



REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Caroline Martin, City Attorney's Office

FROM: Robert J. Duncanson P.E., Engineering Manager II
Right-of-Way Services

DATE: January 13, 2017

ROW #: 2016-Dedication-0000274 **SCHEDULE #:** 0016104002000 & 0016104003000

TITLE: This request is to dedicate a parcel of land as Public Right of Way as Yampa St.
Located at the intersection of E. 51st Ave. and Yampa 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 Yampa 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 (**First Creek Village Filing No. 1**)

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 Yampa St. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2016-Dedication-0000274-001) HERE.

A map of the area to be dedicated is attached.

RD/JL/BLV

cc: Asset Management, Robert Koehler
City Councilperson & Aides, Stacie Gilmore District # 11
Council Aide Magen Elenz
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, Rob Duncanson
Department of Law, Brent Eisen
Department of Law, Shaun Sullivan
Department of Law, Caroline Martin
Department of Law, Cindy Cooley
Public Works Survey, John Lautenschlager
Public Works Survey, Paul Rogalla
Owner: City and County of Denver
Project file folder 2016-Dedication-0000274

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: January 13, 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.**)

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Located at the intersection of E. 51st Ave. and Yampa 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 Yampa 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 (**First Creek Village Filing No. 1**)

****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:** E. 51st Ave. and Yampa St.
- d. **Affected Council District:** Stacie Gilmore Dist. 11
- 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: _____



EXECUTIVE SUMMARY

DENVER
THE MILE HIGH CITY

Project Title: 2016-Dedication-0000274, First Creek Village Filing No. 1

Description of Proposed Project: Dedicate a parcel of public right of way as Yampa 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, First Creek Village Filing No. 1

PW LEGAL DESCRIPTION 2016-DEDICATION-0000274-001

PARCEL DESCRIPTION

THAT PARCEL OF LAND CONVEYED BY WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 6TH OF JANUARY 2017, BY RECEPTION NO. 2017001893, IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDRES OFFICE, STATE OF COLORADO.

A PARCEL OF LAND LYING WITHIN LOTS 2 AND 3, BLOCK 1, TOWER 160 SUBDIVISION FILING NO. 2, AS RECORDED AT RECEPTION NO. 2015080690 IN THE RECORDS OF THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, ALSO BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEARINGS FOR THIS DESCRIPTION ARE BASED ON THE WEST LINE OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BEING ASSUMED TO BEAR S 00°04'06" E, FROM THE NORTH QUARTER CORNER OF SAID SECTION 16, BEING A 3-1/4" ALUMINUM CAP IN RANGEBOX STAMPED "LS 27278", TO THE CENTER QUARTER CORNER OF SAID SECTION 16, BEING A 3-1/4" ALUMINUM CAP STAMPED "LS 20699", WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

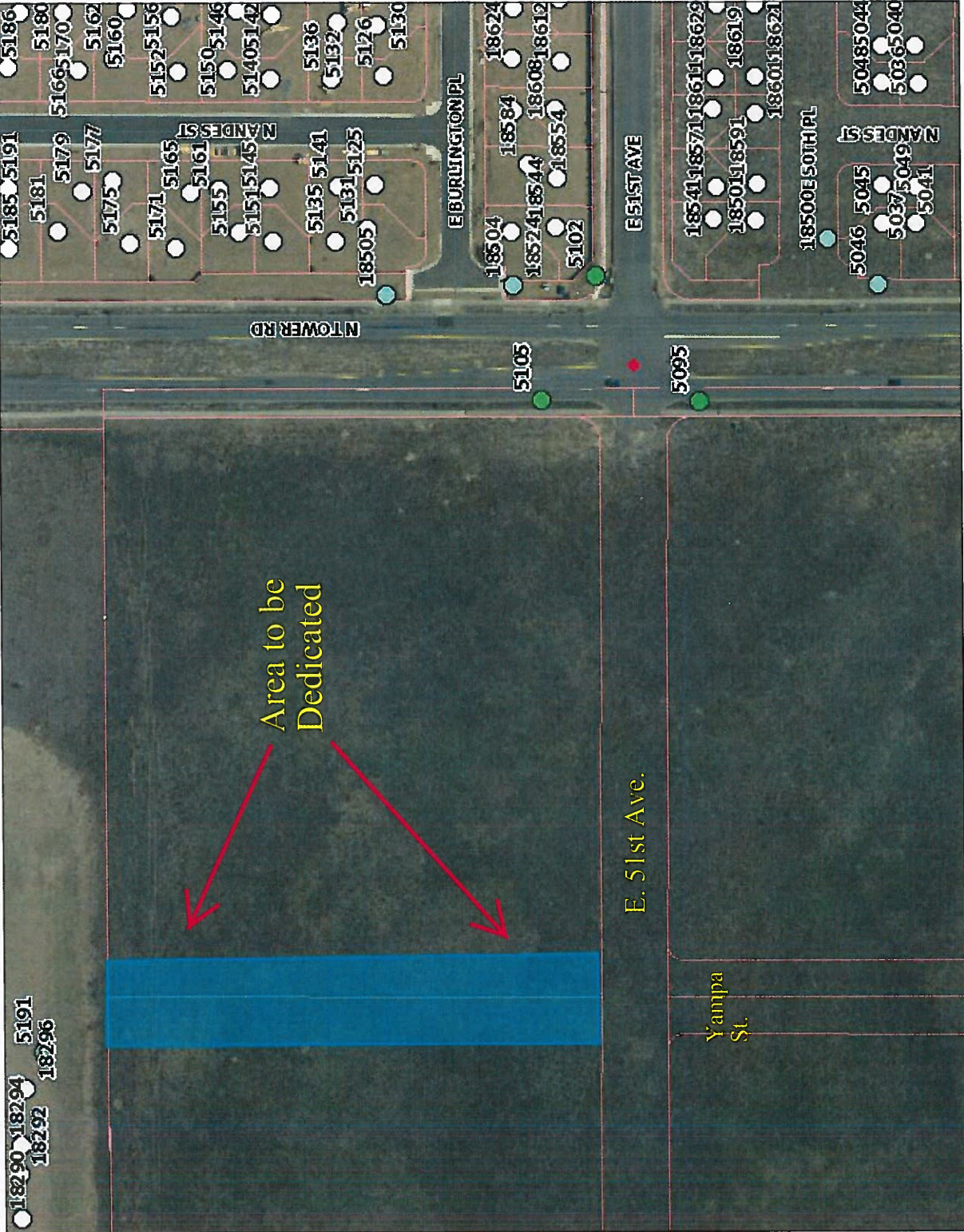
COMMENCING AT THE CENTER QUARTER CORNER OF SAID SECTION 16, ALSO BEING THE NORTHWEST CORNER OF THE TOWER 160 SUBDIVISION FILING NO. 2, THENCE N 89°41'25" E, ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 16, AND THE NORTH LINE OF SAID TOWER 160 SUBDIVISION FILING NO. 2, A DISTANCE OF 1939.99 FEET TO A POINT ON THE NORTH LINE OF LOT 2, BLOCK 1, SAID TOWER 160 SUBDIVISION FILING NO., 2, ALSO BEING A POINT ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 16 AND THE POINT OF BEGINNING:

THENCE N 89°41'25" E, CONTINUING ALONG THE NORTH LINE OF SAID LOTS 2 AND 3, BLOCK 1 AND NORTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 76.00 FEET;
THENCE S 00°12'22" E, A DISTANCE OF 128.60 FEET TO A POINT OF CURVATURE;
THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1962.00 FEET, A CENTRAL ANGLE OF 01°13'49" AND AN ARC LENGTH OF 42.13 FEET;
THENCE S 01°26'11" E, A DISTANCE OF 195.28 FEET TO A POINT OF CURVATURE;
THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 2038.00 FEET, A CENTRAL ANGLE OF 01°19'06" AND AN ARC LENGTH OF 46.89 FEET;
THENCE S 00°07'05" E, A DISTANCE OF 93.07 FEET TO A POINT ON THE NORTH LINE OF 51ST AVENUE, AS DEDICATED BY SAID TOWER 160 SUBDIVISION FILING NO. 2;
THENCE N 89°59'55" W, ALONG THE NORTH LINE OF SAID PARCEL B, A DISTANCE OF 76.00 FEET;
THENCE N 00°07'05" W, A DISTANCE OF 92.91 FEET TO A POINT OF CURVATURE;
THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1962.00 FEET, A CENTRAL ANGLE OF 01°19'06" AND AN ARC LENGTH OF 45.15 FEET;
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THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 2038.00 FEET, A CENTRAL ANGLE OF 01°13'49" AND AN ARC LENGTH OF 43.76 FEET;
THENCE N 00°12'22" W, A DISTANCE OF 128.46 FEET TO THE POINT OF BEGINNING.

CONTAINING 38,438 SQUARE FEET OR 0.882 ACRES, MORE OR LESS.



Yampa Dedication



Area to be Dedicated

E. 51st Ave.

Yampa St.

NTOWER RD

EBURLINGTON PL

18500E SOUTH PL

NANDES ST

Legend

Active Addresses

- Associated
- Land
- Structure
- Utility

Streams

-

Irrigation Ditches Reconstruct (Gardens)

-

Irrigation Ditches

-

Buildings 2014

-

Streets

-

Alleys

-

Railroads

- Main
- Yard
- Spur
- Siding
- Interchange track
- Other

Bridges

-

Rail Transit Stations

- Existing
- Planned

Park-N-Ride Locations

- ▲

Lakes

-

County Boundary

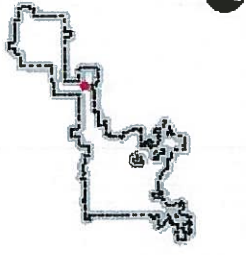
-

Parcels

-

Parks

- All Other Parks; Linear
- Mountain Parks



301 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

© City and County of Denver

1:2,350

Map Generated 1/12/2017

The City and County of Denver shall not be liable for damages of any kind arising out of the use of this information. The information is provided "as is" without warranty of any kind, express or implied, including, but not limited to, the fitness for a particular use.

THIS IS NOT A LEGAL DOCUMENT.



2017001893

01/08/2017 01:59 PM
City & County of Denver

R \$0.00

WD

Page: 1 of 3
D \$0.00

WARRANTY DEED

THIS DEED, dated December 30, 2016 is between Oakwood Homes 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 sealing 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:

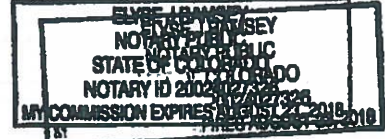
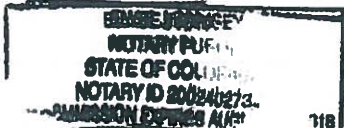
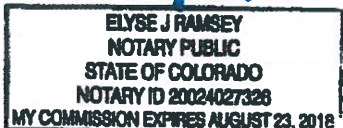
Oakwood Homes LLC
By: [Signature]
Title: Division President

STATE OF COLORADO
COUNTY OF DENVER

The foregoing instrument was acknowledged before me this day 30TH of December, 2016 by DAVID BRACHT as Division President of Oakwood Homes LLC

Witness my hand and official seal
My commission expires Aug 23, 2018

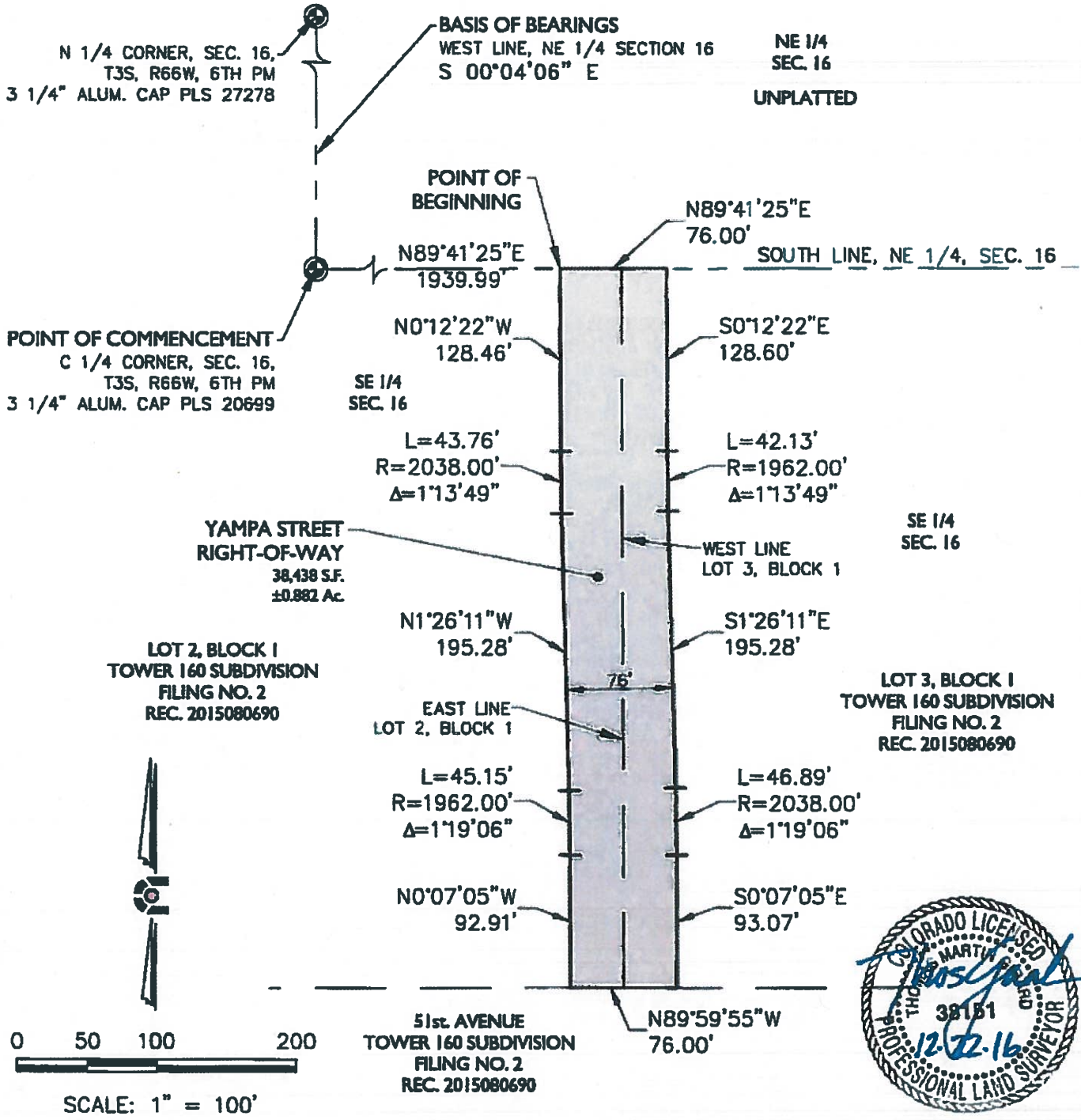
Elyse J Ramsey
Notary Public



Name and Address of Person Creating Newly Created Legal Description (§38-35-106.5, C.R.S.)

EXHIBIT

SOUTHEAST QUARTER, SECTION 16, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE 6TH P.M.,
CITY AND COUNTY OF DENVER, COLORADO



PARCEL CONTAINS 38,438 S.F. OR 0.882 Ac, MORE OR LESS.
NOTE: THIS DOES NOT REPRESENT A MONUMENTED SURVEY.
IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION.
PROJECT: 13-008
DATE: 12/4/15
SHEET 1 OF 2

DR: J. ANTON
DS: T. GIRARD
P.M. B. CALVERT

CORE CONSULTANTS

CIVIL ENGINEERING
DEVELOPMENT CONSULTING
NATURAL RESOURCES
LAND SURVEYING

328.703.4444
1800 W. Littleton Blvd., Ste. 100
Littleton, CO 80120

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THOMAS M. GIRARD
COLORADO PLS 38151
FOR AND ON BEHALF OF
CORE CONSULTANTS, INC.



NOTE: THIS DOES NOT REPRESENT A MONUMENTED SURVEY.
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DATE: 12/4/15
SHEET 1 OF 2
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