



REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Caroline Martin, City Attorney's Office

FROM: Matt Bryner, P.E. Senior Engineering Manager
Right-of-Way Services

DATE: August 15, 2017

ROW #: 2017-Dedication-0000004 **SCHEDULE #:** 0503814150000

TITLE: This request is to dedicate a parcel of land as Public Right of Way as Public Alley.
Located at the intersection of E. 9th and Grant 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 Public Alley. 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 **(900 Grant Redevelopment)**

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 Public Alley. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2017-Dedication-0000004-001) HERE.

A map of the area to be dedicated is attached.

MB/JS/BV

cc: Asset Management, Robert Koehler
City Councilperson & Aides Wayne New District # 10
Council Aide Melissa Horn
City Council Staff, Zach Rothmier
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, Matt Bryner
Department of Law, Brent Eisen
Department of Law, Shaun Sullivan
Department of Law, Caroline Martin
Department of Law, Stan Lechman
Department of Law, Cynthia Devereaux
Public Works Survey, Jon Spirk
Public Works Survey, Paul Rogalla
Owner: City and County of Denver
Project file folder 2017-Dedication-0000004

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: August 15, 2017

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 Public Alley.
Located at the intersection of E. 9th and Grant 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:** 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 Public Alley. 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 (**900 Grant Redevelopment**)

****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:** Alley at E. 9th between Grant and Logan
- d. **Affected Council District:** Wayne New Dist. 10
- 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: _____



DENVER
THE MILE HIGH CITY

EXECUTIVE SUMMARY

Project Title: 2017-Dedication-0000004, 900 Grant Redevelopment

Description of Proposed Project: Dedicate a parcel of public right of way as 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 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, 900 Grant St. Redevelopment.



Legend

- Benchmarks
- Range Points
- Streams
- Irrigation Ditches Reconstructe
(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
- Parks
 - All Other Parks; Linear
 - Mountain Parks

115 0 57.5 115 Feet

A parcel of land conveyed by Warranty Deed to the City and County of Denver, recorded on the 2nd day of February, 2017, at Reception No. 2017019483 in the City and County of Denver Clerk and Recorder's Office, State of Colorado, being more particularly described as follows:

A PARCEL OF LAND, BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 3, T.4S., R.68W., OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING THE EASTERLY 2.00 FEET OF LOTS 13 THROUGH 20, BLOCK 4, FIRST ADDITION TO ARLINGTON HEIGHTS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS:

THE 20' DENVER RANGE LINE ALONG 9TH AVENUE BETWEEN GRANT STREET AND THE EAST LINE OF FIRST ADDITION TO ARLINGTON HEIGHTS, MONUMENTED ON THE EAST BY A 1.5" BRASS CAP SET IN CONCRETE AND ON THE WEST BY A 2.5" ALUMINUM CAP IN A RANGE BOX, STAMPED PLS 25375 AND IS CONSIDERED TO BEAR S89°51'29"W:

COMMENCING AT THE FOUND 1.5" BRASS CAP SET IN CONCRETE FOR THE EAST LINE OF FIRST ADDITION TO ARLINGTON HEIGHTS; THENCE S89°51'29"W, A DISTANCE OF 10.18 FEET AND N00°08'31"W, A DISTANCE OF 20.00 FEET TO A POINT ON THE SOUTH LINE OF LOT 20 OF SAID FIRST ADDITION TO ARLINGTON HEIGHTS AND BEING 2.00 FEET WESTERLY OF THE SOUTHEAST CORNER OF SAID LOT 20 AND BEING THE **POINT OF BEGINNING**:

THENCE N00°40'14"W ALONG A LINE BEING 2.00 FEET WEST, PARALLEL AND PERPENDICULAR TO THE EASTERLY LINE OF SAID LOTS 13 THROUGH 20, A DISTANCE OF 200.00 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 13;

THENCE N89°51'29"E ALONG SAID NORTH LINE, A DISTANCE OF 2.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 13;

THENCE S00°40'14"E ALONG THE EAST LINES OF SAID LOTS 13 THROUGH 20, A DISTANCE OF 200.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 20;

THENCE S89°51'29"W ALONG THE SOUTH LINE OF SAID LOT 20, A DISTANCE OF 2.00 FEET TO THE **POINT OF BEGINNING**.

SAID PARCEL CONTAINS 400 SQUARE FEET OR 0.009 ACRES MORE OR LESS.

PREPARED FOR AND ON BEHALF OF GALLOWAY
BY LYLE G. BISSEGGGER, PLS# 38038



2017019483

Page: 1 of 3

D \$0.00

02/14/2017 11:03 AM
City & County of Denver

R \$0.00

WD

WARRANTY DEED

THIS DEED, dated February 6th, 2017, is between 900 Grant Apts, LLC, a Colorado limited liability company ("Grantor"), and the City and County of Denver, a home rule city and municipal corporation of the State of Colorado ("Grantee"), whose address is 1437 Bannock Street, Denver, CO 80202.

WITNESS, that the 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 is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee, its successors and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the City and County of Denver and State of Colorado, described as follows:

EXHIBIT "A" attached hereto and incorporated herein

Assessor's schedule or parcel number: Vacant Land
Address: Vacant Land

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, the reversion and reversions, remainder and 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, its successors and assigns forever. The Grantor covenants, grants, bargains, and agrees to and with the Grantee, its successors and assigns, that at the time of the ensembling and delivery of these presents, it is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature whatsoever, except for all matters of record.

The grantor shall and will WARRANT AND FOREVER DEFEND the above bargained premises in the quiet and peaceable possession of the grantee, its successors and assigns, against all and every person or persons lawfully claiming the whole or any part thereof, except for all matters of record.

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

900 Grant Apts, LLC
By: [Signature]
Title: Manager

STATE OF Colorado
COUNTY OF Denver

The foregoing instrument was acknowledged before me this day 6 of February, 2017 by J. Johnson as Manager of 900 Grant Apts, LLC

Witness my hand and official seal.
My commission expires _____

Carolyn J Doyle
Notary Public

CAROLYN J. DOYLE
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20024030409
MY COMMISSION EXPIRES 10/31/2018

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

16-240

Approved
Asset Management
Date: 02/15/17

Project Description:
Warranty Deed
900 Grant Apts, LLC

EXHIBIT A

**ALLEY DEDICATION DESCRIPTION
SECTION 3, TOWNSHIP 4 SOUTH, RANGE 68 WEST
6TH PRINCIPLE MERIDIAN
CITY AND COUNTY OF DENVER**

PROPERTY DESCRIPTION:

A PARCEL OF LAND, BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 3, T.4S., R.68W., OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING THE EASTERLY 2.00 FEET OF LOTS 13 THROUGH 20, BLOCK 4, FIRST ADDITION TO ARLINGTON HEIGHTS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS:

THE 20' DENVER RANGE LINE ALONG 9TH AVENUE BETWEEN GRANT STREET AND THE EAST LINE OF FIRST ADDITION TO ARLINGTON HEIGHTS, MONUMENTED ON THE EAST BY A 1.5" BRASS CAP SET IN CONCRETE AND ON THE WEST BY A 2.5" ALUMINUM CAP IN A RANGE BOX, STAMPED PLS 25375 AND IS CONSIDERED TO BEAR S89°51'29"W:

COMMENCING AT THE FOUND 1.5" BRASS CAP SET IN CONCRETE FOR THE EAST LINE OF FIRST ADDITION TO ARLINGTON HEIGHTS; THENCE S89°51'29"W, A DISTANCE OF 10.18 FEET AND N00°08'31"W, A DISTANCE OF 20.00 FEET TO A POINT ON THE SOUTH LINE OF LOT 20 OF SAID FIRST ADDITION TO ARLINGTON HEIGHTS AND BEING 2.00 FEET WESTERLY OF THE SOUTHEAST CORNER OF SAID LOT 20 AND BEING THE POINT OF BEGINNING:

THENCE N00°40'14"W ALONG A LINE BEING 2.00 FEET WEST, PARALLEL AND PERPENDICULAR TO THE EASTERLY LINE OF SAID LOTS 13 THROUGH 20, A DISTANCE OF 200.00 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 13;

THENCE N89°51'29"E ALONG SAID NORTH LINE, A DISTANCE OF 2.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 13;

THENCE S00°40'14"E ALONG THE EAST LINES OF SAID LOTS 13 THROUGH 20, A DISTANCE OF 200.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 20;

THENCE S89°51'29"W ALONG THE SOUTH LINE OF SAID LOT 20, A DISTANCE OF 2.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 400 SQUARE FEET OR 0.009 ACRES MORE OR LESS.

EXHIBIT B IS ATTACHED HERETO AND IS ONLY INTENDED TO DEPICT EXHIBIT A – LEGAL DESCRIPTION. IN THE EVENT THAT EXHIBIT A CONTAINS AN AMBIGUITY, EXHIBIT B MAY BE USED TO RESOLVE SAID AMBIGUITY.

PREPARED FOR AND ON BEHALF OF GALLOWAY
BY LYLE G. BISSEGGGER, PLS# 38038



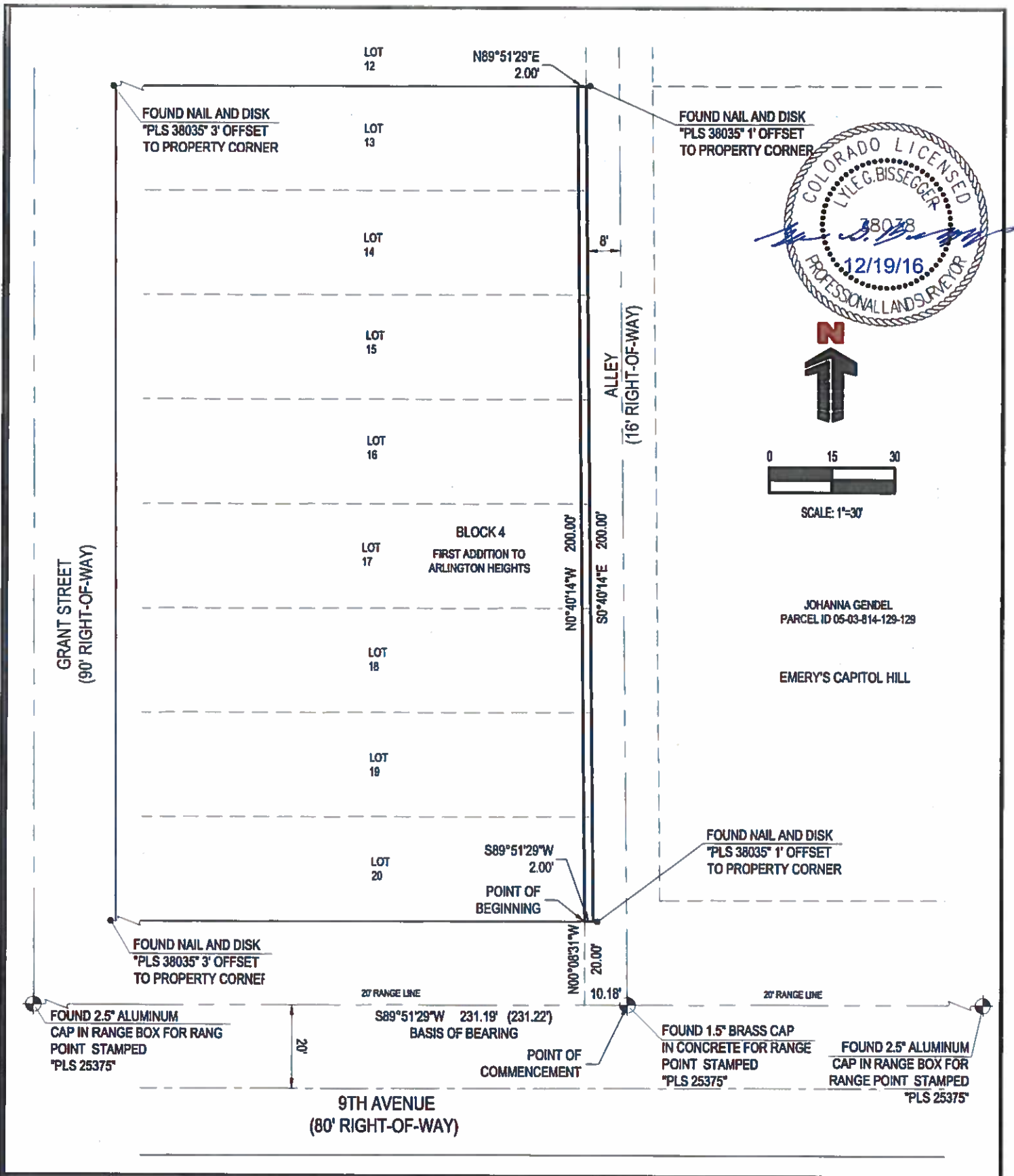


EXHIBIT B ALLEY DEDICATION
900 GRANT STREET REDEVELOPMENT
 920 GRANT STREET
 CITY AND COUNTY OF DENVER, CO

Project No: HAS00003
 Drawn By: NGC
 Checked By: LGB
 Date: 12/13/2016

Galloway
 Planning, Architecture, Engineering
 6152 S Willow Drive, Suite 320
 Greenwood Village, CO 80111
 303 770 8884
 www.gallowayUS.com
©2016 Galloway & Company, Inc. All Rights Reserved