

REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

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

FROM: Matt R. Bryner, P.E., Director, Right-of-Way Services 
Matt R. Bryner (Sep 6, 2022 10:12 MDT)

DATE: September 2, 2022

ROW #: 2021-DEDICATION-0000033 **SCHEDULE #:** 1) 0629200384000, and 2) 0629200385000

TITLE: This request is to dedicate two City-owned parcels of land as 1) S. Monaco Street Pkwy., located at the intersection of S. Monaco Street Pkwy. and E. Evans Ave., and 2) E. Evans Ave., located at the intersection of E. Evans Ave. and S. Monaco Street Pkwy.

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) S. Monaco Street Pkwy., and 2) E. Evans Ave. 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, "NWC Monaco & Evans."

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) S. Monaco Street Pkwy., and 2) E. Evans Ave. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2021-DEDICATION-0000033-001, 002) HERE.

A map of the area to be dedicated is attached.

MB/TB/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, Zach Rothmier
Environmental Services, Andrew Ross
DOTI, Manager's Office, Alba Castro
DOTI, Manager's Office, Jason Gallardo
DOTI, Director, Right-of-Way Engineering Services, Matt Bryner
Department of Law, Maureen McGuire
Department of Law, Martin Plate
Department of Law, Deanne Durfee
Department of Law, Ivone Avila-Ponce
Department of Law, Uyen Tran
Department of Law, Stefanie Raph
DOTI Survey, Thomas Breitnauer
DOTI Ordinance
Owner: City and County of Denver
Project file folder 2021-DEDICATION-0000033

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: September 2, 2022

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 1) S. Monaco Street Pkwy., located at the intersection of S. Monaco Street Pkwy. and E. Evans Ave., and 2) E. Evans Ave., located at the intersection of E. Evans Ave. and S. Monaco Street Pkwy.

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:** 720-641-4842
- **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:** 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) S. Monaco Street Pkwy., and 2) E. Evans Ave. 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, "NWC Monaco & Evans."

****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:** S. Monaco Street Pkwy., and E. Evans Ave.
- 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: 2021-DEDICATION-0000033

Description of Proposed Project: Dedication of a parcel of land as Public Right-of-Way as 1) S. Monaco Street Pkwy., and 2) E. Evans 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 be dedicated as 1) S. Monaco Street Pkwy., and 2) E. Evans Ave.

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) S. Monaco Street Pkwy., and 2) E. Evans Ave., as part of a development project called, "NWC Monaco & Evans."

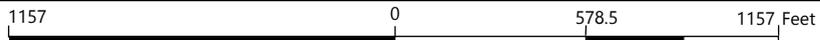


Parcel 001 to be dedicated

Parcel 002 to be dedicated

Legend

-  Well Restrictions
-  Barrier Restrictions
- Area Restrictions
 -  Liner
 -  Sheet Pile Wall Area
-  Streams
-  Irrigation Ditches Reconstruct (Gardeners)
-  Irrigation Ditches
-  Streets
-  Alleys
- Railroads
 -  Main
 -  Yard
 -  Spur
 -  Siding
 -  Interchange track
 -  Other
- Rail Transit Stations
 -  Existing
 -  Planned
-  Park-N-Ride Locations
-  Lakes
-  County Boundary
-  Parcels
- Parks
 -  All Other Parks; Linear
 -  Mountain Parks



PARCEL DESCRIPTION ROW NO. 2021-DEDICATION-000033-001:

LAND DESCRIPTION – STREET PARCEL #1:

THAT PARCEL OF LAND AS DESCRIBED IN EXHIBIT "A" IN SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 9TH DAY OF NOVEMBER 2021, AT RECEPTION NUMBER 2021209264 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

A PARCEL OF LAND BEING A PORTION OF BLOCK 19, UNIVERSITY ADDITION, IN THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, PER THE SPECIAL WARRANTY DEED RECORDED NOVEMBER 18, 2020 AT RECEPTION NO. 2020193155, IN THE OFFICE OF THE CLERK AND RECORDER FOR THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, LYING WITHIN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, IN SAID CITY, COUNTY AND STATE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER NORTH 1/16 CORNER OF SAID SECTION 29, FROM WHICH THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 29 BEARS, SOUTH 89°37'06" WEST, WITH ALL BEARINGS CONTAINED HEREIN BEING REFERENCED TO SAID SOUTH LINE;

THENCE ALONG THE EAST LINE OF SAID NORTHEAST 1/4 OF THE NORTHWEST 1/4, NORTH 00°24'34" WEST, A DISTANCE OF 51.01 FEET;

THENCE DEPARTING SAID EAST LINE, SOUTH 89°35'26" WEST, A DISTANCE OF 30.00 FEET TO THE EAST LINE OF BLOCK 19, SAID UNIVERSITY ADDITION AND THE POINT OF BEGINNING, ALSO BEING THE NORTHERLY LINE OF THAT PARCEL OF LAND DESCRIBED IN THE WARRANTY DEED RECORDED APRIL 15, 1997 AT RECEPTION NO. 9700047535 (INDEXED AS 1997047535) IN SAID OFFICE OF THE CLERK AND RECORDER;

THENCE ALONG SAID NORTHERLY LINE, SOUTH 51°43'33" WEST, A DISTANCE OF 10.13 FEET; THENCE DEPARTING SAID NORTHERLY LINE, NORTH 00°31'32" WEST, A DISTANCE OF 13.00 FEET;

THENCE NORTH 10°59'15" EAST, A DISTANCE OF 5.19 FEET TO A LINE PARALLEL WITH AND DISTANT 7.00 FEET WESTERLY FROM THE EAST LINE OF BLOCK 19, SAID UNIVERSITY ADDITION; THENCE ALONG SAID PARALLEL LINE, NORTH 00°24'34" WEST, A DISTANCE OF 176.07 FEET TO THE CENTERLINE OF THE ABANDONED 100-FOOT-WIDE COLORADO SOUTHERN RAILWAY COMPANY RIGHT-OF-WAY;

THENCE ALONG SAID CENTERLINE, SOUTH 85°41'00" EAST, A DISTANCE OF 7.02 FEET TO THE EAST LINE OF BLOCK 19, SAID UNIVERSITY ADDITION;

THENCE ALONG SAID EAST LINE, SOUTH 00°24'34" EAST, A DISTANCE OF 187.37 FEET TO THE POINT OF BEGINNING.

CONTAINS 1,348 SQUARE FEET OR 0.031 ACRES, MORE OR LESS.

PARCEL DESCRIPTION ROW NO. 2021-DEDICATION-000033-002:

LAND DESCRIPTION – STREET PARCEL #2:

THAT PARCEL OF LAND AS DESCRIBED IN EXHIBIT "A" IN SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 9TH DAY OF NOVEMBER 2021, AT RECEPTION NUMBER 2021209264 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

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THENCE ALONG SAID SOUTH LINE, SOUTH 89°37'06" WEST, A DISTANCE OF 130.01 FEET;

THENCE DEPARTING SAID SOUTH LINE, NORTH 00°22'54" WEST, A DISTANCE OF 30.00 FEET TO THE SOUTH LINE OF BLOCK 19, SAID UNIVERSITY ADDITION AND THE POINT OF BEGINNING;

THENCE ALONG SAID SOUTH LINE OF BLOCK 19, BEING THE NORTHERLY RIGHT-OF-WAY OF EAST EVANS AVENUE, A PUBLIC RIGHT-OF-WAY THAT VARIES, SOUTH 89°37'06" WEST, A DISTANCE OF 303.44 FEET TO THE SOUTHWEST CORNER OF PARCEL 1 AS DESCRIBED AT RECEPTION NO. 2020193155;

THENCE ALONG THE WEST LINE OF SAID PARCEL 1, NORTH 00°24'34" WEST, A DISTANCE OF 8.00 FEET TO A LINE PARALLEL WITH AND DISTANT 8.00 FEET NORTHERLY FROM THE SOUTH LINE OF BLOCK 19, SAID UNIVERSITY ADDITION;

THENCE ALONG SAID PARALLEL LINE, NORTH 89°37'06" EAST, A DISTANCE OF 339.90 FEET TO THE NORTHERLY LINE OF THAT PARCEL OF LAND DESCRIBED IN THE WARRANTY DEED RECORDED APRIL 15, 1997 AT RECEPTION NO. 9700047535 (INDEXED AS 1997047535) IN SAID OFFICE OF THE CLERK AND RECORDER;

THENCE ALONG THE NORTHERLY AND WESTERLY LINES OF SAID PARCEL THE FOLLOWING TWO (2) COURSES;

- 1) SOUTH 84°54'50" WEST, A DISTANCE OF 36.58 FEET;
- 2) SOUTH 00°24'34" EAST, A DISTANCE OF 5.00 FEET TO THE SOUTH LINE OF BLOCK 19, SAID UNIVERSITY ADDITION, AND THE POINT OF BEGINNING.

CONTAINS 2,482 SQUARE FEET OR 0.057 ACRES, MORE OR LESS.



11/09/2021 11:36 AM
City & County of Denver

R \$0.00

WD

2021209264

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
Project Description: 2021-Dedication-0000033
Asset Mgmt No.: 21-196

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED (“Deed”), made as of this 3rd day of NOVEMBER, 2021, by QUIKTRIP CORPORATION, a Oklahoma Corporation, whose address is 4705 S 129th East Ave., Tulsa, OK 74134, 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.

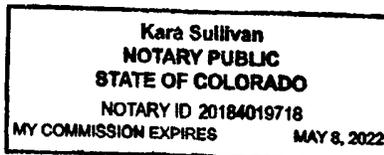
ATTEST:

QUIKTRIP CORPORATION, an Oklahoma Corporation,

By: [Signature]

Name: Troy C. DeVos

Its: Director of Real Estate



STATE OF COLORADO)
) ss.
 COUNTY OF Adams)

The foregoing instrument was acknowledged before me this 3rd day of November, 2021
 by Troy C. DeVos, as Director of Real Estate of QUIKTRIP CORPORATION, an Oklahoma
 Corporation,

Witness my hand and official seal.

My commission expires: May 8, 2022

Kara Sullivan
 Notary Public

EXHIBIT A**LAND DESCRIPTION PARCEL 1:**

2020-PROJMSTR-0000401-ROW-001

A PARCEL OF LAND BEING A PORTION OF BLOCK 19, UNIVERSITY ADDITION, IN THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, PER THE SPECIAL WARRANTY DEED RECORDED NOVEMBER 18, 2020 AT RECEPTION NO. 2020193155, IN THE OFFICE OF THE CLERK AND RECORDER FOR THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, LYING WITHIN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, IN SAID CITY, COUNTY AND STATE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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CONTAINS 1,348 SQUARE FEET OR 0.031 ACRES, MORE OR LESS.

LAND DESCRIPTION PARCEL 2:

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ALL AS SHOWN ON THE ILLUSTRATION ATTACHED HERETO, MADE A PART HEREOF.

JESUS A. LUGO, PLS 38081
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR
FOR AND ON BEHALF OF ALTURA LAND CONSULTANTS, LLC
6950 SOUTH TUCSON WAY, UNIT C
CENTENNIAL, COLORADO 80112

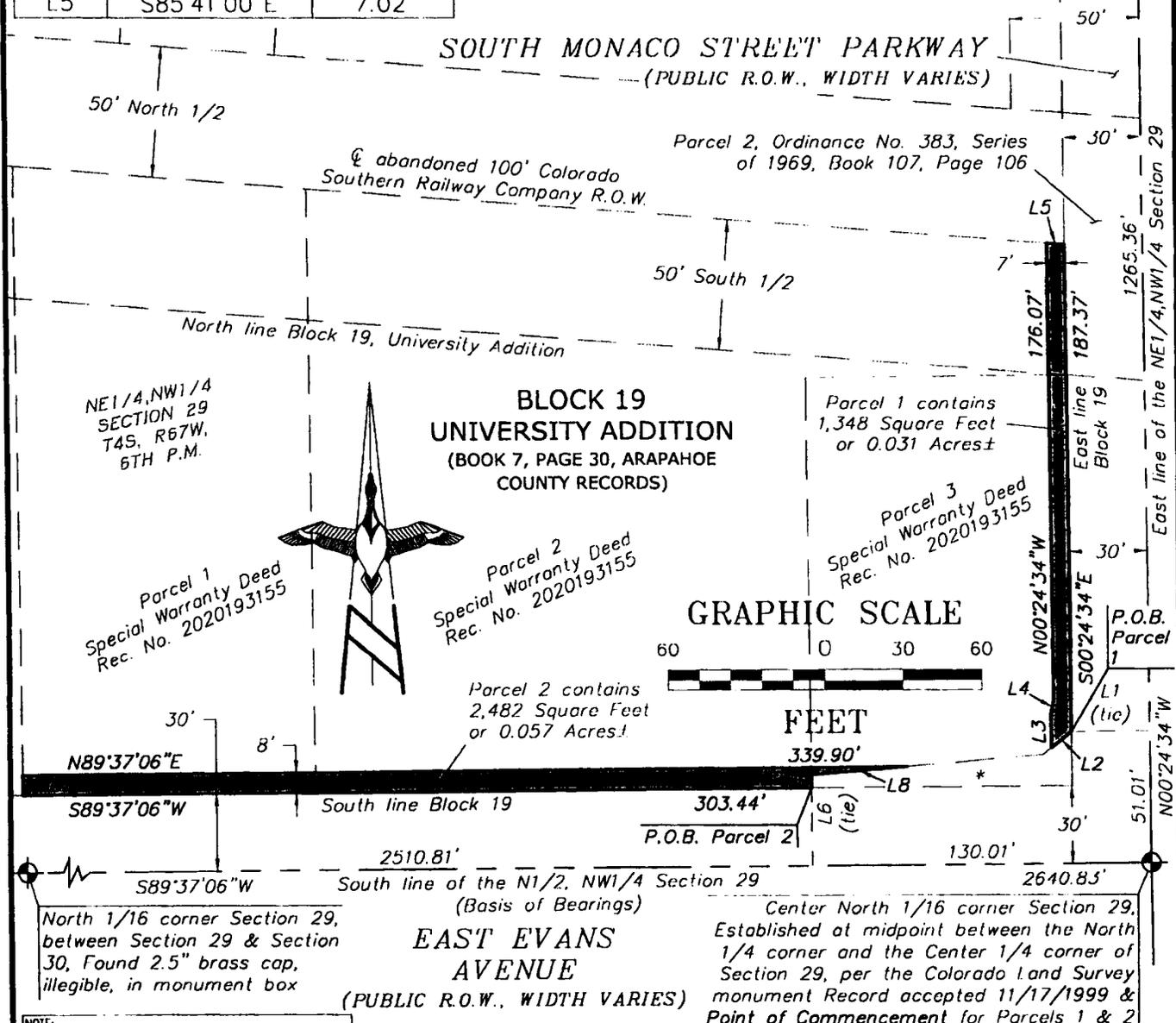
2020-PROJMSTR-0000401-ROW-001 & 002

ILLUSTRATION TO ACCOMPANY LAND DESCRIPTION

LINE TABLE

LINE	BEARING	LENGTH	LINE	BEARING	LENGTH
L1	S89°35'26"W	30.00'	L6	N00°22'54"W	30.00'
L2	S51°43'33"W	10.13'	L7	N00°24'34"W	8.00'
L3	N00°31'32"W	13.00'	L8	S84°54'50"W	36.58'
L4	N10°59'15"E	5.19'	L9	S00°24'34"E	5.00'
L5	S85°41'00"E	7.02'			

North 1/4 corner
Section 29,
Found 2"
aluminum cap
stamped "LS
30830 2002", in
monument box



NE 1/4, NW 1/4
SECTION 29
T4S, R67W,
6TH P.M.

**BLOCK 19
UNIVERSITY ADDITION**
(BOOK 7, PAGE 30, ARAPAHOE
COUNTY RECORDS)

Parcel 1 contains
1,348 Square Feet
or 0.031 Acres±

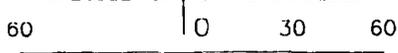
Parcel 1
Special Warranty Deed
Rec. No. 2020193155

Parcel 2
Special Warranty Deed
Rec. No. 2020193155

Parcel 3
Special Warranty Deed
Rec. No. 2020193155

Parcel 2 contains
2,482 Square Feet
or 0.057 Acres±

GRAPHIC SCALE



FEET

NOTE:
THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED LAND
SURVEY THE PURPOSE OF THIS EXHIBIT IS SOLELY TO
DEPICT THE ATTACHED PROPERTY DESCRIPTION.

* Denotes Warranty Deed at Reception No. 9700047535,
indexed in the Clerk & Recorder's records as 1997047535

ALTURA

SHEET 3 OF 3

JOB NO. 20438

DATE: 09/08/21

SCALE: 1" = 60'