

REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Caroline Martin, City Attorney's Office

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

DATE: June 2, 2015

ROW #: 2014-0958-03 **SCHEDULE #:** 160924971, 160924881 and 160924873

TITLE: This request is to dedicate City owned land as Public Alley.
Located near the intersection of W. 25th Ave. and Eliot 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 (2014-0958-03-001 and 002) HERE.

A map of the area to be dedicated is attached.

RD/BLV

cc: Asset Management, Steve Wirth
City Councilperson & Aides, Susan Shepard District # 1
City Council Staff, Shelley Smith
Environmental Services, David Erickson
Public Works, Manager's Office, Alba Castro
Public Works, Manager's Office, Angela Casias
Department of Law, Karen Aviles
Department of Law, Brent Eisen
Department of Law, Carol Martin
Department of Law, Adam Hernandez
Department of Law, Angela Garcia
Public Works Survey, Ali Gulaid
Public Works Survey, Paul Rogalla

ORDINANCE/RESOLUTION REQUEST

Please email requests to Angela Casias at Angela.casias@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: June 2, 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, amendment, municipal code change, supplemental request, etc.)

This request is to dedicate City owned land as Public Alley.
Located near the intersection of W. 25th Ave. and Eliot St.

3. **Requesting Agency:** Public Works – 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: Angela Casias
- Phone: 720-913-8529
- Email: Angela.casias@denvergov.org

6. **General description of proposed ordinance including contract scope of work if applicable:**

****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:** 25th and Eliot St.
- d. **Affected Council District:** Susan Shepard 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: _____

Revised 08/16/10



EXECUTIVE SUMMARY

DENVER
THE MILE HIGH CITY

Project Title: 2014-0958-03 Dedication, Eliot Street Center

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, Eliot Street Center



Protecting the Present & Building the Future
Accountability, Innovation, Empowerment, Performance, Integrity,
Diversity, Teamwork, Respect, Excellence, Safety

Dedication #1 at 25th & Eliot St



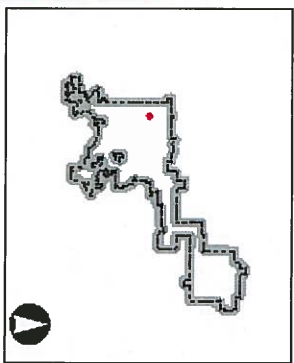
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© City and County of Denver

1:600

Map Generated 6/1/2015

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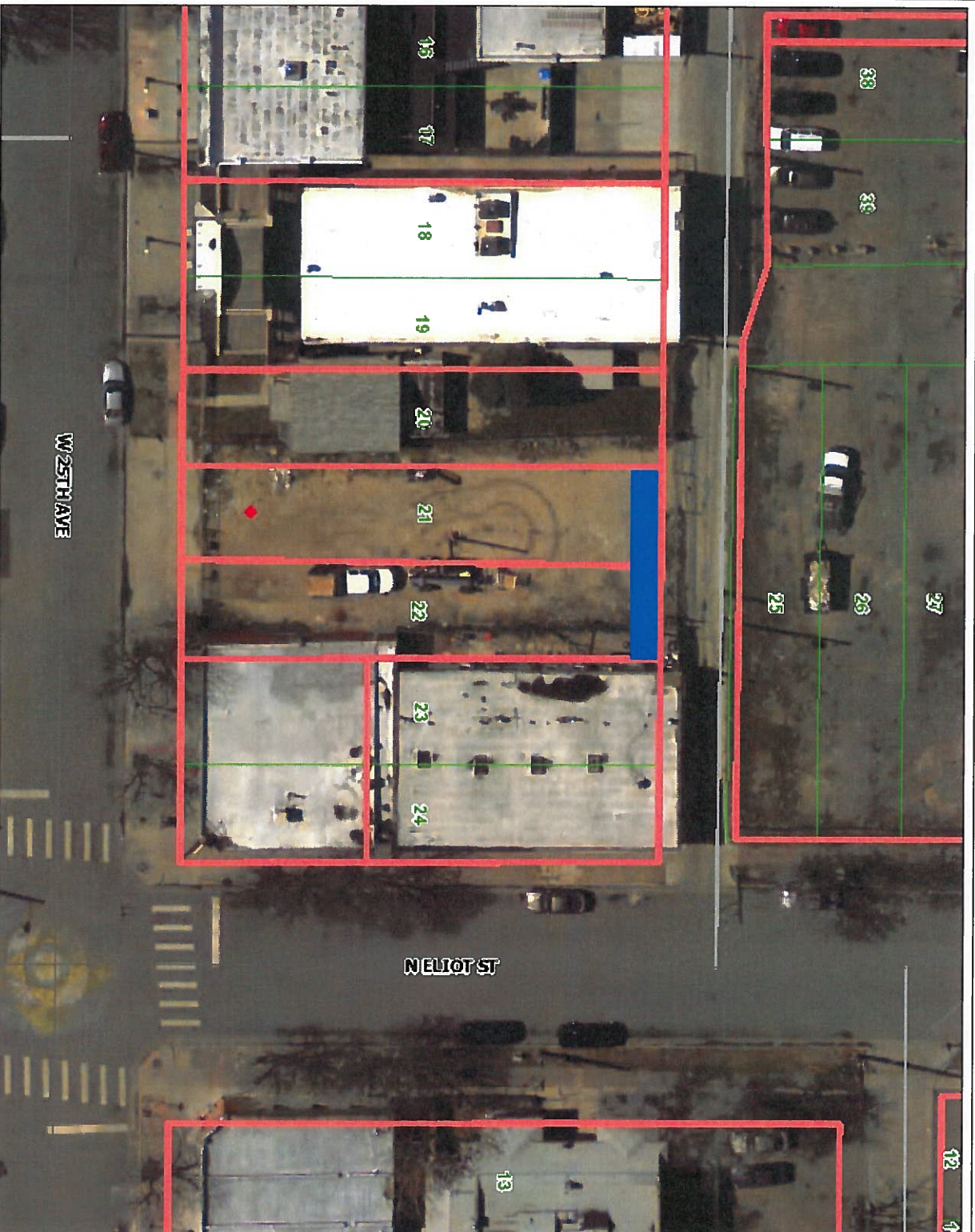
THIS IS NOT A LEGAL DOCUMENT.



Legend

- Streams
- Irrigation Ditches Reconstructe
- (Gardeners)
- Irrigation Ditches
- Streets
- Alleys
- Railroads
- Main
- Yard
- Spur
- Sliding
- Interchange track
- Other
- Bridges
- Rail Transit Stations
- Existing
- Planned
- ▲ Park-N-Ride Locations
- Lakes
- County Boundary
- Parcels
- Lots/Blocks
- Parks
- Mountain Parks
- All Other Parks

Dedication #2 at 25th & Eliot St



Legend

- Streams
- Irrigation Ditches Reconstruct (Gardens)
- Irrigation Ditches
- Streets
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Map Generated 6/1/2015

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THIS IS NOT A LEGAL DOCUMENT.

Legal Desc. No. 2014-0958-03-002

Located in a Portion of the Northeast 14 of Section 32, Township 3 South, Range 68 West of the 6th P.M., City and County of Denver, State of Colorado

Land Description:

A parcel of land located in a Portion of the Northeast 1/4 of Section 32, Township 3 South, Range 68 West of the 6th Principal Meridian, City and County of Denver, State of Colorado, more particularly described as follows:

Beginning at the Northwest corner of Lot 23, Block 32, C.H. Walker's Subdivision of Block 32 of Highland, at a point on the West line of said Lot 23, also being a point on the East line of Lot 22.

Thence to an angle left $90^{\circ}04'16''$, a distance of 54.40 feet to a point being the Northeast corner of Lot 24, also being a point on the West Right-Of-Way of Eliot Street;

Thence to an angle left $89^{\circ}55'44''$, a distance of 4.00 feet to a point on the East line of said Lot 24, also being a point on the said West Right-Of-Way of Eliot Street;

Thence to an angle left $90^{\circ}04'16''$, a distance 54.40 feet to a point on the West line of said Lot 23, also being a point on the East line of said Lot 22;

Thence to an angle left $89^{\circ}55'44''$, a distance of 4.00 feet to the Point of Beginning;

Containing 218 Square Feet (.005 Acres) More or Less.

Land Description:

A parcel of land located in a Portion of the Northeast 1/4 of Section 32, Township 3 South, Range 68 West of the 6th Principal Meridian, City and County of Denver, State of Colorado, more particularly described as follows:

Beginning at the Northwest corner of Lot 21, Block 32, C.H. Walker's Subdivision of Block 32 of Highland, at a point on the West line of Lot 21, also being a point on the East line of Lot 20;

Thence to an angle left $90^{\circ}04'16''$, a distance of 50.00 feet to a point being the Northeast corner of Lot 22, also being a point on the West line of Lot 23;

Thence to an angle left $89^{\circ}55'44''$, a distance of 4.00 feet to a point on the East line of Lot 22, also being a point on the said West line of Lot 23;

Thence to an angle left $90^{\circ}04'16''$, a distance 50.00 feet to a point on the West line of said Lot 21, also being a point on the East line of Lot 20;

Thence to an angle left $89^{\circ}55'44''$, a distance of 4.00 feet to the Point of Beginning;

Containing 200 Square Feet (.005 Acres) More or Less.

Alley Dedication

ROW Project No. 2014-0958-03
Legal Desc. No. 2014-0958-03-002

Located in a Portion of the Northeast $\frac{1}{4}$ of Section 32, Township 3 South,
Range 68 West of the 6th P.M.,
City and County of Denver, State of Colorado

Page 1 of 2

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4/7/2015

Prepared By:
EVstudio Civil Engineering, LLC
Karl W. Franklin, PE-PLS-EXW
Colorado PLS 37969

Date: 4/7/15
Job No. CE14-227

EVstudio
civil engineering

Denver | Evergreen | Colorado Springs | Austin
1117 Cherokee St., Ste. 306 | Denver | CO | 80204
p: 303.670.7242 | e: civil@evstudio.com
w: evstudio.com | blog: evstudio.info

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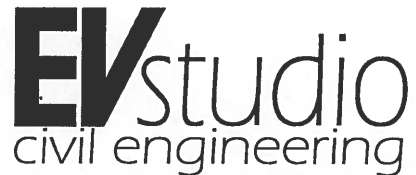
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Karl W. Franklin, PE-PLS-EXW
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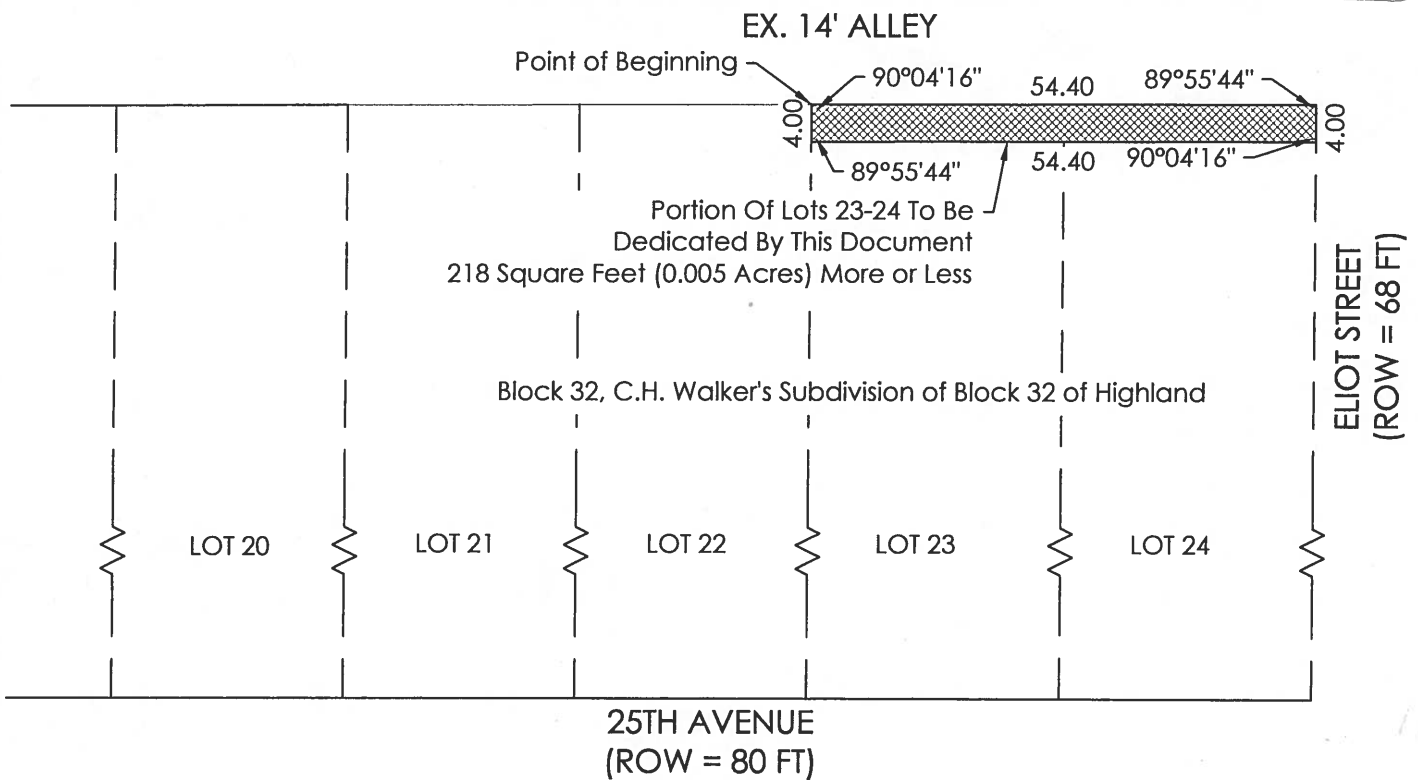
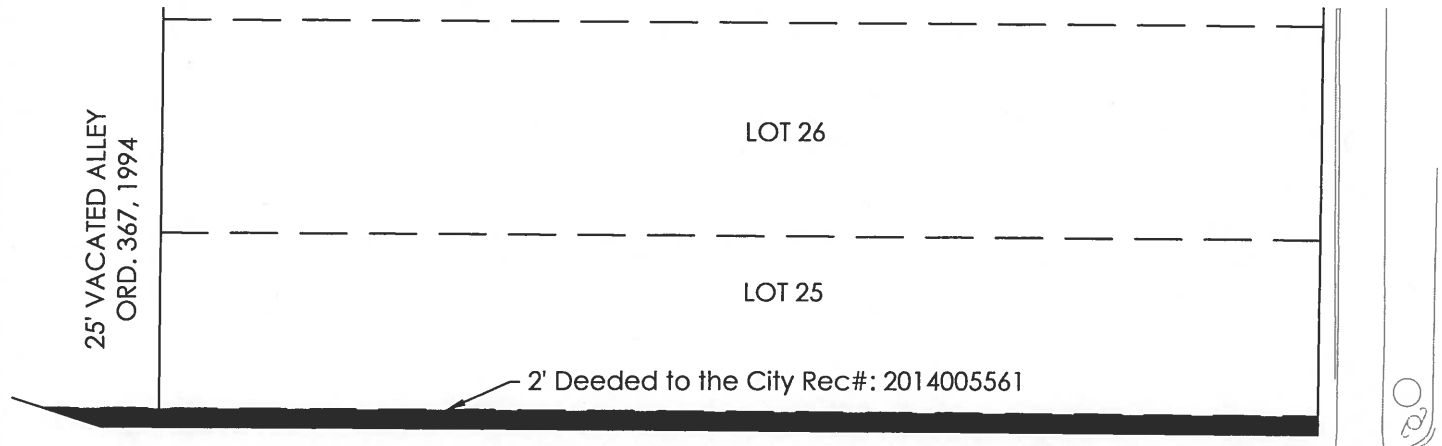
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Alley Dedication

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Range 68 West of the 6th P.M.,
City and County of Denver, State of Colorado

Page 2 of 2



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

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Denver | Evergreen | Colorado Springs | Austin
1117 Cherokee St., Ste. 306 | Denver | CO | 80204
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Date: 4/7/15

Job No. CE14-227



Legend:



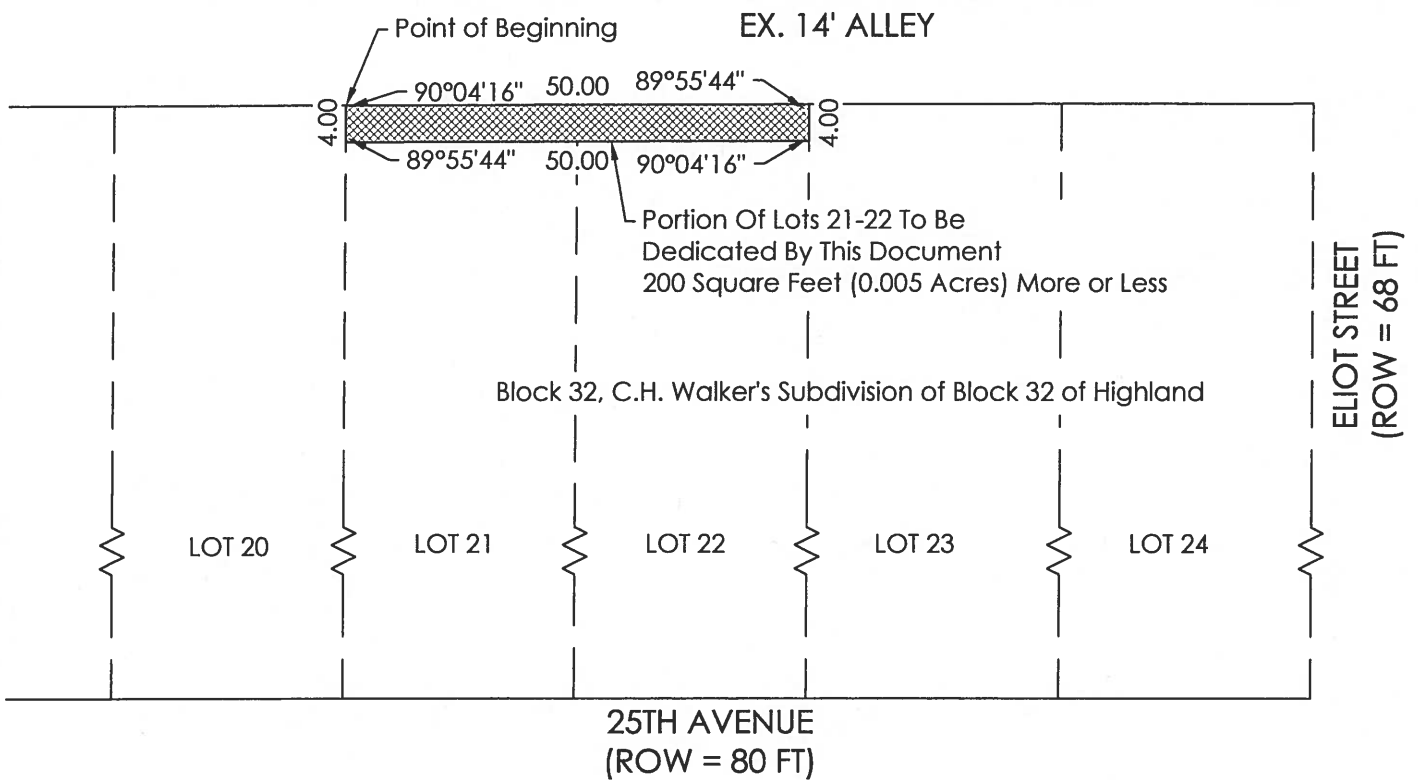
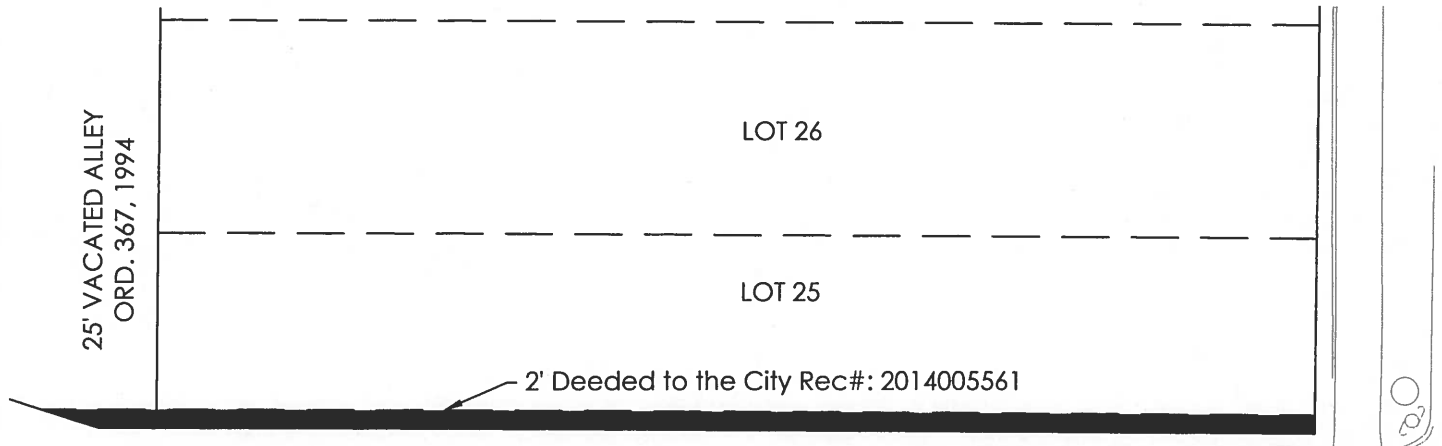
Prop. Alley Dedication

Alley Dedication

ROW Project No. 2014-0958-03
 Legal Desc. No. 2014-0958-03-001

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Legend:

Prop. Alley Dedication



05/08/2015 09:47 AM
City & County of Denver

R \$0.00

WD

2015059416

Page: 1 of 3

D \$0.00

3

WARRANTY DEED

THIS DEED, dated May 5th, 2015, is between 2601 W. 37th Ave, 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.

2601 W. 37th Ave, LLC, a Colorado limited liability company

By: Danielle Adams
Danielle Adams

Title: Member

STATE OF Colorado

COUNTY OF Denver

The foregoing instrument was acknowledged before me this day 5 of May, 2015 by Danielle Adams as member 2601 W. 37th Ave, LLC, a Colorado limited liability company

Witness my hand and official seal.

Justin Archuletta
Notary Public

My commission expires:
May 2 2016

JUSTIN ARCHULETTA
NOTARY PUBLIC, STATE OF COLORADO
My Comm. Expires May 2, 2016

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

Asset Mgmt. # 15-077

Asset Management Data: 5-8-15

Project Description: Row 257 EUCIDT ST

WARRANTY DEED

THIS DEED, dated May 5th, 2015, is between **Jefferson Park Holdings, 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.

Jefferson Park Holdings, LLC, a Colorado limited liability company

By: Nathan Adams
Title: member

STATE OF Colorado
COUNTY OF Denver

The foregoing instrument was acknowledged before me this day 5 of May, 2015 by Nathan Adams as member **Jefferson Park Holdings, LLC**, a Colorado limited liability company

Witness my hand and official seal.

Justin Archuletta
Notary Public

My commission expires:

May 2 2016



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

Asset Mgmt. #: 15-076
Asset Management Date: 5-8-15
Approved: [Signature]

Project Description: 2909 - 24th W. 20th Ave