



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 #: 2013-0237-03 **SCHEDULE #:** 0232315027000

TITLE: This request is to dedicate a parcel of land as Public Right of Way as Public Alley.
Alley Bounded by 17th Ave., Hooker St., W 18th Ave. and Irving 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 **(1705 Hooker)**

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 # (2013-0237-03-001) HERE.

A map of the area to be dedicated is attached.

RD/AG/BLV

cc: Asset Management, Steve Wirth
City Councilperson & Aides, Susan Shepard District # 1
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 2013-0237-03

ORDINANCE/RESOLUTION REQUEST

Please email requests to Nancy Kuhn at 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.
Alley Bounded by 17th Ave., Hooker St., W 18th Ave. and Irving St.

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

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

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 (1705 Hooker)

****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: Alley Bounded by 17th Ave., Hooker St., W 18th Ave. and Irving St.
- d. Affected Council District: Susan Shepherd Dist. 1
- 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: 2013-0237-03 Dedication, 1705 Hooker

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

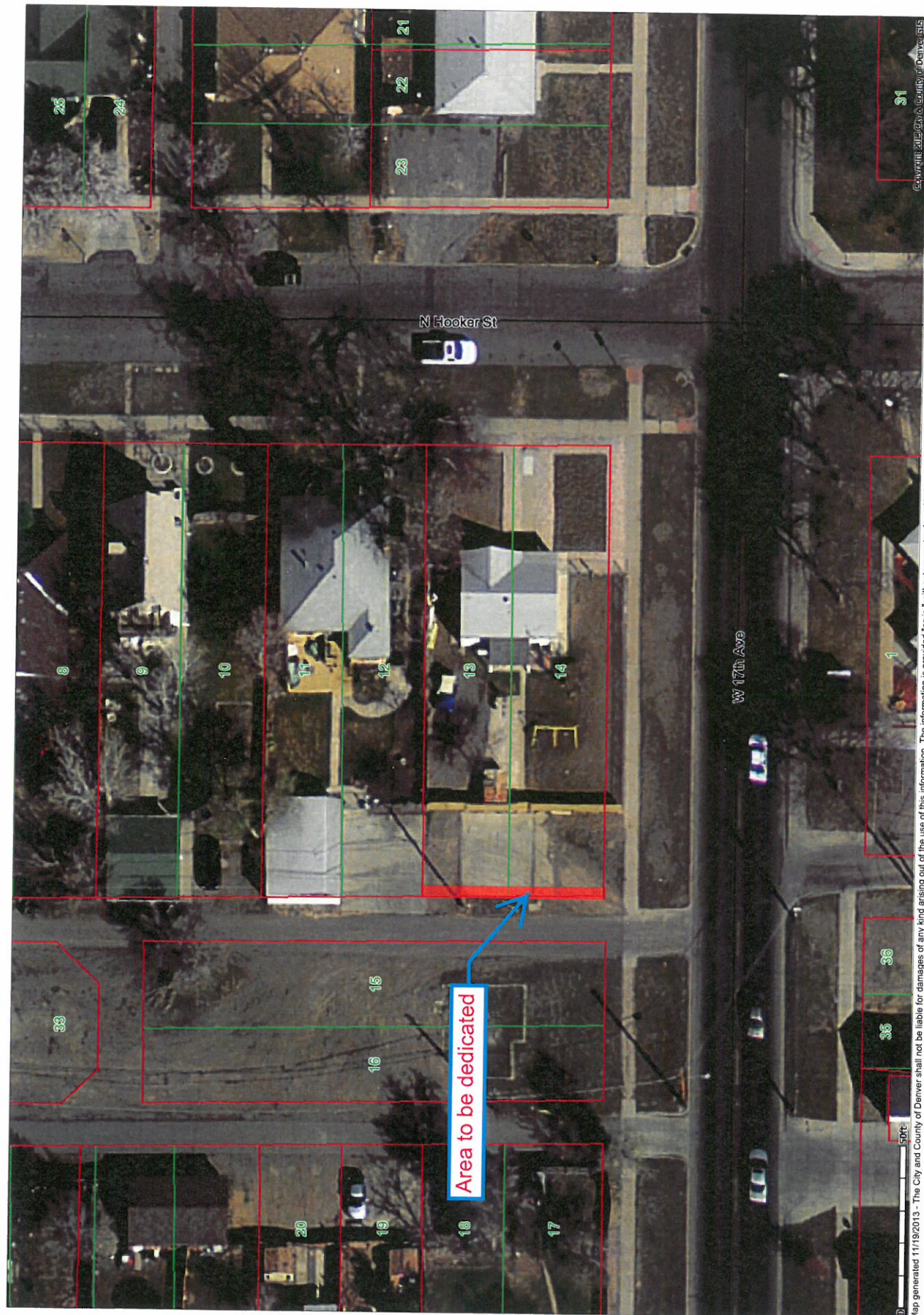
Will land be dedicated to the City if the vacation goes through: N/A

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, as a part of a development project called, 1705 Hooker St.

1705 Hooker St



LAND DESCRIPTION

A PARCEL OF LAND CONVEYED BY WARRANTY DEED TO THE CITY & COUNTY OF DENVER, RECORDED ON OCTOBER 11, 2013 BY RECEPTION NUMBER 2013149885 IN THE CITY AND COUNTY OF DENVER CLERK & RECORDER'S OFFICE, STATE OF COLORADO.

A 1.75' WIDE STRIP OF LAND BEING A PORTION OF LOTS 13 AND 14, BLOCK 15, CHELTENHAM HEIGHTS AND RESUBDIVISION THEREOF, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: THE EAST LINE OF SAID BLOCK 15 IS ASSUMED TO BEAR $S00^{\circ}00'00''E$, MONUMENTED BY THE BEST FIT LINE OF FOUND CROSSES CHISELED IN THE WEST CURB OF HOOKER ST. BETWEEN W. 17TH AVE. AND W. 18TH AVE.

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 14; THENCE ON THE WESTERLY LINES OF SAID LOTS 14 AND 13, $N00^{\circ}00'07''E$, A DISTANCE OF 55.98 FEET; THENCE ON THE NORTHERLY LINE OF SAID LOT 13, $N89^{\circ}59'53''E$, A DISTANCE OF 1.75 FEET; THENCE ON A LINE 1.75' EAST OF AND PARALLEL WITH THE WESTERLY LINES OF SAID LOTS 13 AND 14, $S00^{\circ}00'07''W$, A DISTANCE OF 55.98 FEET; THENCE ON THE SOUTHERLY LINE OF SAID LOT 14, $N89^{\circ}59'53''W$, A DISTANCE OF 1.75 FEET TO THE **POINT OF BEGINNING**, CONTAINING 98 SQUARE FEET, MORE OR LESS.

EXHIBIT A

SHEET 1 OF 2

PW ROW PROJECT NO. 2013-0237
PW LAND DESCRIPTION NO. 2013-0237-02-001

LAND DESCRIPTION

A 1.75' WIDE STRIP OF LAND BEING A PORTION OF LOTS 13 AND 14, BLOCK 15, CHELTENHAM HEIGHTS AND RESUBDIVISION THEREOF, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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LAND DESCRIPTION PREPARED BY AMY BACHER FOR AND ON BEHALF OF GILLIANS LAND CONSULTANTS ON MAY 31, 2013.

Gillians

GILLIANS LAND CONSULTANTS
8474 W. RICE AVENUE
LITTLETON, COLORADO 80123
303-972-6640 www.gillianslc.com

JOB NO.: 13014
DRAWN: ALB
ISSUE DATE: 5/31/13
FILE: 13014 ROW

ROBERT EMERSON HARRIS
P.L.S. NO. 37601
FOR AND BEHALF OF
GILLIANS LAND
CONSULTANTS



EXHIBIT A

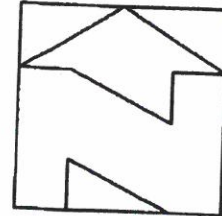
SHEET 2 OF 2

PW ROW PROJECT NO. 2013-0237
 PW LAND DESCRIPTION NO. 2013-0237-02-001

CHELTENHAM HEIGHTS AND RESUBDIVISION THEREOF

BLOCK 15

S89°59'53"E
 1.75'



SCALE: 1" = 100 US SURVEY FEET



15

12.5' ALLEY R.O.W.

N00°00'07"E 55.98'

S00°00'07"W 55.98'

13

14

N89°59'53"W
 1.75'

98± SQUARE FEET

W. 17TH AVE.
 (80' R.O.W.)

P.O.B.

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JOB NO.: 13014
 DRAWN: ALB
 ISSUE DATE: 5/31/13
 FILE: 13014 ROW

ROBERT EMERSON HARRIS
 P.L.S. NO. 37601
 FOR AND BEHALF OF
 GILLIANS LAND
 CONSULTANTS



WARRANTY DEED

CITY & COUNTY OF DENVER
ASSET MANAGEMENT
201 W. COLFAX AVE DEPT 1010
DENVER, CO 80202

THIS DEED, dated Oct. 11, 2013 is between 1705 Development, 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.

1705 Development, LLC

By: [Signature]
Scott Easton

Manager of Easton Development, LLC as the sole member of 1705 Development, LLC.

CERTIFICATION

The Clerk and Recorder for the CITY AND COUNTY OF DENVER State of Colorado does hereby certify this document to be a full, true and correct copy of the original document recorded in my office.



by [Signature]
Deputy County Clerk
Date October 11, 2013
Bridget M. Svalberg

STATE OF COLORADO

COUNTY OF DOUGLAS

The foregoing instrument was acknowledged before me this day 18 of September, 2013 by Scott Easton as Manager of Easton Development, LLC as the sole member of 1705 Development, LLC.

Witness my hand and official seal.

My commission expires: 11/08/2016

[Signature]
Notary Public

KYLE A LEBRON
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20124073805
MY COMMISSION EXPIRES NOVEMBER 8, 2016

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

13-124
Asset Mgmt. #

Asset Management:
Date: 10-11-13
Approved: [Signature]

Proposed description: Row 5
1705 Brookside St.