



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: August 16, 2017

ROW #: 2016-Dedication-0000127 **SCHEDULE #:** 0227102063000

TITLE: This request is to dedicate a parcel of land as Public Right of Way as N. Downing St. Located at the intersection of Walnut St. and N. Downing 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 N. Downing St. 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 **(36th & Blake HUB)**

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 N. Downing St. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2016-Dedication-0000127-001) HERE.

A map of the area to be dedicated is attached.

MB/SC/BV

cc: Asset Management, Robert Koehler
City Councilperson & Aides, Albus Brooks District # 9
Council Aide Chy Montoya
Council Aide Brande Micheau
City Council Staff, Zach Rothmier
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, Matt Bryner
Department of Law, Brent Eisen
Department of Law, Shaun Sullivan
Department of Law, Caroline Martin
Department of Law, Stan Lechman
Department of Law, Cynthia Devereaux
Public Works Survey, Scott Casteneda
Public Works Survey, Paul Rogalla
Owner: City and County of Denver
Project file folder 2016-Dedication-0000127

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: August 16, 2017

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 N. Downing St.
Located at the intersection of Walnut St. and N. Downing 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:** 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 N. Downing St. 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 (**36th & Blake HUB**)

****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:** Walnut St. and N. Downing St.
- d. **Affected Council District:** Albus Brooks Dist. #9
- 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: 2016-Dedication-0000127, 36th & Blake HUB

Description of Proposed Project: Dedicate a parcel of public right of way as Downing St.

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, 36th & Blake HUB



Legend

- Streams
- Irrigation Ditches Reconstruct (Gardeners)
- Irrigation Ditches
- Buildings 2014
- 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



A PARCEL OF LAND CONVEYED BY WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 3RD DAY OF MAY, 2017, AT RECEPTION NUMBER 2017059380 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

PARCEL OF LAND BEING A PORTION OF LOTS 2, 3, 27, 28 AND 29 OF BALDWIN'S ADDITION TO DENVER, AND A PORTION OF THE VACATED ALLEY, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 23 AND THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF BLAKE STREET AND THE WESTERLY RIGHT-OF-WAY OF DOWNING STREET; THENCE ALONG SAID WESTERLY LINE OF DOWNING STREET S09°51'48"E A DISTANCE OF 93.78 FEET TO THE POINT OF BEGINNING; THENCE ALONG SAID WESTERLY LINE OF DOWNING STREET THE FOLLOWING FIVE (5) CONSECUTIVE COURSES: 1) S09°56'04"E A DISTANCE OF 59.95 FEET; 2) THENCE S45°26'07"E A DISTANCE OF 8.00 FEET; 3) THENCE S44°33'53"W A DISTANCE OF 9.96 FEET; 4) THENCE S45°44'01"E A DISTANCE OF 8.00 FEET; 5) THENCE S16°15'29"E A DISTANCE OF 143.19 FEET TO A POINT ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF WALNUT STREET; THENCE ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE OF WALNUT STREET, S44°33'47"W A DISTANCE OF 3.53 FEET; THENCE DEPARTING SAID NORTHWESTERLY RIGHT-OF-WAY LINE OF WALNUT STREET, N16°27'14"W A DISTANCE OF 139.10 FEET; THENCE N18°23'53"W A DISTANCE OF 12.79 FEET; THENCE N15°36'04"W A DISTANCE OF 45.31 FEET; THENCE N14°14'04"W A DISTANCE OF 17.88 FEET; THENCE N35°09'09"E A DISTANCE OF 13.24 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 0.022 ACRES OR 976 SQUARE FEET MORE OR LESS.

BASIS OF BEARING

BEARINGS ARE BASED ON THE 19.5 RANGE LINE IN WALNUT STREET ASSUMED TO BEAR N44°33'47"E AND BEING MONUMENTED BY A FOUND AXLE IN RANGE BOX NORTH OF 38TH STREET AND WALNUT STREET AND A FOUND 2-1/2" ALUMINUM CAP PLS #24942 AT THE INTERSECTION OF 40TH STREET AND WALNUT STREET.

Asset Mgmt. #: 16-294

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 26 day of April, 2017, by **BCSP RINO Property LLC**, a Delaware limited liability company, whose address is Corporation Trust Center, 1209 Orange St., Wilmington, DE 19801 ("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").

Asset Management Date: 05/03/17

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 Exhibit A attached 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.

Approved

Project Descriptions

540 BCSP RINO Property LLC



05/03/2017 02:28 PM
City & County of Denver

R \$0.00

WD

2017059380

Page: 1 of 5

D \$0.00

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

ATTEST:

BCSP RINO Property LLC

By: Caed Mannan

a Delaware Limited Liability Company

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ___ day of _____, 2017
by _____, as _____ of **BCSP RINO Property LLC**.

Witness my hand and official seal.

My commission expires: _____

Notary Public

*Please see attached.

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of San Francisco

On April 26, 2017 before me, Prilla Henneman, Notary Public
(insert name and title of the officer)

personally appeared Catherine Mossman
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Prilla Henneman (Seal)

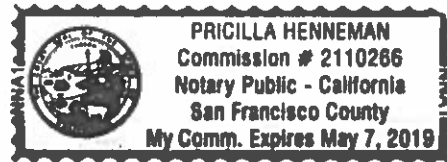


EXHIBIT A
PAGE 1 OF 2

LAND DESCRIPTION

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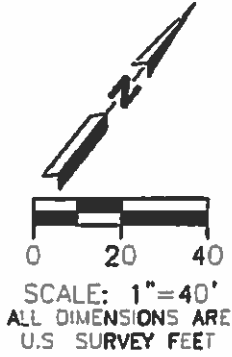
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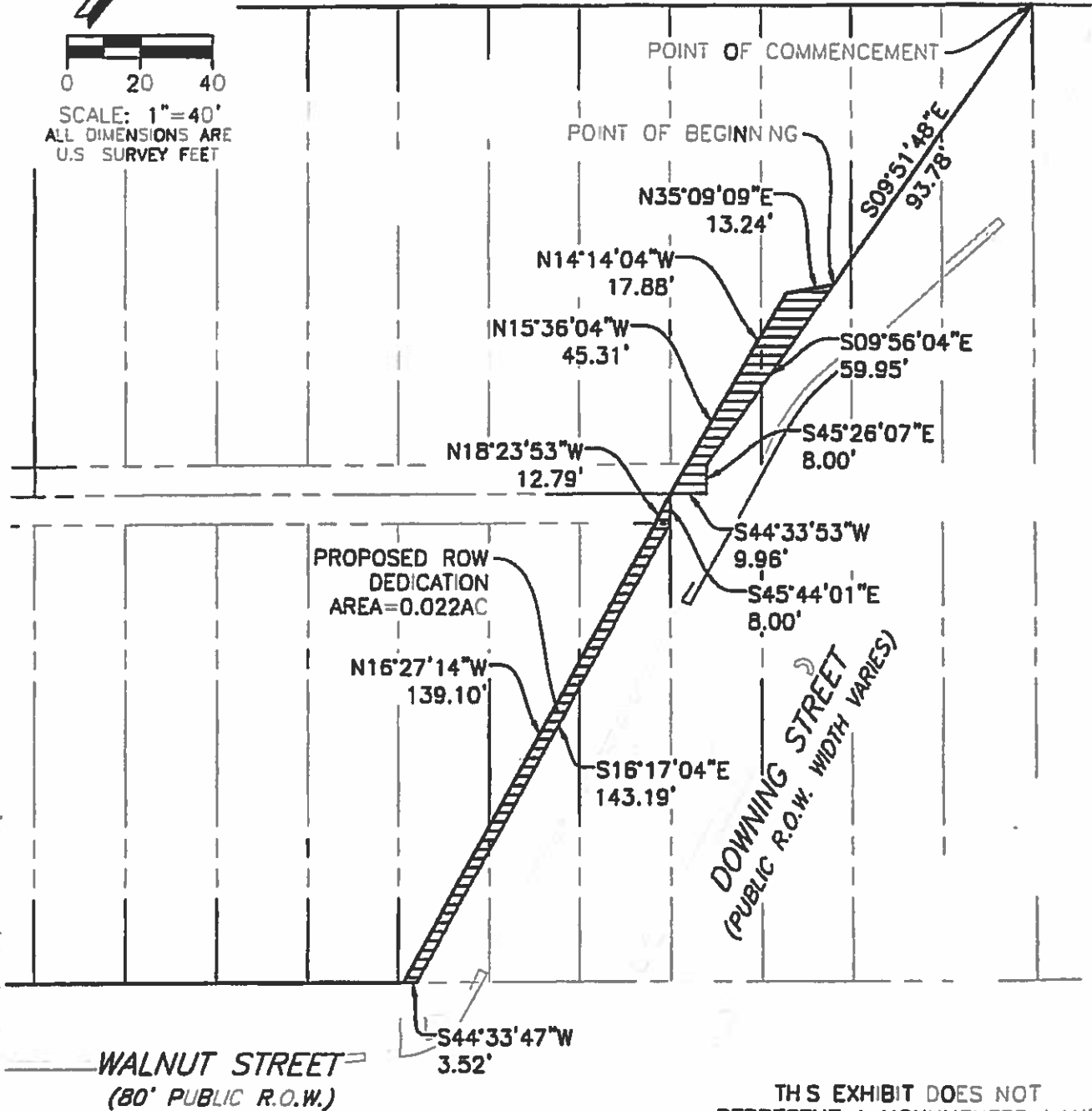
PREPARED BY DAVID IOVINELLI
REVIEWED BY RICHARD A. NOBBE, PLS
FOR AND ON BEHALF OF MARTIN/MARTIN, INC.
12499 WEST COLFAX AVENUE
LAKEWOOD, COLORADO 80215
(303) 431-6100
AUGUST 18, 2016



EXHIBIT A
PAGE 2 OF 2



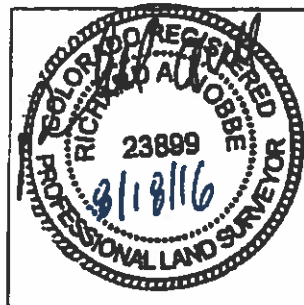
BLAKE STREET
(80' PUBLIC R.O.W.)



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

8/18/2016

BEARINGS ARE BASED ON THE 19.5 RANGE LINE IN WALNUT STREET ASSUMED TO BEAR N44°33'47"E AND BEING MONUMENTED BY A FOUND AXLE IN RANGE BOX NORTH OF 38TH STREET AND WALNUT STREET AND A FOUND 2-1/2" ALUMINUM CAP PLS #24942 AT THE INTERSECTION OF 40TH STREET AND WALNUT STREET.



MARTIN/MARTIN
CONSULTING ENGINEERS

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

DRAWING LOCATION: G:\SCHNACHTER\15 0120-38th and Blake\PLANS\EXHIBIT ROW DEDICATION.dwg