




REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Karen Walton, City Attorney's Office
FROM: 
Robert J. Duncanson P.E., Engineering Manager II
Right-of-Way Services
DATE: March 14, 2014
ROW #: 2012-0291-06 **SCHEDULE #:** 0228136038000 and adjacent to 0228136036000
TITLE: This request is to dedicate a parcel of land as Public Right of Way as Navajo St.
Located at the intersection of 33rd and Navajo.

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 Navajo St. 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 (**Lumina**)

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 Navajo St. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2012-0291-06) HERE.

A map of the area to be dedicated is attached.

RD/AG/BLV

cc: Asset Management, Steve Wirth
City Councilperson & Aides, Judy Montero District # 9
City Council Staff, Gretchen Williams
Environmental Services, David Erickson
Public Works, Manager's Office, Alba Castro
Public Works, Manager's Office, Nancy Kuhn
Public Works, Right-of-Way Engineering Services, Rob Duncanson
Department of Law, Karen Aviles
Department of Law, Brent Eisen
Department of Law, Karen Walton
Public Works Survey, Ali Gulaid
Public Works Survey, Paul Rogalla
Owner: City and County of Denver
Project file folder 2012-0291-06

ORDINANCE/RESOLUTION REQUEST

Please email requests to Nancy Kuhn at
Nancy.Kuhn@Denvergov.org by **NOON 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: March 14, 2014

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, amendment, municipal code change, supplemental request, etc.)

This request is to dedicate a parcel of land as Public Right of Way as Navajo St.

Located at the intersection of 33rd and Navajo

3. **Requesting Agency:** PW Right of Way Engineering Services

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:** Nancy Kuhn
- **Phone:** 720-865-8720
- **Email:** Nancy.Kuhn@denvergov.org

6. **General description 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 Navajo St. 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 (Lumina)

****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.)

- a. **Contract Control Number:** N/A
- b. **Duration:** Permanent
- c. **Location:** 33rd and Navajo
- d. **Affected Council District:** District 9 Judy Montero
- e. **Benefits:** N/A
- f. **Costs:** 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: _____



DENVER
THE MILE HIGH CITY

EXECUTIVE SUMMARY

Project Title: 2012-0291-03 Dedication Lumina

Description of Proposed Project: Dedicate a parcel of public right of way as Navajo 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

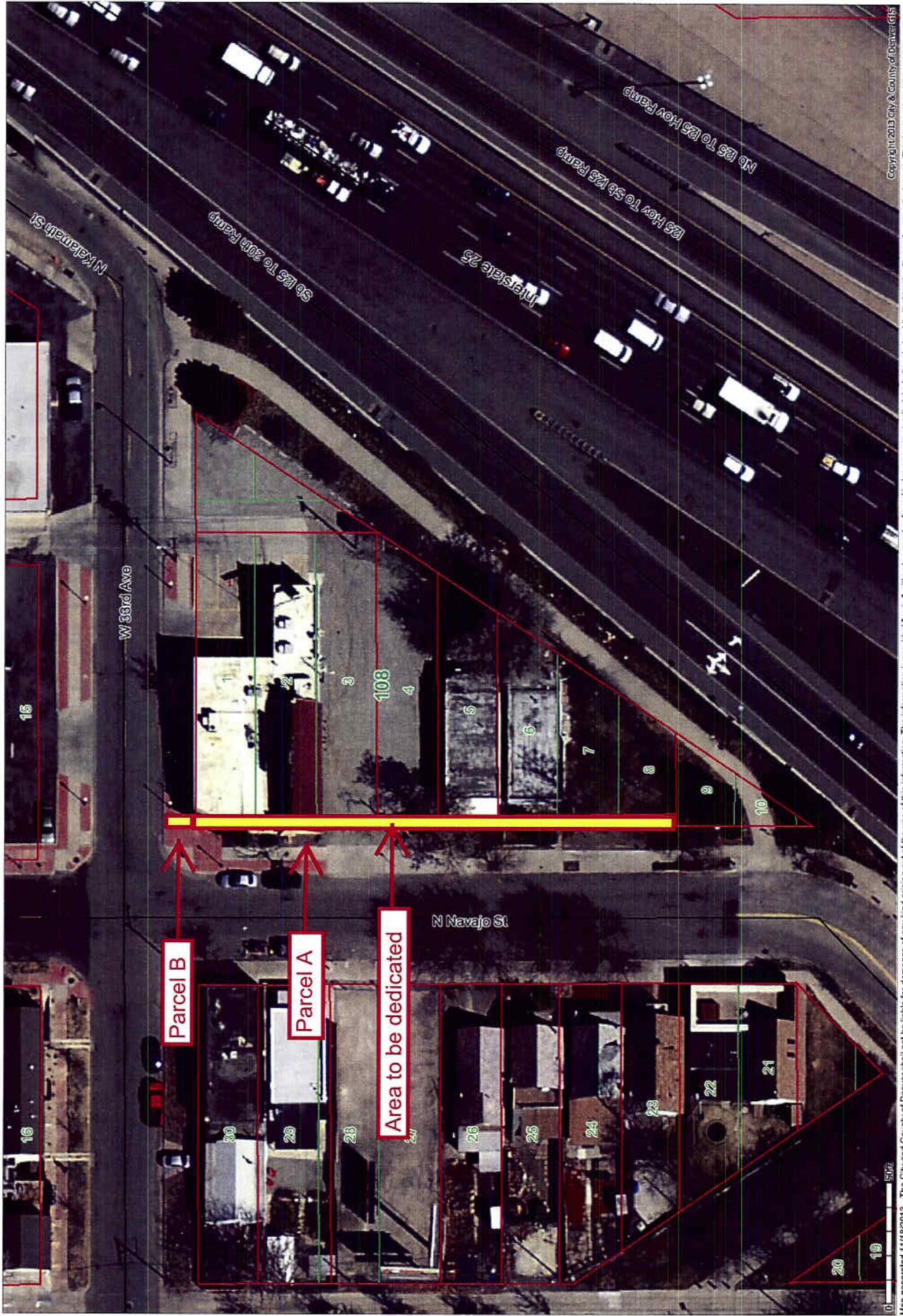
Will land be dedicated to the City if the vacation goes through: N/A

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 to dedicate it as Public Right-of-Way, as a part of a development project called, Lumina

33rd & Navajo



RIGHT-OF-WAY DESCRIPTION

A PARCEL OF LAND CONVEYED BY WARRANTY DEED TO THE CITY & COUNTY OF DENVER, RECORDED ON AUGUST 26, 2013 BY RECEPTION NUMBER 2013125870 IN THE CITY AND COUNTY OF DENVER CLERK & RECORDER'S OFFICE, STATE OF COLORADO.

PARCELS OF LAND SITUATED THE NORTHEAST ONE-QUARTER OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, SAID PARCELS BEING A PORTIONS OF LOTS 1-8, INCLUSIVE, BLOCK 108 VIADUCT ADDITION TO DENVER AND A 6' VACATED STRIP OF LAND PER ORDINANCE 276, SERIES OF 1951, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL ONE:

THE WESTERLY FOUR FEET OF LOTS ONE THROUGH EIGHT, INCLUSIVE, BLOCK 108 VIADUCT ADDITION TO DENVER, AS RECORDED IN BOOK 4 PAGE 46 OF THE DENVER COUNTY RECORDS.

AND

PARCEL TWO:

THE WESTERLY FOUR FEET OF A 6' VACATED STRIP OF LAND PER ORDINANCE 276, SERIES OF 1951, OF THE DENVER COUNTY RECORDS.

SAID PARCELS DESCRIBED CONTAINS 822 SQUARE FEET, 0.019 ACRES MORE OR LESS(±).

EXHIBIT "A"

PW ROW PROJECT NO. 2012-0291
PW LEGAL DESCRIPTION NO. 2012-0291-04-001

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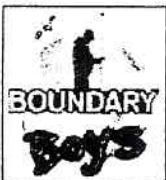
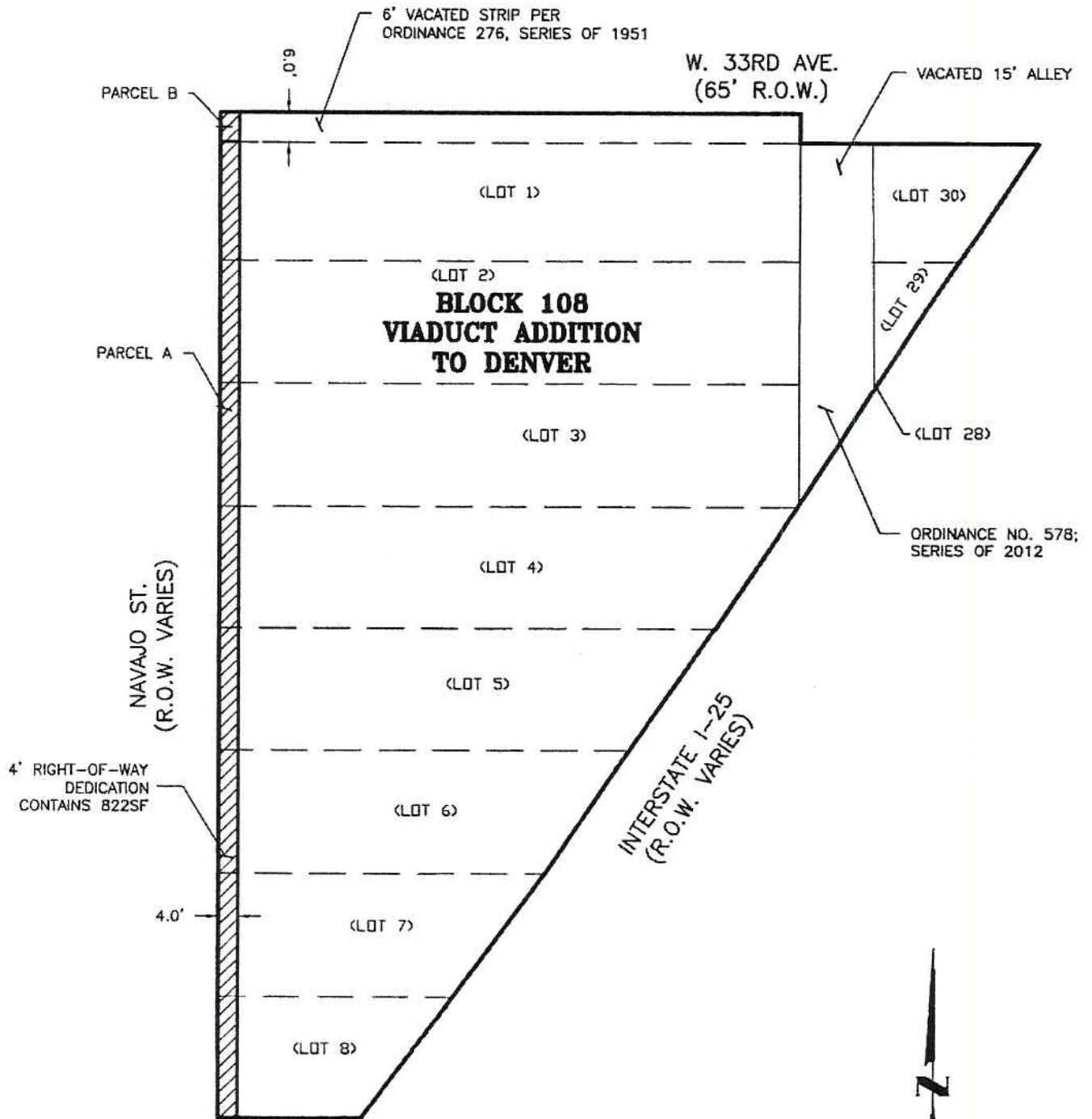
SAID PARCELS DESCRIBED CONTAINS 822 SQUARE FEET, 0.019 ACRES MORE OR LESS(±).



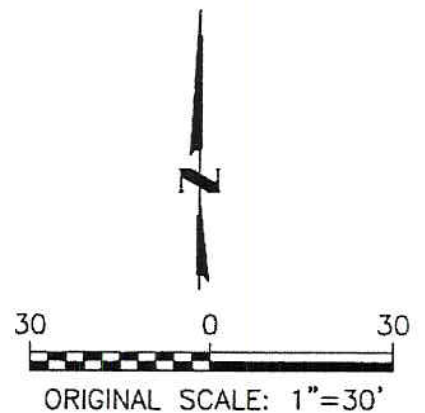
GREGORY A. CLARK
PLS 32430
FOR AND ON BEHALF OF BOUNDARY BOYS, LLC
PO BOX 461122
AURORA, COLORADO 80046
303-709-7899

EXHIBIT

PORTION OF THE NE $\frac{1}{4}$ OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 68 WEST, 6TH P.M.
CITY AND COUNTY OF DENVER, STATE OF COLORADO



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





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City & County Of Denver WD

WARRANTY DEED

CITY & COUNTY OF DENVER
ASSET MANAGEMENT
201 W. COLFAX AVE DEPT 1012
DENVER, CO 80202

CITY & COUNTY OF DENVER
ASSET MANAGEMENT
201 W. COLFAX AVE DEPT 1010
DENVER, CO 80202

THIS DEED, dated August 22, 2013 is between **Cavaliere Enterprises, 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.

Cavaliere Enterprises, LLC

By: [Signature]

Title: Manager

CERTIFICATION

The Clerk and Recorder for the CITY AND COUNTY OF DENVER State of Colorado does hereby certify this document to be a full, true and correct copy of the original document recorded in my office.

Clerk and Recorder
by [Signature]
Deputy County Clerk
Date 8/26/13

STATE OF Colorado

COUNTY OF DENVER

The foregoing instrument was acknowledged before me this day 22 of August, 2013 by [Signature] for Cavaliere Enterprises, a Colorado limited liability company.

Witness my hand and official seal.

[Signature]

13-1027
Approved
Asset Management
Date: 8-26-13
Project Description: FLOW
201 W. COLFAX AVE DEPT 1010