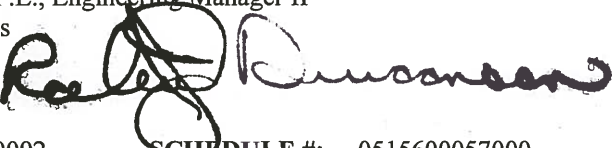




## REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

**TO:** Caroline Martin, City Attorney's Office

**FROM:** Robert J. Duncanson P.E., Engineering Manager II  
Right-of-Way Services

**DATE:** October 24, 2016 

**ROW #:** 2015-Dedication-0000092      **SCHEDULE #:** 0515600057000

**TITLE:** This request is to dedicate a parcel of land as Public Right of Way as E. Mississippi Ave. Located at the intersection of E. Mississippi Ave. and S. Sherman 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 E. Mississippi Ave. 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 (**Broadway Station Triangle Apartments**)

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 E. Mississippi Ave. The land is described as follows.

**INSERT PARCEL DESCRIPTION ROW # (2015-Dedication-0000092-001) HERE.**

A map of the area to be dedicated is attached.

RD/RP/BLV

cc: Asset Management, Steve Wirth  
City Councilperson & Aides, Jolon Clark District # 7  
Council Aide Maggie Thompson  
Council Aide Anita Banuelos  
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, Rob Duncanson  
Department of Law, Brent Eisen  
Department of Law, Shaun Sullivan  
Department of Law, Caroline Martin  
Department of Law, Cindy Cooley  
Public Works Survey, Ralph Pettit  
Public Works Survey, Paul Rogalla  
Owner: City and County of Denver  
Project file folder 2015-Dedication-0000092

**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: October 24, 2016

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 E. Mississippi Ave.  
Located at the intersection of E. Mississippi Ave. and S. Sherman St.

3. **Requesting Agency:** Public Works – Right-of-Way Services / 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 E. Mississippi Ave. 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 (**Broadway Station Triangle Apartments**)

**\*\*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:** E. Mississippi Ave. and S. Sherman St.
- d. **Affected Council District:** Jolon Clark Dist. #7
- e. **Benefits:** N/A
- f. **Contract Amount (indicate amended amount and new contract total):** 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: \_\_\_\_\_



# EXECUTIVE SUMMARY

**DENVER**  
THE MILE HIGH CITY

**Project Title: 2015-Dedication-0000092, Broadway Station Triangle Apartments**

**Description of Proposed Project: Dedicate a parcel of public right of way as E. Mississippi Ave.**

**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**

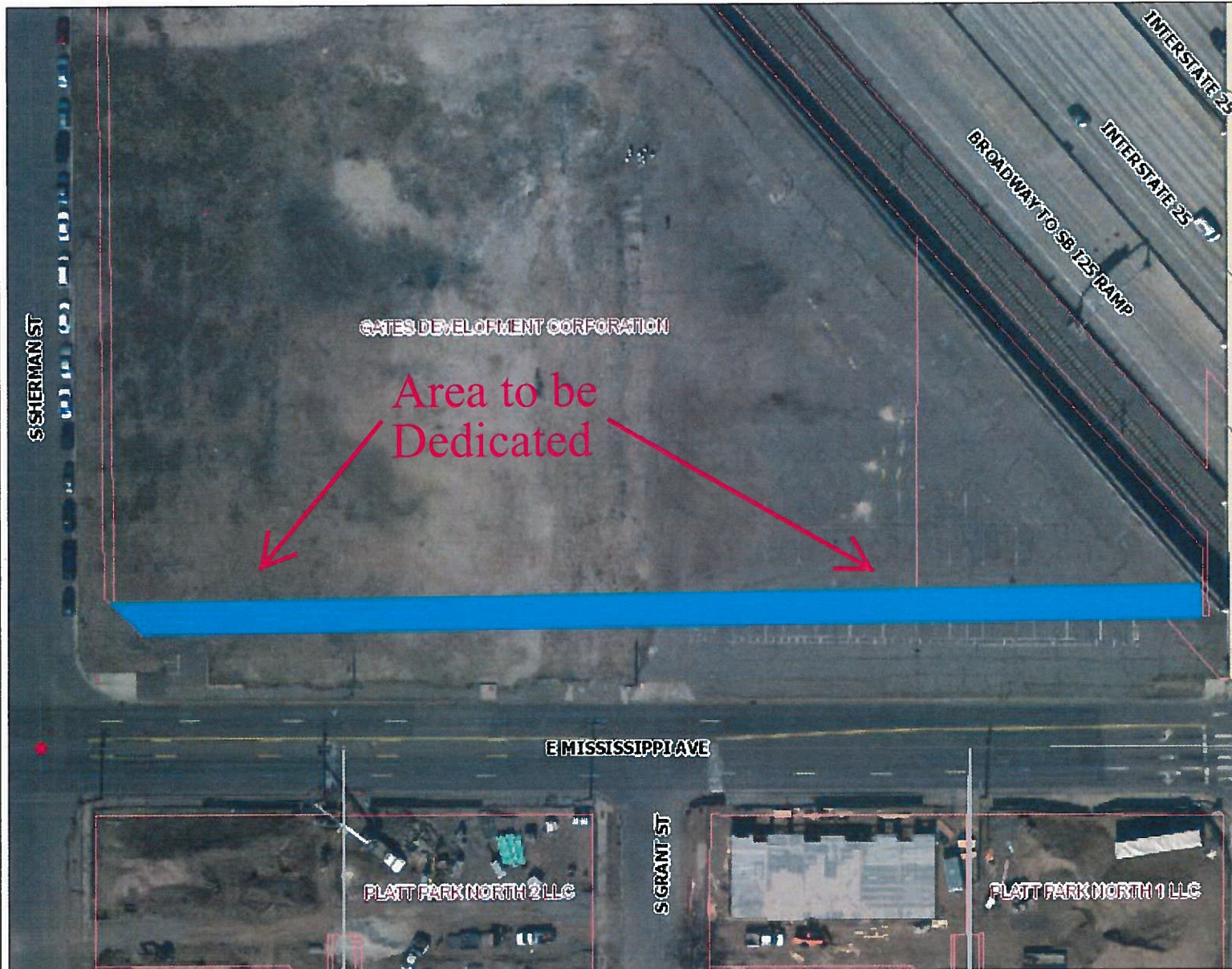
**Will an easement be placed over a vacated area, and if so explain: N/A**

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

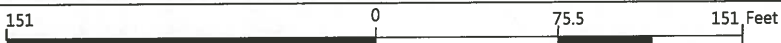
**Additional information: This land was deeded to the City and County of Denver for the purpose to dedicate it as Public Right-of-Way, as a part of a development project called, Broadway Station Triangle Apartments.**



# Mississippi and S Sherman



- Legend**
- Streams
  - Irrigation Ditches Reconstruct (Gardeners)
  - Irrigation Ditches
  - Buildings 2014
  - 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



LAND DESCRIPTION:

A PORTION OF THAT PARCEL DESCRIBED AS PARCEL 1-C IN THE WARRANTY DEED RECORDED AT RECEPTION NO. 2003240306 IN THE CLERK AND RECORDERS OFFICE OF THE CITY AND COUNTY OF DENVER, SITUATED IN THE SOUTHEAST 1/4 OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHERLY RANGE POINT OF THE 35-FOOT RANGE LINE RUNNING NORTH FROM EAST MISSISSIPPI AVENUE WITHIN SOUTH SHERMAN STREET;  
THENCE NORTH 58°00'13" EAST, A DISTANCE OF 47.14 FEET TO A POINT ON THE NORTHEAST LINE OF THAT PARCEL DEEDED TO THE CITY AND COUNTY OF DENVER BY RECEPTION NO. 2008034977 AND THE POINT OF BEGINNING;  
THENCE NORTH 89°53'06" EAST, A DISTANCE OF 562.96 FEET TO A POINT ON THE EAST LINE OF SAID PARCEL DESCRIBED AT RECEPTION NO. 20032404306;  
THENCE SOUTH 00°24'02" EAST ALONG SAID EAST LINE, A DISTANCE OF 22.62 FEET TO A POINT ON THE SOUTH LINE OF SAID PARCEL;  
THENCE SOUTH 89°40'07" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 537.88 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL DESCRIBED AT RECEPTION NO. 2008034977;  
THENCE NORTH 45°44'42" WEST ALONG SAID NORTHEAST LINE, A DISTANCE OF 35.25 FEET TO THE POINT OF BEGINNING;

SAID PARCEL CONTAINS 13,022 SQUARE FEET OR 0.30 ACRES, MORE OR LESS

BEARINGS ARE BASED ON THE RANGE LINE RUNNING NORTH FROM EAST MISSISSIPPI AVENUE WITHIN SOUTH SHERMAN STREET AS BEARING NORTH 00°44'42" WEST, AS SHOWN ON THE PLAT OF LIONSTONE DEVELOPMENT FILING NO. 1, RECORDED AT RECEPTION NO. 2008078936, AS MONUMENTED AT BOTH ENDS BY A #5 REBAR WITH 2" ALUMINUM CAP PLS 23899 IN A RANGE BOX

Asset Mgmt. #: 16-133

2016146784  
Page: 1 of 5  
10/21/2016 01:14 PM R \$0.00 D \$0.00  
City & County of Denver WD

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**

Asset Management:  
Date: 10-21-16

THIS SPECIAL WARRANTY DEED ("Deed"), made as of this 21<sup>st</sup> day of OCTOBER, 2016, by CP V PLATT PARK, LLC, a Delaware limited liability company, whose address is 1000 Sansome Street, 1<sup>st</sup> Floor, San Francisco, California 94111, Attn: Chris Beda ("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").

Approved: [Signature]

WITNESSETH, that Grantor, for and in consideration of the sum of Ten Dollars (\$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 Exhibit A attached hereto and incorporated herein ("Property");

Project Description:  
Broadway Triangle

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, subject to all matters of record.

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.

CP V PLATT PARK, LLC, a Delaware limited liability company

By: [Signature]  
Name: Christopher Beda  
Title: Authorized Agent

Certificate of Acknowledgment pursuant to Civil Code Section 1189, as amended January 1, 2015:

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

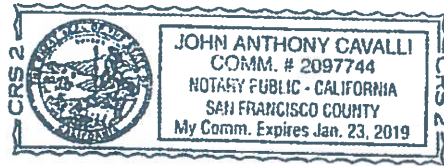
State of California )  
County of San Francisco )

On October 7, 2016 before me, John Anthony Cavalli (insert  
name and title of the officer), Notary Public personally appeared  
Christopher Beda, who proved to  
me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to  
the within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the  
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

[Signature]  
(Signature)



(Affix Seal)

**EXHIBIT A**

**Legal Description**

**[See attached]**



# DESCRIPTION

SITUATED IN THE SOUTHEAST 1/4 OF SECTION 15, TOWNSHIP 4 SOUTH,  
RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO.

**DESCRIPTION:**

A PORTION OF THAT PARCEL DESCRIBED AS PARCEL 1-C IN THE WARRANTY DEED RECORDED AT RECEPTION NO. 20032404306 IN THE CLERK AND RECORDERS OFFICE OF THE CITY AND COUNTY OF DENVER, SITUATED IN THE SOUTHEAST 1/4 OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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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



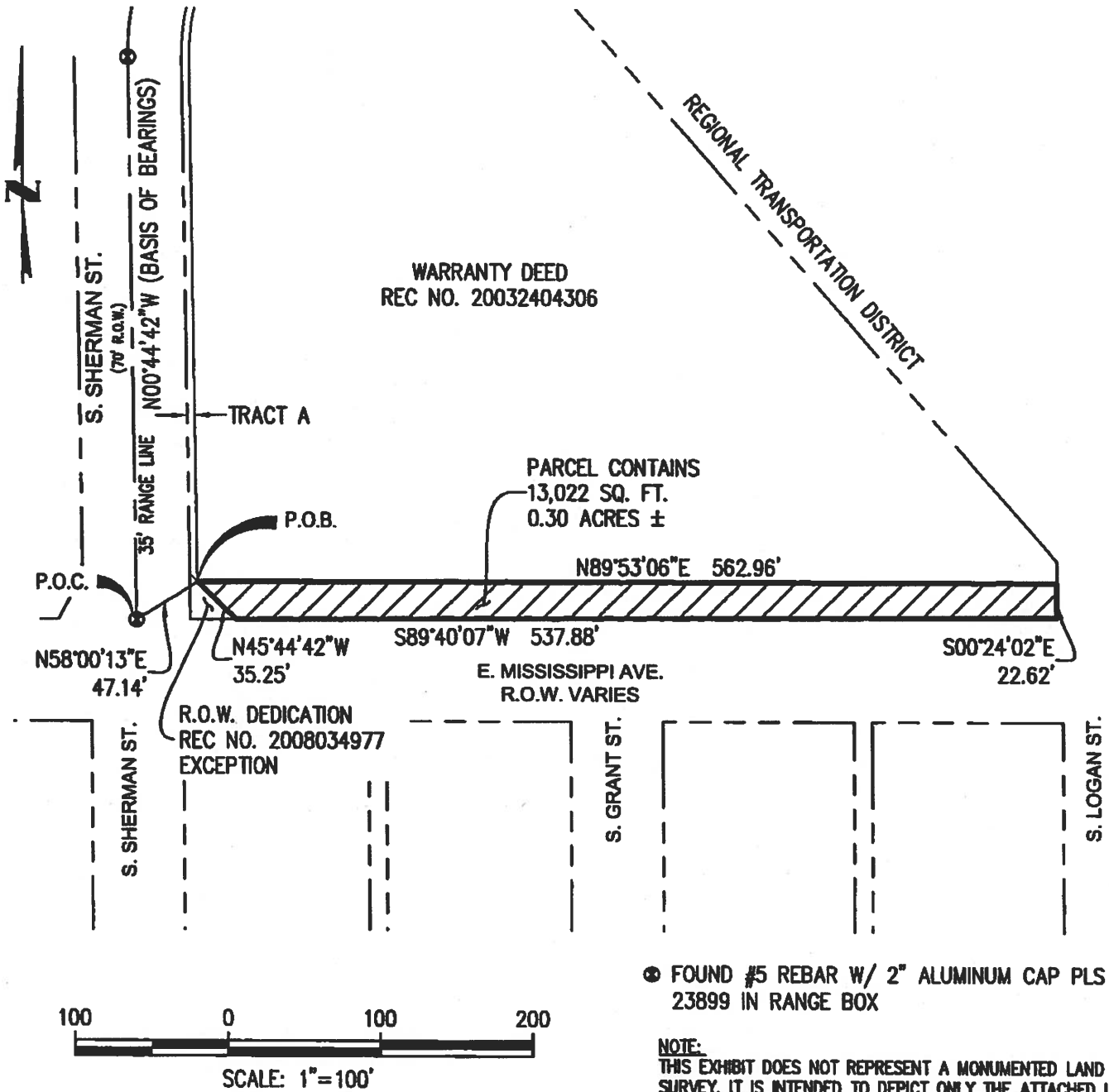
NO CHANGES ARE TO BE MADE TO THIS DRAWING WITHOUT WRITTEN PERMISSION OF HARRIS KOCHER SMITH

<small>PLS 38162</small>	<small>PLS 38162</small>			<small>CHKD BY: AWM</small>
ISSUE DATE: 10-27-15	PROJECT #: 150501	DESCRIPTION	R.O.W. DEDICATION	DRAWN BY: BVS
DATE	REVISION COMMENTS			

**HKS HARRIS KOCHER SMITH**  
1120 Lincoln Street, Suite 1000  
Denver, Colorado 80203  
P-303.623.6300 F-303.623.6311  
HarrisKocherSmith.com

# EXHIBIT

SITUATED IN THE SOUTHEAST 1/4 OF SECTION 15, TOWNSHIP 4 SOUTH,  
RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO.



③ FOUND #5 REBAR W/ 2" ALUMINUM CAP PLS  
23899 IN RANGE BOX

**NOTE:**  
THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED LAND  
SURVEY. IT IS INTENDED TO DEPICT ONLY THE ATTACHED LEGAL  
DESCRIPTION.

NO CHANGES ARE TO BE MADE TO THIS DRAWING WITHOUT WRITTEN PERMISSION OF HARRIS KOCHER SMITH

PLANNING AND SURVEYING SERVICES, LLC  
1520 LINCOLN STREET, SUITE 1000  
DENVER, COLORADO 80203

ISSUE DATE: 10-27-15	PROJECT #: 150501
DATE	REVISION COMMENTS

EXHIBIT

R.O.W. DEDICATION

**HKS HARRIS KOCHER SMITH**  
1120 Lincoln Street, Suite 1000  
Denver, Colorado 80203  
P: 303 623 6300 F: 303 623 6311  
HarrisKocherSmith.com

CHKD BY: AWM  
DRAWN BY: BVS

SHEET NO.

2

3 OF 3