



REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Caroline Martin, City Attorney's Office

FROM: Matt Bryner, Director Engineer-Architect
Right-of-Way Services

DATE: December 19, 2018

ROW #: 2018-Dedication-0000016 **SCHEDULE #:** 0231310003000

TITLE: This request is to dedicate a parcel of land as Public Right of Way as Public Alley.
Located near the intersection of W. 17th Ave. and N. Utica St.

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 (**Utica Street Townhomes**)

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 # (2018-Dedication-0000016-001) HERE.

A map of the area to be dedicated is attached.

MB/JS/bv

cc: Asset Management, Curtis Anthony
City Councilperson & Aides, Rafael Espinoza District # 1
Council Aide Amanda Sandoval
Council Aide Gina Volpe
City Council Staff, Zach Rothmier
Environmental Services, David Erickson
Public Works, Manager's Office, Alba Castro
Public Works, Manager's Office, Jason Gallardo
Public Works, Right-of-Way Engineering Services, Matt Bryner
Department of Law, Brad Beck
Department of Law, Blanca Hernandez
Department of Law, Brent Eisen
Department of Law, Deanne Durfee
Department of Law, Caroline Martin
Department of Law, Stan Lechman
Public Works Survey, Jon Spirk
Public Works Survey, Paul Rogalla
Owner: City and County of Denver
Project file folder 2018-Dedication-0000016

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: December 19, 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 Public Alley.
Located near the intersection of W. 17th Ave. and N. Utica St.

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:** Jason Gallardo
- **Phone:** 720-865-8713
- **Email:** Jason.gallardo@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 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 (**Utica Street Townhomes**)

****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:** 1652 N. Utica St
- d. **Affected Council District:** Rafael Espinoza Dist. #1
- 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: 2018-Dedication-0000016, Utica Street Townhomes

Description of Proposed Project: Dedicate a parcel of land as public right of way as 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 of dedicating it as Public Right-of-Way, as a part of a development project called Utica Street Townhomes.



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
-  Lots/Blocks
- Parks
 -  All Other Parks; Linear
 -  Mountain Parks

289 0 144.5 289 Feet

Being that parcel of land conveyed by Special Warranty Deed to the City and County of Denver, recorded on the 23rd day of October 2018, at Reception No. 2018136926 in the City and County of Denver Clerk and Recorder's Office, State of Colorado, being more particularly described as follows:

A 3.00 FOOT STRIP OF LAND BEING A PORTION OF THE SOUTH HALF OF LOT 7, LOT 8, LOT 9 AND LOT 10, BLOCK 20 OF BLOCK 3 SLOANS LAKE ECCLES RE-SUB, LYING WITHIN THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 31, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE WEST LINE OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 3 SOUTH, RANGE 68 WEST, OF THE 6TH P.M., BEING MONUMENTED AT THE SOUTHWEST CORNER OF SAID SECTION 31, BY A FOUND 3.25" ALUMINUM CAP (PLS 13485) AND AT THE SOUTH SIXTEENTH CORNER BY A FOUND #5 REBAR, BEARS NORTH 00°05'00" WEST A DISTANCE OF 1,319.47 FEET, WITH ALL BEARINGS HEREON BEING RELATIVE THERETO.

COMMENCING AT SAID 3.25" ALUMINUM CAP AT SAID SOUTHWEST CORNER OF SAID SECTION 31;

THENCE, NORTH 66°58'24" EAST, A DISTANCE OF 2,624.49 FEET TO THE SOUTHEAST CORNER OF LOT 10, BLOCK 20 OF SLOANS LAKE ECCLES RE-SUB AND ALSO THE POINT OF BEGINNING;

THENCE, NORTH 89°55'09" WEST, CONTINUING ALONG THE SOUTH LINE OF SAID LOT 10, A DISTANCE OF 3.00 FEET;

THENCE, NORTH 00°15'49" EAST, 3.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID SOUTH HALF OF LOT 7, LOT 8, LOT 9 AND LOT 10, A DISTANCE OF 87.51 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTH HALF OF LOT 7;

THENCE, SOUTH 89°44'11" EAST, CONTINUING ALONG SAID NORTH LINE OF THE SOUTH HALF OF LOT 7, A DISTANCE OF 3.00 TO THE NORTHEAST CORNER OF SAID SOUTH HALF LOT 7;

THENCE, SOUTH 00°15'49" EAST, ALONG THE EAST LINE OF SAID SOUTH HALF OF LOT 7, LOT 8, LOT 9 AND LOT 10, A DISTANCE OF 87.50 FEET TO THE SOUTHEAST CORNER OF SAID LOT 10 AND ALSO THE POINT OF BEGINNING;

CONTAINS +/-263 SQ. FT. OR +/-0.006 ACRES.



2018136926

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 11th day of OCTOBER, 2018, by **DW HOMES**, a Colorado limited liability company, whose address is 2400 Meade St., Denver, CO 80211, 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.

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

ATTEST:

DW HOMES, a Colorado Limited Liability Company

By: _____

Name: TOM DADARIAN

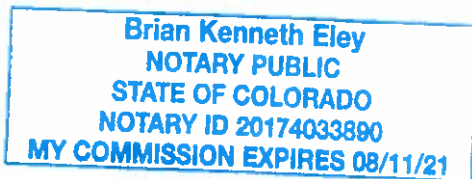
Its: _____

STATE OF Colorado)
) ss.
COUNTY OF Denver)

The foregoing instrument was acknowledged before me this 11th day of October, 2018
by Tom Dadarian, as Manager of DW HOMES, a Colorado Limited
Liability Company.

Witness my hand and official seal.

My commission expires: 8/11/2021



Brian Kenneth Eley
Notary Public

EXHIBIT A
LAND DESCRIPTION
SHEET 1 OF 2

LAND DESCRIPTION:

A 3.00 FOOT STRIP OF LAND BEING A PORTION OF THE SOUTH HALF OF LOT 7, LOT 8, LOT 9 AND LOT 10, BLOCK 20 OF BLOCK 3 SLOANS LAKE ECCLES RE-SUB, LYING WITHIN THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 31, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE WEST LINE OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 3 SOUTH, RANGE 68 WEST, OF THE 6TH P.M., BEING MONUMENTED AT THE SOUTHWEST CORNER OF SAID SECTION 31, BY A FOUND 3.25" ALUMINUM CAP (PLS 13485) AND AT THE SOUTH SIXTEENTH CORNER BY A FOUND #5 REBAR, BEARS NORTH 00°05'00" WEST A DISTANCE OF 1,319.47 FEET, WITH ALL BEARINGS HEREON BEING RELATIVE THERETO.

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THENCE, NORTH 89°55'09" WEST, CONTINUING ALONG THE SOUTH LINE OF SAID LOT 10, A DISTANCE OF 3.00;

THENCE, NORTH 00°15'49" EAST, 3.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID SOUTH HALF OF LOT 7, LOT 8, LOT 9 AND LOT 10, A DISTANCE OF 87.51 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTH HALF OF LOT 7;

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THENCE, SOUTH 00°15'49" EAST, ALONG THE EAST LINE OF SAID SOUTH HALF OF LOT 7, LOT 8, LOT 9 AND LOT 10, A DISTANCE OF 87.50 FEET TO THE SOUTHEAST CORNER OF SAID LOT 10 AND ALSO THE POINT OF BEGINNING;

CONTAINS ±263 SQ. FT. OR ±0.006 ACRES.

RICHARD B. GABRIEL, P.L.S.
Colorado License No. 37929
For and on behalf of
Power Surveying Company, Inc.



Surveying Company, Inc.

Established 1948

150 W 84TH AVENUE
THORNTON COLORADO 80260

PH 303-702-1617
FAX 303-702-1488
WWW.POWERSURVEYING.COM

DRAWING BY: JHG DATE: 09-07-17
PROJECT NO. 501-17-118

EXHIBIT A

EXHIBIT OF LAND DESCRIPTION

SHEET 2 OF 2

S1/16 CORNER SECTION 31
T.3S, R.68W 6TH P.M.
FND #5 REBAR
IN RANGE BOX

N00°05'00"W 1319.47' (BASIS OF BEARINGS)
WEST LINE S 1/2 SW 1/2 SECTION 31, T.3S, R.68W 6TH P.M.

LOT 6

N 1/2 LOT 7

S 1/2 LOT 7

PARCEL: ±263 SQ. FEET

1652 N. UTICA ST

LINE	BEARING	DISTANCE
L1	N 89°55'09" W	3.00'
L2	S 89°44'11" E	3.00'

LOT 8

LOT 9

LOT 10

N 00°15'49" E 87.51'

S 00°15'49" W 87.50'

SW CORNER SECTION 31
T.3S, R.68W 6TH P.M.
FND 3.25" ALUM. CAP
P.L.S 13485

N 66°58'24" E 2624.49'

L1

P.O.B.

SE COR. LOT 10

P.O.C.

- ⊕ SECTION MONUMENT
- FOUND #5 REBAR AND YELLOW PLASTIC CAP OR PK NAIL AND BRASS WASHER P.L.S #37929

P.O.B. POINT OF BEGINNING
P.O.C. POINT OF COMMENCEMENT



SCALE: 1" = 20'



150 W 84TH AVENUE
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