




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: October 7th, 2020

ROW #: 2018-DEDICATION-0000231 **SCHEDULE #:** 0232107061000

TITLE: This request is to dedicate a parcel of land as Public Right-of-Way as Public Alley, bounded by W. 25th Ave., N. Federal Blvd., W. 26th Ave., and N. Eliot 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 by the City and County of Denver for Public Right-of-Way, as part of the development project, "25th Ave. Restaurant."

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 # (2018-DEDICATION-0000231-001) HERE.

A map of the area to be dedicated is attached.

MB/JS/RL

cc: Dept. of Real Estate, Katherine Rinehart
City Councilperson, Amanda Sandoval District # 1
Councilperson Aide, Gina Volpe
Councilperson Aide, Naomi Grunditz
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, Jon Spirk
DOTI Ordinance
Owner: City and County of Denver
Project file folder 2018-DEDICATION-0000231

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: October 7th, 2020

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 a parcel of land as Public Right-of-Way as Public Alley, bounded by W. 25th Ave., N. Federal Blvd., W. 26th Ave., and N. Eliot St.

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:** 720-913-4818
- **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 Public Alley. 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, "25th Ave. Restaurant."

****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. 25th Ave., N. Federal Blvd., W. 26th Ave., and N. Eliot St.
- d. **Affected Council District:** Amanda Sandoval, District #1
- 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-0000231

Description of Proposed Project: Dedication of a parcel of land as 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 be dedicated as Public Alley.

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

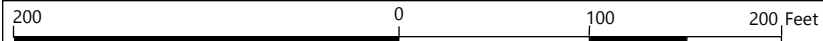
Additional information: This land was deeded to the City and County of Denver for the purpose of dedicating it as Public Alley, as part of a development project called, "25th Ave. Restaurant."



Parcel to be dedicated

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. 2018-DEDICATION-0000231-001:

LAND DESCRIPTION – ALLEY PARCEL

A parcel of land conveyed by Special Warranty Deed to the City and County of Denver, recorded on the 14th day of February, 2020, at Reception Number 2020022278 in the City and County of Denver Clerk and Recorder's Office, State of Colorado, therein as:

A parcel of land located in the Northeast 1/4 of Section 32, Township 3 South, Range 68 West of the 6th Principal Meridian, City and County of Denver, State of Colorado being more particularly described as follows:

Commencing at a Found Chiseled X in Range Box in the intersection of West 25th Ave. and Eliot Street;

Thence N41°44'44"W, a distance of 188.26 feet to a point on the East line of Lot 20, also being the Point of Beginning;

Thence S89°45'16"W, a distance of 24.86 feet;

Thence N00°16'50"W, a distance of 4.00 feet;

thence N89°45'16"E, a distance of 24.86 feet;

thence S00°20'49"E, a distance of 4.00 feet more or less to the Point of Beginning.

Containing 99.44 square feet (0.0023 ± acres) more or less.

Basis of Bearings: Bearings are based on the north range line of C.H. Walker's Subdivision of Block 32, monumented by a found chiseled X in a range box located at the intersection of Federal Blvd and West 26th Avenue a found chiseled X in range box located at the intersection of Eliot St and W 26th Ave. Assumed to bear N89°47'18"E.



02/14/2020 09:20 AM
City & County of Denver
Electronically Recorded

R \$23.00

D \$0.00

WD

After recording, return to:
Division of Real Estate
City and County of Denver
201 West Colfax Avenue, Dept. 1010
Denver, Colorado 80202
Project Description: 2018-Dedication-0000231
Asset Mgmt No.: _____

*Convenience Deed
no doc Fee*

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED ("Deed"), made as of this 14 day of February, 2020, by **MAG Builders, Inc.** a Colorado Corporation, whose address is 3132 N. Federal Blvd, Denver, CO 80211, 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.

FITCO *1905486*

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

ATTEST:

MAG Builders, Inc. a Colorado Corporation

By: [Signature]

Name: Michael R. Moyle

Its: CFO

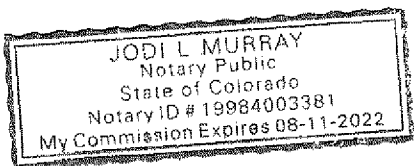
STATE OF CO)
) ss.
COUNTY OF Denver)

The foregoing instrument was acknowledged before me this 14 day of February, 2020
by Michael R. Moyle, as CFO of MAG Builders, Inc. a Colorado
Corporation.

Witness my hand and official seal.

My commission expires: _____

[Signature]
Notary Public



2018PM000028

EXHIBIT A

A PARCEL OF LAND LOCATED IN THE NORTHEAST ONE-QUARTER, SECTION 32, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN,
LOT 20, C.H. WALKER'S SUBDIVISION OF BLOCK 32, TOWN OF HIGHLAND, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

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LAND DESCRIPTION:

A PARCEL OF LAND LOCATED IN THE NORTHEAST $\frac{1}{4}$ OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY
AND COUNTY OF DENVER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND CHISELED X IN RANGE BOX IN THE INTERSECTION OF WEST 25TH AVE. AND ELIOT ST;

THENCE N41°44'44"W, A DISTANCE OF 188.26 FEET TO A POINT ON THE EAST LINE OF LOT 20, ALSO BEING THE POINT OF BEGINNING;

THENCE S89°45'16"W, A DISTANCE OF 24.86 FEET;

THENCE N00°16'50"W, A DISTANCE OF 4.00 FEET;

THENCE N89°45'16"E, A DISTANCE OF 24.86 FEET;

THENCE S00°20'49"E, A DISTANCE OF 4.00 FEET MORE OR LESS TO THE POINT OF BEGINNING.

CONTAINING 99.44 SQUARE FEET (0.0023 ± ACRES) MORE OR LESS.

BASIS OF BEARINGS: BEARINGS ARE BASED ON THE NORTH RANGE LINE OF C.H. WALKER'S SUBDIVISION OF BLOCK 32 MONUMENTED BY
A FOUND CHISELED X IN RANGE BOX LOCATED AT THE INTERSECTION OF FEDERAL BOULEVARD AND WEST 26TH AVENUE AND A FOUND
CHISELED X IN RANGE BOX LOCATED AT THE INTERSECTION OF ELIOT STREET AND W. 26TH AVE, ASSUMED TO BEAR N89°47'18"E.

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

Date: 04/03/2019
Job No. 18-010

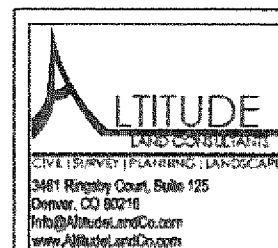
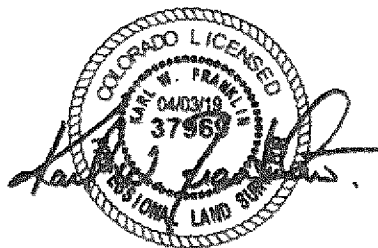
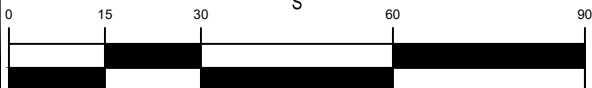
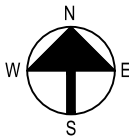
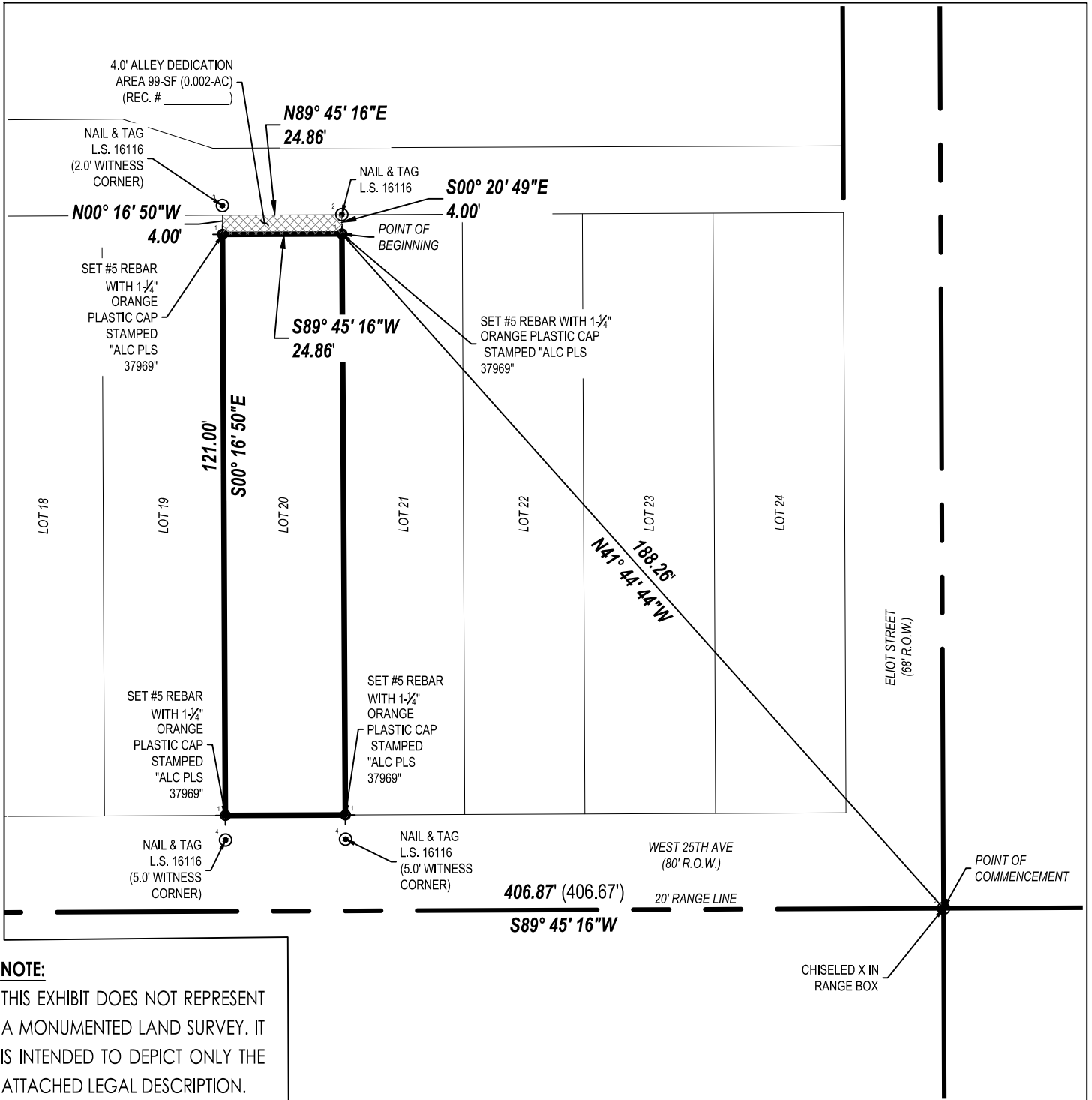


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 LOT 20, C.H. WALKER'S SUBDIVISION OF BLOCK 32, TOWN OF HIGHLAND CITY AND COUNTY OF DENVER, STATE OF COLORADO.

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(IN FEET)
 1 inch = 30 ft.

ALTITUDE
 LAND CONSULTANTS

CIVIL | SURVEY | PLANNING | LANDSCAPE

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 www.AltitudeLandCo.com