



REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Caroline Martin, City Attorney's Office

FROM: Matt Bryner, Director Engineer-Architect
Right-of-Way Services

DATE: January 25, 2019

ROW #: 2018-Dedication-0000177 **SCHEDULE #:** 0133426024000

TITLE: This request is to dedicate a parcel of land as Public Right of Way as Public Alley and E. Colfax Ave. Located at the intersection of E. Colfax Ave. and N. Xanthia 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 and E. Colfax Ave. 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 **(Staff Zone)**

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 and E. Colfax Ave. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2018-Dedication-0000177-001 & 002) HERE.

A map of the area to be dedicated is attached.

MB/JC/bv

cc: Dept. of Real Estate, Katherine Rinehart
City Councilperson & Aides, Chris Herndon District # 8
Council Aide Amanda Schoultz
Council Aide Charley Oldaker
Council Aide Bonnie Guillen
City Council Staff, Zach Rothmier
Environmental Services, David Erickson
Public Works, Manager's Office, Alba Castro
Public Works, Manager's Office, Jason Gallardo
Public Works, Right-of-Way Engineering Services, Matt Bryner
Department of Law, Brad Beck
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
Public Works Survey, John Clarke
Public Works Survey, Paul Rogalla
Owner: City and County of Denver
Project file folder 2018-Dedication-0000177

ORDINANCE/RESOLUTION REQUEST

Please email requests to Jason Gallardo
at 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: January 25, 2019

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.**)

This request is to dedicate a parcel of land as Public Right of Way as Public Alley and E. Colfax Ave.
Located at the intersection of E. Colfax Ave. and N. Xanthia St.

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:** Jason Gallardo
- **Phone:** 720-865-8713
- **Email:** Jason.gallardo@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 and E. Colfax Ave. 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 (**Staff Zone**)

****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:** E. Colfax Ave. and N. Xanthia St.
- d. **Affected Council District:** Dist. #8 Chris Herndon
- 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: _____



EXECUTIVE SUMMARY

DENVER
THE MILE HIGH CITY

Project Title: 2018-Dedication-0000177

Description of Proposed Project: Dedicate a parcel of land as public right of way as Public Alley and E. Colfax Ave..

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

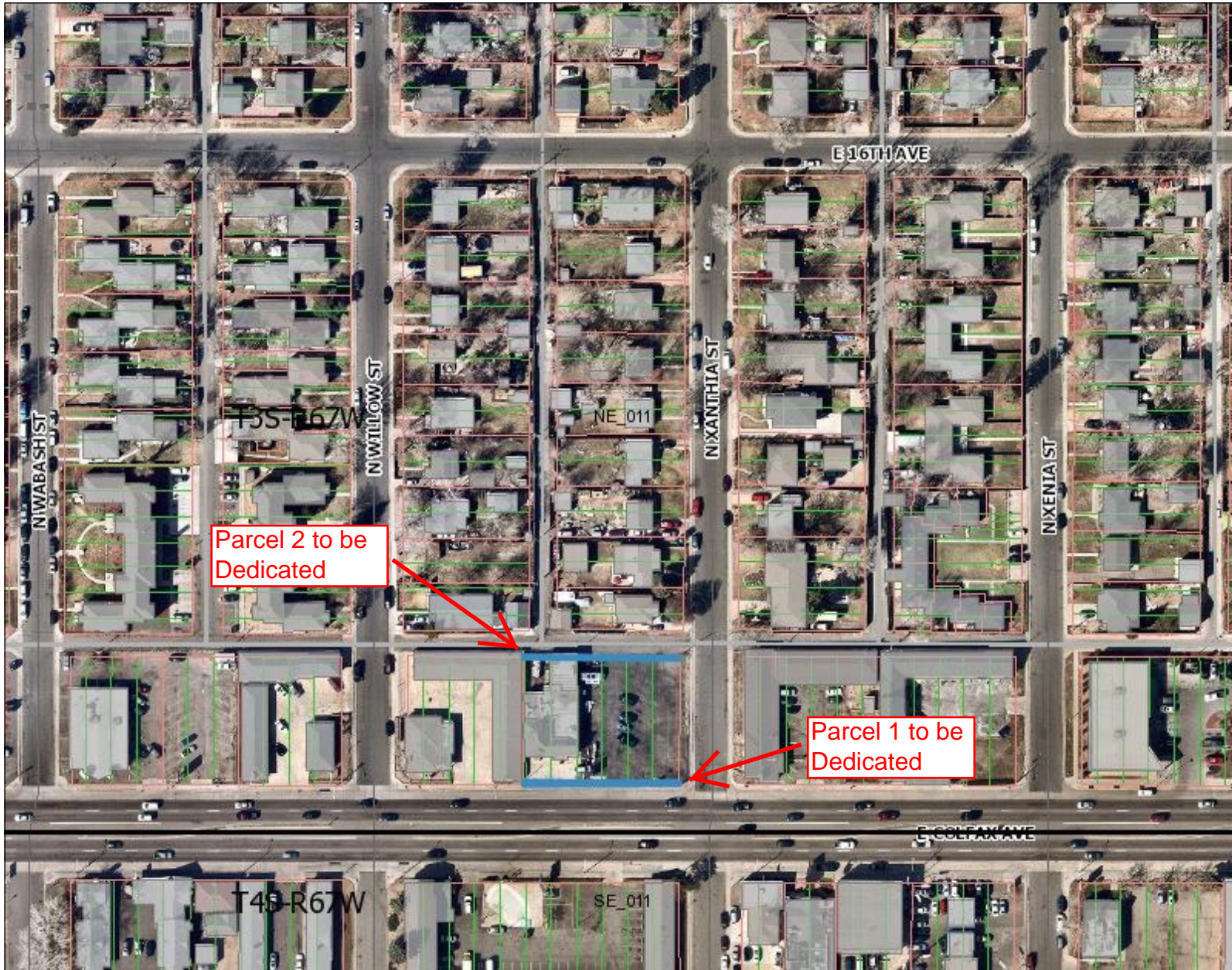
What is the known duration of an MEP: N/A

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 for a project called Staff Zone.



Legend

-  City Engineer Quarter Section
-  Township Range Section
-  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
-  Lots/Blocks
- Parks**
 -  All Other Parks; Linear
 -  Mountain Parks

289 0 144.5 289 Feet

PW Legal Description No. 2018-Dedication-0000177-001

The South 7.00 feet of that property described in Reception Number 2017140201, recorded October 25, 2017 at the City and County of Denver Clerk and Recorder's Office, situated in the SE 1/4 of Section 33, T.3S., R.67W., of the 6th P.M., City and County of Denver, State of Colorado, and being more particularly described as follows:

LAND DESCRIPTION-STREET PARCEL#1

Beginning at the Southeast Corner of Lot 29, Block 6, East Colfax Subdivision;
Thence N90°00'00"W along the North R.O.W. Line of East Colfax Avenue, a distance of 150.50 feet to the West Line of the East 6 inches of Lot 23, said Block 6;
Thence N00°01'30"W along said West Line of the East 6 inches of Lot 23, a distance of 7.00 feet;
Thence N90°00'00"E a distance of 150.50 feet to a point on the West R.O.W. Line of Xanthia Street;
Thence S00°01'30"E along said West R.O.W. Line, a distance of 7.00 feet to the Point of Beginning.

Parcel Contains (1,054 Square Feet) 0.0242 Acres.

PW Legal Description No. 2018-Dedication-0000177-002

The North 2.00 feet of that property described in Reception Number 2017140201, recorded October 25, 2017 at the City and County of Denver Clerk and Recorder's Office, situated in the SE 1/4 of Section 33, T.3S., R.67W., of the 6th P.M., City and County of Denver, State of Colorado, and being more particularly described as follows:

LAND DESCRIPTION-ALLEY PARCEL#2

Beginning at the Northeast Corner of Lot 29, Block 6, East Colfax Subdivision;
Thence S00°01'30"E along the West R.O.W. Line of Xanthia Street, a distance of 2.00 feet;
Thence N90°00'00"W a distance of 150.50 feet to the West Line of the East 6 inches of Lot 23, said Block 6;
Thence N00°01'30"W along said West Line of the East 6 inches of Lot 23, a distance of 2.00 feet to a point on the North Line of said Lot 23;
Thence N90°00'00"E along the North Line of said Block 6, a distance of 150.50 feet to the Point of Beginning.

Parcel Contains (301 Square Feet) 0.0069 Acres.



01/11/2019 02:52 PM
City & County of Denver

R \$0.00

WD

2019004229

Page: 1 of 8

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 7th day of January, 2019, by HARRIS INVESTMENTS, LLC, a Georgia limited liability company, whose address is 2650 Holcomb Bridge Road, #630, Alpharetta, GA 30022-5343, 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.

Asst Mgmt. # 17-07

Project Description:
8615 E. Colfax
2018- Dedication - 0000177

Resolution of Harris Investment Holdings, LLC.

WHEREAS Harris Investment Holdings, LLC is a Georgia limited liability company duly organized and existing under the laws of the State of Georgia (the "Company"); and

WHEREAS Samuel C. Harris and Sherri A. Harris are all the members (the "Members") of the Company; and

WHEREAS at a meeting of the members held on December 31, 2018 it was resolved that it was in the best interest of the Company to dedicate a small portion of the property related to an alley located at or behind 8615 E. Colfax Ave, Denver, CO 80220 (the "Property"); and

WHEREAS it was further resolved that the Members appoint Eric C. Coulter to execute the Settlement Statement(s), Deed(s), Affidavit(s) and any other documents necessary or convenient to dedicate this small portion of the Property;

NOW THEREFORE, it is hereby resolved the Eric C. Coulter is authorized to execute the Settlement Statement(s), Deed(s), Affidavit(s) and any other documents necessary or convenient to consummate the dedication of the Property.

Date: December 31ST, 2018



Samuel C. Harris



Witness



Sherri A. Harris



Witness

Notary attestation page follows

For Samuel C. Harris signature

STATE OF GA COUNTY OF Fulton

The foregoing instrument was acknowledged before me this 31 day of Dec (month), 2018 (year), by _____ (name of person acknowledging).

Tammy B Godfrey (Signature of Notary)

Tammy B Godfrey (Name of Notary)

Personally known OR produced identification _____

Type of identification produced _____



For Sherri A. Harris signature

STATE OF GA COUNTY OF Fulton

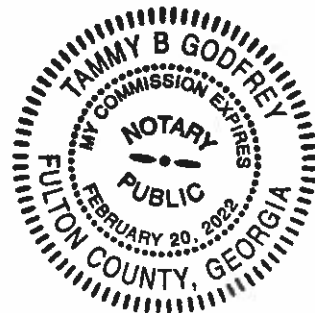
The foregoing instrument was acknowledged before me this 31 day of Dec (month), 2018 (year), by _____ (name of person acknowledging).

Tammy B Godfrey (Signature of Notary)

Tammy B Godfrey (Name of Notary)

Personally known OR produced identification _____

Type of identification produced _____



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

ATTEST:

HARRIS INVESTMENTS, LLC, a Georgia limited liability company

By: [Signature]

Name: Eric C. Cowley

Its: CFO

STATE OF FL)

COUNTY OF Holmesworth) ss.

The foregoing instrument was acknowledged before me this 7th day of JANUARY, 2018 by Eric C. Cowley, as CFO of **HARRIS INVESTMENTS, LLC**, a Georgia limited liability company. (personally known)

Witness my hand and official seal.

My commission expires: 7/15/2022

Melanie Beatty [Signature]
Notary Public

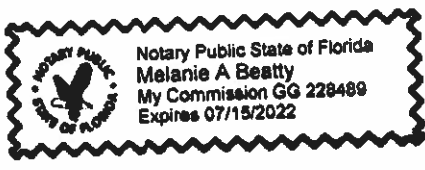


EXHIBIT A
Land Description
Sheet 1 of 2

The South 7.00 feet of that property described in Reception Number 2017140201, recorded October 25, 2017 at the City and County of Denver Clerk and Recorder's Office, situated in the SE 1/4 of Section 33, T.3S., R.67W., of the 6th P.M., City and County of Denver, State of Colorado, and being more particularly described as follows:

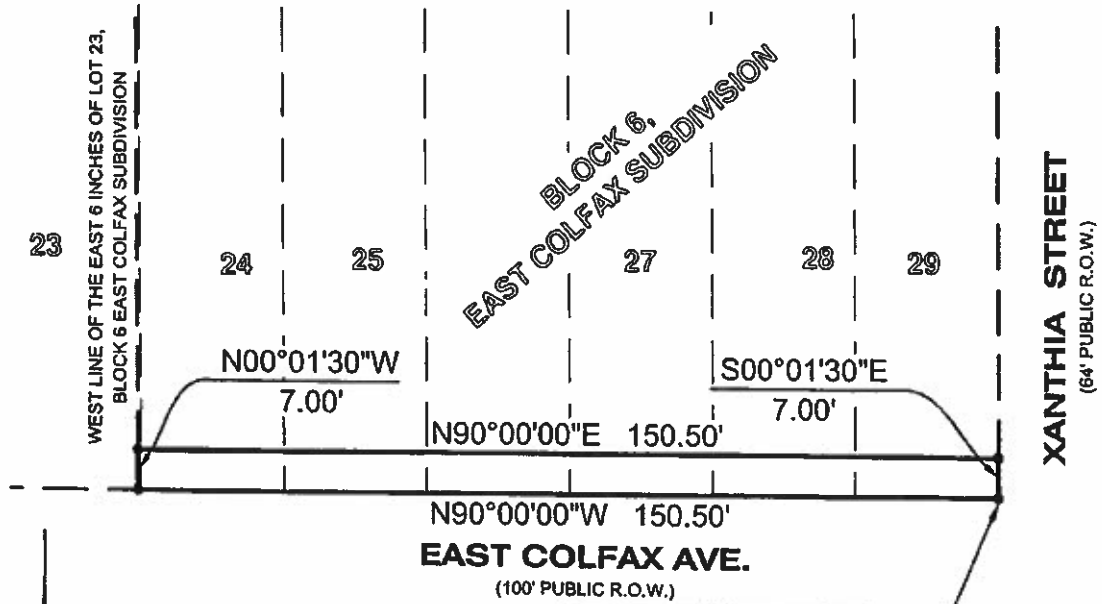
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Thence S00°01'30"E along said West R.O.W. Line, a distance of 7.00 feet to the **Point of Beginning**.

Parcel Contains (1,054 Square Feet) 0.0242 Acres

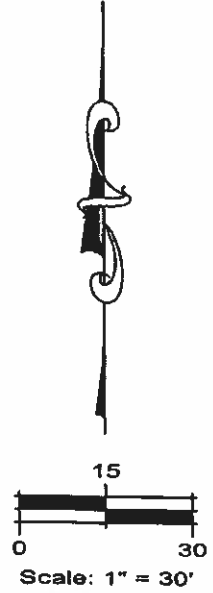
Date prepared: October 5, 2018
Date of last revision: November 30, 2018
Prepared by: Charles N. Beckstrom, PLS No. 33202
for and on behalf of
Engineering Service Company
14190 East Evans Ave.
Aurora, Colorado 80014
Phone: 303-337-1393
cbeckstrom@engineeringserviceco.com



EXHIBIT "A"



POINT OF BEGINNING
SE CORNER OF LOT 29, BLOCK 6
EAST COLFAX SUBDIVISION



ESC
ENGINEERING SERVICE COMPANY
14190 East Evans Avenue
Aurora, Colorado 80014
P 303.337.1393 | F 303.337.7481

SHEET 2 OF 2

PARCEL CONTAINS
1,054 SQUARE FEET
0.0242 ACRES

CITY OF DENVER

R.O.W. DEDICATION

Drawn By: <i>SLH</i>	Checked By: <i>CNB</i>	Project No.: 1000.12	Date: 10/4/2018
Scale: 1"=30'	File Name: <i>Staff Zone - 8615 Colfax Exhibit</i>		

A PART OF LOTS 23-29, BLOCK 6, EAST COLFAX SUBDIVISION
SITUATED IN THE SE 1/4 OF SECTION 33, T.3S., R.67W., OF THE 6TH P.M.
CITY AND COUNTY OF DENVER, STATE OF COLORADO

Note: This exhibit does not represent a monumented survey. It is intended only to depict the attached description.

EXHIBIT B
Land Description
Sheet 1 of 2

The North 2.00 feet of that property described in Reception Number 2017140201, recorded October 25, 2017 at the City and County of Denver Clerk and Recorder's Office, situated in the SE 1/4 of Section 33, T.3S., R.67W., of the 6th P.M., City and County of Denver, State of Colorado, and being more particularly described as follows:

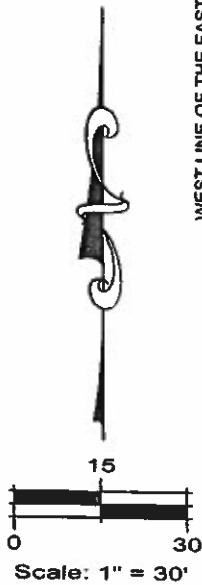
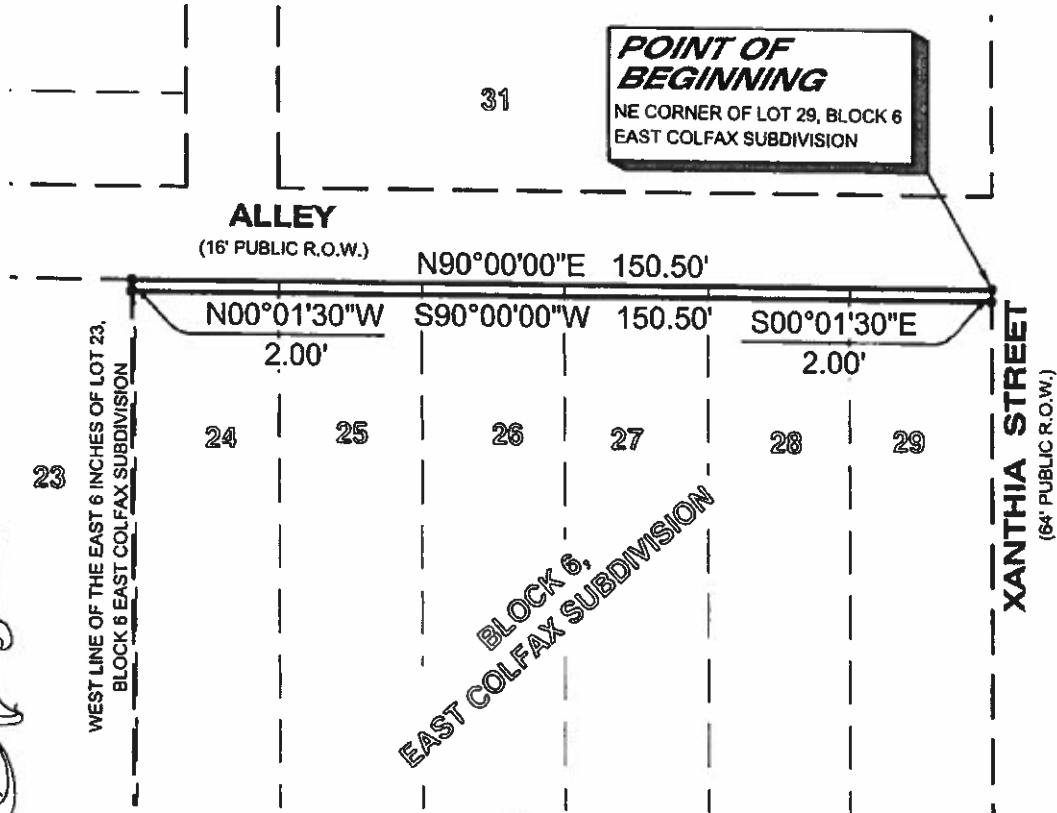
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Thence N00°01'30"W along said West Line of the East 6 inches of Lot 23, a distance of 2.00 feet to a point on the North Line of said Lot 23;
Thence N90°00'00"E along the North Line of said Block 6, a distance of 150.50 feet to the **Point of Beginning**.

Parcel Contains (301 Square Feet) 0.0069 Acres

Date prepared: October 5, 2018
Date of last revision: November 30, 2018
Prepared by: Charles N. Beckstrom, PLS No. 33202
for and on behalf of
Engineering Service Company
14190 East Evans Ave.
Aurora, Colorado 80014
Phone: 303-337-1393
cbeckstrom@engineeringserviceco.com



EXHIBIT "B"



ESC
ENGINEERING SERVICE COMPANY
14190 East Evans Avenue
Aurora, Colorado 80014
P 303.337.1393 | F 303.337.7481

SHEET 2 OF 2

PARCEL CONTAINS
301 SQUARE FEET
0.0069 ACRES

CITY OF DENVER

R.O.W. DEDICATION

Drawn By: <i>SLH</i>	Checked By: <i>CNB</i>	Project No.: 1000.12	Date: 11/30/2018
Scale: 1"=30'	File Name: <i>Staff Zone - 8815 Colfax Exhibit</i>		

A PART OF LOTS 26-29, BLOCK 6, EAST COLFAX SUBDIVISION
SITUATED IN THE SE 1/4 OF SECTION 33, T.3S., R.67W., OF THE 6TH P.M.
CITY AND COUNTY OF DENVER, STATE OF COLORADO

Note: This exhibit does not represent a monumented survey. It is intended only to depict the attached description.