


REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Ivone Avila-Ponce, City Attorney's Office

FROM: Glen D. Blackburn, P.E., Director, Right-of-Way Services 

DATE: July 11, 2023

ROW #: 2022-DEDICATION-0000051 **SCHEDULE #:** Adjacent to 1) 0629100099000 and
2) 0629100099000

TITLE: This request is to dedicate two City-owned parcels of land as Public Right-of-Way as 1) East Evans Avenue, located near the intersection of East Evans Avenue and South Monaco Street Parkway, and 2) South Monaco Street Parkway, located near the intersection of East Evans Avenue, and South Monaco Street Parkway.

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 1) East Evans Avenue, and 2) South Monaco Street Parkway. This parcel(s) of land is being dedicated by the City and County of Denver for Public Right-of-Way, as part of the development project, "6565 E Evans Avenue."

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 1) East Evans Avenue, and 2) South Monaco Street Parkway. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2022-DEDICATION-0000051-001, 002) HERE.

A map of the area to be dedicated is attached.

MB/BP/LRA

cc: Dept. of Real Estate, RealEstate@denvergov.org
City Councilperson, Paul Kashmann District # 6
Councilperson Aide, Brent Fahrberger
Councilperson Aide, Elise Bupp
City Council Staff, Luke Palmisano
Environmental Services, Andrew Ross
DOTI, Manager's Office, Alba Castro
DOTI, Manager's Office, Jason Gallardo
DOTI, Director, Right-of-Way Services, Glen Blackburn
Department of Law, Johna Varty
Department of Law, Martin Plate
Department of Law, Deanne Durfee
Department of Law, Ivone Avila-Ponce
Department of Law, Joann Tristani
DOTI Survey, Brian Pfohl
DOTI Ordinance
Owner: City and County of Denver
Project file folder 2022-DEDICATION-0000051

City and County of Denver Department of Transportation & Infrastructure
Right-of-Way Services
201 W. Colfax Ave. | Denver, CO 80215
www.denvergov.org/doti
Phone: 720-913-1311

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: July 11, 2023

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:** This request is to dedicate two City-owned parcels of land as Public Right-of-Way as 1) East Evans Avenue, located near the intersection of East Evans Avenue and South Monaco Street Parkway, and 2) South Monaco Street Parkway, located near the intersection of East Evans Avenue, and South Monaco Street Parkway.

3. **Requesting Agency:** DOTI, Right-of-Way Services
Agency Section: Survey

4. **Contact Person:** (With actual knowledge of proposed ordinance/resolution.)

- **Name:** Lisa R. Ayala
- **Phone:** 720-865-3112
- **Email:** Lisa.ayala@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:** 720-865-8723
- **Email:** Jason.Gallardo@denvergov.org

6. **General description/background of proposed resolution including contract scope of work if applicable:** Scrape existing commercial building and build a new commercial structure. The developer has been asked to dedicate two parcels of land as 1) East Evans Avenue, and 2) South Monaco Street Parkway.

****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:** Near the intersection of East Evans Avenue, and South Monaco Street Parkway
- d. **Affected Council District:** Paul Kashmann District # 6
- e. **Benefits:** N/A
- f. **Contract Amount (indicate amended amount and new contract total):** N/A

7. **Is there any controversy surrounding this resolution?** (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

Project Title: 2022-DEDICATION-0000051

Description of Proposed Project: Scrape existing commercial building and build a new commercial structure. The developer has been asked to dedicate two parcels of land as 1) East Evans Avenue, and 2) South Monaco Street Parkway.

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 be dedicated as 1) East Evans Avenue, and 2) South Monaco Street Parkway.

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

What is the known duration of a 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 1) East Evans Avenue, and 2) South Monaco Street Parkway, as part of a development project called, "6565 E Evans Avenue."



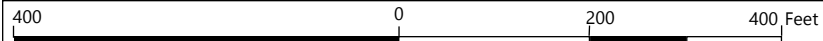
Legend

-  Streets
-  Alleys
-  County Boundary
-  Parcels



Parcel 002 to be dedicated

Parcel 001 to be dedicated



PARCEL DESCRIPTION ROW NO. 2022-DEDICATION-0000051-001:

LAND DESCRIPTION - STREET PARCEL NO. 1

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 6TH DAY OF FEBRUARY, 2023, AT RECEPTION NUMBER 2023008683 AND A SURVEYOR'S AFFIDAVIT OF CORRECTION RECORDED ON THE 2ND DAY OF JUNE, 2023, AT RECEPTION NUMBER 2023049488 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

A PARCEL OF LAND LOCATED IN THE NW1/4 OF THE NE1/4 OF SECTION 29, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE 6TH P.M., CITY & COUNTY OF DENVER, STATE OF COLORADO, BEING A PORTION OF THE LAND DESCRIBED IN WARRANTY DEED RECORDED IN THE DENVER CLERK AND RECORDER'S OFFICE AT RECEPTION NO. 2020041206, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR THE PURPOSE OF THIS DESCRIPTION, THE WEST LINE OF THE NORTHEAST 1/4 OF SECTION 29, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN IS ASSUMED TO BEAR N00°02'25"W, MONUMENTED AT THE NORTH END BY A FOUND #8 REBAR IN RANGE BOX WITH 3.25" ALUMINUM CAP STAMPED "PLS 37601", AND MONUMENTED ON THE SOUTH END BY A FOUND 3.25" ALUMINUM CAP IN RANGE BOX, PLS ILLEGIBLE, ON WHICH ALL BEARINGS HEREON ARE BASED;

COMMENCING AT THE SOUTHWEST CORNER OF SAID NW1/4 NE1/4 OF SECTION 29;

THENCE ALONG THE SOUTH LINE OF THE N1/2 NE1/4 OF SAID SECTION 29, N89°55'25"E, A DISTANCE OF 269.98 FEET;

THENCE N00°00'10"W, A DISTANCE OF 30.00 FEET TO THE SOUTHEAST CORNER OF THE R.O.W. CONVEYED BY ORDINANCE NO. 512 SERIES OF 2005, RECORDED IN THE DENVER CLERK AND RECORDER'S OFFICE AT RECEPTION NO. 2005123436 AND BEING THE NORTH LINE OF EAST EVANS AVENUE, ALSO BEING THE POINT OF BEGINNING;

THENCE ALONG THE EAST LINE OF THE R.O.W. CONVEYED BY SAID ORDINANCE NO. 512 SERIES OF 2005, AND THE EAST LINE OF THE LAND DESCRIBED IN DEED RECORDED IN THE DENVER CLERK AND RECORDER'S OFFICE AT BOOK 9284, PAGE 232, ALSO BEING THE WEST LINE OF LAND DESCRIBED IN SAID RECEPTION NO. 2020041206, N00°00'10"W, A DISTANCE OF 12.50 FEET;

THENCE ALONG A LINE 42.50 FEET NORTH OF AND PARALLEL WITH SAID SOUTH LINE OF THE N1/2 NE1/4, N89°55'25"E, A DISTANCE OF 200.00 FEET;

THENCE ALONG THE EAST LINE OF THE LAND DESCRIBED IN SAID RECEPTION NO. 2020041206, ALSO BEING THE WEST LINE OF THE LAND DESCRIBED IN DEED RECORDED IN THE DENVER CLERK AND RECORDER'S OFFICE AT BOOK 131, PAGE 215, S00°00'19"E, A DISTANCE OF 12.50 FEET;

THENCE ALONG THE NORTH LINE OF SAID EAST EVANS AVENUE, A LINE 30.00 FEET NORTH OF AND PARALLEL WITH SAID SOUTH LINE OF THE N1/2 NE1/4, S89°55'25"W, A DISTANCE OF 200.00 FEET TO THE POINT OF BEGINNING;

PARCEL CONTAINS 2,500 SQUARE FEET OR 0.06 ACRES, MORE OR LESS.

PARCEL DESCRIPTION ROW NO. 2022-DEDICATION-0000051-002:

LAND DESCRIPTION - STREET PARCEL NO. 2

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 6TH DAY OF FEBRUARY, 2023, AT RECEPTION NUMBER 2023008683 AND A SURVEYOR'S AFFIDAVIT OF CORRECTION RECORDED ON THE 2ND DAY OF JUNE, 2023, AT RECEPTION NUMBER 2023049488 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

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FOR THE PURPOSE OF THIS DESCRIPTION, THE WEST LINE OF THE NORTHEAST 1/4 OF SECTION 29, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN IS ASSUMED TO BEAR N00°02'25"W, MONUMENTED AT THE NORTH END BY A FOUND #8 REBAR IN RANGE BOX WITH 3.25" ALUMINUM CAP STAMPED "PLS 37601", AND MONUMENTED ON THE SOUTH END BY A FOUND 3.25" ALUMINUM CAP IN RANGE BOX, PLS ILLEGIBLE, ON WHICH ALL BEARINGS HEREON ARE BASED;

COMMENCING AT THE SOUTHWEST CORNER OF SAID NW1/4 NE1/4 OF SECTION 29;

THENCE ALONG THE SOUTH LINE OF THE N1/2 NE1/4 OF SAID SECTION 29, N89°55'25"E, A DISTANCE OF 70.00 FEET;

THENCE ALONG A LINE 70.00' EAST OF AND PARALLEL TO THE WEST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 29, N00°02'25"W, A DISTANCE OF 178.00 FEET TO A POINT ON THE SOUTH LINE OF THE ABANDONED R.O.W. OF THE COLORADO AND SOUTHERN RAILWAY COMPANY, ALSO BEING THE MOST WESTERLY SOUTHWEST CORNER OF SAID PROPERTY RECORDED AT RECEPTION NUMBER 2020041206, AND THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID PARALLEL LINE, N00°02'25"W, A DISTANCE OF 50.17 FEET;

THENCE ALONG THE NORTH LINE OF SAID PROPERTY RECORDED AT RECEPTION NUMBER 2020041206 AND THE CENTERLINE OF SAID ABANDONED R.O.W., S85°16'10"E, A DISTANCE OF 6.02 FEET;

THENCE ALONG A LINE 76.00 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 29, S00°02'25"E, A DISTANCE OF 50.17 FEET;

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PARCEL CONTAINS 301 SQUARE FEET OR 0.01 ACRES, MORE OR LESS.



After recording, return to:
Division of Real Estate
Attn: Jason Clements
City and County of Denver
201 West Colfax Avenue, Dept. 1010
Denver, Colorado 80202
Project Description: 2022-DEDICATION-0000051
Asset Mgmt No.: 23-016

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED (“Deed”), made as of this 19th day of October, 2022, by **COBBLESTONE DENVER PROPCO, LLC**, an Arizona limited liability company, whose address is 8900 East Bahia Drive, Suite 200, Scottsdale, AZ 85260, 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:

COBBLESTONE DENVER PROPCO, LLC, an Arizona limited liability company

By: [Signature]

Name: Tuck Bettin

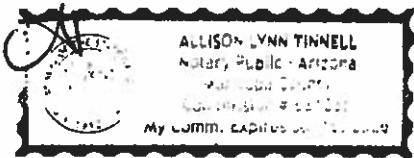
Its: CEO

STATE OF Arizona)
) ss.
COUNTY OF Maricopa)

The foregoing instrument was acknowledged before me this 24 day of October, 2022
by Tuck Bettin, as CEO of COBBLESTONE DENVER
PROPCO, LLC, an Arizona limited liability company.

Witness my hand and official seal.

My commission expires: July 16, 2026



[Signature]
Notary Public

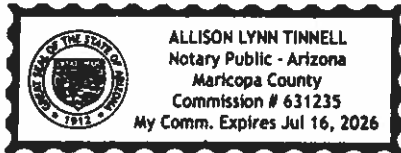


EXHIBIT A
LAND DESCRIPTION
SHEET 1 OF 4

PARCEL 1:

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LAND DESCRIPTION PREPARED BY AMY L. BACHER UNDER THE DIRECT SUPERVISION OF ROBERT E. HARRIS, PLS 37601, ON 9/14/2022.

Gillians

GILLIANS LAND CONSULTANTS
P.O. BOX 375
BENNETT, CO 80102
303-972-6640 www.gillianslc.com

JOB NO.: 21265
DRAWN: ALB
ISSUE DATE: 9/14/2022
FILE: 21265 EVANS

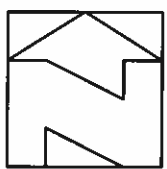
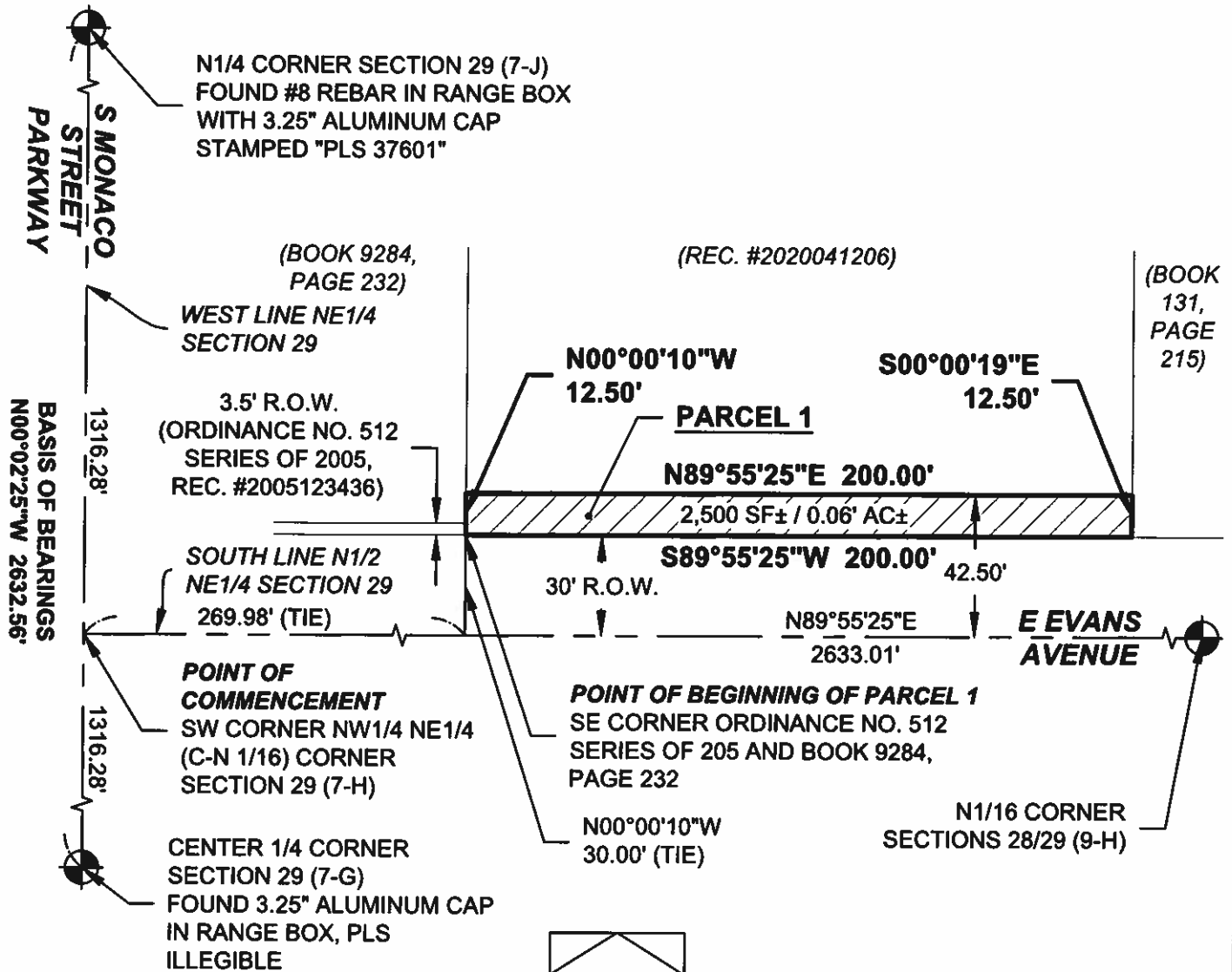
ROBERT E. HARRIS
COLORADO P.L.S. 37601
FOR & ON BEHALF OF
GILLIANS LAND CONSULTANTS



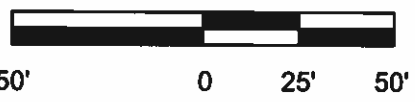
EXHIBIT A

ILLUSTRATION FOR PARCEL 1

SHEET 2 OF 4



SCALE: 1" = 50' US SURVEY FEET



THIS IS NOT A MONUMENTED LAND SURVEY, IMPROVEMENT SURVEY PLAT OR IMPROVEMENT LOCATION CERTIFICATE. IT IS INTENDED ONLY TO DEPICT THE ATTACHED PROPERTY DESCRIPTION.

EXHIBIT A

LAND DESCRIPTION

SHEET 3 OF 4

PARCEL 2:

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LAND DESCRIPTION PREPARED BY AMY L. BACHER UNDER THE DIRECT SUPERVISION OF ROBERT E. HARRIS, PLS 37601, ON 9/14/2022.

Gillians

GILLIANS LAND CONSULTANTS
P.O. BOX 375
BENNETT, CO 80102
303-972-6640 www.gillianslc.com

JOB NO.: 21265
DRAWN: ALB
ISSUE DATE: 9/14/2022
FILE: MONACO ROW

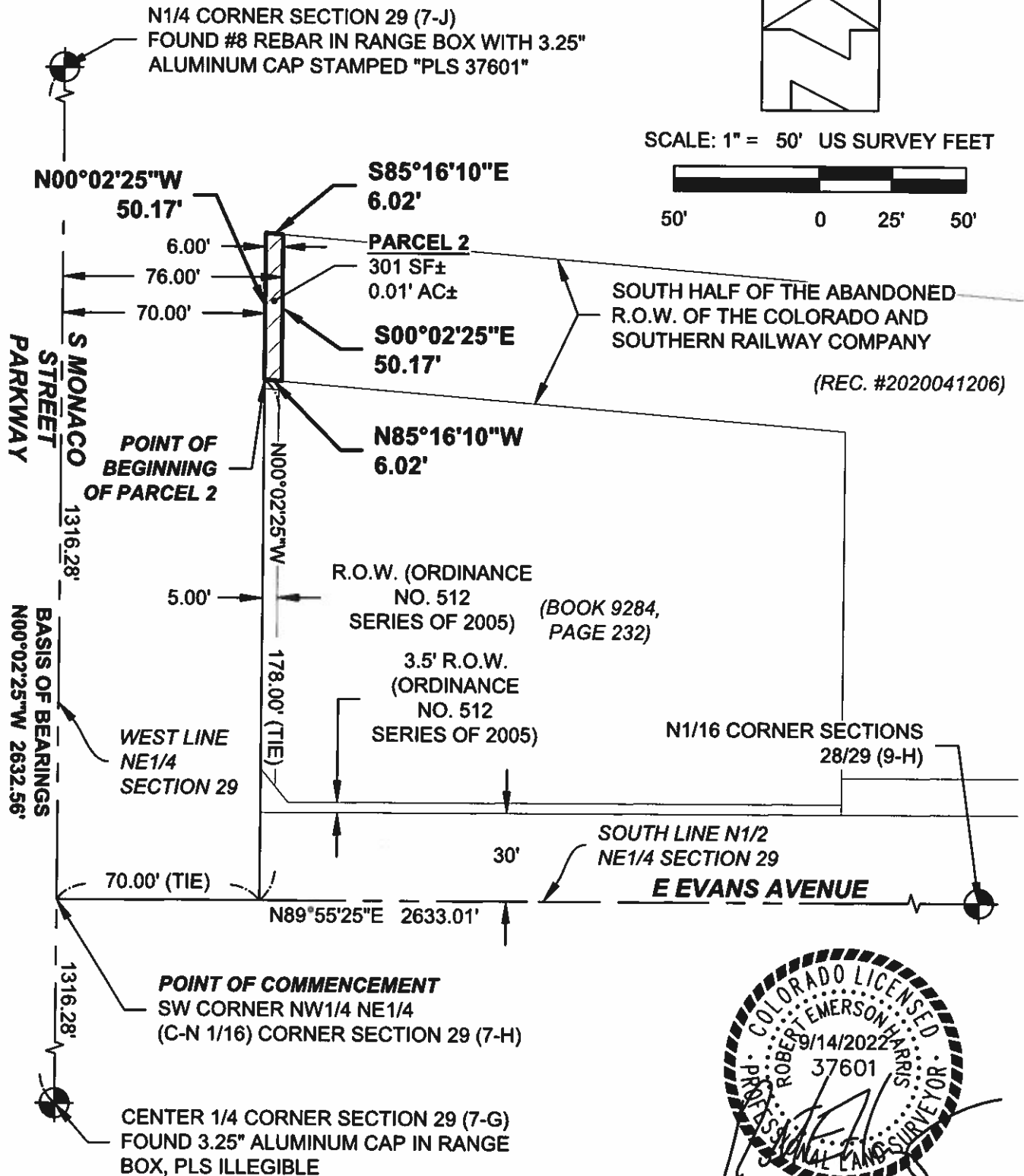
ROBERT E. HARRIS
COLORADO P.L.S. 37601
FOR & ON BEHALF OF
GILLIANS LAND CONSULTANTS



EXHIBIT A

ILLUSTRATION FOR PARCEL 2

SHEET 4 OF 4



THIS IS NOT A MONUMENTED LAND SURVEY, IMPROVEMENT SURVEY PLAT OR IMPROVEMENT LOCATION CERTIFICATE. IT IS INTENDED ONLY TO DEPICT THE ATTACHED PROPERTY DESCRIPTION.

State of Colorado)
)ss
County of LAKE)



2023049488
Page: 1 of 1
D \$0.00

Surveyor's Affidavit of Correction

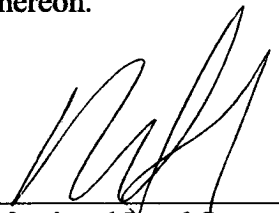
On this 5th day of April 2023, I Robert E. Harris, having no ownership interest in the after described lands, upon oath and under penalty of perjury, depose and say, as provided in CRS 38-51-111 as follows:

That I am a Licensed Professional Land Surveyor in the State of Colorado and prepared Exhibit A in Special Warranty Deed granted to the City and County of Denver, conveying a portion of the land described in Warranty Deed Recorded in the City & County Denver Clerk & Recorder's Office at Reception No. 2020041206, a tract of land situated in the Northeast ¼ of Section 29, Township 4 South, Range 67 West of the 6th Principal Meridian, said Special Warranty Deed having been recorded on the 6th day of February 2023, at Reception Number 2023008683, of the County Records.

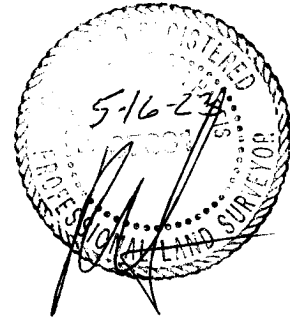
Affiant further states the bearing in the 8th paragraph of Sheet 1 of said Special Warranty Deed is incorrectly shown as S00°00'19"W. Said S00°00'19"W is hereby corrected to read as S00°00'19"E on the face of the plat. This correction meets the requirements of CRS 38-51-111 (2) (a).

Affiant further states that Exhibit A, Sheet 1, included with this Affidavit of Correction, correctly states all bearings shown on the original Exhibit A included with said Special Warranty Deed.

Affiant further states that the aforementioned Special Warranty Deed is hereby corrected to conform to the above-described descriptions in the same manner as if said descriptions had been recorded with the proper notations contained hereon.



Licensed Professional Land Surveyor
Colorado Registration Number 37601



Subscribed and sworn to before me this 16 day of May, 2023
My commission expires Nov 23, 2023

XYRA TUNAY
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID# 20204041236
MY COMMISSION EXPIRES NOV. 24, 2024


Notary Public