

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: January 14, 2019

ROW #: 2018-Dedication-0000137 **SCHEDULE #:** 0231311045000

TITLE: This request is to dedicate City owned land as Public Alley.
Located in the alley bounded by W. Colfax Ave., N. Utica St., W. 16th Ave. and N. Tennyson 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.

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 existing City owned land for public right-of-way purposes as Public Alley. The land is described as follows:

INSERT PARCEL DESCRIPTION ROW (2018-Dedication-0000137-001) HERE.

A map of the area to be dedicated is attached.

MB/BLV

c: Dept. of Real Estate, Katherine Rinehart
City Councilperson Rafael Espinoza
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, Maureen McGuire
Department of Law, Martin Plate
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

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: January 14, 2019

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.**)

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Located in the alley bounded by W. Colfax Ave., N. Utica St., W. 16th Ave. and N. Tennyson 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.

****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:** Alley bounded by W. Colfax Ave., N. Utica St., W. 16th Ave. and N. Tennyson St.
- d. **Affected Council District:**
- 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-0000137

Description of Proposed Project: Dedicate a parcel of 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

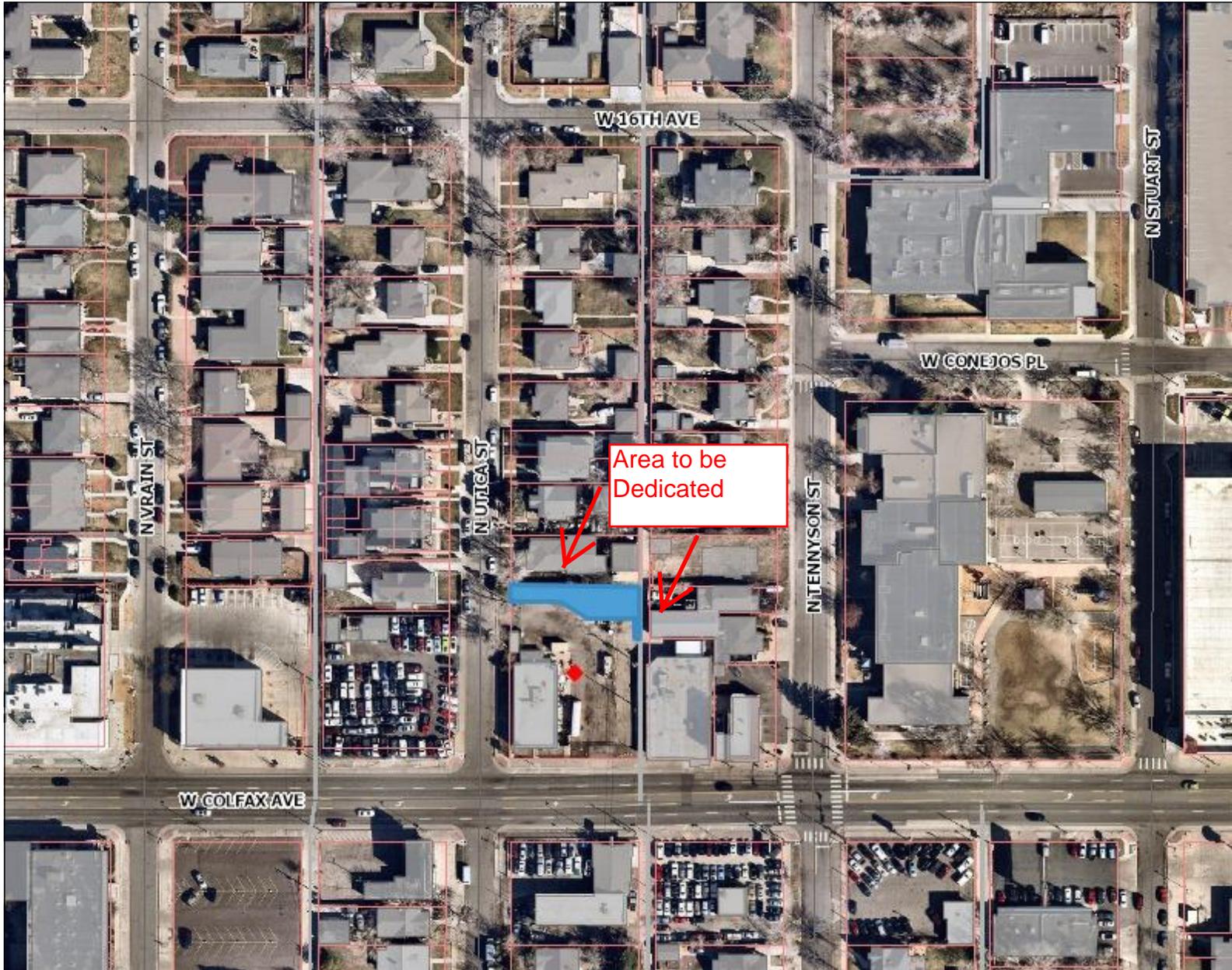
What is the known duration of an MEP: N/A

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 to dedicate it as Public Right-of-Way.



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

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 17th day of October 2018, at Reception No. 2018134638 in the City and County of Denver Clerk and Recorder's Office, State of Colorado, being more particularly described as follows:

A parcel of land being part of Lots 18 and 19, Block 19, Harrison Resubdivision of Sloan Lake Subdivision, located in the SW 1/4 of Section 31, Township 3 South, Range 68 West of the 6th Principal Meridian, City and County of Denver, State of Colorado, and being more particularly described as follows: Beginning at the Northwest corner of Lot 18, of said Block 19; Thence East, along the North line of said Lot 18, a distance 125.00 feet, to the Northeast corner of said Lot 18; Thence South, along the East line of said Lots 18 and 19, a distance of 50.00 feet to the Southeast corner of said Lot 19; Thence West, along the South line of said Lot 19, a distance of 3.00 feet; Thence North and parallel with the East line of said Lot 19, a distance of 18.00 feet; Thence West and parallel to the North line of said Lot 18, a distance of 47.00 feet; Thence North $58^{\circ}23'33''$ West a distance of 30.53 feet; Thence West and parallel with the North line of said Lot 18, a distance of 49.00 feet to a point on the West line of said Lot 18, Thence North, along the West line of said Lot 18, a distance of 16.00 feet to the Point Of Beginning. Said described parcel contains 3,062 square feet more or less.



10/17/2018 12:11 PM
City & County of Denver

R \$0.00

WD

2018134638

Page: 1 of 4

D \$0.00

Asset Mgmt. # 18-154

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 12 day of October, 2018, by **4455 WEST COLFAX, LLC**, a Colorado limited liability company, whose address is 3222 Tejon St., Unit A, 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.

Project Description:
2018-Dedication-0000137

Approved
Ker
Asset Management
Date: 10/16/18

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

ATTEST:

4455 WEST COLFAX, LLC, a Colorado Limited Liability Company

By: [Signature]

Name: PAUL TAMBURELLO

Its: OWNER

STATE OF Colorado)
) ss.
COUNTY OF Denver)

The foregoing instrument was acknowledged before me this 12 day of October, 2018
by Paul Tamburello, as Owner of 4455 WEST COLFAX, LLC, a
Colorado Limited Liability Company.

Witness my hand and official seal.

My commission expires: 4/30/19

TRICIA WHITAKER
NOTARY PUBLIC - STATE OF COLORADO
Notary Identification #20154017314
My Commission Expires 4/30/2019

[Signature]
Notary Public

EXHIBIT A
SW 1/4, SECTON 31, T3S, R68W, 6TH P.M.
CITY AND COUNTY OF DENVER, STATE OF COLORADO

LEGAL DESCRIPTION

A parcel of land being part of Lots 18 and 19, Block 19, Harrison Resubdivision of Sloan Lake Subdivision, located in the SW 1/4 of Section 31, Township 3 South, Range 68 West of the 6th Principal Meridian, City and County of Denver, State of Colorado, and being more particularly described as follows: Beginning at the Northwest corner of Lot 18, of said Block 19; Thence East, along the North line of said Lot 18, a distance 125.00 feet, to the Northeast corner of said Lot 18; Thence South, along the East line of said Lots 18 and 19, a distance of 50.00 feet to the Southeast corner of said Lot 19; Thence West, along the South line of said Lot 19, a distance of 3.00 feet; Thence North and parallel with the East line of said Lot 19, a distance of 18.00 feet; Thence West and parallel to the North line of said Lot 18, a distance of 47.00 feet; Thence North 58°23'33" West a distance of 30.53 feet; Thence West and parallel with the North line of said Lot 18, a distance of 49.00 feet to a point on the West line of said Lot 18, Thence North, along the West line of said Lot 18, a distance of 16.00 feet to the Point Of Beginning. Said described parcel contains 3,062 square feet more or less.

I, Richard E. Heinz, a Professional Land Surveyor, Registered in the State of Colorado, do hereby certify that the above legal descriptions was prepared by me or under my direct supervision.

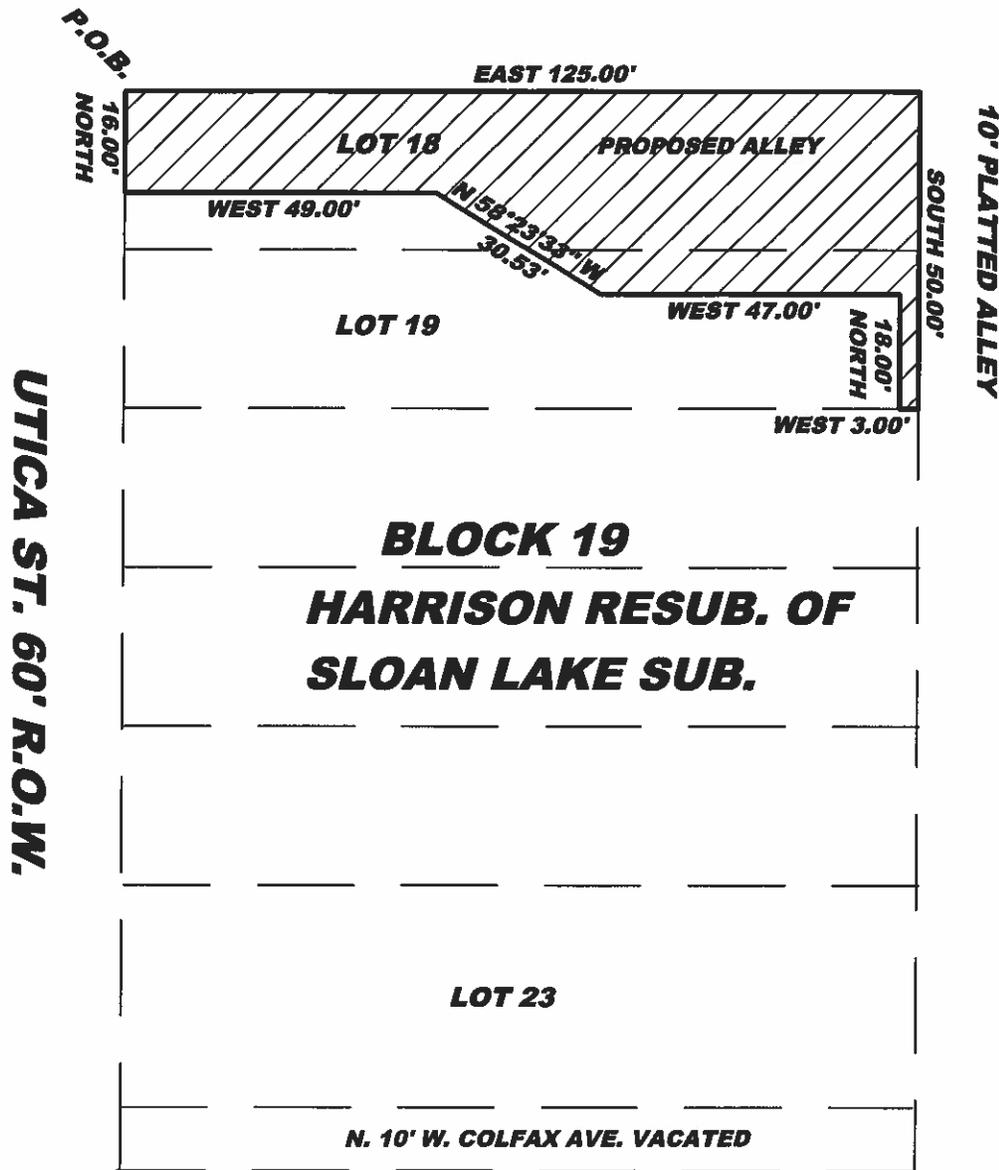


Richard E. Heinz
State of Colorado Professional Land Surveyor No. 16116
For and on behalf of AAA Surveying Land Consultants, LLC

EXHIBIT A
SW 1/4, SECTON 31, T3S, R67W, 6TH P.M.
CITY AND COUNTY OF DENVER, STATE OF COLORADO



Scale 1" = 30'



WEST COFAX AVE
R.O.W. WIDTH VARIES

THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED SURVEY. IT IS INTENDED ONLY TO DEPICT THE ABOVE PROPOSED ALLEY.

AAA SURVEYING LAND CONSULTANTS, LLC

P.O. BOX 2016 ELIZABETH, CO 80107
 303-519-7015/FAX 303-940-4927

JOB NO. 18-4555

PAGE 1 OF 2

DATE: 08/6/2018 REV: 9/6/18

PROPERTY ADDRESS: 4455 W. COFAX AVE.

SCALE 1"=30'