



REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Stan Lechman, City Attorney's Office
FROM: Robert J. Duncanson P.E., Engineering Manager II
Right-of-Way Services
DATE: August 20, 2015
ROW #: 2013-Dedication-0055707 **SCHEDULE #:** 0217100037000
TITLE: This request is to dedicate a parcel of land as Public Right of Way as W. 52nd Ave.
Located at the intersection of W. 52nd Ave. and Federal Blvd.
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 W. 52nd 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 (**Aria Phase 2**)

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 W. 52nd Ave. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2013-Dedication-0055707-001) HERE.

A map of the area to be dedicated is attached.

RD/AG/BLV

- cc: Asset Management, Steve Wirth
- City Councilperson & Aides, Rafael Espinoza District # 1
- Council Aide Rita Contreras
- Council Aide Amanda Sandoval
- City Council Staff, Shelley Smith
- 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, Karen Aviles
- Department of Law, Brent Eisen
- Department of Law, Stan Lechman
- Department of Law, Adam Hernandez
- Department of Law, Angela Garcia
- Public Works Survey, Ali Gulaid
- Public Works Survey, Paul Rogalla
- Owner: City and County of Denver
- Project file folder 2013-Dedication-0055707

ORDINANCE/RESOLUTION REQUEST

Please email requests to Angela Casias
at 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: August 20, 2015

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 W. 52nd Ave.
Located at the intersection of W. 52nd Ave. and Federal Blvd.

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 W. 52nd 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 (Aria Phase 2)

****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:** W. 52nd Ave. and Federal Blvd
- d. **Affected Council District:** Rafael Espinoza Dist. 1
- 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: 2013-Dedication-0055707, Aria Phase 2

Description of Proposed Project: Dedicate a parcel of public right of way as W. 52nd 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

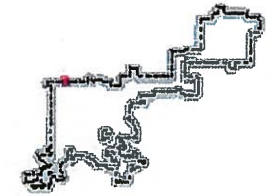
Will land be dedicated to the City if the vacation goes through: N/A

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

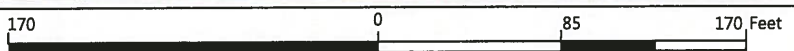
Additional information: This land was deeded to the City and County of Denver for the purpose to dedicate it as Public Right-of-Way, as a part of a development project called, Aria Phase 2

Aria Marycrest



Legend

- Active Addresses**
 - Associated
 - Land
 - Structure
 - Utility
- Streams
- Irrigation Ditches Reconstruct (Gardeners)
- Irrigation Ditches
- 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**
 - Mountain Parks
 - All Other Parks



DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, AND CONVEYED BY A WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, AND RECORDED ON THE 29TH DAY OF OCTOBER 2014, AT RECEPTION NUMBER 2014131482 IN CITY AND COUNTY OF DENVER CLERK & RECORDER'S OFFICE, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER QUARTER CORNER OF SAID SECTION 17;

THENCE NORTH 63°06'33" EAST, A DISTANCE OF 72.88 FEET TO A POINT OF INTERSECTION BETWEEN THE EAST RIGHT-OF-WAY LINE OF FEDERAL BOULEVARD AND A LINE BEING 34.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17 AND THE POINT OF BEGINNING;

THENCE SOUTH 89°04'57" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 572.94 FEET TO THE NORTHWEST CORNER OF A PARCEL OF LAND DEDICATED TO THE CITY AND COUNTY OF DENVER PER RECEPTION NO. 2012079972;

THENCE SOUTH 00°55'03" WEST ALONG THE WEST LINE OF SAID PARCEL, A DISTANCE OF 4.00 FEET TO THE SOUTHWEST CORNER THEREOF, ALSO BEING A POINT ON THE NORTH RIGHT-OF-WAY LINE OF WEST 52ND AVENUE;

THENCE NORTH 89°04'57" WEST ALONG SAID NORTH LINE, A DISTANCE OF 572.88 FEET TO THE WEST RIGHT-OF-WAY LINE OF FEDERAL BOULEVARD;

THENCE NORTH 00°00'00" EAST ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 4.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,292 SQUARE FEET OR 0.05 ACRES, MORE OR LESS.

Assess. Mgmt. #: 14-153



2014131482
Page: 1 of 3
D \$0.00

WARRANTY DEED

10/29/2014 08:53 AM
City & County of Denver

R \$0.00

WD

THIS DEED, dated Oct. 16, 2014, is between Marycrest Land LLC, a Colorado limited liability company ("Grantor"), and the City and County of Denver, a home rule city and municipal corporation of the State of Colorado ("Grantee"), whose address is 1437 Bannock Street, Denver, CO 80202.

WITNESS, that the 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 is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee, its successors and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the City and County of Denver and State of Colorado, described as follows:

EXHIBIT "A" attached hereto and incorporated herein

Assessor's schedule or parcel number: Vacant Land
Address: Vacant Land

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the Grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the Grantee, its successors and assigns forever. The Grantor covenants, grants, bargains, and agrees to and with the Grantee, its successors and assigns, that at the time of the enrolling and delivery of these presents, it is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature whatsoever, except for all matters of record.

The grantor shall and will WARRANT AND FOREVER DEFEND the above bargained premises in the quiet and peaceable possession of the grantee, its successors and assigns, against all and every person or persons lawfully claiming the whole or any part thereof, except for all matters of record.

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

Marycrest Land LLC

By: Susan Powers
Title: Manager

STATE OF Colorado
COUNTY OF Denver

The foregoing instrument was acknowledged before me this day 16 of October, 2014 by Susan Powers as Manager of Marycrest Land LLC.

Witness my hand and official seal.
My commission expires: 6/3/2017

Patricia A Banker
Notary Public

PATRICIA A BANKER
NOTARY PUBLIC
STATE OF COLORADO
Notary ID 19934007402
My Commission Expires June 3, 2017

Name and Address of Person Creating Newly Created Legal Description (§38-35-106.5, C.R.S.)

Approved: [Signature]
Date: 10-28-14

2961 W. Selma Ave

DESCRIPTION

SITUATED IN THE NORTHEAST 1/4 OF SECTION 17, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M. CITY AND COUNTY OF DENVER, STATE OF COLORADO.

DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 3 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 CENTER QUARTER CORNER OF SAID SECTION 17;

THENCE NORTH 63°06'33" EAST, A DISTANCE OF 72.88 FEET TO A POINT OF INTERSECTION BETWEEN THE EAST RIGHT-OF-WAY LINE OF FEDERAL BOULEVARD AND A LINE BEING 34.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17 AND THE POINT OF BEGINNING;

THENCE SOUTH 89°04'57" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 572.94 FEET TO THE NORTHWEST CORNER OF A PARCEL OF LAND DEDICATED TO THE CITY AND COUNTY OF DENVER PER RECEPTION NO. 2012079972;

THENCE SOUTH 00°55'03" WEST ALONG THE WEST LINE OF SAID PARCEL, A DISTANCE OF 4.00 FEET TO THE SOUTHWEST CORNER THEREOF, ALSO BEING A POINT ON THE NORTH RIGHT-OF-WAY LINE OF WEST 52ND AVENUE;

THENCE NORTH 89°04'57" WEST ALONG SAID NORTH LINE, A DISTANCE OF 572.88 FEET TO THE WEST RIGHT-OF-WAY LINE OF FEDERAL BOULEVARD;

THENCE NORTH 00°00'00" EAST ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 4.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,292 SQUARE FEET OR 0.05 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE WEST LINE OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, ASSUMED TO BEAR NORTH 00°00'00" EAST.

PREPARED BY: AARON MURPHY
PLS NO. 38162

ON BEHALF OF: HARRIS KOCHER SMITH
1120 LINCOLN STREET, SUITE 1000
DENVER, COLORADO 80203
PHONE: 303-623-6300



ARIMA P 11/11/2014 11:00 AM 11/11/2014 11:00 AM
ARIMA P 11/11/2014 11:00 AM 11/11/2014 11:00 AM

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

ISSUE DATE: 07-11-2014	
DATE	REVISION COMMENTS

ARIA DENVER

R.O.W. EXHIBIT
DEDICATION - W. 52ND AVE.

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

DESIGN BY: SCT
CHECK BY: ANM
DRAWN BY: SCT
JOB NUM: 140101

1
0 of 3

EXHIBIT

SITUATED IN THE NORTHEAST 1/4 OF SECTION 17, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M.
CITY AND COUNTY OF DENVER, STATE OF COLORADO.

NORTH 1/4 CORNER
SECTION 17,
T3S, R68W 6TH P.M.

WEST LINE OF THE NE 1/4 SEC. 17
 $N00^{\circ}00'00"E$ 264.52' - BASIS OF BEARINGS
65'

FEDERAL BLVD.

POINT OF BEGINNING
PARCEL CONTAINS
2,292 S.F. (± 0.05 Ac.)
 $S89^{\circ}04'57"E$ 572.94'
 $N89^{\circ}04'57"W$ 572.88'

POINT OF COMMENCEMENT
CENTER 1/4 CORNER SECTION 17,
T3S, R68W 6TH P.M.

$N0^{\circ}00'00"E$ 4.00'
S. LINE OF THE NE 1/4 SEC. 17 - $S89^{\circ}04'57"E$ 1305.87'
W. 52ND AVE.
CE 1/16TH CORNER SECTION 17,
T3S, R68W 6TH P.M.



SCALE: 1" = 150'

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

DATE: 07-11-2014
ISSUE DATE: 07-11-2014
REVISION COMMENTS

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

R.O.W. EXHIBIT
DEDICATION - W. 52ND AVE.

ARIA DENVER

ARIA PHASE I,
APARTMENTS AND TOWNHOMES

ARIA PHASE II

4' DEDICATION TO THE CITY AND COUNTY
OF DENVER PER REC. NO. 2012079972

$S0^{\circ}55'03"W$ 4.00'

S. LINE OF THE NE 1/4 SEC. 17 - $S89^{\circ}04'57"E$ 1305.87'

W. 52ND AVE.

CE 1/16TH CORNER SECTION 17,
T3S, R68W 6TH P.M.

DSND BY: SCT
CHKD BY: AMM
DRAWN BY: SCT
JOB NUM: 140101
SHEET NO. 2 OF 2

DATE: 07-11-2014
ISSUE DATE: 07-11-2014
REVISION COMMENTS

FIGURE 4 VISION/SCENE/PHOTO-11-1001-NR-EX-CAD-0000 LAYOUT EXHIBIT
PLOTED 07/11/14 12:18 PM BY AMM/MSR