




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: August 14, 2023

ROW #: 2023-DEDICATION-0000059 **SCHEDULE #:** Adjacent to 0617400087000

TITLE: This request is to dedicate a City-owned parcel of land as Public Right-of-Way as South Monaco Street Parkway, located at the intersection of South Monaco Street Parkway and East Kentucky Avenue.

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 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, “Kentucky & Monaco.”

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 South Monaco Street Parkway. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2023-DEDICATION-0000059-001) HERE.

A map of the area to be dedicated is attached.

MB/BP/LRA

cc: Dept. of Real Estate, RealEstate@denvergov.org
City Councilperson, Amanda Sawyer District # 5
Councilperson Aide, Nicole Aviles
Councilperson Aide, Owen Brigner
Councilperson Aide, Logan Fry
Councilperson Aide, Juan Sipion
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 2023-DEDICATION-0000059

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: August 14, 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 a City-owned parcel of land as Public Right-of-Way as South Monaco Street Parkway, located at the intersection of South Monaco Street Parkway and East Kentucky Avenue.

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:** Demolition of existing commercial structure and build a new commercial building. The developer has been asked to dedicate a parcel of land as 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:** At the intersection of South Monaco Street Parkway and East Kentucky Avenue
- d. **Affected Council District:** Amanda Sawyer, District # 5
- 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: 2023-DEDICATION-0000059

Description of Proposed Project: Demolition of existing commercial structure and build a new commercial building. The developer has been asked to dedicate a parcel of land as 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 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

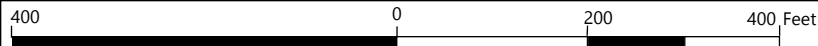
Will an easement relinquishment be submitted at a later date: N/A

Additional information: This land was deeded to the City and County of Denver for the purpose of dedicating it as South Monaco Street Parkway, as part of a development project called, "Kentucky & Monaco."



Legend

- Streets
- Alleys
- ▣ County Boundary
- ▭ Parcels



PARCEL DESCRIPTION ROW NO. 2023-DEDICATION-000059-001:

LAND DESCRIPTION – STREET PARCEL

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 1ST DAY OF AUGUST, 2023, AT RECEPTION NUMBER 2023071526 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEARINGS ARE BASED UPON THE WEST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 17 RELATIVE TO THE COLORADO COORDINATE SYSTEM OF 1983, CENTRAL ZONE. THE LINE BEARS SOUTH 00°24'04" EAST PER THE CITY AND COUNTY OF DENVER. THE LINE IS MONUMENTED AT THE SOUTH END BY A 2.5" ALUMINUM CAP IN MONUMENT BOX STAMPED RUSSELL 23519 2006. THE LINE IS MONUMENTED AT THE NORTH END BY A 2.5" ALUMINUM CAP IN MONUMENT BOX WITH ILLEGIBLE STAMPING. SAID ILLEGIBLE ALUMINUM CAP AT THE NORTH END IS WITNESSED BY A CHISELED CROSS BEARING NORTH 25°43' WEST, 47.39 FEET, A CHISELED CROSS BEARING NORTH 24°35' EAST, 57.01 FEET, A CHISELED CROSS BEARING SOUTH 19°22' EAST, 43.13 FEET AND A NO. 5 REBAR & 1.5" ALUM. CAP STAMPED LS 25369 BEARING SOUTH 44°17' WEST, 44.19 FEET AND IS SHOWN ON MONUMENT RECORD FILED 12/31/2016 BY PLS 20683.

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 17, AND CONSIDERING THE WEST LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER TO BEAR SOUTH 00°24'04" EAST;

THENCE NORTH 89°33'51" EAST ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER, A DISTANCE OF 69.00 FEET TO THE NORTHWEST CORNER OF THAT CERTAIN REAL PROPERTY DESCRIBED IN QUIT CLAIM DEED RECORDED JULY 1, 1997 IN THE OFFICE OF THE CITY AND COUNTY OF DENVER, COLORADO CLERK AND RECORDER AT RECEPTION NO. 9700084816, THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 89°33'51" EAST, A DISTANCE OF 6.50 FEET;

THENCE SOUTH 00°24'04" EAST, A DISTANCE OF 200.00 FEET;

THENCE SOUTH 89°33'51" WEST, A DISTANCE OF 6.50 FEET;

THENCE NORTH 00°24'04" WEST, A DISTANCE OF 200.00 FEET TO THE POINT OF BEGINNING,

CONTAINING 1,300 SQUARE FEET, OR 0.030 ACRES, MORE OR LESS.



After signing, return to:
 Division of Real Estate
 City and County of Denver
 201 West Colfax Avenue, Dept. 1010
 Denver, Colorado 80202
Project Description: 2023-DEDICATION-0000059
Asset Mgmt No.: 23-175

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED (“Deed”), made as of this 26th day of July, 2023, by **KG STORE 2338, L.L.C.**, an Iowa limited liability company, whose address is 1459 Grand Avenue, Des Moines, IA 50309, 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:

KG STORE 2338, L.L.C., an Iowa limited liability company

By: Robert Fiedig

Name: ROBERT FIEDIG

Its: REAL ESTATE MGR

STATE OF IOWA)

) ss.

COUNTY OF FOLK)

The foregoing instrument was acknowledged before me this 26 day of JULY, 2023 by ROBERT FIEDIG, as REAL ESTATE MGR of **KG STORE 2338, L.L.C.**, an Iowa limited liability company.

Witness my hand and official seal.

My commission expires: FEB. 13, 2026

[Signature]
Notary Public



Exhibit A

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LAND DESCRIPTION

A parcel of land located in the Southwest Quarter of the Southeast Quarter of Section 17, Township 4 South, Range 67 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado, more particularly described as follows:

Bearings are based upon the west line of the Southwest Quarter of the Southeast Quarter of Section 17 relative to the Colorado Coordinate System of 1983, Central Zone. The line bears South $00^{\circ}24'04''$ East per the City and County of Denver. The line is monumented at the south end by a 2.5" aluminum cap in monument box stamped RUSSELL 23519 2006. The line is monumented at the north end by a 2.5" aluminum cap in monument box with illegible stamping. Said illegible aluminum cap at the north end is witnessed by a chiseled cross bearing North $25^{\circ}43'$ West, 47.39 feet, a chiseled cross bearing North $24^{\circ}35'$ East, 57.01 feet, a chiseled cross bearing South $19^{\circ}22'$ East, 43.13 feet and a No. 5 Rebar & 1.5" Alum. Cap stamped LS 25369 bearing South $44^{\circ}17'$ West, 44.19 feet and is shown on monument record filed 12/31/2016 by PLS 20683.

Commencing at the northwest corner of said Southwest Quarter of the Southeast Quarter of Section 17, and considering the west line of said Southwest Quarter of the Southeast Quarter to bear South $00^{\circ}24'04''$ East;

Thence North $89^{\circ}33'51''$ East along the north line of said Southwest Quarter of the Southeast Quarter, a distance of 69.00 feet to the northwest corner of that certain real property described in Quit Claim Deed recorded July 1, 1997 in the office of the City and County of Denver, Colorado Clerk and Recorder at Reception No. 9700084816, the Point of Beginning;

Thence continuing North $89^{\circ}33'51''$ East, a distance of 6.50 feet;

Thence South $00^{\circ}24'04''$ East, a distance of 200.00 feet;

Thence South $89^{\circ}33'51''$ West, a distance of 6.50 feet;

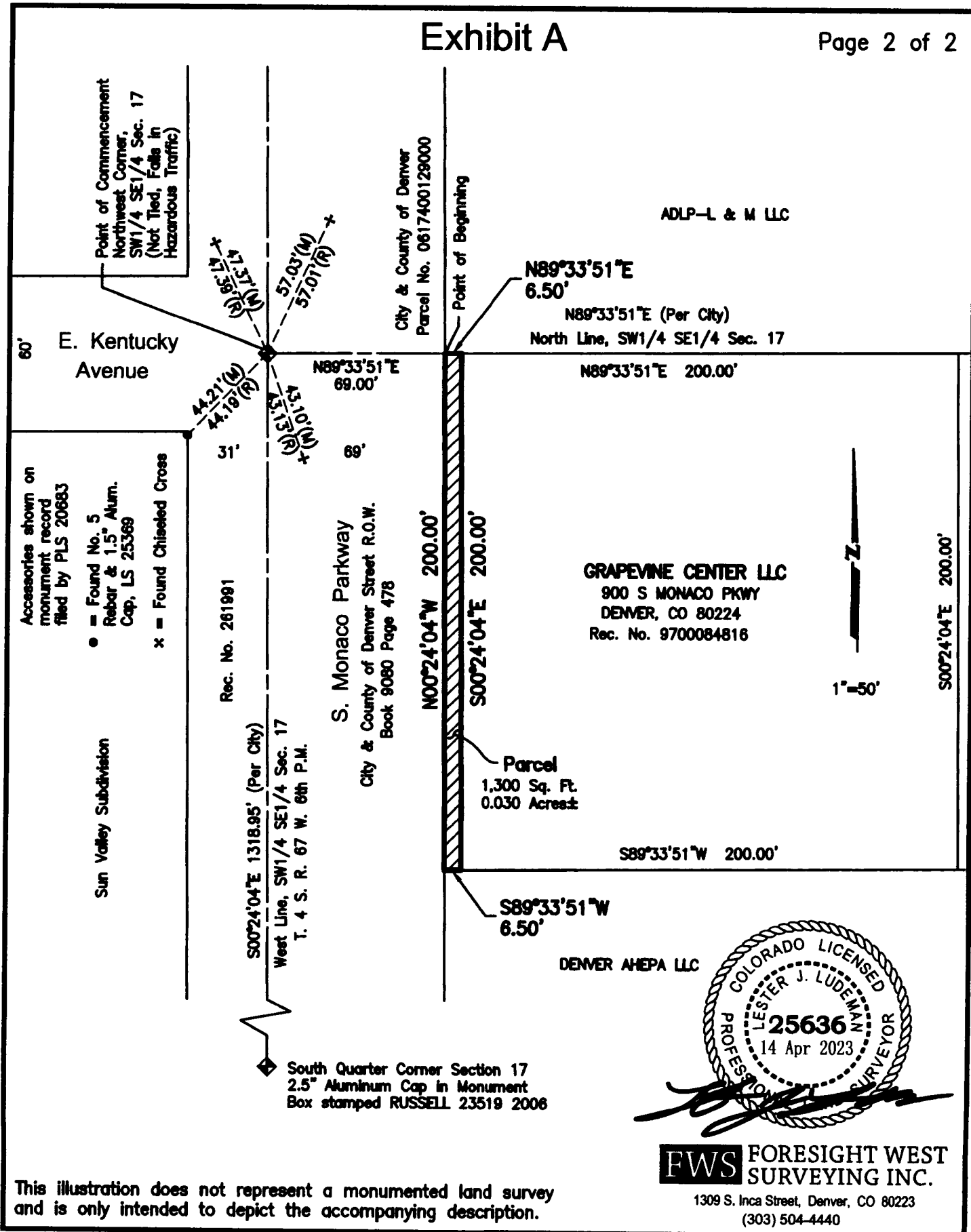
Thence North $00^{\circ}24'04''$ West, a distance of 200.00 feet to the Point of Beginning,

containing 1,300 Square Feet, or 0.030 Acres, more or less.

Authored by Lester J. Ludeman, PLS 25636
1309 S. Inca Street, Denver, CO 80223
(303) 504-4440



Exhibit A



This illustration does not represent a monumented land survey and is only intended to depict the accompanying description.