

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

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

**FROM:** Matt R. Bryner, P.E., Director, Right-of-Way Services

**DATE:** February 7<sup>th</sup>, 2020

**ROW #:** 2019-DEDICATION-0000112 **SCHEDULE #:** 0512217060000

**TITLE:** This request is to dedicate a parcel of land as Public Right-of-Way as Public Alley, bounded by E. 2nd Ave., N. Saint Paul St., E. 3rd Ave. and N. Steele 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 by the City and County of Denver for Public Right-of-Way, as part of the development project, '240 St Paul Core & Shell.'

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 # (2019-DEDICATION-0000112-001) HERE.**

A map of the area to be dedicated is attached.

MB/AL /RL

cc: Dept. of Real Estate, Katherine Rinehart  
City Councilperson, Chris Hinds District # 10  
Councilperson Aide, Galia Halpern  
Councilperson Aide, Teresa St. Peter  
Councilperson Aide, Liz Zukowski  
City Council Staff, Zach Rothmier  
Environmental Services, David Erickson  
DOTI, Manager's Office, Alba Castro  
DOTI, Manager's Office, Jason Gallardo  
DOTI, Director, Right-of-Way Services, Matt Bryner  
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  
DOTI Survey, Alan Lemke  
DOTI Survey, Paul Rogalla  
Public Works Ordinance  
Owner: City and County of Denver  
Project file folder 2019-DEDICATION-0000112

City and County of Denver Department of Transportation & Infrastructure  
Right-of-Way Services  
201 W. Colfax Ave. | Denver, CO 80215  
[www.denvergov.org/doti](http://www.denvergov.org/doti)  
Phone: 720-913-1311

## ORDINANCE/RESOLUTION REQUEST

Please email requests to Jason Gallardo  
at [jason.gallardo@DenverGov.org](mailto: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:** February 7<sup>th</sup>, 2020

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:** This request is to dedicate a parcel of land as Public Right-of-Way as Public Alley, bounded by E. 2<sup>nd</sup> Ave., N. Saint Paul St., E. 3<sup>rd</sup> Ave. and N. Steele St.

**3. Requesting Agency:** DOTI, Right-of-Way Services  
**Agency Section:** Survey

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

- **Name:** Rebecca Long
- **Phone:** 720-913-4518
- **Email:** Rebecca.Long@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:** 720-865-8723
- **Email:** Jason.gallardo@denvergov.org

**6. General description/background of proposed resolution 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 by the City and County of Denver for Public Right-of-Way, as part of the development project '240 St Paul Core & Shell.'

**\*\*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 E. 2<sup>nd</sup> Ave., N. Saint Paul St., E 3<sup>rd</sup> Ave. and N. Steele St.
- d. **Affected Council District:** Chris Hinds, District #10
- e. **Benefits:** N/A
- f. **Contract Amount (indicate amended amount and new contract total):**

**7. Is there any controversy surrounding this resolution? (Groups or individuals who may have concerns about it?) Please explain.**

None.

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*To be completed by Mayor's Legislative Team:*

SIRE Tracking Number: \_\_\_\_\_

Date Entered: \_\_\_\_\_

## EXECUTIVE SUMMARY

**Project Title:** 2019-DEDICATION-0000112

**Description of Proposed Project:** Dedication of a parcel of land as 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 be dedicated as Public Alley.

**Has a Temp MEP been issued, and if so, what work is underway:** N/A

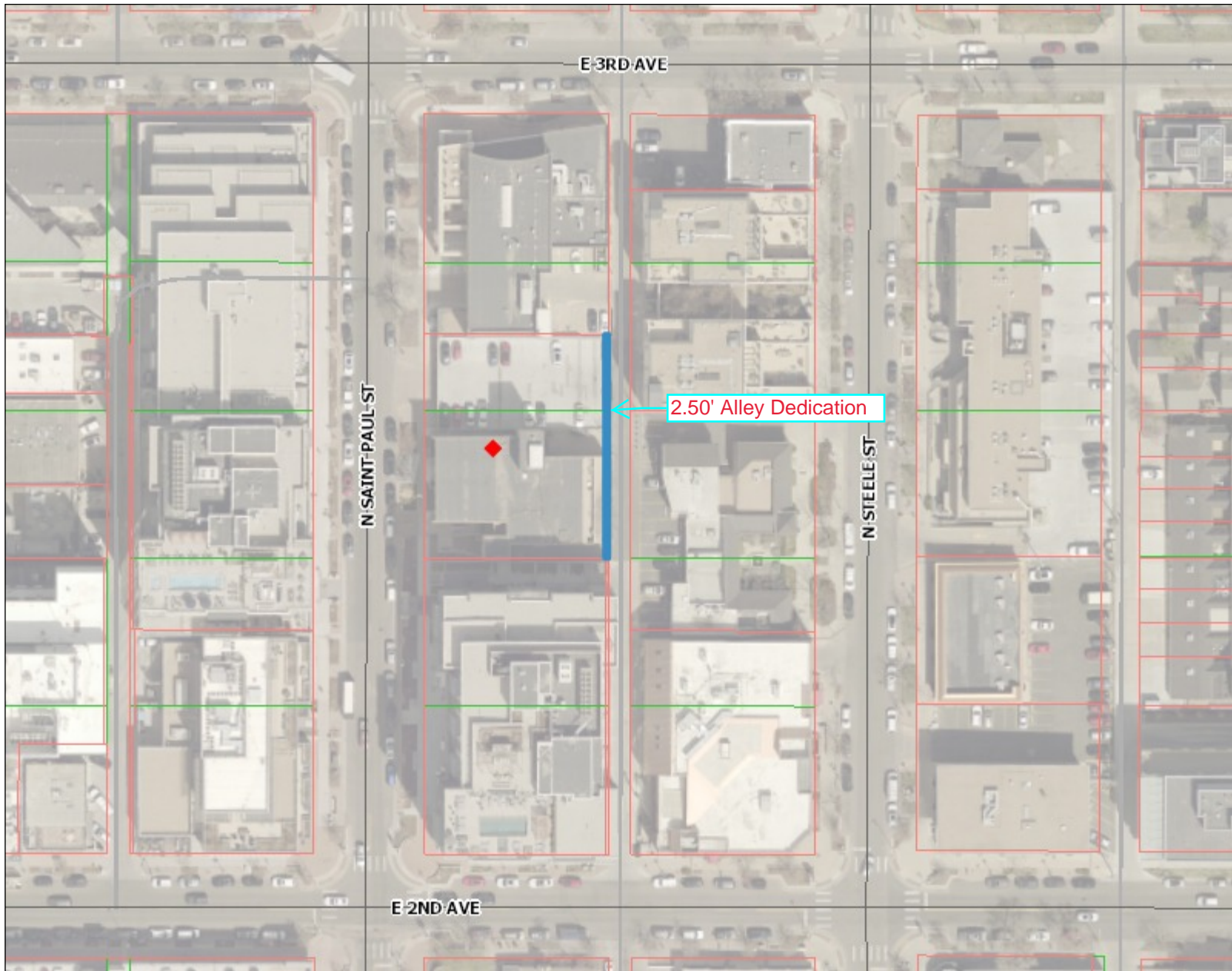
**What is the known duration of a MEP:** N/A

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

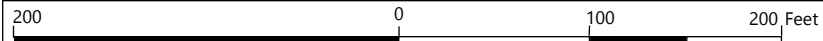
**Will an easement be placed over a vacated area, and if so explain:** N/A

**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 of dedicating it as Public Alley, as part of a development project called '240 St Paul Core & Shell.'



- ### Legend
- ▲ Well Restrictions
  - Barrier Restrictions
  - Area Restrictions
    - Liner
    - Sheet Pile Wall Area
  - Streams
  - Streets
  - Alleys
  - Railroads
    - + Main
    - + Yard
    - + Spur
    - + Siding
    - + Interchange track
    - + Other
  - Bridges
  - Rail Transit Stations
    - Existing
    - Planned
  - ▲ Park-N-Ride Locations
  - Lakes
  - County Boundary
  - Parcels
  - Lots/Blocks
  - Parks
    - All Other Parks; Linear
    - Mountain Parks



**PARCEL DESCRIPTION ROW NO. 2019-DEDICATION-0000112-001:**

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 31ST DAY OF DECEMBER, 2019, AT RECEPTION NUMBER 2019183239 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

**LAND DESCRIPTION**

A PARCEL OF LAND BEING THE EASTERLY 2.50 FEET OF PLOT 3 AND THE EASTERLY 2.50 FEET OF THE SOUTH HALF OF PLOT 4, BLOCK 57, HARMAN'S SUBDIVISION, LOCATED IN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

SAID PARCEL CONTAINS 0.009 ACRES (375 SQUARE FEET), MORE OR LESS.



12/31/2019 10:23 AM  
City & County of Denver

R \$0.00

WD

2019183239

Page: 1 of 5

D \$0.00

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 11<sup>th</sup> day of December, 2019, by **240 St. Paul Partners LLC**, a Colorado limited liability company, whose address is 3003 E. Third Avenue, Suite 201, Denver, Colorado 80206, United States and **Legacy Kierland LLC**, an Arizona limited liability company, whose address is 730 17<sup>th</sup> Street, Suite 715, Denver, Colorado 80202, 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.

2019 - Dedication - 0000 112 - 2019 - Projm Str - 0000 829 - 240. W. St. Paul Lane 2 Shell - Alluv  
Project# 19-193

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

ATTEST:

240 St. Paul Partners LLC, a Colorado limited liability company

By: \_\_\_\_\_

Name: Matthew Joblon

Its: Manager

STATE OF Colorado

City of Denver ) ss.  
COUNTY OF Denver

The foregoing instrument was acknowledged before me this 11<sup>th</sup> day of December, 2019 by Matthew Joblon, as Manager of 240 St. Paul Partners LLC, a Colorado limited liability company.

Witness my hand and official seal.

My commission expires: Feb 1 2021



Melissa Johnson  
Notary Public

Title of office: Notary Public

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

ATTEST:

Legacy Kierland LLC, an Arizona limited liability company

By: *Daniel Vecchiarelli*

Name: Daniel Vecchiarelli

Its: President

STATE OF Colorado  
City & COUNTY OF Denver ) ss.

The foregoing instrument was acknowledged before me this 11<sup>th</sup> day of December, 2019 by Daniel Vecchiarelli, as President of Legacy Kierland LLC, an Arizona limited liability company.

Witness my hand and official seal.

My commission expires: Feb 1, 2021

Melissa Johnson  
Notary Public  
State Of Colorado  
Notary ID 20174005023  
My Commission Expires February 1, 2021

*Melissa Johnson*  
Notary Public

Title of office: Notary Public



EXHIBIT A  
SHEET 1 OF 2

LAND DESCRIPTION

A PARCEL OF LAND BEING THE EASTERLY 2.50 FEET OF PLOT 3 AND THE EASTERLY 2.50 FEET OF THE SOUTH HALF OF PLOT 4, BLOCK 57, HARMAN'S SUBDIVISION, LOCATED IN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

SAID PARCEL CONTAINS 0.009 ACRES (375 SQUARE FEET), MORE OR LESS.

PREPARED BY SCOTT A. AREHART, PLS #38314  
FOR AND ON BEHALF OF MARTIN/MARTIN, INC.  
12499 WEST COLFAX AVENUE  
LAKEWOOD, COLORADO 80215  
(303) 431-6100  
OCTOBER 01, 2019



EXHIBIT A  
SHEET 2 OF 2

FOUND 3-1/4" ALUM. CAP IN  
RANGE BOX PLS #28283

FOUND 2-1/2" ALUM.  
CAP PLS #23899

NORTH HALF OF  
PLOT 4

FOUND 1" BRASS DISK  
PLS 25379 (2' OFFSET)

PLOT 7

SOUTH HALF OF  
PLOT 4

2.50'

BLOCK 57  
HARMAN'S  
SUBDIVISION

ALLEY

PLOT 3

PLOT 8

PLOT 2

PLOT 9

FOUND 3-1/4" ALUM. CAP IN  
RANGE BOX PLS #10945

FOUND 2-1/2" ALUM. CAP IN  
RANGE BOX ILLEGIBLE

E. 2ND AVENUE  
(70' R.O.W.)

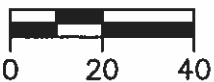
20' RANGE LINE

20' RANGE LINE  
ST. PAUL STREET  
(75' R.O.W.)

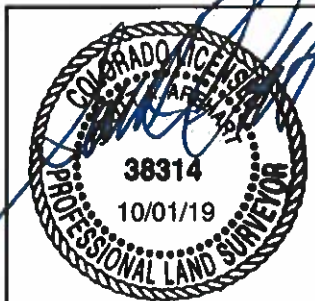
STEELE STREET  
(75' R.O.W.)  
20' RANGE LINE

15.00'

17.50'



SCALE: 1"=40'  
ALL DIMENSIONS ARE  
U.S. SURVEY FEET



OCTOBER 01, 2019

**MARTIN/MARTIN**  
CONSULTING ENGINEERS

12499 WEST COLFAX AVENUE, LAKEWOOD, COLORADO 80215  
303.431.6100 MARTINMARTIN.COM

THIS EXHIBIT DOES NOT REPRESENT A  
MONUMENTED LAND SURVEY. IT IS ONLY  
TO DEPICT THE ATTACHED DESCRIPTION.