



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

**TO:** Karen Walton, City Attorney's Office

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

**DATE:** March 17, 2014

**ROW #:** 2012-0519-05    **SCHEDULE #:** Adjacent to Parcels 0228216022000, 0228216021000,  
022821602000, and a portion of 0228216019000

**TITLE:** This request is to dedicate a parcel of land as Public Right of Way as Public Alley.  
Located near the intersection of 35<sup>th</sup> and Tejon.

**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 (**LoHi Place**)

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 # (2012-0519-05-001) HERE.**

A map of the area to be dedicated is attached.

RD/AG/BLV

cc: Asset Management, Steve Wirth  
City Councilperson & Aides, Montero District # 9  
City Council Staff, Gretchen Williams  
Environmental Services, David Erickson  
Public Works, Manager's Office, Alba Castro  
Public Works, Manager's Office, Nancy Kuhn  
Public Works, Right-of-Way Engineering Services, Rob Duncanson  
Department of Law, Karen Aviles  
Department of Law, Brent Eisen  
Department of Law, Karen Walton  
Public Works Survey, Ali Gulaid  
Public Works Survey, Paul Rogalla  
Owner: City and County of Denver  
Project file folder 2012-0519-05

**ORDINANCE/RESOLUTION REQUEST**

Please email requests to Nancy Kuhn at [Nancy.Kuhn@Denvergov.org](mailto:Nancy.Kuhn@Denvergov.org) by **NOON 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:** March 17, 2014

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, 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 35th and Tejon.

**3. Requesting Agency:** PW Right of Way Engineering Services

**4. Contact Person:** *(With actual knowledge of proposed ordinance/resolution.)*

- **Name:** Barbara Valdez
- **Phone:** 720-865-3153
- **Email:** [Barbara.valdez@denvergov.org](mailto: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:** Nancy Kuhn
- **Phone:** 720-865-8720
- **Email:** [Nancy.Kuhn@denvergov.org](mailto:Nancy.Kuhn@denvergov.org)

**6. General description 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 (LoHi Place)

**\*\*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.)*

- a. **Contract Control Number:** N/A
- b. **Duration:** Permanent
- c. **Location:** 35<sup>th</sup> and Tejon
- d. **Affected Council District:** Judy Montero Dist 9
- e. **Benefits:** N/A
- f. **Costs:** 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:**2012-0519-05 Dedication, LoHi Place

**Description of Proposed Project:**Dedicate a parcel of public right of way as a 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, as a part of a development project called, LoHi Place.



# 35th & Tejon



Vallejo St.

N Vallejo St

Tejon St.

N Tejon St

W. 35th Ave.

W. 35th Ave

Area to be dedicated.



**LEGAL DESCRIPTION**

A PARCEL OF LAND CONVEYED BY WARRANTY DEED TO THE CITY & COUNTY OF DENVER, RECORDED ON JANUARY 8, 2014 BY RECEPTION NUMBER 2014002242 IN THE CITY AND COUNTY OF DENVER CLERK & RECORDER'S OFFICE, STATE OF COLORADO.

THE WESTERLY 1.25 FEET OF LOTS 1 THROUGH 5, INCLUSIVE, AND WESTERLY 1.25 FEET OF THE SOUTH 4.00 FEET OF LOT 6, BLOCK 21, WILSON'S RESUBDIVISION OF A PART OF H. WITTER'S NORTH DENVER ADDITION; SITUATED IN THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTHERLY, ALONG THE WEST LINE OF SAID LOTS 1 THROUGH 5, INCLUSIVE, AND THE WEST LINE OF THE SOUTH 4.00 FEET OF SAID LOT 6, A DISTANCE OF 128.39 FEET TO THE NORTHWEST CORNER OF THE SOUTH 4.00 FEET OF SAID LOT 6; THENCE EASTERLY, ALONG THE NORTH LINE OF THE SOUTH 4.00 FEET OF SAID LOT 6, A DISTANCE OF 1.25 FEET; THENCE SOUTHERLY, PARALLEL WITH THE WEST LINE OF SAID BLOCK 21, A DISTANCE OF 128.39 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 1; THENCE WESTERLY, ALONG THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 1.25 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 161 SQUARE FEET, MORE OR LESS.

## EXHIBIT A

DS PROJECT NO. 2012-0519

LEGAL DESCRIPTION NO. 2012-0519-03-001

### LEGAL DESCRIPTION

THE WESTERLY 1.25 FEET OF LOTS 1 THROUGH 5, INCLUSIVE, AND WESTERLY 1.25 FEET OF THE SOUTH 4.00 FEET OF LOT 6, BLOCK 21, WILSON'S RESUBDIVISION OF A PART OF H. WITTER'S NORTH DENVER ADDITION; SITUATED IN THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTHERLY, ALONG THE WEST LINE OF SAID LOTS 1 THROUGH 5, INCLUSIVE, AND THE WEST LINE OF THE SOUTH 4.00 FEET OF SAID LOT 6, A DISTANCE OF 128.39 FEET TO THE NORTHWEST CORNER OF THE SOUTH 4.00 FEET OF SAID LOT 6; THENCE EASTERLY, ALONG THE NORTH LINE OF THE SOUTH 4.00 FEET OF SAID LOT 6, A DISTANCE OF 1.25 FEET; THENCE SOUTHERLY, PARALLEL WITH THE WEST LINE OF SAID BLOCK 21, A DISTANCE OF 128.39 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 1; THENCE WESTERLY, ALONG THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 1.25 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 161 SQUARE FEET, MORE OR LESS.

THIS LEGAL DESCRIPTION WAS PREPARED BY:

DON LAMBERT, PLS 30830  
FOR AND ON BEHALF OF FRONTIER SURVEYING, INC.  
352 NORFOLK STREET, AURORA, CO 80011

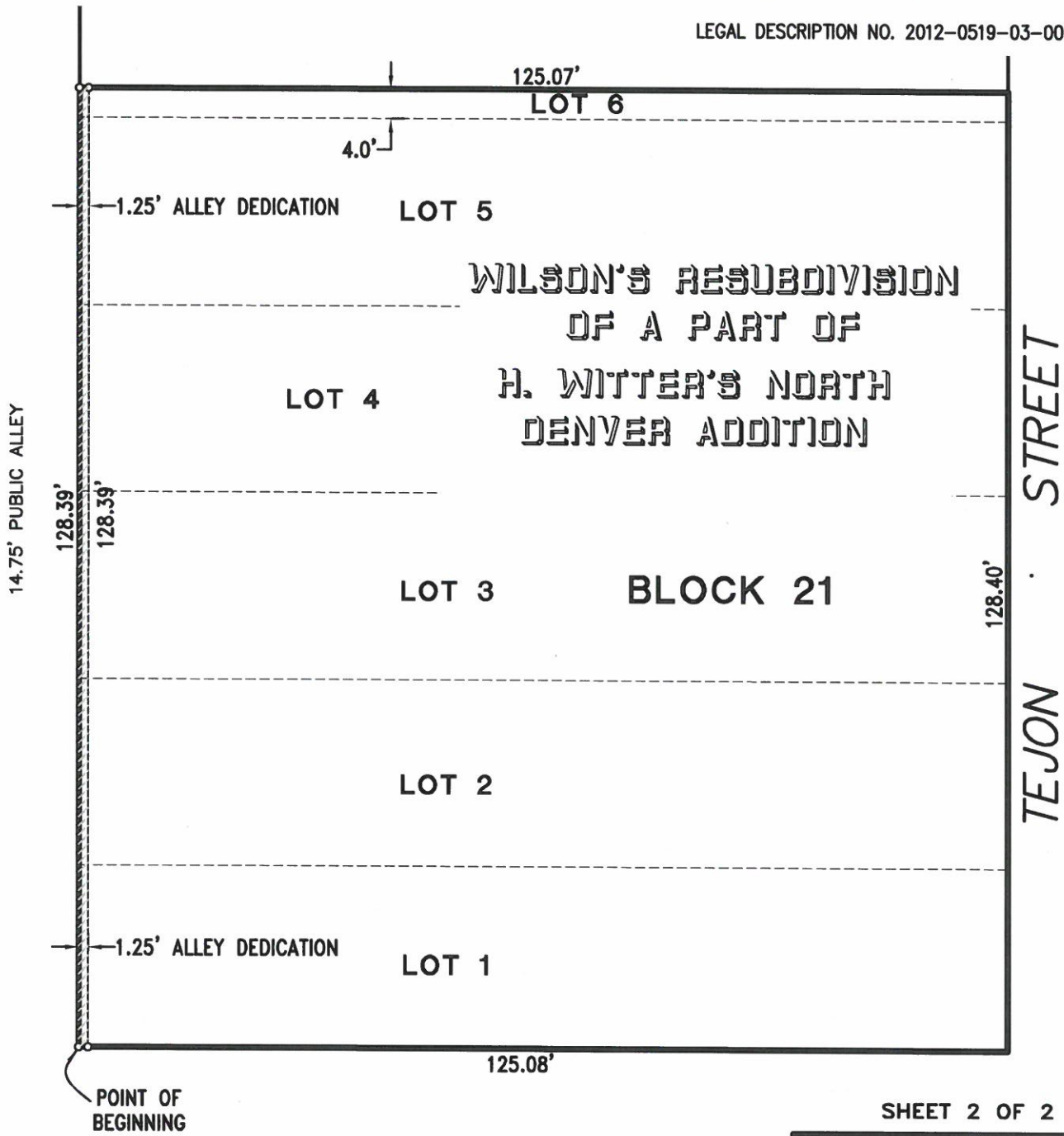
SHEET 1 OF 2



EXHIBIT A

DS PROJECT NO. 2012-0519

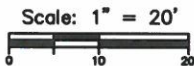
LEGAL DESCRIPTION NO. 2012-0519-03-001



WILSON'S RESUBDIVISION  
OF A PART OF  
H. WITTER'S NORTH  
DENVER ADDITION

SHEET 2 OF 2

**FRONTIER SURVEYING, INC.**  
 352 Norfolk Street  
 Aurora, CO 80011  
 Ofc. 303-340-0113  
 Fax. 303-340-0114







**WARRANTY DEED**

THIS DEED, dated Dec 30, 2013, is between **35 Tejon, 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

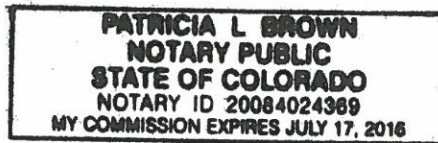
**TOGETHER** with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the Grantor, either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

35 Tejon, LLC  
By: [Signature]  
Title: Principal



STATE OF Colorado  
COUNTY OF Denver

The foregoing instrument was acknowledged before me this day 30 of December, 2013, by Donald Custer as Principal of 35 Tejon, LLC.

Witness my hand and official seal.  
My commission expires: 7/17/2016  
[Signature]  
Notary Public

4002  
Asset Mgmt. LLC  
Approved  
Date: 1-8-14  
Project Description: Row  
SMA & Hotel