




REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Caroline Martin, City Attorney's Office
FROM: Matt R. Bryner, P.E., Director, Right-of-Way Services 

DATE: July 23rd, 2021

ROW #: 2020-DEDICATION-0000165 **SCHEDULE #:** Adjacent to 0527506041000

TITLE: This request is to dedicate two City-owned parcels of land as Public Right-of-Way as 1) Public Alley, bounded by W. Harvard Ave., S. Acoma St., W. Wesley Ave., and S. Broadway., and 2) S. Broadway, located at the intersection of W. Harvard Ave. and S. Broadway.

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 1) Public Alley, and 2) S. Broadway. This parcel(s) of land is being dedicated by the City and County of Denver for Public Right-of-Way, as part of the development project, "2479 S Broadway."

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 Right-of-Way. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2020-DEDICATION-0000165-001-002) HERE.

A map of the area to be dedicated is attached.

MB/AL/RL

- cc: Dept. of Real Estate, Katherine Rinehart
- City Councilperson, Jolon Clark District # 7
- Councilperson Aide, Tate Carpenter
- Councilperson Aide, Maggie Thompson
- Councilperson Aide, Anita Banuelos
- City Council Staff, Zach Rothmier
- Environmental Services, Andrew Ross
- DOTI, Manager's Office, Alba Castro
- DOTI, Manager's Office, Jason Gallardo
- DOTI, Director, Right-of-Way Engineering Services, Matt Bryner
- Department of Law, Maureen McGuire
- Department of Law, Martin Plate
- Department of Law, Deanne Durfee
- Department of Law, Caroline Martin
- Department of Law, Rachonda Dixon
- DOTI Survey, Alan Lemke
- DOTI Ordinance
- Owner: City and County of Denver
- Project file folder 2020-DEDICATION-0000165

City and County of Denver Department of Transportation & Infrastructure
Right-of-Way Services
201 W. Colfax Ave. | Denver, CO 80215
www.denvergov.org/doti
Phone: 720-913-1311

ORDINANCE/RESOLUTION REQUEST

Please email requests to Jason Gallardo
at Jason.Gallardo@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 23rd, 2021

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:** This request is to dedicate two City-owned parcels of land as Public Right-of-Way as 1) Public Alley, bounded by W. Harvard Ave., S. Acoma St., W. Wesley Ave., and S. Broadway., and 2) S. Broadway, located at the intersection of W. Harvard Ave. and S. Broadway.

3. **Requesting Agency:** DOTI, Right-of-Way Services
Agency Section: Survey

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

- **Name:** Rebecca Long
- **Phone:** 720-547-5344
- **Email:** Rebecca.Long@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:** Jason Gallardo
- **Phone:** 720-865-8723
- **Email:** Jason.Gallardo@denvergov.org

6. **General description/background of proposed resolution 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 1) Public Alley, and 2) S. Broadway. This parcel(s) of land is being dedicated by the City and County of Denver for Public Right-of-Way, as part of the development project, "2479 S Broadway."

****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:** Bounded by W. Harvard Ave., S. Acoma St., W. Wesley Ave., and S. Broadway
- d. **Affected Council District:** Jolon Clark District # 7
- e. **Benefits:** N/A
- f. **Contract Amount (indicate amended amount and new contract total):** N/A

7. **Is there any controversy surrounding this resolution?** (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

Project Title: 2020-DEDICATION-0000165

Description of Proposed Project: Dedication of a parcel of land as Public Right-of-Way as 1) Public Alley, and 2) S. Broadway.

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 be dedicated as 1) Public Alley, and 2) S. Broadway.

Has a Temp MEP been issued, and if so, what work is underway: N/A

What is the known duration of a 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

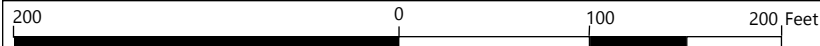
Will an easement relinquishment be submitted at a later date: N/A

Additional information: This land was deeded to the City and County of Denver for the purpose of dedicating it as 1) Public Alley, and 2) S. Broadway., as part of a development project called, "2479 S Broadway."



Legend

- ▲ Well Restrictions
- Barrier Restrictions
- Area Restrictions
 - Liner
 - Sheet Pile Wall Area
- Streams
- Irrigation Ditches Reconstruct (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
- Lots/Blocks
- Parks
 - All Other Parks; Linear
 - Mountain Parks



PARCEL DESCRIPTION ROW NO. 2020-DEDICATION-0000165-001:

LAND DESCRIPTION – ALLEY PARCEL NO. 1:

PARCEL A OF THAT LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 3RD DAY OF MARCH, 2021, AT RECEPTION NUMBER 2021039435 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

A PORTION OF LOT 29 AND THE S ½ OF LOT 30 , BLOCK 9, BREENLOW SUBDIVISION OF SOUTH DENVER, AND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 2.0 FEET OF SAID LOT 29 AND OF THE S ½ OF SAID LOT 30, BLOCK 9, BREENLOW SUBDIVISION OF SOUTH DENVER, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

CONTAINING 75.00 ± SQUARE FEET (0.0017 ± ACRES); MORE OR LESS.

PARCEL DESCRIPTION ROW NO. 2020-DEDICATION-0000165-002:

LAND DESCRIPTION – STREET PARCEL NO. 2:

PARCEL B OF THAT LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 3RD DAY OF MARCH, 2021, AT RECEPTION NUMBER 2021039435 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

A PORTION OF LOT 29 AND THE S ½ OF LOT 30 , BLOCK 9, BREENLOW SUBDIVISION OF SOUTH DENVER, AND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EAST 4.0 FEET OF SAID LOT 29 AND OF THE S ½ OF SAID LOT 30, BLOCK 9, BREENLOW SUBDIVISION OF SOUTH DENVER, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

CONTAINING 149.96 ± SQUARE FEET (0.0034 ± ACRES); MORE OR LESS.



03/03/2021 08:18 AM
City & County of Denver

R \$0.00

WD

2021039435

Page: 1 of 4

D \$0.00

After recording, return to:
Division of Real Estate
City and County of Denver
201 West Colfax Avenue, Dept. 1010
Denver, Colorado 80202

Project Description: 2020-Dedication-0000165
Asset Mgmt No.: 21-028

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED (“Deed”), made as of this 13TH day of FEBRUARY, 2021, by **WALLIS PROPERTY COMPANY, LLC**, a Colorado limited liability company, whose address is 10846 Bluffside Drive, Lone Tree, CO 80124, United States (“Grantor”) to the **CITY AND COUNTY OF DENVER**, a Colorado municipal corporation of the State of Colorado and home rule city, whose address is 1437 Bannock Street, Denver, Colorado 80202 (“Grantee”).

WITNESSETH, that 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 are hereby acknowledged and by these presents does hereby grant, bargain, sell, convey and confirm, unto Grantee, and its successors and assigns forever, the real property described below, together with all improvements thereon, owned by Grantor situate, lying and being in the City and County of Denver, State of Colorado, and being more particularly described on the attached Exhibit(s) hereto and incorporated herein (“Property”);

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

TO HAVE AND TO HOLD the Property above bargained and described with the appurtenances, unto Grantee, and its successors and assigns forever. Grantor, for itself and its successors and assigns does covenant and agree that it shall and will WARRANT AND FOREVER DEFEND the above-bargained Property in the quiet and peaceable possession of Grantee, and its successors and assigns, against all and every person or persons claiming the whole or any part thereof, by, through, or under Grantor.

No separate bill of sale with respect to improvements on the Property will be executed.

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

ATTEST:

WALLIS PROPERTY COMPANY, LLC, a Colorado limited liability company

By: [Signature]

Name: W. MARK WALLIS

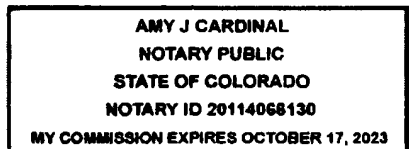
Its: MANAGING DIRECTOR

STATE OF Colorado)
) ss.
COUNTY OF Douglas)

The foregoing instrument was acknowledged before me this 13th day of February, 2021
by W. mark wallis, as Managing Director of WALLIS PROPERTY
COMPANY, LLC, a Colorado limited liability company.

Witness my hand and official seal.

My commission expires: October 17, 2023



[Signature]
Notary Public

ROW

EXHIBIT A
PAGE 1 OF 2

PARCEL "A" LAND DESCRIPTION:

A PORTION OF LOT 29 AND THE S½ OF LOT 30 , BLOCK 9, BREENLOW SUBDIVISION OF SOUTH DENVER, AND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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CONTAINING 75.00 ± SQUARE FEET (0.0017 ± ACRES); MORE OR LESS.

PARCEL "B" LAND DESCRIPTION:

A PORTION OF LOT 29 AND THE S½ OF LOT 30 , BLOCK 9, BREENLOW SUBDIVISION OF SOUTH DENVER, AND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EAST 4.0 FEET OF SAID LOT 29 AND OF THE S½ OF SAID LOT 30 , BLOCK 9, BREENLOW SUBDIVISION OF SOUTH DENVER, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

CONTAINING 149.96 ± SQUARE FEET (0.0034 ± ACRES); MORE OR LESS.

**Karl
Fran
klin**

Digitally signed
by Karl Franklin
DN: cn=Karl
Franklin,
o=Altitude Land
Consultants, ou,
email=karl@altitu
delandco.com,
c=US
Date: 2021.01.07
15:13:36 -07'00'



3461 Ringsby Court, Suite 125
Denver, CO 80216

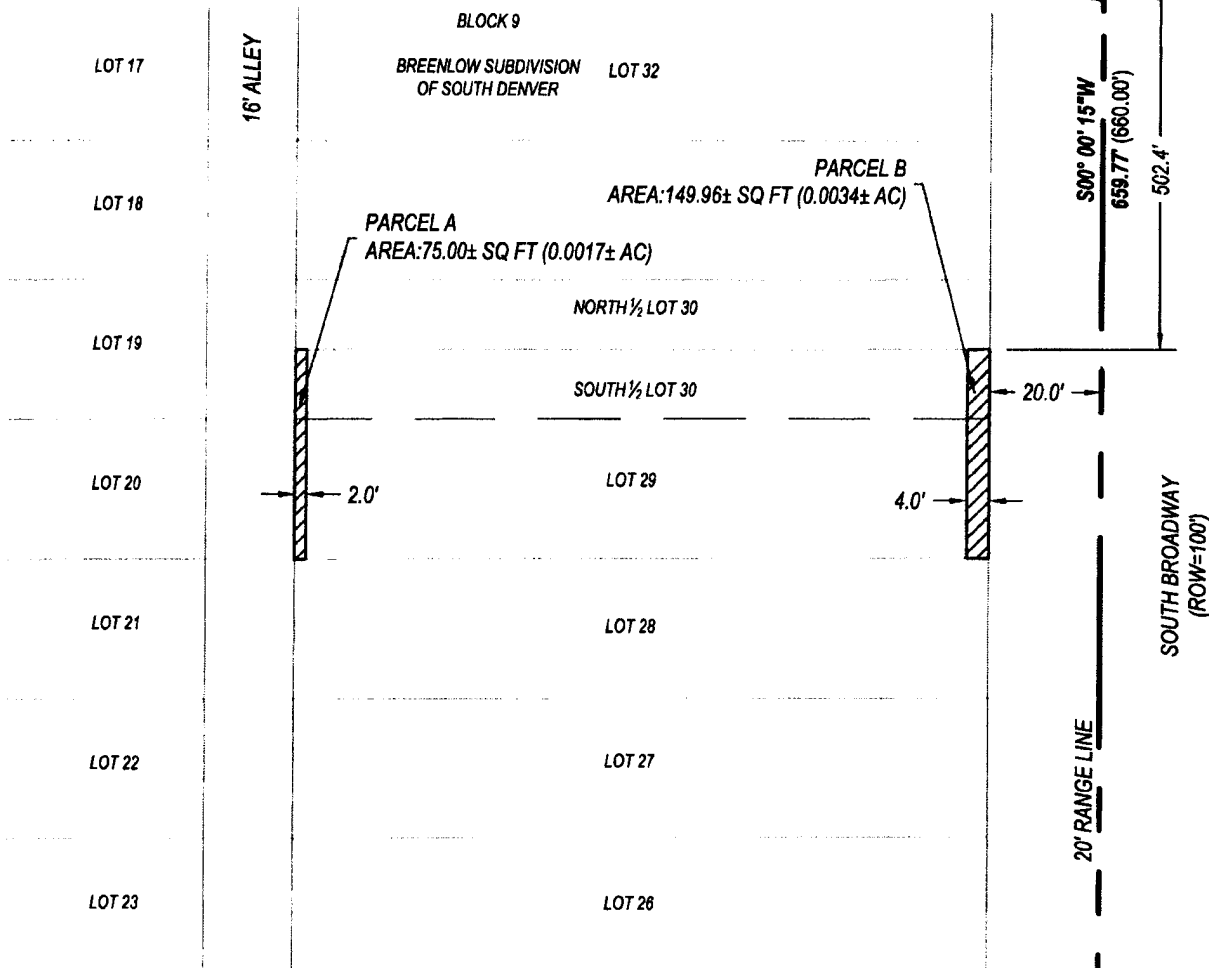
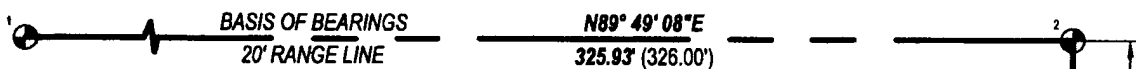
2727 N. Cascade, #160 Colorado Springs,
CO 80907

720.594.9494
Info@AltitudeLandCo.com
www.AltitudeLandCo.com

Prepared By:
Altitude Land Consultants, Inc
Karl W. Franklin, PE-PLS-EXW
Colorado PLS 37969

Date: 101/07/2021
Job No. 20-117

EXHIBIT A
PAGE 2 OF 2



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

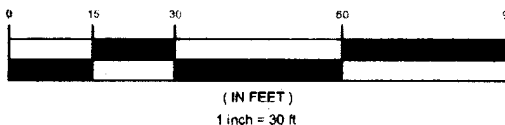
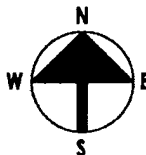


3481 Ringsby Court, Suite 125
Denver, CO 80216

2727 N. Cascade, #160 Colorado Springs,
CO 80907

720.594.9494
Info@AltitudeLandCo.com
www.AltitudeLandCo.com

Date: 01/07/2021
Job No. 20-117



LEGEND:

	PARCEL AREA
1	FOUND #5 REBAR WITH NO CAP IN RANGE BOX
2	FOUND 2.5" ALUMINUM CAP (L.S. 29761) IN RANGE BOX