



REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Stan Lechman, City Attorney's Office
FROM: Robert J. Duncanson P.E., Engineering Manager II
Right-of-Way Services
DATE: September 24, 2015
ROW #: 2015-Dedication-0000030 **SCHEDULE #:** 0525308027000

TITLE: This request is to dedicate a parcel of land as Public Right of Way as E. Harvard Ave. Located at the intersection of S. University Blvd. and E. Harvard Ave.

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 E. Harvard Ave. This parcel(s) of land is being dedicated to the City and County of Denver for Public Right-of-Way, as part of the development project (2460 S. University)

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 E. Harvard Ave. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2015-Dedication-0000030-001) HERE.

A map of the area to be dedicated is attached.

RD/JC/BLV

cc: Asset Management, Steve Wirth
City Councilperson & Aides, Paul Kashmann District # 6
Council Aide Val Kerns
Council Aide Brent Fahrberger
City Council Staff, Shelley Smith
Environmental Services, David Erickson
Public Works, Manager's Office, Alba Castro
Public Works, Manager's Office, Angela Casias
Public Works, Right-of-Way Engineering Services, Rob Duncanson
Department of Law, Karen Aviles
Department of Law, Brent Eisen
Department of Law, Stan Lechman
Department of Law, Adam Hernandez
Department of Law, Angela Garcia
Public Works Survey, John Clark
Public Works Survey, Paul Rogalla
Owner: City and County of Denver
Project file folder 2015-Dedication-0000030

ORDINANCE/RESOLUTION REQUEST

Please email requests to Angela Casias
at angela.casias@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 24, 2015

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 a parcel of land as Public Right of Way as E. Harvard Ave.
Located at the intersection of S. University Blvd. and E. Harvard Ave.

3. Requesting Agency: Public Works – Right-of-Way Services / 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: Angela Casias
- Phone: 720-913-8529
- Email: Angela.Casias@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 E. Harvard Ave. This parcel(s) of land is being dedicated to the City and County of Denver for Public Right-of-Way, as part of the development project (2460 S. University)

****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. University Blvd. and E. Harvard Ave.
- d. Affected Council District: Paul Kashmann Dist. 6
- e. Benefits: N/A
- f. Contract Amount (indicate amended amount and new contract total): N/A

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: 2015-Dedication-0000030, 2460 S. University Blvd

Description of Proposed Project: Dedicate a parcel of public right of way as E. Harvard 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 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 to dedicate it as Public Right-of-Way, as a part of a development project called, 2460 S. University Blvd.



Protecting the Present & Building the Future
Accountability, Innovation, Empowerment, Performance, Integrity,
Diversity, Teamwork, Respect, Excellence, Safety

A PARCEL OF LAND CONVEYED BY WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 14TH DAY OF SEPTEMBER, 2015, AT RECEPTION NUMBER 2015128900 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, ALSO BEING DESCRIBED AS FOLLOWS:

A CERTAIN PORTION OF LOT 24, BLOCK 8, AS SHOWN ON THE PLAT OF ILIFF'S UNIVERSITY ADDITION, IN THE OLD COUNTY OF ARAPAHOE, STATE OF COLORADO, RECORDED DECEMBER 16, 1890 IN BOOK 11, AT PAGE 10, IN THE OFFICE OF THE CLERK AND RECORDER OF OLD ARAPAHOE COUNTY, STATE OF COLORADO, SITUATED IN THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE NOW COUNTY OF DENVER AND STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 24, AND CONSIDERING THE WESTERLY BOUNDARY OF SAID LOT 24 TO BEAR NORTH 00°00'51" EAST, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE ALONG SAID WESTERLY BOUNDARY, ALSO BEING THE EASTERLY RIGHT-OF-WAY OF S. UNIVERSITY BOULEVARD, NORTH 00°00'51" EAST, A DISTANCE OF 4.00 FEET TO A LINE PARALLEL WITH AND 4.00 FEET NORTHERLY, MEASURED AT RIGHT ANGLES, FROM THE SOUTHERLY BOUNDARY OF SAID LOT 24;

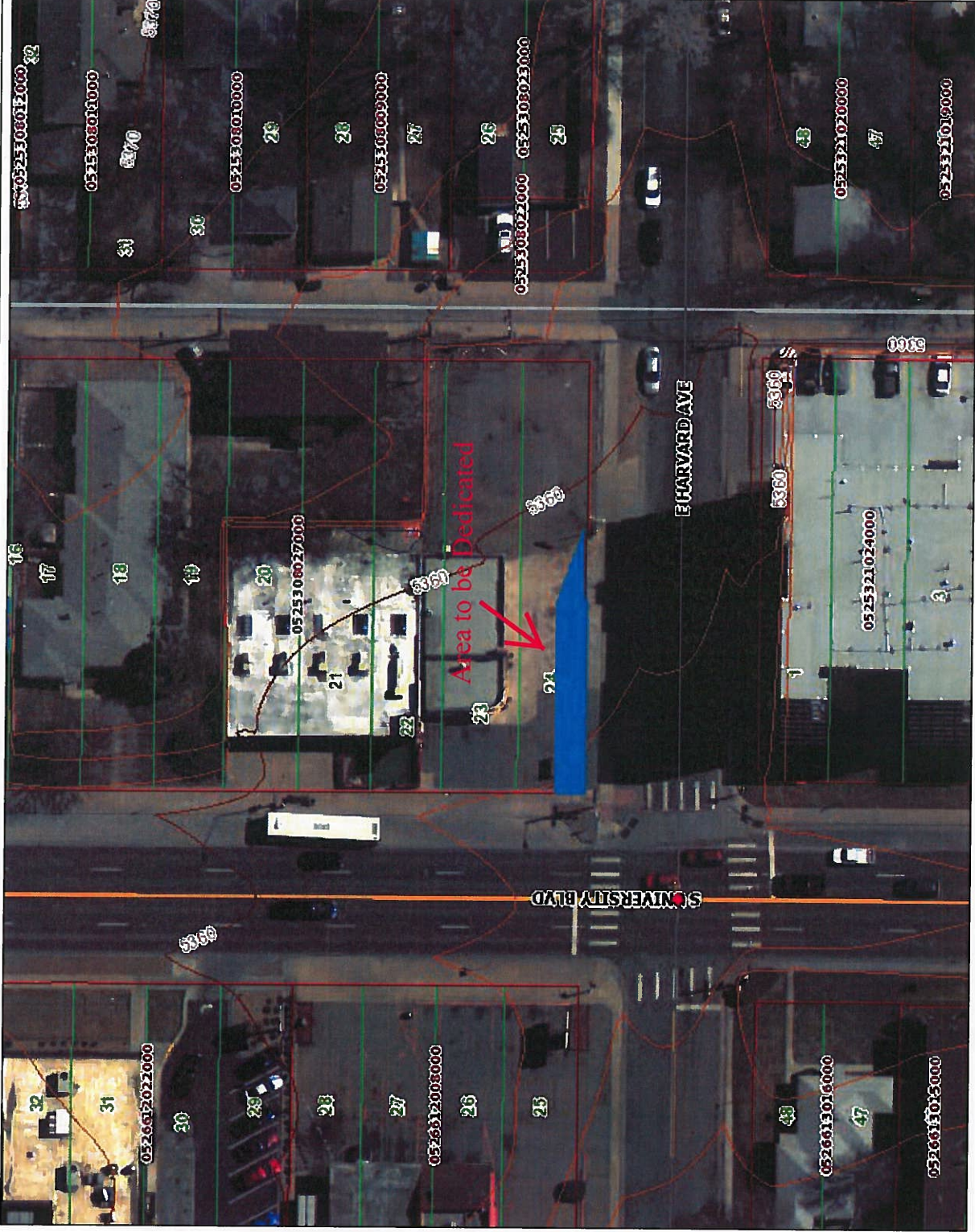
THENCE DEPARTING SAID WESTERLY BOUNDARY AND EASTERLY RIGHT-OF-WAY ALONG SAID PARALLEL LINE, SOUTH 89°58'21" EAST, A DISTANCE OF 51.83 FEET;

THENCE DEPARTING SAID PARALLEL LINE, SOUTH 80°52'56" EAST, A DISTANCE OF 25.32 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF SAID LOT 24, ALSO BEING THE NORTHERLY RIGHT-OF-WAY OF HARVARD AVENUE;

THENCE ALONG SAID SOUTHERLY BOUNDARY AND NORTHERLY RIGHT-OF-WAY, NORTH 89°58'21" WEST, A DISTANCE OF 76.82 FEET TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 0.006 ACRE, (257 SQUARE FEET), MORE OR LESS.

S University and Harvard



102

0 51 102 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere
© City and County of Denver

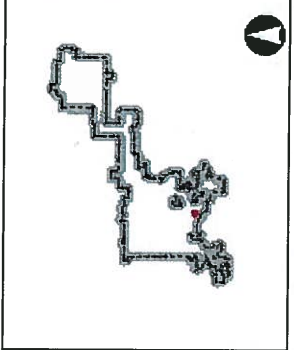
1: 795

Map Generated 9/23/2015

The City and County of Denver shall not be liable for damages of any kind arising out of the use of this information. The information is provided "as is" without warranty of any kind, express or implied, including, but not limited to, the fitness for a particular use.

THIS IS NOT A LEGAL DOCUMENT.

Legend	
	Parcels
	Schedule Numbers
	Streams
	Index Contour
	Index Depression Contour
	Intermediate Contour
	Intermediate Depression Contour
	Irrigation Ditches Reconstruct (Gardens)
	Irrigation Ditches
	Buildings
	Streets
	ARTERIAL
	COLLECTOR
	LOCAL
	Alleys
	Railroads
	Bridges
	Main
	Yard
	Spur
	Siding
	Interchange track
	Other
	Rail Transit Stations
	Park-N-Ride Locations Existing
	Planned
	Lakes
	Existing
	Planned





09/14/2015 01:56 PM
City & County of Denver

R \$0.00

WD

2015128900

Page: 1 of 4

D \$0.00

SPECIAL WARRANTY DEED

THIS DEED, is dated September 10, 2015, and is made between University Development, LLC

, the "Grantor,"

a corporation duly organized and existing under and by virtue of the laws of the State of Delaware and CITY & COUNTY OF DENVER, a Colorado municipal corporation and home rule city

(whether one, or more than one), the "Grantee," whose legal address is 1437 Bannock St., Denver, Colorado 80202

of the * City and County of Denver and State of Colorado

WITNESS, that the Grantor, for and in consideration of the sum of TEN DOLLARS and other good and valuable consideration (\$ 10.00), the receipt and sufficiency of which is hereby acknowledged, hereby grants, bargains, sells, conveys and confirms unto the Grantee and the Grantee's heirs and assigns forever, all the real property, together with any improvements thereon, located in the City and County of Denver and State of Colorado, described as follows:

FOR LEGAL DESCRIPTIONS SEE EXHIBITS "A" ATTACHED HERETO AND MADE A PART OF THIS GENERAL WARRANTY DEED.

also known by street address as: VACANT LAND and assessor's schedule or parcel number:

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, the reversions, remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the Grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the Grantee and the Grantee's heirs and assigns forever. The Grantor, for itself and its successors and assigns, does covenant and agree that the Grantor shall and will **WARRANT THE TITLE AND DEFEND** the above described premises, *but not any adjoining vacated street or alley*, if any, in the quiet and peaceable possession of the Grantee and the heirs and assigns of the Grantee, against all and every person or persons claiming the whole or any part thereof, by, through or under the Grantor except and subject to: none; or the following matters:

This conveyance is made subject to all instruments affecting the subject property which are recorded in the public real estate records of Denver County, Colorado.

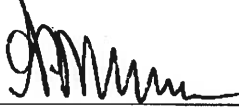
Asset Mgmt. #: 15-145

Approved Asset Management: Date: 9-14-15

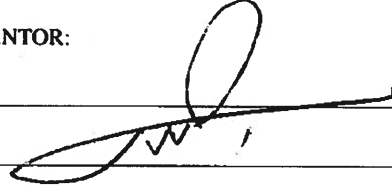
2460 S. UNIVERSITY

IN WITNESS WHEREOF, the Grantor has caused its corporate name to be hereunto subscribed by its president, vice-president, or other head officer, and its corporate seal to be affixed, attested by its secretary or other appropriate officer, on the date set forth above.

ATTEST:



GRANTOR:



Its: Secretary

By: University Developments, LLC

Name: Yitzchak Tessier

Its: Managing Member

STATE OF ~~COLORADO~~ ^{New York}

County of NY

} ss.

The foregoing instrument was acknowledged before me this 10th day of September, 20 15, by Yitzchak Tessier as the Managing Member and by Igor Fleishmacher as the Secretary of the Grantor, on behalf of the corporation.

LEO TAKEDA
NOTARY PUBLIC-STATE OF NEW YORK
No. 01TA6265164
Qualified in Queens County
My Commission Expires July 09, 2016

Witness my hand and official seal.
My commission expires:



Notary Public

*Insert "City and" if applicable.

Name and Address of Person Creating Newly Created Legal Description (§38-35-106.5, C.R.S.)

EXHIBIT "A"

LEGAL DESCRIPTION

A CERTAIN PORTION OF LOT 24, BLOCK 8, AS SHOWN ON THE PLAT OF ILIFF'S UNIVERSITY ADDITION, IN THE OLD COUNTY OF ARAPAHOE, STATE OF COLORADO, RECORDED DECEMBER 16, 1890 IN BOOK 11, AT PAGE 10, IN THE OFFICE OF THE CLERK AND RECORDER OF OLD ARAPAHOE COUNTY, STATE OF COLORADO, SITUATED IN THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE NOW COUNTY OF DENVER AND STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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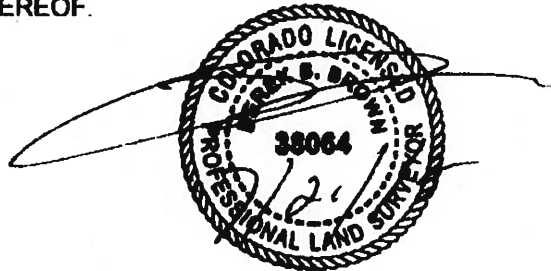
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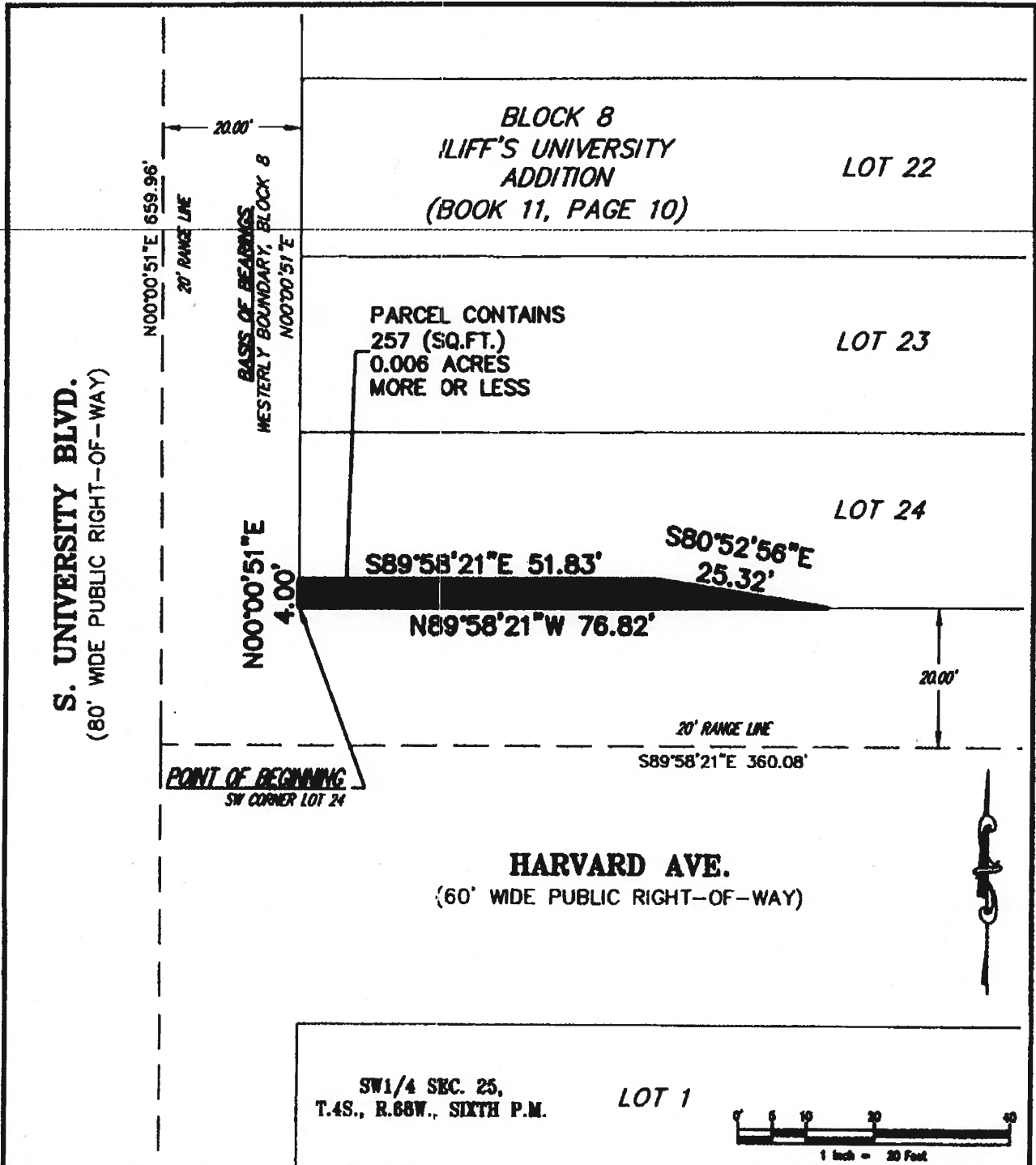
CONTAINING AN AREA OF 0.006 ACRE, (257 SQUARE FEET), MORE OR LESS.

EXHIBIT ATTACHED AND MADE A PART HEREOF.



DEREK S. BROWN, PLS 38064
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.

ILLUSTRATION TO EXHIBIT A



NOTE: THIS DRAWING DOES NOT REPRESENT A FIELD MONUMENTED SURVEY AND IS ONLY INTENDED TO DEPICT THE ATTACHED LEGAL DESCRIPTION.

PATR: W \ 0000-01 \ 000
 DWG NAME: ROW TAKE
 DWG: BJM CXC DSB
 DATE: 7/21/2015
 SCALE: 1" = 20'



200 East Mineral Ave.
 Suite 1
 Littleton, Colorado 80120
 Phone: (303) 713-1800
 Fax: (303) 713-1807
 www.aztecconsultants.com

EXHIBIT A
 SW 1/4 SEC. 25, T4S, R68W, 6TH P.M.
 DENVER COUNTY, COLORADO
 FOR PLANS 89918-01 2 OF 2 SHEETS