, 2005 UNDER RECEPTION NO. 2005217179.**
- 4. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN ORDINANCE RECORDED DECEMBER 19, 2005 UNDER RECEPTION NO. 2005215237.**
- 5. Terms, conditions, provisions, agreements and obligations contained in the Declaration of Easements recorded August 23, 2017 at Reception No. 2017110989.**