



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: July 11, 2017

ROW #: 2017-Dedication-0000073 **SCHEDULE #:** 0505200042000

TITLE: This request is to dedicate a parcel of land as Public Right of Way as W. 14th Ave. Located near the intersection of W. 14th Ave. and Grove 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 W. 14th 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 (**Mile High Vista Multi-family Apt. Bldg.**)

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 W. 14th Ave. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2016-Dedication-0000073-001) HERE.

A map of the area to be dedicated is attached.

MB/JS/BV

cc: Asset Management, Robert Koehler
City Councilperson & Aides, Rafael Espinoza District # 1
Council Aide Gina Volpe
Council Aide Amanda Sandoval
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 2016-Dedication-0000073

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: July 11, 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 W. 14th Ave.
Located near the intersection of W. 14th Ave. and Grove 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 W. 14th 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 (**Mile High Vista Multi-family Apt. Bldg.**)

****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:** W. 14th Ave. near Grove St.
- d. **Affected Council District:** Rafael Espinoza Dist. #1
- 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: 2016-Dedication-0000073, Mile High Vista Multi-family Apt. Bldg.

Description of Proposed Project: Dedicate a parcel of public right of way as W. 14th 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, Mile High Vista Multi-family Apt. Bldg.



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

182 0 91 182 Feet

A parcel of land conveyed by Special Warranty Deed to the City and County of Denver, recorded on the 30th day of December, 2016, at Reception No. 2016183668 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 LOCATED WITHIN BLOCK A AND BLOCK B, NEW AVONDALE, A RECORDED SUBDIVISION AT RECEPTION NO. 75861, IN PLAT BOOK 25, PAGE 2 OF THE OFFICIAL CITY AND COUNTY OF DENVER RECORDS, SITUATED IN THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM THE CITY AND COUNTY OF DENVER RANGE POINT LOCATED WITHIN WEST 14TH AVENUE APPROXIMATELY 310.0 FEET EAST OF THE INTERSECTION OF IRVING STREET AND WEST 14TH AVENUE, BEING A 3" BRASS DISC IN A RANGE BOX STAMPED "PLS 38035",

THENCE NORTH 60°09'28" EAST, A DISTANCE OF 37.74 FEET TO THE NORTH RIGHT OF WAY LINE OF WEST 14TH AVENUE AS SHOWN ON SAID PLAT OF NEW AVONDALE OF THE AFOREMENTIONED RECORDS, SAID POINT BEING THE SOUTHWEST CORNER OF A RECIPROCAL EASEMENT AS DESCRIBED AT RECEPTION NO. 2011026782, SAID POINT ALSO BEING THE POINT OF BEGINNING;

THENCE NORTH 00°30'44" WEST COINCIDENT WITH THE WEST LINE OF SAID RECIPROCAL EASEMENT, A DISTANCE OF 1.00 FEET TO A NON-TANGENT POINT OF CURVE;

THENCE 208.19 FEET ALONG THE ARC OF SAID NON-TANGENT CURVE TO THE RIGHT PARALLEL WITH AND 1.00 FOOT NORTH OF SAID NORTH RIGHT OF WAY LINE, SAID CURVE HAVING A CENTRAL ANGLE OF 33°08'07", A RADIUS OF 360.00 FEET, WHOSE CHORD BEARS SOUTH 68°42'01" EAST, A DISTANCE OF 205.31 FEET;

THENCE SOUTH 52°07'57" EAST PARALLEL WITH AND 1.00 FOOT NORTH OF SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 202.91 FEET TO A POINT ON THE EAST LINE OF THE EXCEPTED PARCEL OF RESUBDIVISION OF BLOCK B, NEW AVONDALE AS DESCRIBED AT RECEPTION NUMBER 072460;

THENCE SOUTH 32°31'41" WEST ALONG SAID EAST LINE, A DISTANCE OF 1.00 FEET TO A POINT ON SAID NORTH RIGHT OF WAY LINE, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF SAID EXCEPTED PARCEL;

THENCE COINCIDENT WITH SAID NORTH RIGHT OF WAY LINE THE FOLLOWING TWO (2) COURSES:

(1) NORTH 52°07'57" WEST, A DISTANCE OF 203.00 FEET TO A NON TANGENT POINT OF CURVE;

(2) 207.53 FEET ALONG THE ARC OF SAID NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 33°07'20" AND A RADIUS OF 359.00 FEET, WHOSE CHORD BEARS NORTH 68°41'37" WEST, A DISTANCE OF 204.66 FEET TO THE POINT OF BEGINNING.

SAID PARCEL OF LAND CONTAINS 409 SQUARE FEET, MORE OR LESS.

BEARINGS ARE BASED ON THE ASSUMPTION THAT THE (20') EAST/ WEST RANGE LINE WITHIN WEST 14TH AVE., COMMENCING AT THE INTERSECTION OF IRVING STREET, BEARS NORTH 89°29'16" EAST WITH ALL BEARING RELATIVE THERETO, AS MONUMENTED AT SAID INTERSECTION WITH A 1" HEXAGONAL BOLT IN RANGE BOX; SECOND RANGE POINT APPROXIMATELY 310.5' MORE OR LESS EAST OF SAID INTERSECTION, ALSO BEING A POINT OF CURVATURE, AS MONUMENTED WITH A 3" BRASS CAP STAMPED "DENVER RANGE POINT/ PLS 38035".

AUTHORED BY:
AARON J. HANDL, PLS 38328

SPECIAL WARRANTY DEED

THIS DEED, dated December 29, 2016, is between VUE AT MILE HIGH, LLC, a Delaware 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 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, by, through or under the Grantor, but not otherwise, and except for all matters of record.

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

Grantor:

VUE AT MILE HIGH, LLC,
a Delaware limited liability company

By: [Signature]
Name: BRENT GOODWIN
Title: VICE PRESIDENT ACCOUNTING

Asset Mgmt # 16

Asset Management Date: 12-30-16

Approved [Signature]

Project Description: Vue at Mile High LLC SWD

STATE OF Texas

COUNTY OF Bexar

The foregoing instrument was acknowledged before me this day 21st of December, 2016 by Brent Goodwin as Vice President Accounting of VUE AT MILE HIGH, LLC, a Delaware limited liability company.

Witness my hand and official seal.
My commission expires: 2-3-2019

Jenane Rogers
Notary Public

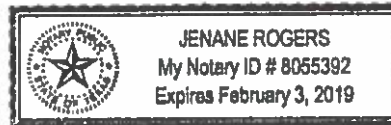


EXHIBIT A

LAND DESCRIPTION

SITUATED IN THE NORTHWEST 1/4 OF SECTION 5, TOWNSHIP 4 SOUTH,
RANGE 68 WEST OF THE 6TH P.M., CITY & COUNTY OF DENVER, STATE OF COLORADO.

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AUTHORED BY:
AARON J. HANDL,
PLS 38328

ON BEHALF OF:
HARRIS KOCHER SMITH ENGINEERING GROUP, INC.
1120 LINCOLN STREET, SUITE #1000
DENVER, CO 80203
(303) 623-6300



FILED IN P:\158001\158001\158001_DRAWING.DWG (1) 150709
DATE 05/06/16 BY AARON HANDL

NO CHANGES ARE TO BE MADE TO THIS DRAWING WITHOUT WRITTEN PERMISSION OF HARRIS KOCHER SMITH

ISSUE DATE:	PROJECT #:
04/08/18	150709
DATE	REVISION COMMENTS
05/06/18	Revised per City & County of Denver comments.



IRVING ST. & W 14TH AVE.
DENVER, CO



CHKD BY: AWM
DRAWN BY: AJH
JOB NUM: 150709

SHEET NO

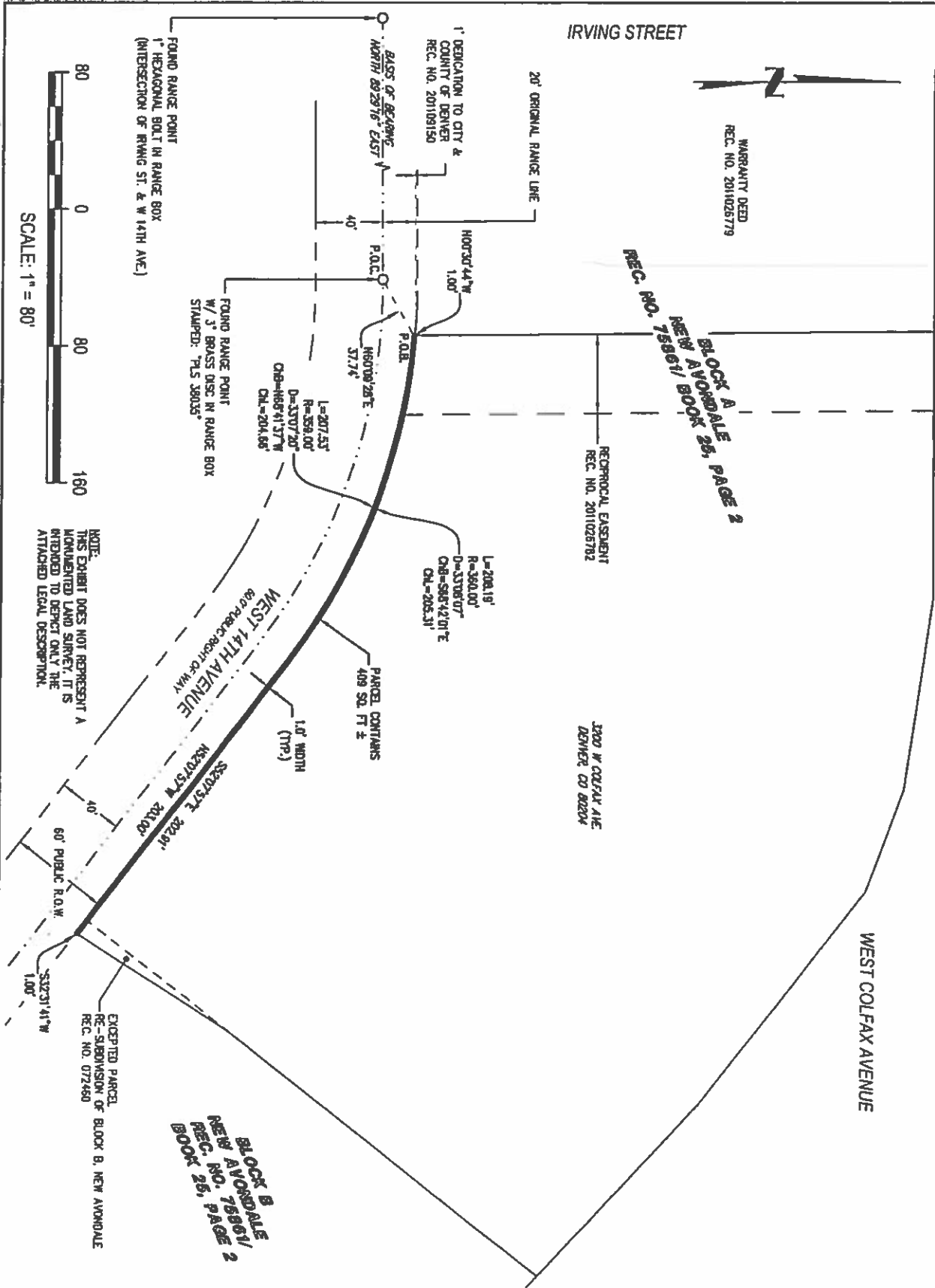
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1 OF 2

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RANGE 68 WEST OF THE 6TH P.M., CITY & COUNTY OF DENVER, STATE OF COLORADO.

EXHIBIT A



<p>DENVER THE ONLY HIGH CITY</p>	<p>IRVING ST. & W 14TH AVE. DENVER, CO</p>	<p>ISSUE DATE 04/09/16 PROJECT # 150709</p>	<p>HARRIS KOCHER SMITH</p> <p>1120 Lincoln Street, Suite 1000 Denver, Colorado 80203 P 303.623.8300 F 303.623.6311 HarrisKocher-Smith.com</p>
	<p>2</p>	<p>DATE 05/08/16</p> <p>REVISION COMMENTS Revised per City & County of Denver comments.</p>	

ON BEHALF OF:
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