

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
Matt R. Bryner (Sep 8, 2022 13:04 MDT)

DATE: September 7, 2022

ROW #: 2021-DEDICATION-0000103 **SCHEDULE #:** Adjacent to 1) 0227113049000 and
0227113036000 and 2) 0227113048000

TITLE: This request is to dedicate two City-owned parcels of land as 1) Public Alley, bounded by Wynkoop St., 36th St., N. Brighton Blvd., and 35th St., and 2) Public Alley, bounded by N. Brighton Blvd., 35th St., Wynkoop St., and 36th 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 1) Public Alley, and 2) Public Alley. 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, "35th & Wynkoop."

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) Public Alley, and 2) Public Alley. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2021-DEDICATION-0000103-001, 002) HERE.

A map of the area to be dedicated is attached.

MB/SC/LRA

cc: Dept. of Real Estate, RealEstate@denvergov.org
City Councilperson, Candi CdeBaca District # 9
Councilperson Aide, Liz Stalnaker
Councilperson Aide, Ashlee Wedgeworth
Councilperson Aide, Jessica Zender
Councilperson Aide, Brea Zeise
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, Scott Castaneda
DOTI Ordinance
Owner: City and County of Denver
Project file folder 2021-DEDICATION-0000103

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: September 7, 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) Public Alley, bounded by Wynkoop St., 36th St., N. Brighton Blvd., and 35th St., and 2) Public Alley, bounded by N. Brighton Blvd., 35th St., Wynkoop St., and 36th St.

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:** 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) Public Alley, and 2) Public Alley. 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, "35th & Wynkoop."

****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:** Bounded by Wynkoop St., 36th St., N. Brighton Blvd., and 35th St.
- d. **Affected Council District:** Candi CdeBaca District # 9
- 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-0000103

Description of Proposed Project: Dedication of a parcel of land as Public Right-of-Way as 1) Public Alley, and 2) Public Alley.

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) Public Alley, and 2) Public Alley.

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

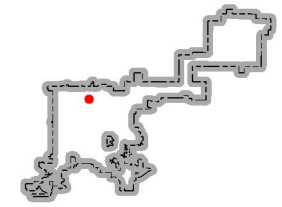
What is the known duration of a MEP: N/A

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) Public Alley, and 2) Public Alley, as part of a development project called, "35th & Wynkoop."

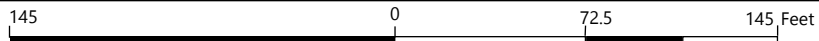


Parcel 002 to be dedicated

Parcel 001 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
-  Bridges
- Rail Transit Stations
 -  Existing
 -  Planned
-  Park-N-Ride Locations
-  Lakes
-  County Boundary
-  Parcels
-  Lots/Blocks
- Parks
 -  All Other Parks; Linear
 -  Mountain Parks



PARCEL DESCRIPTION ROW NO. 2021-DEDICATION-0000103-001:

LAND DESCRIPTION - ALLEY PARCEL #1:

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 4TH DAY OF MARCH, 2022, AT RECEPTION NUMBER 2022029885 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

A PORTION OF LOTS 13, 20, AND 21, BLOCK 6, FIRST ADDITION TO IRONTON, LYING WITHIN THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EASTERLY MOST CORNER OF SAID LOT 20, SAID POINT ALSO BEING A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF WYNKOOP STREET, AN 80-FOOT WIDE PUBLIC RIGHT-OF-WAY;
THENCE ALONG SAID RIGHT-OF-WAY LINE AND THE SOUTHEASTERLY LINE OF SAID LOT 20, SOUTH 44°34'37" WEST, A DISTANCE OF 20.00 FEET;
THENCE ALONG A LINE 10-FEET NORTHERLY OF AND PARALLEL WITH THE SOUTHWESTERLY LINE OF SAID LOT 20, NORTH 45°26'19" WEST, A DISTANCE OF 125.09 FEET TO A POINT ON THE NORTHWESTERLY LINE OF SAID LOT 20 AND SAME BEING THE SOUTHEASTERLY LINE OF A 20-FOOT PUBLIC ALLEY;
THENCE ALONG SAID LINES, NORTH 44°35'06" EAST, A DISTANCE OF 36.00 FEET;
THENCE DEPARTING SAID LINES, SOUTH 06°46'10" EAST, A DISTANCE OF 25.61 FEET TO A POINT ON THE NORTHEASTERLY LINE OF SAID LOT 20;
THENCE ALONG SAID NORTHEASTERLY LINE, SOUTH 45°26'19" EAST, A DISTANCE OF 105.09 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 2,662 SQUARE FEET OF 0.061 ACRE OF LAND.

TOGETHER WITH

PARCEL DESCRIPTION ROW NO. 2021-DEDICATION-0000103-002:

LAND DESCRIPTION - ALLEY PARCEL #2:

BEGINNING AT THE EASTERLY CORNER OF SAID LOT 13;
THENCE ALONG THE SOUTHEASTERLY LINE OF LOT 13, SAME BEING THE NORTHWESTERLY LINE OF A 20-FOOT PUBLIC ALLEY, SOUTH 44°35'06" WEST, A DISTANCE OF 20.00 FEET;
THENCE DEPARTING SAID LINES, ALONG A LINE 5-FEET NORTHERLY OF AND PARALLEL WITH THE SOUTHWESTERLY LINE OF SAID LOT 13, NORTH 45°26'19" WEST, A DISTANCE OF 4.00 FEET;
THENCE ALONG A LINE 4-FEET NORTHERLY AND PARALLEL WITH THE SOUTHEASTERLY LINE OF SAID LOT 13, NORTH 44°35'06" EAST, A DISTANCE OF 20.00 FEET TO A POINT ON THE NORTHEASTERLY LINE OF SAID LOT 13;
THENCE ALONG SAID LINE, SOUTH 45°26'19" EAST, A DISTANCE OF 4.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 80 SQUARE FEET OF 0.001 ACRE OF LAND.

THE BASIS OF BEARINGS FOR THIS LEGAL DESCRIPTION IS BASED ON THE 15.75' RANGE LINE IN 35TH STREET BETWEEN BRIGHTON BOULEVARD AND WYNKOOP STREET AS MONUMENTED AT THE NORTHWEST END BY A 2-1/2" ALUMINUM CAP IN RANGE BOX STAMPED "LS 29425" AND AT THE SOUTHEAST END BY A YELLOW PLASTIC CAP MARKED "LS 16845". SAID LINE BEARS SOUTH 45°26'37" EAST.



03/04/2022 11:02 AM
City & County of Denver

R \$0.00

WD

2022029885

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-0000103
Asset Mgmt No.: 22-017

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED (“Deed”), made as of this 27th day of January, 2022, by **DENVER SPRING INVESTORS, LLC**, a Colorado limited liability company, whose address is 1430 Larimer St. Suite 302, Denver, CO 80202, 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:

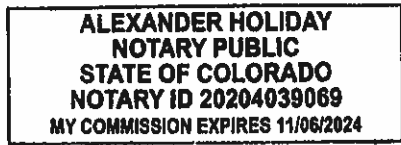
DENVER SPRING INVESTORS, LLC, a Colorado limited liability company

By: James Roupp

Name: JAMES ROUPP

Its: MANAGER

STATE OF Colorado)
) ss.
COUNTY OF Denver)



The foregoing instrument was acknowledged before me this 27th day of January, 2022
by James Roupp, as _____ of DENVER SPRING INVESTORS,
LLC, a Colorado limited liability company.

Witness my hand and official seal.

My commission expires: 11/6/24

Alexander Holiday
Notary Public

EXHIBIT A
LAND DESCRIPTION

A PORTION OF LOTS 13, 20, AND 21, BLOCK 6, FIRST ADDITION TO IRONTON, LYING WITHIN THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL A

BEGINNING AT THE EASTERLY MOST CORNER OF SAID LOT 20, SAID POINT ALSO BEING A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF WYNKOOP STREET, AN 80-FOOT WIDE PUBLIC RIGHT-OF-WAY;

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THENCE ALONG SAID NORTHEASTERLY LINE, SOUTH 45°26'19" EAST, A DISTANCE OF 105.09 FEET TO THE POINT OF BEGINNING;

SAID PARCEL CONTAINS 2,662 SQUARE FEET OF 0.061 ACRE OF LAND.

TOGETHER WITH

PARCEL B

BEGINNING AT THE EASTERLY CORNER OF SAID LOT 13;

THENCE ALONG THE SOUTHEASTERLY LINE OF LOT 13, SAME BEING THE NORTHWESTERLY LINE OF A 20-FOOT PUBLIC ALLEY, SOUTH 44°35'06" WEST, A DISTANCE OF 20.00 FEET;

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THENCE ALONG A LINE 4-FEET NORTHERLY AND PARALLEL WITH THE SOUTHEASTERLY LINE OF SAID LOT 13, NORTH 44°35'06" EAST, A DISTANCE OF 20.00 FEET TO A POINT ON THE NORTHEASTERLY LINE OF SAID LOT 13;

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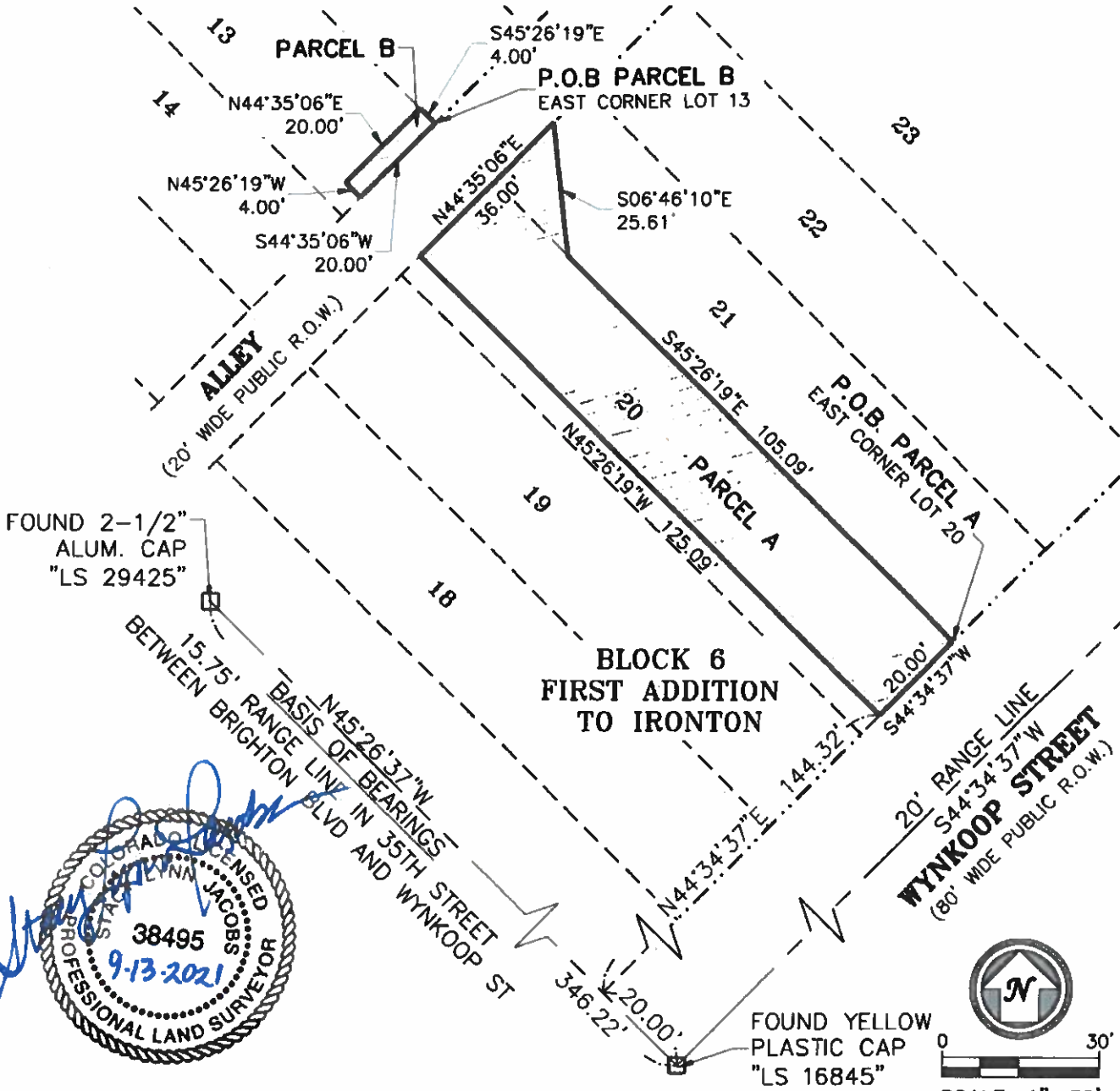
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STACY LYNN JACOBS, PLS
COLORADO REG. NO. 38495
FOR, AND ON BEHALF OF:
R&R ENGINEERS-SURVEYORS, INC.
PROJ. NO. JN20151

EXHIBIT TO ACCOMPANY LAND DESCRIPTION

A PORTION OF BLOCK 6, FIRST ADDITION TO IRONTON
 LOCATED IN THE SOUTHWEST QUARTER OF SECTION 23, T.3S., R.68W., 6TH P.M.,
 CITY AND COUNTY OF DENVER, STATE OF COLORADO



FOUND 2-1/2"
 ALUM. CAP
 "LS 29425"



SCALE: 1"=30'

NOTE
 THIS DRAWING IS MEANT TO DEPICT THE ATTACHED LEGAL DESCRIPTION AND IS FOR INFORMATIONAL PURPOSES ONLY. IT DOES NOT REPRESENT A MONUMENTED LAND SURVEY.

PARCEL CONTAINS 2,741 SQ. FT. OR 0.083 ACRE

R.O.W. DEDICATION		Sheet
Date:	2021/05/04	3 of 3
Drawn:	PTM	
Checked:	SLJ	
Job No.:	JN21051	



R&R ENGINEERS-SURVEYORS, INC.
 1635 W. 13TH AVENUE, SUITE 310
 DENVER, COLORADO 80204
 PH: 303-753-6730
 WWW.RRENGINEERS.COM