




REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Ivone Avila-Ponce, City Attorney's Office

FROM: Glen D. Blackburn, P.E., Director, Right-of-Way Services 

DATE: August 27, 2024

ROW #: 2021-DEDICATION-0000002 **SCHEDULE #:** 0709200053000

TITLE: This request is to dedicate a City-owned parcel of land as Public Right-of-Way as South Ulster Street, located near South Ulster Street and East Technology Way.

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 South Ulster Street. 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, "4552 S Ulster Street."

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 South Ulster Street. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2021-DEDICATION-0000002-001) HERE.

A map of the area to be dedicated is attached.

GB/TB/LRA

cc: Dept. of Real Estate, RealEstate@denvergov.org
City Councilperson, Diana Romero Campbell District # 4
Councilperson Aide, Macy Conant
Councilperson Aide, Adetilewa Awosanya
Councilperson Aide, Kathy Gile
City Council Staff, Luke Palmisano
Environmental Services, Andrew Ross
DOTI, Manager's Office, Alba Castro
DOTI, Manager's Office, Alaina McWhorter
DOTI, Director, Right-of-Way Services, Glen Blackburn
Department of Law, Johna Varty
Department of Law, Martin Plate
Department of Law, Kwali Farbes
Department of Law, Ivone Avila-Ponce
Department of Law, Katherine Ehlers
Department of Law, Mar'quasa Maes
DOTI Survey, Thomas Breitnauer
DOTI Ordinance
Owner: City and County of Denver
Project file folder 2021-DEDICATION-0000002

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

CONNECT WITH US | 311 | DENVERGOV.ORG | DENVER 8 TV

ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor's Legislative Team
at MileHighOrdinance@DenverGov.org by 9 a.m. Friday. Contact the Mayor's Legislative team with questions

Date of Request: August 27, 2024

Please mark one: Bill Request or Resolution Request

Please mark one: The request directly impacts developments, projects, contracts, resolutions, or bills that involve property and impact within .5 miles of the South Platte River from Denver's northern to southern boundary? (Check map [HERE](#))

Yes No

1. Type of Request:

Contract/Grant Agreement Intergovernmental Agreement (IGA) Rezoning/Text Amendment

Dedication/Vacation Appropriation/Supplemental DRMC Change

Other:

2. **Title:** Dedicate a City-owned parcel of land as Public Right-of-Way as South Ulster Street, located near South Ulster Street and East Technology Way.

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

4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution (e.g., subject matter expert)	Contact person for council members or mayor-council
Name: Lisa R. Ayala	Name: Alaina McWhorter
Email: Lisa.ayala@denvergov.org	Email: Alaina.McWhorter@denvergov.org

5. General description or background of proposed request. Attach executive summary if more space needed:

Proposing on vacant land to build a new multiplex structure. The developer was asked to dedicate a parcel of land as South Ulster Street.

6. **City Attorney assigned to this request (if applicable):**

7. **City Council District:** Diana Romero Campbell District # 4

8. ****For all contracts, fill out and submit accompanying Key Contract Terms worksheet****

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____

Key Contract Terms

Type of Contract: (e.g. Professional Services > \$500K; IGA/Grant Agreement, Sale or Lease of Real Property):

Vendor/Contractor Name (including any dba's):

Contract control number (legacy and new):

Location:

Is this a new contract? Yes No Is this an Amendment? Yes No If yes, how many? _____

Contract Term/Duration (for amended contracts, include existing term dates and amended dates):

Contract Amount (indicate existing amount, amended amount and new contract total):

<i>Current Contract Amount</i> (A)	<i>Additional Funds</i> (B)	<i>Total Contract Amount</i> (A+B)
<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>

Scope of work:

Was this contractor selected by competitive process?

If not, why not?

Has this contractor provided these services to the City before? Yes No

Source of funds:

Is this contract subject to: W/MBE DBE SBE XO101 ACDBE N/A

WBE/MBE/DBE commitments (construction, design, Airport concession contracts):

Who are the subcontractors to this contract?

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____

EXECUTIVE SUMMARY

Project Title: 2021-DEDICATION-0000002

Description of Proposed Project: Proposing on vacant land to build a new multiplex structure. The developer was asked to dedicate a parcel of land as South Ulster Street.

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 South Ulster Street.

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 South Ulster Street, as part of the development project called, "4552 S Ulster Street."



Legend

-  Streets
-  Alleys
-  County Boundary
-  Parcels
-  Lots/Blocks



PARCEL DESCRIPTION ROW NO. 2021-DEDICATION-0000002-001:

LAND DESCRIPTION - STREET PARCEL

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 6TH DAY OF APRIL, 2022, AT RECEPTION NUMBER 2022045881 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 5 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, AND BEING A PORTION OF PARCELS 1 & 2 AS RECORDED IN THE CITY AND COUNTY CLERK AND RECORDER'S OFFICE AT BOOK 1672 AT PAGES 312-314, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF S. ULSTER STREET, BEING AN ILLEGIBLE NAIL AND WASHER, WHENCE THE NORTHWESTERLY CORNER OF SUBJECT PROPERTY, AS MONUMENTED BY AN ILLEGIBLE 1-1/2" ALUMINUM CAP, BEARS N 35°41'20" E, A DISTANCE OF 249.17 FEET, USING THE CITY AND COUNTY OF DENVER CONTROL COORDINATES, FORMING THE BASIS OF BEARINGS USED IN THIS DESCRIPTION;

THENCE N35°41'20"E, A DISTANCE OF 10.01 FEET TO A POINT OF CURVATURE;

THENCE ALONG A NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 02°59'46", A RADIUS OF 680.00 FEET, AN ARC LENGTH OF 35.56 FEET, AND A LONG CHORD BEARING AND DISTANCE OF S 57°45'35" E, 35.56 FEET;

THENCE S 30°44'32" W, A DISTANCE OF 2.00 FEET TO A POINT OF CURVATURE;

THENCE ALONG A NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 01°58'35", A RADIUS OF 682.00 FEET, AN ARC LENGTH OF 23.52 FEET, AND A LONG CHORD BEARING AND DISTANCE OF S 60°14'45" E, 23.52 FEET;

THENCE S 61°14'03" E, A DISTANCE OF 240.00 FEET;

THENCE S 28°45'58" W, A DISTANCE OF 8.00 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF S. ULSTER STREET;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES:

1. N 61°14'03" W, A DISTANCE OF 240.00 FEET TO A POINT OF CURVATURE;
2. ALONG A TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 05°00'03", A RADIUS OF 690.00 FEET, AN ARC LENGTH OF 60.22 FEET, AND A LONG CHORD BEARING AND DISTANCE OF N 58°44'01" W, 60.20 FEET TO THE **POINT OF BEGINNING** WHENCE A #8 REBAR DENVER RANGE POINT AT THE INTERSECTION OF SAID S. ULSTER STREET AND TECHNOLOGY WAY, A PRIVATE STREET, BEARS S 01°36'26" E, A DISTANCE OF 118.95 FEET.

CONTAINING AN AREA OF 2,470 SQUARE FEET OR 0.057 ACRES, MORE OR LESS.



04/06/2022 11:52 AM
City & County of Denver

R \$28.00

WD

2022045881

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: 2021-Dedication-0000002
Asset Mgmt No.: 21-174

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED ("Deed"), made as of this 5th day of APRIL, 2022, by **LEGACY DTC OWNER LLC**, a Delaware limited liability company, whose address is 950 Tower Lane, Suite 900, Foster City, California 94404, 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:

LEGACY DTC OWNER LLC, a Delaware limited liability company

By: Legacy/PL DTC JV LLC, a Delaware limited liability company, its Sole Member

By: LP/CE Ulster DTC LLC, a Delaware limited liability company, its Managing Member

By: Legacy/Collier Holdings LLC, a Delaware limited liability company, its Manager

By: Legacy Partners Holdings LLC, a Delaware limited liability company, its Manager

By: 
R. Lane Cutter
Senior Managing Director

STATE OF COLORADO

COUNTY OF Arapahoe

The foregoing instrument was acknowledged before me this 5th day of April, 2022, by R. Lane Cutter as Senior Managing Director of Legacy Partners Holdings LLC, a Delaware limited liability company, the Manager of Legacy/Collier Holdings LLC, a Delaware limited liability company, the Manager of LP/CE Ulster DTC LLC, a Delaware limited liability company, the Managing Member of Legacy/PL DTC JV LLC, a Delaware limited liability company, the Sole Member of Legacy DTC Owner LLC, a Delaware limited liability company.

WITNESS MY HAND AND OFFICIAL SEAL.

My commission expires: August 21, 2023


Notary Public

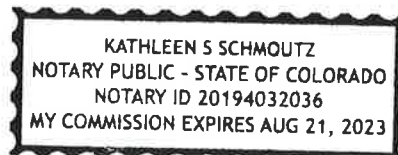


EXHIBIT A
LAND DESCRIPTION

2020-PROJMSTR-0000151-ROW

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 5 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, AND BEING A PORTION OF PARCELS 1 & 2 AS RECORDED IN THE CITY AND COUNTY CLERK AND RECORDER'S OFFICE AT BOOK 1672 AT PAGES 312-314, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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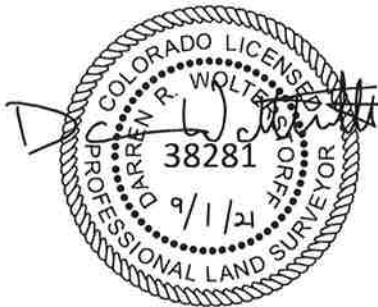
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CONTAINING AN AREA OF 2,470 SQUARE FEET OR 0.057 ACRES, MORE OR LESS.

I, DARREN R. WOLTERSTORFF, BEING A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THIS EXHIBIT WAS PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE AND IS ACCURATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF. THIS CERTIFICATION IS NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED.



DARREN R. WOLTERSTORFF, PLS 38281
FOR AND ON BEHALF OF KIMLEY-HORN AND ASSOCIATES, INC.

NOTES:

1. ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

2. THIS DOCUMENT IS NOT A LAND SURVEY PLAT OR AN IMPROVEMENT SURVEY PLAT AND DOES NOT REPRESENT A MONUMENTED LAND SURVEY

Kimley»Horn

4582 SOUTH ULSTER ST., # 1500
DENVER, COLORADO 80237

Tel. No. (303) 228-2300
www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	DRW	DD	08/11/2021	096844001	1 OF 2

