




## REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

**TO:** Caroline Martin, City Attorney's Office

**FROM:** Ted Christianson P.E., Engineering Manager II  
Right-of-Way Services 

**DATE:** May 8, 2017

**ROW #:** 2016-Dedication-0000125      **SCHEDULE #:** 0232321012000 and 0232321011000

**TITLE:** This request is to dedicate a parcel of land as Public Right of Way as Public alley.  
Located near the intersection of N. Irving St and W. 17th Ave.

**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 a public alley. This parcel(s) of land is being dedicated to the City and County of Denver for Public Right-of-Way, as part of the project development project (**Irving Street Townhomes**).

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 an alley. The land is described as follows:

**INSERT PARCEL DESCRIPTION ROW # (2016-Dedication-0000125-001) HERE.**

A map of the area to be dedicated is attached.

RD/AG/BLV

cc: Asset Management, Robert Koehler  
City Councilperson & Aides, Paul Lopez District # 3  
Council Aide Adriana Lara  
Council Aide Jesus Orrantia  
City Council Staff, Shelley Smith  
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, Ted Christianson  
Department of Law, Brent Eisen  
Department of Law, Caroline Martin  
Department of Law, Adam Hernandez  
Department of Law, Angela Garcia  
Public Works Survey, Jon Spirk  
Public Works Survey, Paul Rogalla  
Owner: City and County of Denver  
Project file folder: 2016-Dedication-0000125

**ORDINANCE/RESOLUTION REQUEST**

Please email requests to Angela Casias  
at [angela.casias@DenverGov.org](mailto: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: May 8, 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 Public alley.  
Located near the intersection of N. Irving St and W. 17th Ave.

3. Requesting Agency: Public Works – Right-of-Way Services / 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 a public alley. This parcel(s) of land is being dedicated to the City and County of Denver for Public Right-of-Way, as part of the project development project (**Irving Street Townhomes**).

**\*\*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: N. Irving St and W. 17th Ave.
- d. Affected Council District: Paul Lopez Dist. 3
- e. Benefits: N/A
- f. Contract Amount (indicate amended amount and new contract total): N/A

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-0000125 Irving Street Townhomes**

**Description of Proposed Project: Dedicate a parcel for 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 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: The land was deeded ot the City and County of Denver for the purpose to dedicate it as an alley for Public Right-of-Way, as part of a development project called Irving Street Townhomes.**

PW Legal Description No. 2016-Dedication-0000125-001

THOSE PARCELS OF LAND DESCRIBED AS PARCEL "A" AND PARCEL "B", CONVEYED BY WARRANTY DEED TO THE CITY & COUNTY OF DENVER, RECORDED ON THE 8th OF AUGUST 2016, BY RECEPTION NO. 2016106565 IN THE CITY AND COUNTY OF DENVER, CLERK AND RECORDER'S OFFICE, BEING DESCRIBED AS FOLLOWS:

Parcel "A"

THE WESTERLY 3.00 FEET OF LOTS 1 AND 2, BLOCK 21, GURLEY'S RESUBDIVISION OF CHELTENHAM HEIGHTS, CITY AND COUNTY OF DENVER, STATE OF COLORADO. CONTAINS 183 SQUARE FEET, MORE OR LESS.

Parcel "B"

THE WESTERLY 3.00 FEET OF LOT 3 AND THE WESTERLY 3.00 FEET OF THE NORTH 1/3 OF LOT 4, BLOCK 21, GURLEY'S RESUBDIVISION OF CHELTENHAM HEIGHTS, CITY AND COUNTY OF DENVER, STATE OF COLORADO. CONTAINS 120 SQUARE FEET, MORE OR LESS.



Legend	
■	Benchmarks
●	Range Points
▲	View Plane Origin Points
	(GDP) General Development F
□ (Red)	Recorded
□ (Blue)	Proposed
	Site Development Plans
■ (Light Blue)	Recorded
■ (Orange)	Under Review
— (Blue)	Streams
— (Blue)	Irrigation Ditches Reconstruct
— (Blue)	Irrigation Ditches (Gardens)
— (Blue)	Irrigation Ditches
— (Grey)	Streets
— (Grey)	Alleys
— (Grey)	Railroads
+	Main
+	Yard
+	Spur
+	Siding
+	Interchange track
+	Other
□ (White)	Bridges
○ (Yellow)	Rail Transit Stations Existing
○ (Blue)	Rail Transit Stations Planned
▲ (Yellow)	Park-N-Ride Locations
□ (Blue)	Lakes
□ (Grey)	County Boundary
□ (Pink)	Parcels
□ (Light Blue)	Lots/Blocks
□ (Light Blue)	Plat



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.**



WARRANTY DEED

THIS DEED, dated 8th of August 2016 is between LUX Builders, LLC, a Colorado limited liability company and Restoration Realty, Inc., a Colorado corporation ("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:

EXHIBITS "A" and "B" 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, 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.

LUX Builders, LLC  
By: [Signature]  
Title: Owner / Austin Schmidt

Restoration Realty, Inc.  
By: [Signature]  
Title: V.P. Keith Nyland

Sean Kirkwood  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20164019775  
MY COMMISSION EXPIRES 05/23/20

STATE OF Colorado  
COUNTY OF Denver

The foregoing instrument was acknowledged before me this day 8 of August, 2016 by Austin Schmidt as Owner of LUX Builders, LLC and by Keith Nyland as Vice President of Restoration Realty, Inc.

[Signatures]

Asset Mgmt. # 16-088  
Asset Management  
Date: 8-11-16  
REU  
Project Description: 1637-1641 - LAIN...

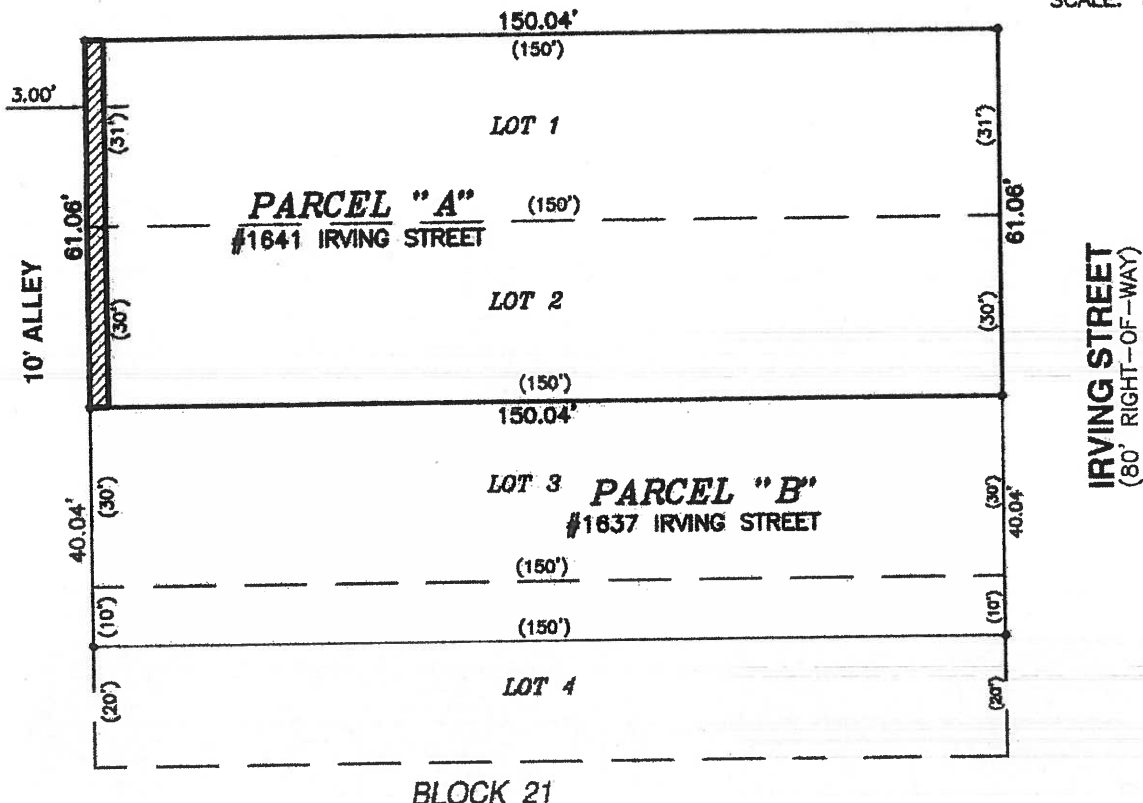
# EXHIBIT "A"

## SHEET 1 OF 1

WEST 17TH AVENUE  
(80' RIGHT-OF-WAY)



SCALE: 1"=30'



BLOCK 21

### LEGAL DESCRIPTION:

THE WESTERLY 3.00 FEET OF LOTS 1 AND 2, BLOCK 21, GURLEY'S RESUBDIVISION OF CHELTENHAM HEIGHTS, CITY AND COUNTY OF DENVER, STATE OF COLORADO. CONTAINS 183 SQUARE FEET, MORE OR LESS.



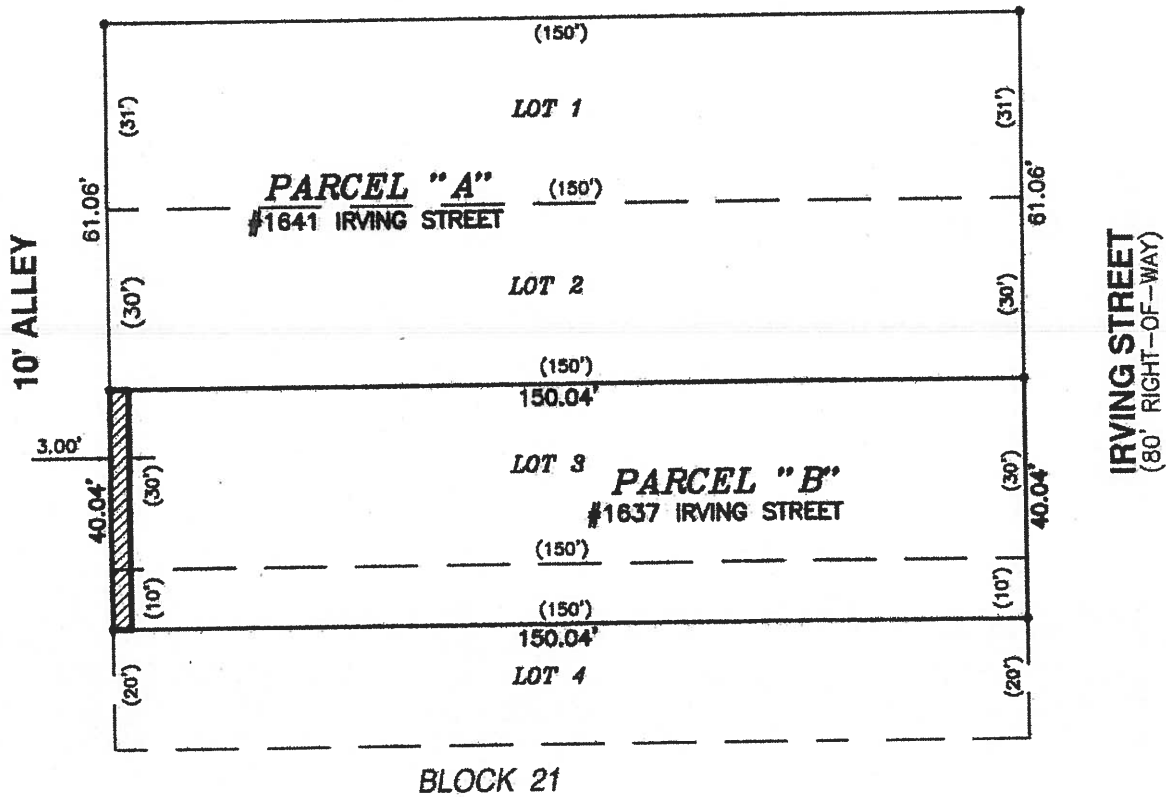
# EXHIBIT "B"

## SHEET 1 OF 1

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