



**DENVER**  
THE MILE HIGH CITY

**Department of Public Works**  
Capital Projects Management  
Permit Operations and Right of Way Enforcement  
Infrastructure Planning & Programming  
Traffic Engineering Services  
201 W. Colfax Avenue  
Denver, CO 80202  
www.denvergov.org

## 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:** February 19, 2013

**ROW #:** 2012-0205-04    **SCHEDULE #:** a portion of 0023409054000

**TITLE:** This request is to dedicate a parcel of land as Public Right of Way as 42<sup>nd</sup> Ave.  
Located at the intersection of 42<sup>nd</sup> Ave and Picadilly Rd.

**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 42<sup>nd</sup> 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 (Green Valley Ranch 24 (Landscape Parcel)).

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 42<sup>nd</sup> Ave. The land is described as follows.

**INSERT PARCEL DESCRIPTION ROW # ( Parcel #-2012-0205-04-001) HERE.**

A map of the area to be dedicated is attached.

RD/JL/LRA

cc: Asset Management, Steve Wirth  
City Councilperson & Aides, Christopher Herndon District # 11  
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  
Department of Law, Arlene Dykstra  
Public Works Survey, John Lautenschlager  
Public Works Survey, Paul Rogalla  
Owner: City and County of Denver  
Project file folder 2012-0205-04



**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: January 19, 2013

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 42<sup>nd</sup> Ave.  
Located at the intersection of 42<sup>nd</sup> Ave and Picadilly Rd.

3. Requesting Agency: PW Right of Way Engineering Services

4. Contact Person: (With actual knowledge of proposed ordinance/resolution.)

- Name: Lisa Ayala
- Phone: 720-865-3153
- Email: [lisa.ayala@denvergov.org](mailto: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: 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 42<sup>nd</sup> 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 (Green Valley Ranch 24 (Landscape Parcel).

*\*\*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: NO
- b. Duration: Permanent
- c. Location: 42<sup>nd</sup> Ave and Picadilly Rd.
- d. Affected Council District: # 11, Christopher Herndon
- 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: \_\_\_\_\_



## EXECUTIVE SUMMARY

**DENVER**  
THE MILE HIGH CITY

**Project Title: 2012-0205-04 Dedication at 42<sup>nd</sup> Ave**

**Description of Proposed Project: This request is to dedicate a parcel of land as Public Right of Way as 42nd Ave. Located at the intersection of 42nd Ave and Picadilly Rd.**

**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 as 42<sup>nd</sup> Ave.**

**Has a Temp MEP been issued, and if so, what work is underway: NO**

**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, Green Valley Ranch 24 (Landscape Parcel).**

# 42nd Ave.



- Denver County (Boundary)
- Street Centerline
- Interstates
- US Highway
- Other
- Parcels
- mask
- 2010\_Denver.jp2.lri
- Denver County (Shaded)
- Denver County
- Adams County
- Arapahoe County
- Jefferson County

Map prepared 12/2/2012. The City and County of Denver shall not be liable for damages of any kind, express or implied, including, but not limited to, the fees for a particular use. This is not a legal document.

A parcel of land conveyed by Warranty Deed to the City & County of Denver, recorded on the 29th of November 2012, Reception No. 2012164624, in the City & County of Denver Clerk & Recorder's Office, State of Colorado.

A PARCEL OF LAND BEING A PART OF TRACT G, GREEN VALLEY RANCH FILING NO. 24, A SUBDIVISION PLAT RECORDED AT RECEPTION NO. 9900021768 IN THE RECORDS OF THE CITY AND COUNTY OF DENVER, COLORADO, CLERK AND RECORDER'S OFFICE, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, SAID COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE SOUTHEAST CORNER OF SAID TRACT G;

THENCE ALONG THE EASTERLY AND NORTHEASTERLY LINES OF SAID TRACT G THE FOLLOWING (2) COURSES:

1. NORTH 00°04'16" WEST, A DISTANCE OF 399.32 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 15.00 FEET;
2. THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 43°57'17" AN ARC LENGTH OF 11.51 FEET TO THE **POINT OF BEGINNING**;

THENCE DEPARTING SAID NORTHEASTERLY LINE NORTH 87°26'29" WEST, A DISTANCE OF 9.36 FEET;

THENCE NORTH 77°24'15" WEST, A DISTANCE OF 18.97 FEET TO THE NORTHERLY LINE OF SAID TRACT G;

THENCE ALONG THE NORTHERLY AND NORTHEASTERLY LINES OF SAID TRACT G THE FOLLOWING (2) COURSES:

1. NORTH 89°55'44" EAST, A DISTANCE OF 17.06 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 15.00 FEET;
2. EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 46°02'43" AN ARC LENGTH OF 12.05 FEET TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 0.001 ACRES, (64 SQUARE FEET), MORE OR LESS.

**EXHIBIT A**  
**LEGAL DESCRIPTION**

A PARCEL OF LAND BEING A PART OF TRACT G, GREEN VALLEY RANCH FILING NO. 24, A SUBDIVISION PLAT RECORDED AT RECEPTION NO. 9900021768 IN THE RECORDS OF THE CITY AND COUNTY OF DENVER, COLORADO, CLERK AND RECORDER'S OFFICE, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, SAID COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE SOUTHEAST CORNER OF SAID TRACT G;

THENCE ALONG THE EASTERLY AND NORTHEASTERLY LINES OF SAID TRACT G THE FOLLOWING (2) COURSES:

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2. THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 43°57'17" AN ARC LENGTH OF 11.51 FEET TO THE POINT OF BEGINNING;

THENCE DEPARTING SAID NORTHEASTERLY LINE NORTH 87°26'29" WEST, A DISTANCE OF 9.36 FEET;

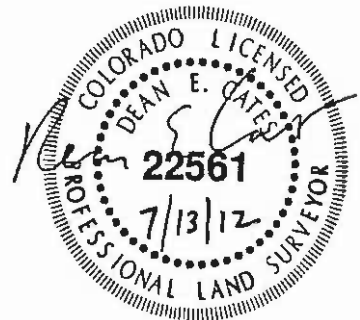
THENCE NORTH 77°24'15" WEST, A DISTANCE OF 18.97 FEET TO THE NORTHERLY LINE OF SAID TRACT G;

THENCE ALONG THE NORTHERLY AND NORTHEASTERLY LINES OF SAID TRACT G THE FOLLOWING (2) COURSES:

1. NORTH 89°55'44" EAST, A DISTANCE OF 17.06 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 15.00 FEET;
2. EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 46°02'43" AN ARC LENGTH OF 12.05 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 0.001 ACRES, (64 SQUARE FEET), MORE OR LESS.

EXHIBIT ATTACHED AND MADE A PART HEREOF.



DEAN E. CATES, PLS  
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.  
8000 S. LINCOLN ST., SUITE 201, LITTLETON, CO 80122  
303-713-1898

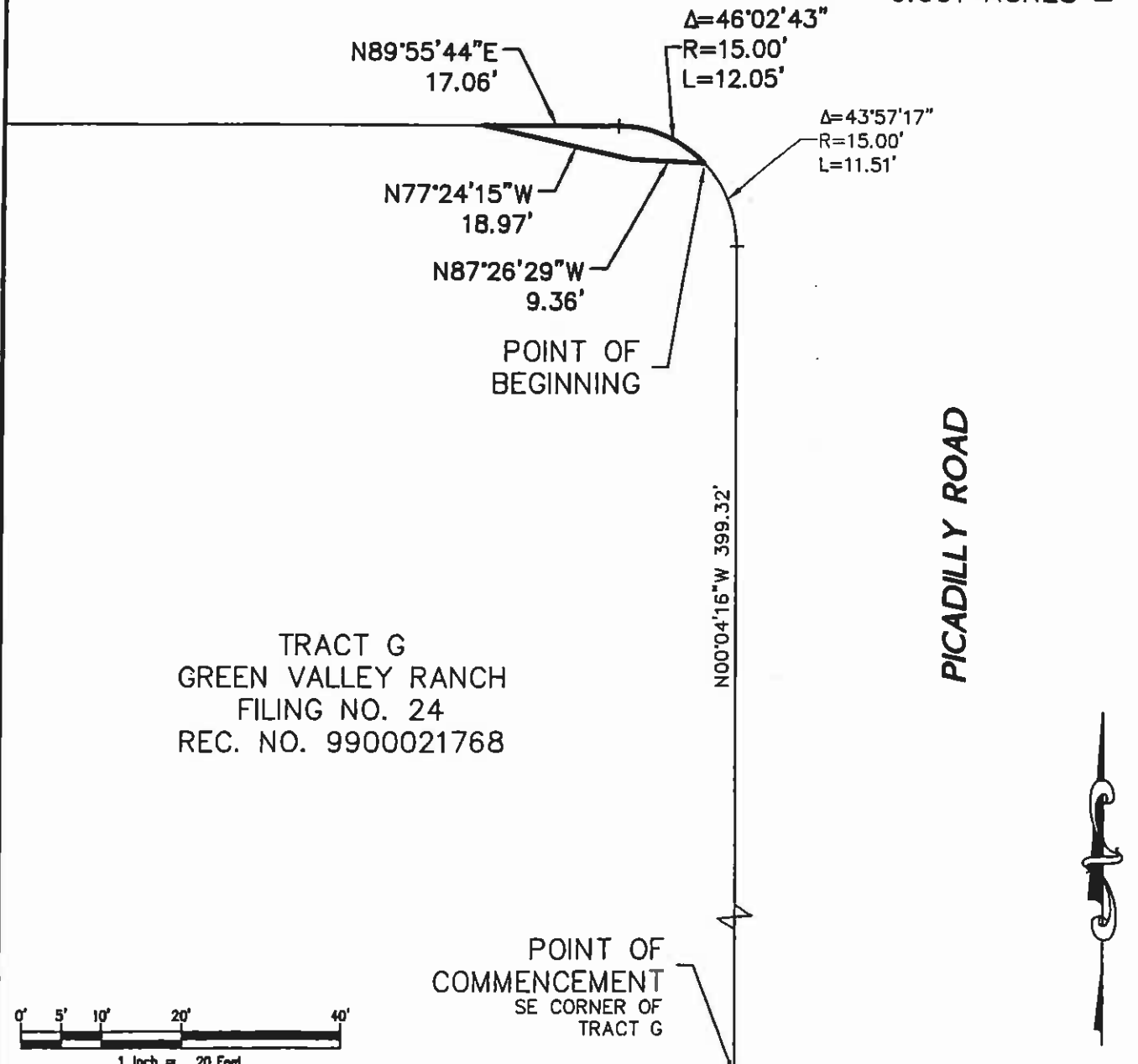
NOTE:

This exhibit does not represent a monumented survey. It is intended only to depict the attached description.

SE 1/4  
SEC. 23,  
T.3S., R.66W.,  
6TH P.M.

GREEN VALLEY RANCH  
FILING NO. 24  
**42ND AVE.**

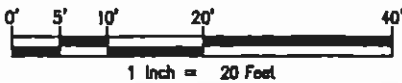
PARCEL AREA =  
64 SQ. FT. ±  
0.001 ACRES ±



TRACT G  
GREEN VALLEY RANCH  
FILING NO. 24  
REC. NO. 9900021768

PICADILLY ROAD

POINT OF  
COMMENCEMENT  
SE CORNER OF  
TRACT G



PATH: v:\19312-07\DWG  
 DWG NAME: TR G PARCEL 4  
 DWG: DEC CHK:  
 DATE: 07/10/12  
 SCALE: 1" = 20'

**AZTEC**  
 CONSULTANTS, INC.  
 8000 E. Lincoln St., Suite 201  
 Littleton, Colorado 80122  
 Phone: (303) 713-1898  
 Fax: (303) 713-1897  
 www.aztecconsultants.com

**EXHIBIT A**  
 GREEN VALLEY RANCH FILING NO. 24  
 CITY AND COUNTY OF DENVER, COLORADO  
 JOB NUMBER 19312-07 2 OF 2 SHEETS

2012164  
CITY & COUNTY OF DENVER  
ASSET MANAGEMENT  
201 W. COLFAX AVE DEPT 1010  
DENVER, CO 80202

WARRANTY DEED

THIS DEED, is dated NOVEMBER 29, 2012, and is made between HC LAND INVESTMENTS, LLC A COLORADO LIMITED LIABILITY COMPANY

(whether one, or more than one), the "Grantor," of the \* CITY & County of DENVER and State of COLORADO and CITY & COUNTY OF DENVER, A HOME RULE CITY & MUNICIPAL CORPORATION OF THE STATE OF COLORADO

(whether one, or more than one), the "Grantee," whose legal address is 1437 BANNOCK ST. DENVER, CO 80202 of the CITY & County of DENVER and State of COLORADO

WITNESS, that the Grantor, for and in consideration of the sum of TEN DOLLARS AND OTHER GOOD & 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 & County of DENVER described as follows:

FOR A LEGAL DESCRIPTION SEE EXHIBITS "A" AND "B" ATTACHED HERETO OF THIS GENERAL WARRANTY DEED

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

by Deputy County Clerk  
Date 11-29-2012  
Bridget M. Svaberg

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 the Grantor and the Grantor's heirs and assigns, does covenant, grant, bargain, and agree to and with the Grantee, and the Grantee's heirs and assigns: that at the time of the ensembling and delivery of these presents, the Grantor is well seized of the premises above described: has good, sure, perfect, absolute and indefeasible estate of inheritance, in law and 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 soever, except and subject to:  none; or  the following matters:

And the Grantor shall and will WARRANT AND FOREVER 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.

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

HC LAND INVESTMENTS, LLC  
BY: [Signature]  
TITLE: EUP CFO

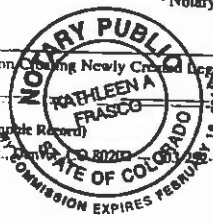
STATE OF COLORADO  
County of Denver ) ss.

The foregoing instrument was acknowledged before me this 19th day of November, 2012, by Robert J. Sanderman, EUP CFO

Witness my hand and official seal.  
My commission expires: 02-19-2015

[Signature]  
Notary Public

Name and Address of Person Creating Newly Created Legal Description (§38-33-106.5, C.R.S.)



12-138  
Asset Mgmt. #  
27-12-11-29-12  
WEN  
42nd