



REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Stan Lechman, City Attorney's Office

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

DATE: November 19, 2015

ROW #: 2015-Dedication-0000095 **SCHEDULE #:** 0218303004000

TITLE: This request is to dedicate a parcel of land as Public Right of Way as Public Alley.
Located at the intersection of W. 50th and Vrain 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 (El Jebel)

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 # (2015-Dedication-0000095-001) HERE.

A map of the area to be dedicated is attached.

RD/AG/BLV

cc: Asset Management, Steve Wirth
City Councilperson & Aides, Rafael Espinoza District # 1
Council Aide Rita Contreras
Council Aide Amanda Sandoval
City Council Staff, Shelley Smith
Environmental Services, David Erickson
Public Works, Manager's Office, Alba Castro
Public Works, Manager's Office, Angela Casias
Public Works, Right-of-Way Engineering Services, Rob Duncanson
Department of Law, Brent Eisen
Department of Law, Charlene Thompson
Department of Law, Adam Hernandez
Department of Law, Angela Garcia
Public Works Survey, Ali Gulaid
Public Works Survey, Paul Rogalla
Owner: City and County of Denver
Project file folder 2015-Dedication-0000095

ORDINANCE/RESOLUTION REQUEST

Please email requests to Angela Casias
at angela.casias@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: November 19, 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, 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.
Located at the intersection of W. 50th and Vrain St.

3. Requesting Agency: Public Works – Right-of-Way Services / 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: Angela Casias
- Phone: 720-913-8529
- Email: Angela.Casias@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 (El Jebel)

****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: W. 50th Ave. and Vrain St.
- d. Affected Council District:
- e. Benefits: N/A
- f. Contract Amount (indicate amended amount and new contract total): 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: 2015-Dedication-0000095, El Jebel

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, El Jebel



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

PW Legal Description No. 2015-Dedication-0000095-001

A PARCEL OF LAND BEING A PORTION OF THE ALLEY VACATED BY ORDINANCE 89, SERIES OF 1928 AND A PORTION OF LOTS 20 THROUGH 30, INCLUSIVE, BLOCK 3, BERKELEY PARK HEIGHTS SITUATED IN THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, AND CONVEYED BY A WARRANTY DEED TO CITY AND COUNTY OF DENVER, RECORDED ON THE 3RD OF NOVEMBER 2015 AT RECEPTION NUMBER 2015154541 IN THE CITY AND COUNTY OF DENVER CLERK & RECORDER'S OFFICE, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID BLOCK 3; THENCE NORTH 00°20'33" WEST ALONG THE EAST LINE OF SAID LOT 30, A DISTANCE OF 123.04 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°43'32" WEST, A DISTANCE OF 266.30 FEET TO A POINT ON THE WEST LINE OF SAID LOT 20; THENCE NORTH 00°16'55" WEST ALONG THE WEST LINE OF SAID LOT 20 AND THE WEST LINE OF SAID ALLEY, A DISTANCE OF 16.00 FEET TO THE NORTHWEST CORNER OF SAID ALLEY; THENCE NORTH 89°43'32" EAST ALONG THE NORTH LINE OF SAID ALLEY, A DISTANCE OF 266.29 FEET TO THE NORTHEAST CORNER OF SAID ALLEY; THENCE SOUTH 00°20'33" EAST ALONG THE EAST LINE OF SAID ALLEY AND THE EAST LINE OF SAID LOT 30, A DISTANCE OF 16.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 4,261 SQUARE FEET OR 0.10 ACRES, MORE OR LESS.



50th and Utica 2015-Dedication-0000095



151

151 Feet

75.5

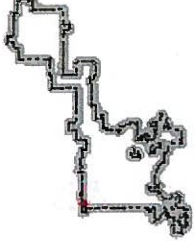
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WGS_1984_Web_Mercator_Auxiliary_Sphere
 © City and County of Denver

1: 1,175

Map Generated 11/10/2015

The City and County of Denver shall not be liable for damages of any kind arising out of the use of this information. The information is provided "as is" without warranty of any kind, express or implied, including, but not limited to, the fitness for a particular use.
THIS IS NOT A LEGAL DOCUMENT.



Legend

- Streams
- Irrigation Ditches Reconstruct (Gardens)
- Irrigation Ditches
- 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
- Mountain Parks
- All Other Parks

WARRANTY DEED

THIS DEED, dated NOVEMBER 3, 2015, is between KUH Utica, 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:

EXHIBITS "A" and "B" 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.

KUH Utica, LLC a Colorado Limited Liability Company

By: Koelbel and Company, a Colorado Corporation as Manager

Authorized Agent: [Signature]

Title: SVP.

STATE OF Colorado

COUNTY OF Denver

The foregoing instrument was acknowledged before me this day 29th of October, 2015 by Reter Benson as S.V.P. of KUH Utica, LLC.

Witness my hand and official seal.

My commission expires:

9/25/2018

[Signature]
Notary Public

DEBRA J. BENNETT
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20024031159
MY COMMISSION EXPIRES SEPT. 25, 2018

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

15-174
Asset Mgmt. #
Asset Management
Date: 10-3-15
Approved
Row
Project Description:
EL JEBEL
4625 W. 50th AVE.

EXHIBIT A

SITUATED IN THE SOUTHWEST 1/4 OF SECTION 18, TOWNSHIP 3 SOUTH,
RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO.

DESCRIPTION:

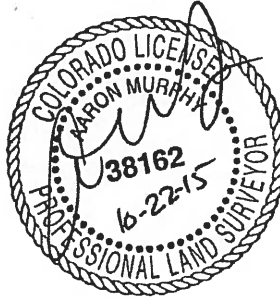
A PORTION OF THAT LAND DESCRIBED IN THE DEED RECORDED AT RECEPTION NO. 2015055566 IN THE CLERK AND RECORDERS OFFICE OF THE CITY AND COUNTY OF DENVER, SITUATED IN THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF BLOCK 3, BERKELEY PARK HEIGHTS;
 THENCE SOUTH 89°44'04" WEST ALONG THE SOUTH LINE OF SAID PARCEL, A DISTANCE OF 30.00 FEET TO A POINT ON AN EASTERLY LINE OF SAID PARCEL;
 THENCE SOUTH 00°16'55" EAST ALONG SAID EASTERLY LINE, A DISTANCE OF 17.43 FEET TO A POINT ON THE SOUTH LINE OF SAID PARCEL;
 THENCE SOUTH 89°21'51" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 30.00 FEET;
 THENCE NORTH 00°16'55" WEST, A DISTANCE OF 326.21 FEET TO A POINT ON THE NORTH LINE OF SAID PARCEL;
 THENCE NORTH 88°22'31" EAST ALONG THE NORTH LINE OF SAID PARCEL, A DISTANCE OF 30.25 FEET TO A POINT ON AN EASTERLY LINE OF SAID PARCEL;
 THENCE SOUTH 00°16'55" EAST ALONG SAID EASTERLY LINE, A DISTANCE OF 37.46 FEET;
 THENCE NORTH 89°43'05" EAST ALONG THE NORTH LINE OF SAID PARCEL, A DISTANCE OF 30.00 FEET TO THE EAST LINE OF VRAIN STREET, VACATED BY ORDINANCE 89 OF SERIES 1928;
 THENCE SOUTH 00°16'55" EAST ALONG SAID EAST LINE, A DISTANCE OF 275.01 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 18,092 SQUARE FEET, OR 0.42 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE SOUTH LINE OF BLOCK 3 OF BERKELEY HEIGHTS, ASSUMED TO BEAR SOUTH 89°44'04" WEST.

PREPARED BY: AARON MURPHY, PLS 38162
 ON BEHALF OF: HARRIS KOCHER SMITH
 1120 LINCOLN STREET, SUITE 1000
 DENVER, CO 80203
 303.623.6300



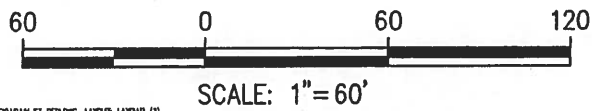
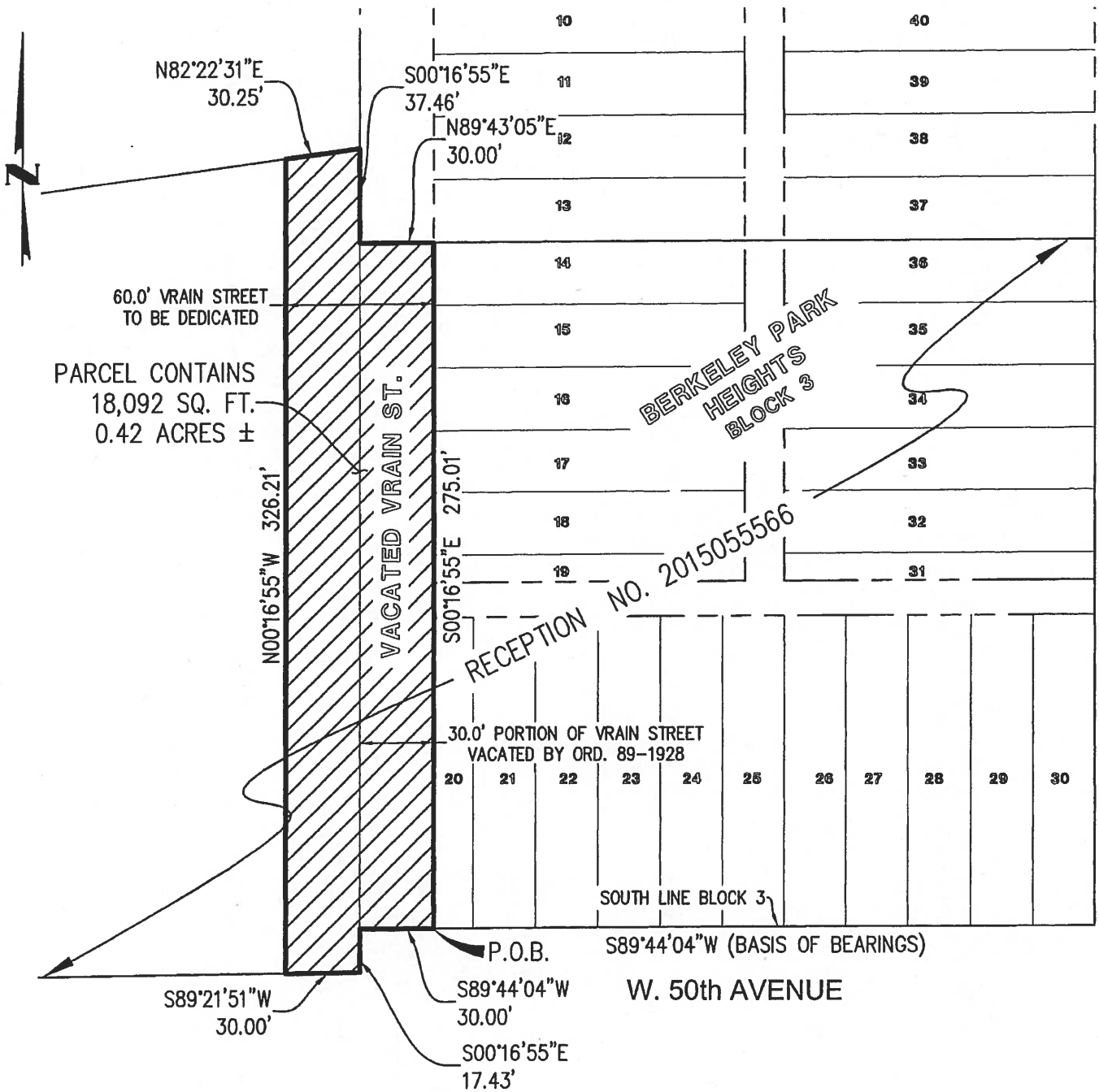
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 PLOTTED: THU 10/22/15 10:10:35A BY: AARON MURPHY

NO CHANGES ARE TO BE MADE TO THIS DRAWING WITHOUT WRITTEN PERMISSION OF HARRIS KOCHER SMITH.

<small>ISSUE DATE: 6/18/2015</small>	<small>PROJECT #: 150308</small>			<small>CHK'D BY: AWM DRAWN BY: BVS</small>
<small>DATE</small>	<small>REVISION COMMENTS</small>	DESCRIPTION	R.O.W. DEDICATION	HKS HARRIS KOCHER SMITH <small>1120 Lincoln Street, Suite 1000 Denver, Colorado 80203 P: 303.623.6300 F: 303.623.6311 HarrisKocherSmith.com</small>
<small>10-22-15</small>	<small>PER COMMENTS</small>			
				<small>1 OF 2</small>

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RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO.



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

NO CHANGES ARE TO BE MADE TO THIS DRAWING WITHOUT WRITTEN PERMISSION OF HARRIS KOCHER SMITH.

FILE PATH: P:\150308\SURVEY\VRAIN ST-REDLINE_LAYOUT_LAYOUT (2)
PLotted: 10/22/15 10:18:37A BY: JARON MURPHY

ISSUE DATE: 6/18/2015	PROJECT #: 150308
DATE	REVISION COMMENTS
10-22-15	PER COMMENTS

EXHIBIT

R.O.W. DEDICATION

HKS HARRIS KOCHER SMITH
1120 Lincoln Street, Suite 1000
Denver, Colorado 80203
P: 303.823.8300 F: 303.823.8311
HarrisKocherSmith.com

CHK'D BY: AWM
DRAWN BY: BVS
SHEET NO.
2
2 OF 2

EXHIBIT B

SITUATED IN THE SOUTHWEST 1/4 OF SECTION 18, TOWNSHIP 3 SOUTH,
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PREPARED BY: AARON MURPHY, PLS 38162

ON BEHALF OF: HARRIS KOCHER SMITH
1120 LINCOLN STREET, SUITE 1000
DENVER, CO 80203
303.623.6300



FILEPATH: P:\55303\SURVEY\ALLEY-DEDICATIO LAYOUT.LAYOUT
NO PLETS
PLOTTER: HPJ 10/29/15 1:08:15P BY: AARON MURPHY

NO CHANGES ARE TO BE MADE TO THIS DRAWING WITHOUT WRITTEN PERMISSION OF HARRIS KOCHER SMITH.

ISSUE DATE: 6/18/2015		PROJECT #: 150308		CHKD BY: AWM			
DATE	REVISION COMMENTS	DESCRIPTION	ALLEY DEDICATION	DRAWN BY: BVS			
10-22-15	PER COMMENTS						
10-29-15	REV. CONFIG.						
		SHEET NO. <div style="text-align: center; font-size: 24pt; font-weight: bold;">1</div> 1 OF 2					

