



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: August 9, 2019

ROW #: 2018-Dedication-0000238 **SCHEDULE #:** 0226317011000

TITLE: This request is to dedicate parcels of land as Public Right of Way as Curtis St. and N. Downing St. Located near the intersection of 33rd St., N. Downing St. and Curtis 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 Curtis St. and N. Downing St. These parcels of land are being dedicated to the City and County of Denver for Public Right-of-Way, as part of the development project **(Curtis 33 Rowhomes)**

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 Curtis St. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2018-Dedication-0000238-001 & 002) HERE.

A map of the area to be dedicated is attached.

MB/JS/bv

cc: Dept. of Real Estate, Katherine Rinehart
City Councilperson & Aides, Candi CdeBaca District # 9
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, 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, Jon Spirk
Public Works Survey, Paul Rogalla
Public Works Ordinance
Owner: City and County of Denver
Project file folder 2018-Dedication-0000238

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: August 9, 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 parcels of land as Public Right of Way as Curtis St. and N. Downing St.
Located near the intersection of 33rd St., N. Downing St. and Curtis 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 Curtis St. and N. Downing St. These parcels of land is being dedicated to the City and County of Denver for Public Right-of-Way, as part of the development project (**Curtis 33 Rowhomes**)

****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:** 33rd St. and N. Downing St.
- d. **Affected Council District:** Dist. #9 Candi CdeBaca
- 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-0000238

Description of Proposed Project: Dedicate a parcel of land as public right of way as Curtis St. and N. 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

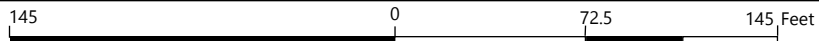
Will an easement relinquishment be submitted at a later date: N/A

Additional information: This land was deeded to the City and County of Denver for the purpose of dedicating it as Public Right-of-Way, as a part of a development project called Curtis 33 Rowhomes.



Legend

-  Well Restrictions
-  Barrier Restrictions
- Area Restrictions
 -  Liner
 -  Sheet Pile Wall Area
-  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
- Parks
 -  All Other Parks; Linear
 -  Mountain Parks



PW Legal Description 2018-Dedication-0000238-001

Parcels of land conveyed by Special Warranty Deed to the City and County of Denver, recorded on the 26th day of March 2019, at Reception No. 2019033496 in the City and County of Denver Clerk and Recorder's Office, State of Colorado, being more particularly described as follows:

A portion of Out Lot "D", Ford's Addition to Denver, situated in the Northwest Quarter of Section 26, Township 3 South, Range 68 West of the 6th Principle Meridian, City and County of Denver, State of Colorado being more particularly described as follows:

BEGINNING at the northerly most corner of said Out Lot "D";

THENCE S00°00'00"E along the easterly line of said Out Lot "D", a distance of 11.50 feet;

THENCE N45°07'44"W, a distance of 8.11 feet;

THENCE N44°52'34"E along the northwesterly line of said Out Lot "D", a distance of 8.15 feet to the POINT OF BEGINNING.

Containing 33 Square Feet, 0.001 Acres, more or less

together with

PW Legal Description 2018-Dedication-0000238-002

Parcels of land conveyed by Special Warranty Deed to the City and County of Denver, recorded on the 26th day of March 2019, at Reception No. 2019033496 in the City and County of Denver Clerk and Recorder's Office, State of Colorado, being more particularly described as follows:

A portion of Out Lot "D", Ford's Addition to Denver, situated in the Northwest Quarter of Section 26, Township 3 South, Range 68 West of the 6th Principle Meridian, City and County of Denver, State of Colorado being more particularly described as follows:

BEGINNING at the southerly most corner of said Out Lot "D";

THENCE N45°07'45"W along the southwesterly line of said Out Lot "D", a distance of 7.75 feet;

THENCE N44°58'16"E, a distance of 7.77 feet;

THENCE S00°00'00"E along the easterly line of said Out Lot "D", a distance of 10.96 feet to the POINT OF BEGINNING.

Containing 30 Square Feet, 0.001 Acres, more or less



2019033496

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 12TH day of MARCH, 2019, by **Curtis 33 LLC**, a Colorado limited liability company, whose address is 501 E. 1st Avenue, Denver, CO 80203, 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.

Asset Mgmt. #: 19-47
Project Description: 3301-3305 Downing
2018-Dedication - 0000238

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

ATTEST:

Curtis 33 LLC, a Colorado limited liability company

By: [Signature]

Name: MAT KINNER

Its: MANAGER

STATE OF Colorado)
) ss.
COUNTY OF Denver)

The foregoing instrument was acknowledged before me this 12 day of March, 2019 by Mat Kinner, as Manager of **Curtis 33 LLC**, a Colorado limited liability company.

Witness my hand and official seal.

My commission expires: 9-21-2020

MICHELE M. COLAIZZI
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID #19924012602
MY COMMISSION EXPIRES 09/21/2020

[Signature]
Notary Public

EXHIBIT A
SHEET 1 OF 2

PROPERTY DESCRIPTION
(3301 Downing Street, North)

A portion of Out Lot "D", Ford's Addition to Denver, situated in the Northwest Quarter of Section 26, Township 3 South, Range 68 West of the 6th Principle Meridian, City and County of Denver, State of Colorado being more particularly described as follows:

BEGINNING at the northerly most corner of said Out Lot "D";
THENCE S00°00'00"E along the easterly line of said Out Lot "D", a distance of 11.50 feet;
THENCE N45°07'44"W, a distance of 8.11 feet;
THENCE N44°52'34"E along the northwesterly line of said Out Lot "D", a distance of 8.15 feet
to the POINT OF BEGINNING.

Containing 33 Square Feet, 0.001 Acres, more or less



Randy Fortuin, PLS 27263
Date: January 28, 2019
Job No.: 17-2395
For and on Behalf of
CBM Surveys, Inc.
1418 South Addison Court
Aurora, Colorado
720-373-8376
cbmsurveys@comcast.net



CBM SURVEYS, INC.
LAND SURVEYING SERVICES

1418 S. Addison Ct.
Aurora, CO 80018
720-373-8376
cbmsurveys@comcast.net

EXHIBIT - A
SHEET 2 OF 2

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

CURTIS STREET (80' ROW)

LOT 1

BLOCK 54,
CASE & EBERT'S

LOT 2

N44°52'34"E

8.15'

S00°00'00"E

11.50'

N45°07'44"W

8.11'

33 Sq. Feet
0.001 Acres
More or Less

OUT LOT "D", FORD'S ADDITION TO DENVER

DOWNING STREET

33RD ST.



SCALE: 1" = 20'

SHEET 2 OF 2

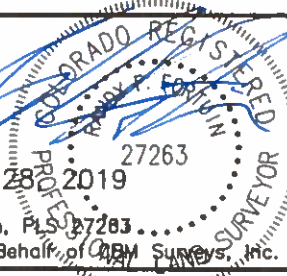
CBM



SURVEYS

January 28, 2019

Randy Fortuin, P.L.S. 27263
For and on Behalf of CBM Surveys, Inc.



APPROX. PROPERTY DESCRIPTION:

Northerly 33 square feet of
Outlot "D" Ford's Addition to Denver
City and County of Denver
State of Colorado.

N.W. 1/4 26-T3S-R68W

ADDRESS:

3301
Downing Street
Denver, Colorado

DATE: Jan. 28, 2019

DWG: 172395-DED-N


EXHIBIT B
SHEET 1 OF 2

PROPERTY DESCRIPTION
(3301 Downing Street, South)

A portion of Out Lot "D", Ford's Addition to Denver, situated in the Northwest Quarter of Section 26, Township 3 South, Range 68 West of the 6th Principle Meridian, City and County of Denver, State of Colorado being more particularly described as follows:

BEGINNING at the southerly most corner of said Out Lot "D";
THENCE N45°07'45"W along the southwesterly line of said Out Lot "D", a distance of 7.75 feet;
THENCE N44°58'16"E, a distance of 7.77 feet;
THENCE S00°00'00"E along the easterly line of said Out Lot "D", a distance of 10.96 feet to the POINT OF BEGINNING.

Containing 30 Square Feet, 0.001 Acres, more or less


Randy Fortuin, PLS 27263
Date: January 28, 2019
Job No.: 17-2395
For and on Behalf of
CBM Surveys, Inc.
1418 South Addison Court
Aurora, Colorado
720-373-8376
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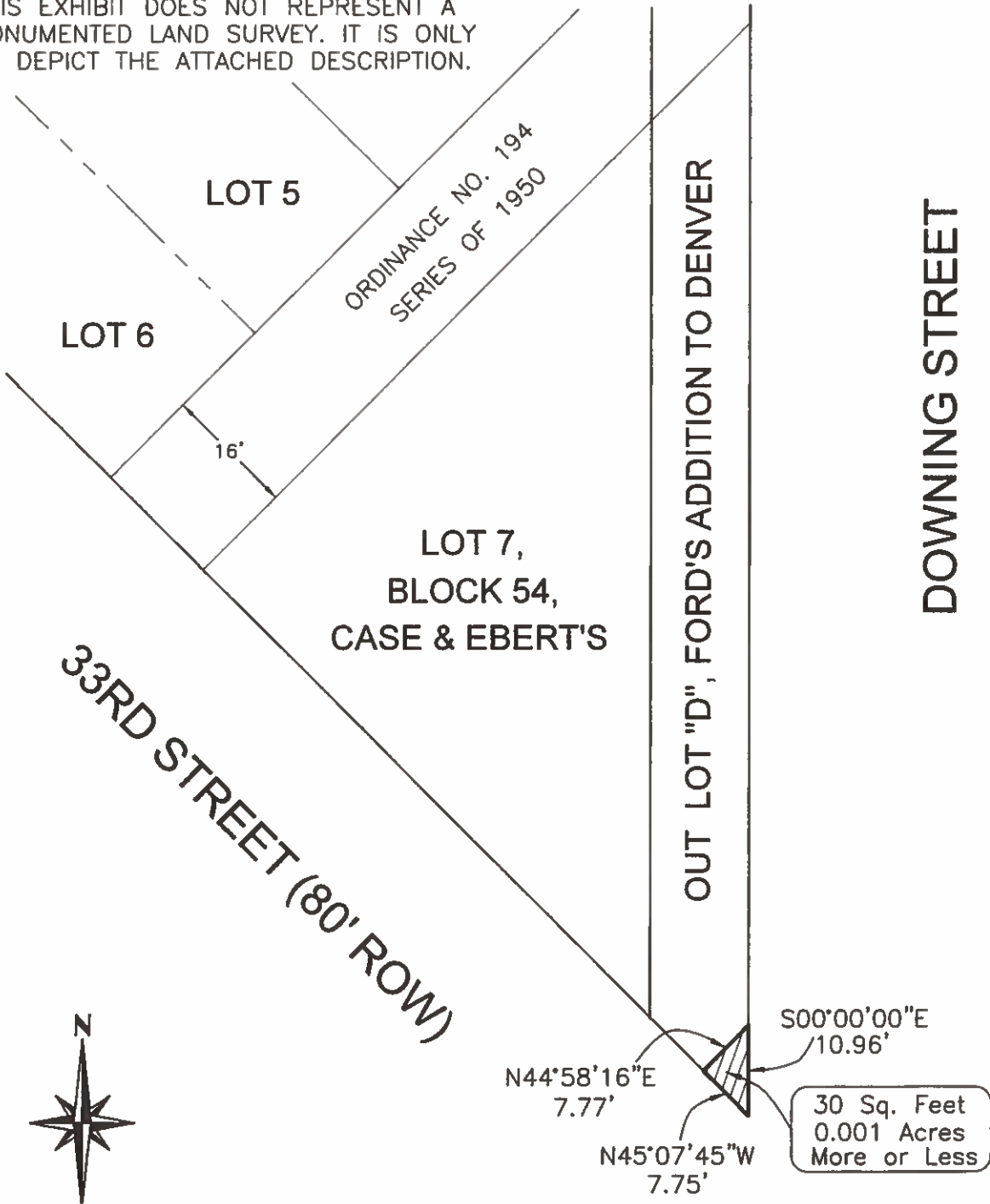


CBM SURVEYS, INC.
LAND SURVEYING SERVICES

1418 S. Addison Ct.
Aurora, CO 80018
720-373-8376
cbmsurveys@comcast.net

EXHIBIT - B
SHEET 2 OF 2

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



SCALE: 1" = 20'

SHEET 2 OF 2



Randy Fortuin, PLS 27263
 For and on Behalf of CBM Surveys, Inc.

APPROX. PROPERTY DESCRIPTION:

Southerly 30 square feet of
Outlot "D" Ford's Addition to Denver
City and County of Denver
State of Colorado.

N.W. 1/4 26-T3S-R68W

ADDRESS:
3301
Downing Street
Denver, Colorado

DATE: Jan. 28, 2019

DWG: 172395-DED-S