



REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Caroline Martin, City Attorney's Office

FROM: Matt Bryner, P.E. Senior Engineering Manager
Right-of-Way Services

DATE: September 24, 2018

ROW #: 2018-Dedication-0000074 **SCHEDULE #:** 0232330030000, 0232330031000, 0232330032000,
& 0232330017000

TITLE: This request is to dedicate a parcel of land as Public Right of Way as Public alley.
Located in the alley bounded by N. Lowell Blvd., W. 16th Ave., N. King St. and W. Conejos Pl.

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 **(3526 W. 16th Townhomes)**

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 # (2018-Dedication-0000074-001, 002, & 003) HERE.

A map of the area to be dedicated is attached.

MB/JS/bv

cc: Asset Management, Curtis Anthony
City Councilperson & Aides, Paul Lopez District # 3
Council Aide Adriana Lara
Council Aide Jesus Orrantia
City Council Staff, Zach Rothmier
Environmental Services, David Erickson
Public Works, Manager's Office, Alba Castro
Public Works, Manager's Office, Sarah Stanek
Public Works, Right-of-Way Engineering Services, Matt Bryner
Department of Law, Brad Beck
Department of Law, Blanca Hernandez
Department of Law, Brent Eisen
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
Owner: City and County of Denver
Project file folder 2018-Dedication-0000074

ORDINANCE/RESOLUTION REQUEST

Please email requests to Sarah Stanek
at sarah.stanek@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: September 24, 2018

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 N. Lowell Blvd., W. 16th Ave., N. King St. and W. Conejos Pl.

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:** Sarah Stanek
- **Phone:** 720-865-8713
- **Email:** Sarah.stanek@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. 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 (**3526 W. 16th Townhomes**)

****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 N. Lowell Blvd., W. 16th Ave., N. King St. and W. Conejos Pl.
- d. **Affected Council District:** Paul Lopez Dist. #3
- 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-0000074

Description of Proposed Project: Dedicate 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 dedicate as Public Right of Way

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

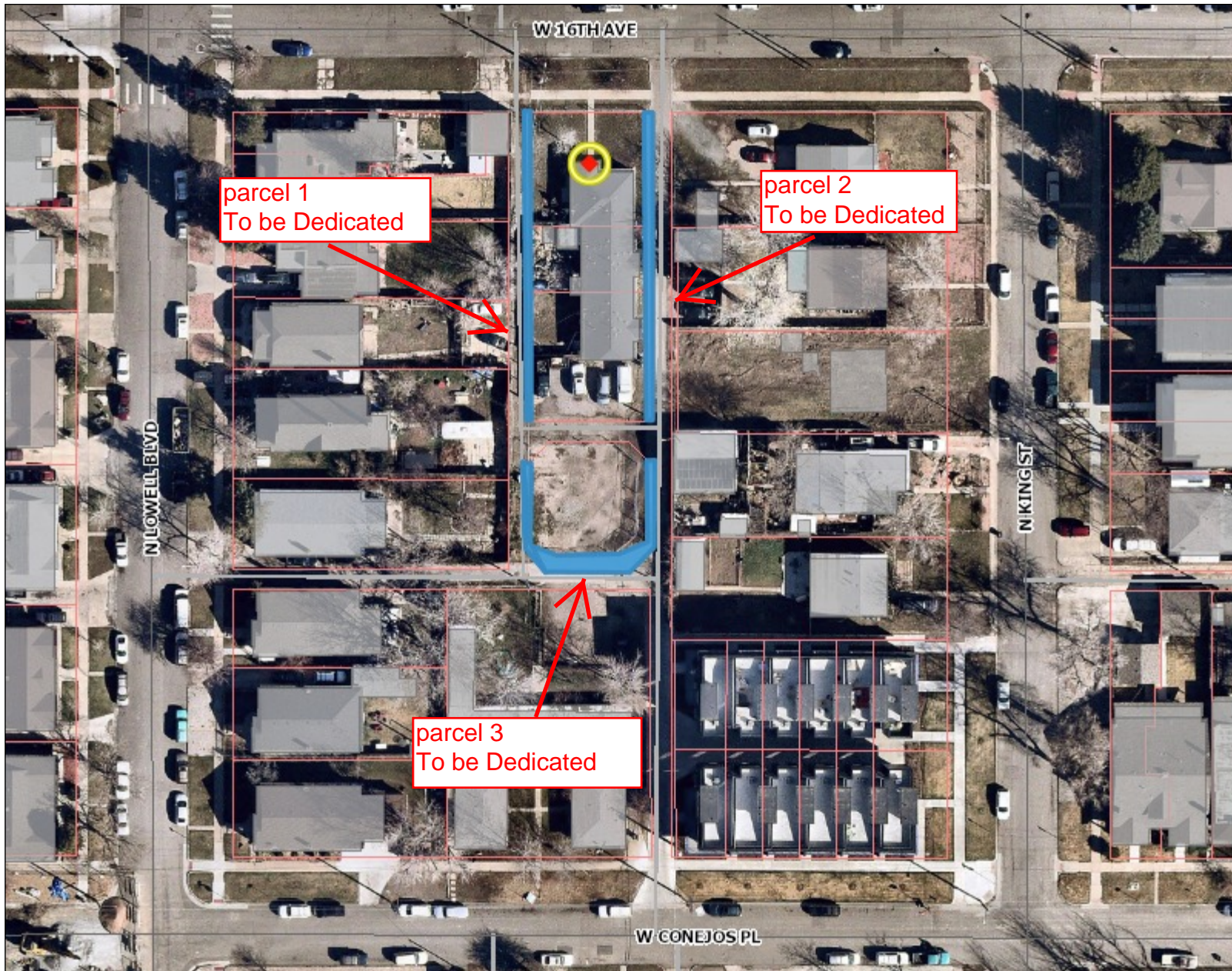
What is the known duration of an MEP: N/A

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

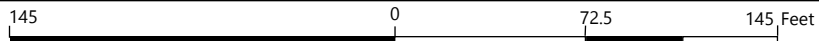
Will an easement relinquishment be submitted at a later date: N/A

Additional information: This land was deeded to the City and County of Denver for the purpose of dedicating it as Public Right-of-Way, as a part of a development project called 3526 W. 16th Townhomes.



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



Being those parcels of land conveyed by Special Warranty Deed to the City and County of Denver, recorded on the 18th day of June 2018, at Reception No. 2018087934 and Reception No. 2018087935 in the City and County of Denver Clerk and Recorder's Office, State of Colorado, being more particularly described as follows:

PW Legal Description 2018-Dedication-0000074-001

PARCEL 1

A PARCEL OF LAND SITUATED IN THE SOUTHWEST ONE-QUARTER (SW1/4) OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN; AND LOCATED IN THE CITY AND COUNTY OF DENVER, STATE OF COLORADO; BEING A PORTION OF LOT 32, BLOCK 30, CHELTENHAM HEIGHTS, A RESUBDIVISION OF BLOCKS 7, 14, 18, 20, 30 AND 36, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWESTERLY CORNER OF SAID LOT 32;

THENCE ALONG THE NORTHERLY LINE OF SAID LOT 32, S89°48'37"E, 3.00 FEET;

THENCE ALONG A LINE PARALLEL WITH AND 3.00 FEET DISTANT FROM THE WESTERLY LINE OF SAID LOT 32, S00°07'47"W, 150.90 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID LOT 32;

THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 32, N89°46'43"W, 3.00 FEET TO THE SOUTHWESTERLY CORNER OF SAID LOT 32;

THENCE ALONG THE WESTERLY LINE OF SAID LOT 32, N00°07'47"E, 150.90 FEET TO THE POINT OF BEGINNING.

CONTAINING 453 SQUARE FEET OR 0.010 ACRES, MORE OR LESS.

PW Legal Description 2018-Dedication-0000074-002

PARCEL 2

A PARCEL OF LAND SITUATED IN THE SOUTHWEST ONE-QUARTER (SW1/4) OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN; AND LOCATED IN THE CITY AND COUNTY OF DENVER, STATE OF COLORADO; BEING A PORTION OF LOT 33, BLOCK 30, CHELTENHAM HEIGHTS, A RESUBDIVISION OF BLOCKS 7, 14, 18, 20, 30 AND 36, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEASTERLY CORNER OF SAID LOT 33;

THENCE ALONG THE EASTERLY LINE OF SAID LOT 33, S00°07'47"W, 150.94 FEET TO THE SOUTHEASTERLY CORNER OF SAID LOT 33;

THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 33, N89°46'43"W, 3.00 FEET;

THENCE ALONG A LINE PARALLEL WITH AND 3.00 FEET DISTANT FROM THE EASTERLY LINE OF SAID LOT 33, N00°07'47"E, 150.94 FEET TO A POINT ON THE NORTHERLY LINE OF SAID LOT 33;

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CONTAINING 453 SQUARE FEET OR 0.010 ACRES, MORE OR LESS.

BASIS OF BEARINGS: BEARINGS USED HEREIN ARE BASED ON A 19' RANGE LINE ON KING STREET BETWEEN W. 16TH AVE. AND W. CONEJOS AVE., BEING N00°05'50"E USING THE CITY AND COUNTY OF DENVER CONTROL COORDINATES, AS MONUMENTED AT W. 16TH AVE. BY A FOUND 2" ALUMINUM CAP PLS 9489 IN CONCRETE. AND MONUMENTED AT W. CONEJOS AVE. BY TWO CHISELED CROSSES, BEING 0.5' WITNESS CORNERS.

PW Legal Description 2018-DEDICATION-00000074-003

PARCEL 3

A PARCEL OF LAND SITUATED IN THE SOUTHWEST ONE-QUARTER (SW1/4) OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN; AND LOCATED IN THE CITY AND COUNTY OF DENVER, STATE OF COLORADO; BEING A PORTION OF LOT 34, BLOCK 30, CHELTENHAM HEIGHTS, A RESUBDIVISION OF BLOCKS 7, 14, 18, 20, 30 AND 36, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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THENCE ALONG THE EASTERLY LINE OF SAID LOT 34, S00°07'47"W, 41.29 FEET;

THENCE ALONG THE SOUTHEASTERLY LINE OF SAID LOT 34, S45°11'27"W, 15.01 FEET;

THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 34, N89°46'43"W, 38.75 FEET;

THENCE ALONG THE SOUTHWESTERLY LINE OF SAID LOT 34, N44°49'26"W, 15.00 FEET;

THENCE ALONG THE WESTERLY LINE OF SAID LOT 34, N00°07'47"E, 41.18 FEET;

THENCE ALONG THE NORTHWESTERLY LINE OF SAID LOT 34, N44°57'44"E, 4.26 FEET;

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2018087934
Page: 1 of 4
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 9th day of July, 2018, by **WEST 16TH AVENUE PARTNERS, LLC**, a Colorado limited liability company, whose address is 4148 Stuart St., Denver, CO 80212, 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.

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

ATTEST:

WEST 16TH AVENUE PARTNERS, LLC, a Colorado Limited Liability Company

By: [Signature]

Name: Ben Greene

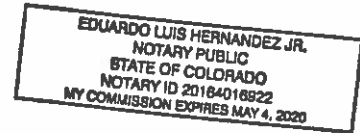
Its: Managing Member

STATE OF Colorado)
) ss.
COUNTY OF Denver)

The foregoing instrument was acknowledged before me this 9 day of July, 2018
by Benjamin Greene, as Manager of WEST 16TH AVENUE
PARTNERS, LLC, a Colorado Limited Liability Company.

Witness my hand and official seal.

My commission expires: 5/4/2020



[Signature]
Notary Public

EXHIBIT A
LEGAL DESCRIPTION

Page 1 of 4

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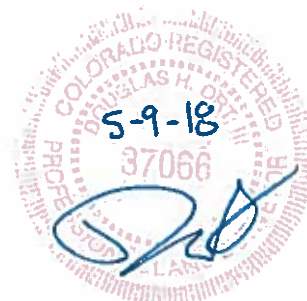
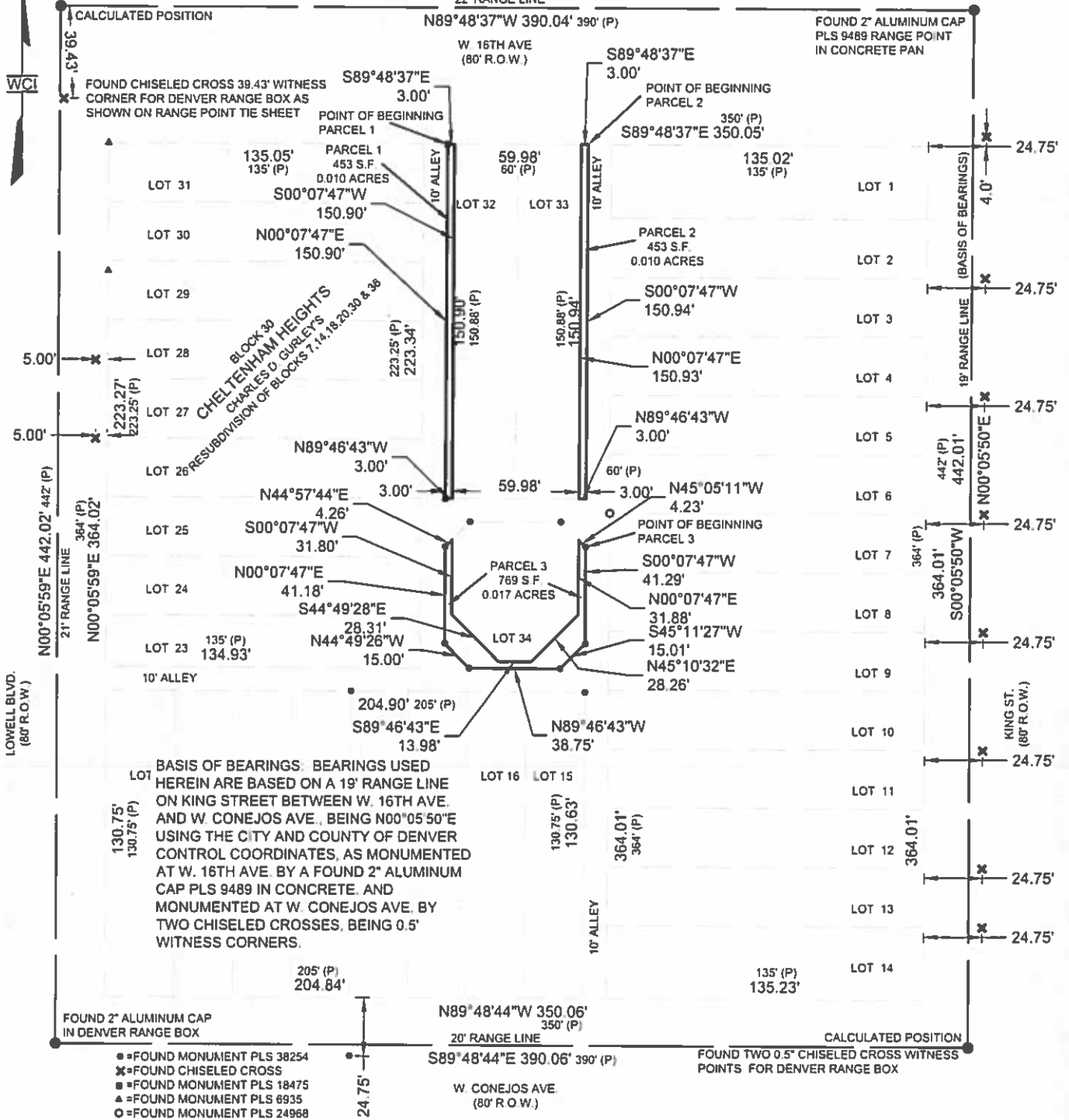


EXHIBIT A
SW1/4 OF SEC 32, T3S, R68W OF THE 6TH P.M.,
CITY AND COUNTY OF DENVER, STATE OF COLORADO
 22' RANGE LINE



LOT BASIS OF BEARINGS. BEARINGS USED HEREIN ARE BASED ON A 19' RANGE LINE ON KING STREET BETWEEN W. 16TH AVE. AND W. CONEJOS AVE., BEING N00°05'50\"/>

- = FOUND MONUMENT PLS 38254
- ✕ = FOUND CHISELED CROSS
- = FOUND MONUMENT PLS 18475
- ▲ = FOUND MONUMENT PLS 6935
- = FOUND MONUMENT PLS 24968

NOTE:
 THIS DRAWING IS MEANT TO DEPICT THE ATTACHED LEGAL DESCRIPTION AND IS FOR INFORMATIONAL PURPOSES ONLY. IT DOES NOT REPRESENT A MONUMENTED LAND SURVEY.

17-600-431

						SHT NO. 4 OF 4	1675 Broadway Suite 200 Denver, CO 80202 Phone: 303-297-2976 Fax: 303-297-2693
						SCALE 1" = 60'	
						DWN BY TJB DATE 5-9-2018	
						CHK BY:	
						PROJ MGR: DHO DATE 5-9-2018	
						CLIENT APP:	EXHIBIT A
NO.	REVISION-DESCRIPTION	BY	DATE	CHK'D	APP'D	CITY AND COUNTY OF DENVER STATE OF COLORADO	



2018087935
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

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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;

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No separate bill of sale with respect to improvements on the Property will be executed.

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

ATTEST:

WEST CONEJOS PARTNERS, LLC, a Colorado Limited Liability Company

By: [Signature]

Name: Ben Greene

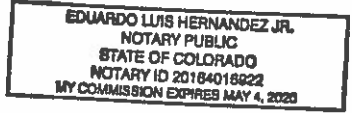
Its: Managing Member

STATE OF Colorado)
) ss.
COUNTY OF Denver)

The foregoing instrument was acknowledged before me this 9 day of July, 2018
by Benjamin Greene, as Manager of WEST CONEJOS PARTNERS,
LLC, a Colorado Limited Liability Company.

Witness my hand and official seal.

My commission expires: 5/4/2020



[Signature]
Notary Public

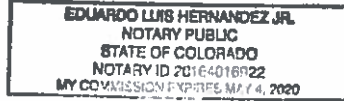


EXHIBIT A
LEGAL DESCRIPTION
Page 2 of 4

PARCEL 3

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EXHIBIT A
LEGAL DESCRIPTION
Page 3 of 4

BASIS OF BEARINGS: BEARINGS USED HEREIN ARE BASED ON A 19' RANGE LINE ON KING STREET BETWEEN W. 16TH AVE. AND W. CONEJOS AVE., BEING N00°05'50"E USING THE CITY AND COUNTY OF DENVER CONTROL COORDINATES, AS MONUMENTED AT W. 16TH AVE. BY A FOUND 2" ALUMINUM CAP PLS 9489 IN CONCRETE. AND MONUMENTED AT W. CONEJOS AVE. BY TWO CHISELED CROSSES, BEING 0.5' WITNESS CORNERS.

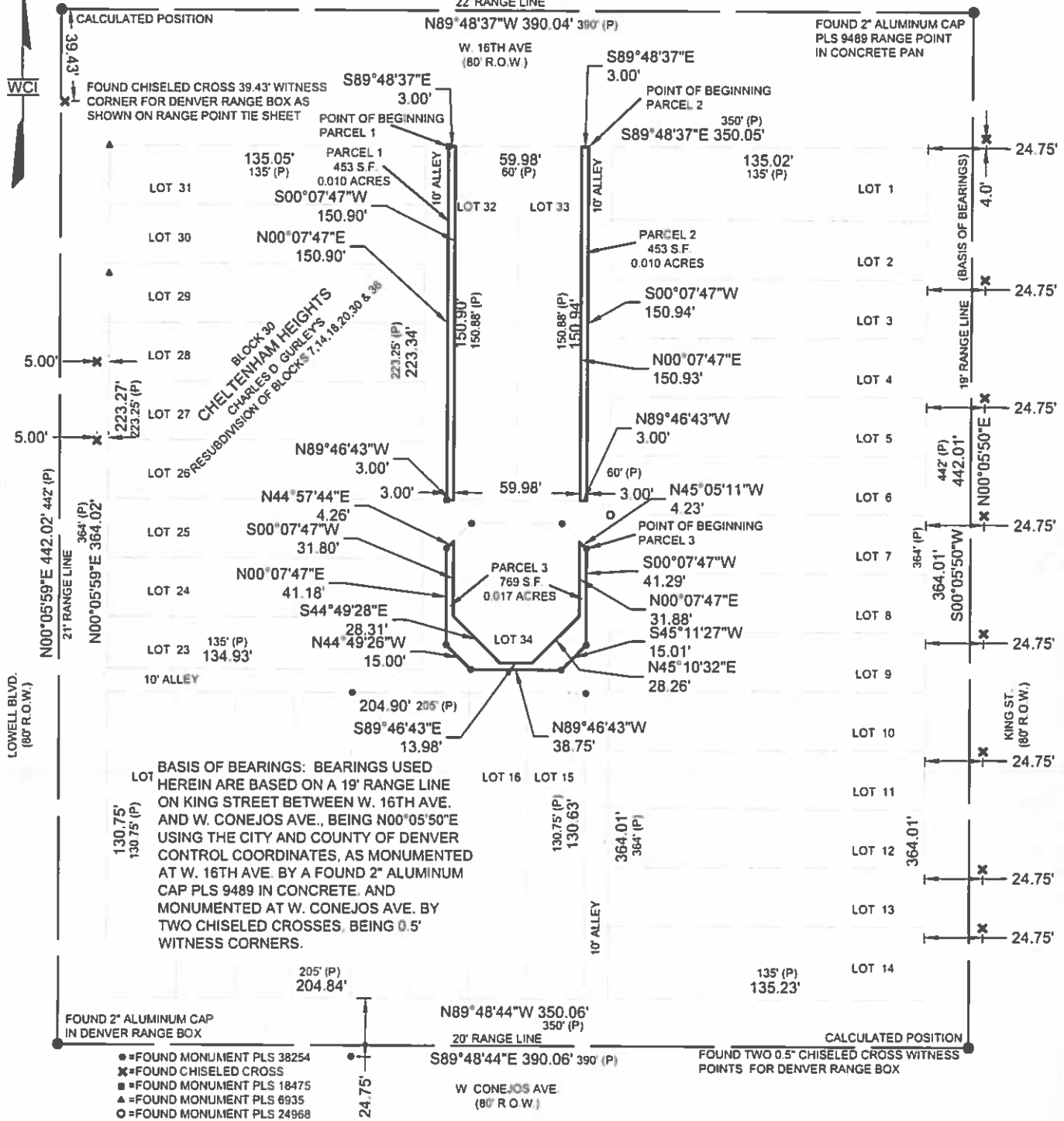
LEGAL DESCRIPTION STATEMENT:

I, DOUGLAS H. ORT III, A LICENSED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE ABOVE LEGAL DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, AND ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF, IS CORRECT.

DOUGLAS H. ORT III, COLORADO PLS 37066
WILSON & COMPANY
1675 BROADWAY, SUITE 200
DENVER, CO 80202
DHORTIII@WILSONCO.COM
PH 303-501-1221
FAX 303-297-2693



EXHIBIT A
SW1/4 OF SEC 32, T3S, R68W OF THE 6TH P.M.,
CITY AND COUNTY OF DENVER, STATE OF COLORADO
 22' RANGE LINE



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17-600-431

					SHT NO. 4 OF 4		1675 Broadway Suite 200 Denver, CO 80202 Phone: 303-297-2976 Fax: 303-297-2693
					SCALE 1" = 60'		
					DWN BY TJB	DATE 5-9-2018	
					CHK BY		
					PROJ. MGR. DHO	5-9-2018	EXHIBIT A
					CLIENT APP		
NO.	REVISION-DESCRIPTION	BY	DATE	CHKD	APPD	CITY AND COUNTY OF DENVER STATE OF COLORADO	