



REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Caroline Martin, City Attorney's Office

FROM: Matt Bryner, P.E. Senior Engineering Manager
Right-of-Way Services

DATE: November 16, 2017

ROW #: 2016-Dedication-0000157 **SCHEDULE #:** A portion of 0021100035000

TITLE: This request is to dedicate a parcel of land as Public Right of Way as N. Tower Rd.
Located at the intersection of E. 45th and Tower Rd.

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 N. Tower Rd. 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 (**45th Avenue Apartments**)

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 N. Tower Rd. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2016-Dedication-0000157-001) HERE.

A map of the area to be dedicated is attached.

MB/JL/BV

cc: Asset Management, Robert Koehler
City Councilperson & Aides, Stacie Gilmore District # 11
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, Matt Bryner
Department of Law, Brent Eisen
Department of Law, Shaun Sullivan
Department of Law, Caroline Martin
Department of Law, Stan Lechman
Department of Law, Cynthia Devereaux
Public Works Survey, John Lautenschlager
Public Works Survey, Paul Rogalla
Owner: City and County of Denver
Project file folder 2016-Dedication-0000157

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: November 16, 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 N. Tower Rd.
Located at the intersection of E. 45th and Tower Rd.

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 N. Tower Rd. 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 (**45th Avenue Apartments**)

****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. Tower Rd. near E. 45th Ave.
- 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: _____



DENVER
THE MILE HIGH CITY

EXECUTIVE SUMMARY

Project Title: 2017-Dedication-0000157, 45th Avenue Apartments

Description of Proposed Project: Dedicate a parcel of public right of way as N. Tower Rd.

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

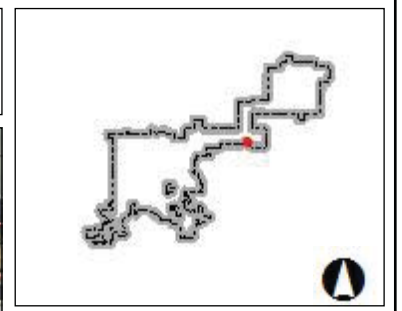
Will an easement relinquishment be submitted at a later date: N/A

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, 45th Avenue Apartments

TOWER RD R.O.W

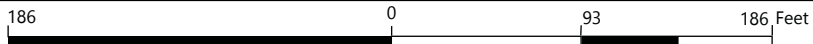


AREA TO BE DEDICATED AS RIGHT-OF-WAY



Legend

- Streams
- Buildings
- 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



PW Parcel Description 2017-Dedication-0000157-001

That parcel of land conveyed by Special Warranty deed to the City & County of Denver, Recorded the 9th of November 2017, by Reception No. 2017147528, In the City and County of Denver, Clerk and Recorder's Office, State of Colorado.

A parcel of land being a portion of the parcel described by Quit Claim Deed recorded at Reception No. 2017017413, situated in the Northeast Quarter of Section 21, Township 3 South, Range 66 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado, more particularly described as follows:

Commencing at the East Quarter Corner of said Section 21, whence the Center Quarter Corner of said Section 21 bears South 89°57'32" West, as described on C.P. Bedrock Filing No. 4 recorded February 11, 2014 at Reception No. 2014015960, said line being the **BASIS OF BEARINGS** for this description;
THENCE South 89°57'32" West along the south line of the Northeast Quarter of said Section 21, a distance of 60.00 feet to a point on the west line of Tower Road as described at Reception No. 2004109866, said point being the **POINT OF BEGINNING**;
THENCE South 89°57'32" West continuing along said south line, a distance of 2.00 feet to a line parallel with and 2.00 feet west of said west line;
THENCE North 00°00'12" West along said parallel line, a distance of 311.58 feet;
THENCE North 89°59'48" East, a distance of 2.00 feet to said west line;
THENCE South 00°00'12" East along said west line, a distance of 311.58 feet to the **POINT OF BEGINNING**.

Said Parcel contains 623 square feet or 0.01 acres, more or less

Asset Mgmt. #: 17-109



2017147528

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

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED ("Deed"), made as of this _____ day of _____, 2017, by **C.P. BEDROCK LLC, A DELAWARE LIMITED LIABILITY COMPANY**, whose address is 224 12th Avenue, New York, New York 10001 ("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").

Approved: *[Signature]*
Asset Management: *[Signature]*
Date: 11/09/17

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.

Project Description:
SWD
C.P. Bedrock LLC

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

ATTEST:

C.P. BEDROCK LLC, A DELAWARE LIMITED LIABILITY COMPANY

By: Steven Honig

Name: Steven Honig

Its: Vice President & General Counsel

STATE OF New York)
) ss.
COUNTY OF New York)

The foregoing instrument was acknowledged before me this 8 day of November, 2017
by Steven Honig, as VP + General Counsel of C.P. BEDROCK LLC, A
DELAWARE LIMITED LIABILITY COMPANY.

Witness my hand and official seal.

My commission expires: Melissa Santiago

Notary Public
Melissa Santiago
Notary Public, State of New York
No. 01596220456
Qualified in New York County
Commission Expires on
April 12, 2018

EXHIBIT A
"PROPERTY"
SHEET 1 OF 2
DESCRIPTION

A parcel of land being a portion of "Parcel A" as described by Deed of Trust recorded at Reception No. 2013074680, situated in the Northeast Quarter of Section 21, Township 3 South, Range 66 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado, more particularly described as follows:

Commencing at the East Quarter Corner of said Section 21, whence the Center Quarter Corner of said Section 21 bears South 89°57'32" West, as described on C.P. Bedrock Filing No. 4 recorded February 11, 2014 at Reception No. 2014015960, said line being the **BASIS OF BEARINGS** for this description;
THENCE South 89°57'32" West along the south line of the Northeast Quarter of said Section 21, a distance of 60.00 feet to a point on the west line of Tower Road as described at Reception No. 2004109866, said point being the **POINT OF BEGINNING**;
THENCE South 89°57'32" West continuing along said south line, a distance of 2.00 feet to a line parallel with and 2.00 feet west of said west line;
THENCE North 00°00'12" West along said parallel line, a distance of 311.58 feet;
THENCE North 89°59'48" East, a distance of 2.00 feet to said west line;
THENCE South 00°00'12" East along said west line, a distance of 311.58 feet to the **POINT OF BEGINNING**.

Said Parcel contains 623 square feet or 0.01 acres, more or less.

PREPARED BY: AARON MURPHY
PLS 38162

ON BEHALF OF: HARRIS KOCHER SMITH
1120 LINCOLN STREET, SUITE 1000
DENVER, CO 80203
303.623.6300



EXHIBIT A
SHEET 2 OF 2

E 45TH AVENUE

217.00'

PROPERTY LINE

PARCEL CONTAINS
623 SQ. FT. OR 0.01 AC.±

N89°59'48"E 2.00'

10' PSCO ESMT.
(REC. NO. 2004236788)
10' QWEST ESMT.
(REC. NO. 2006152617)

TOWER ROAD

N00°00'12"W 311.58'
S00°00'12"E 311.58'

E LINE NE 1/4 SEC. 21 N00°00'12"W



POINT OF BEGINNING

POINT OF COMMENCEMENT
E 1/4 COR. SEC 21
FOUND 3" BRASS DISC
IN RANGE BOX
PLS 23527

BASIS OF BEARINGS
S LINE NE 1/4 SEC. 21

CENTER 1/4 COR. SEC 21
FOUND 2 1/2" ALUM. CAP
PLS 25936

S89°57'32"W 60.00'

S89°57'32"W 2.00'

30 0 30

SCALE: 1" = 30'

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

NO CHANGES ARE TO BE MADE TO THIS DRAWING WITHOUT WRITTEN PERMISSION OF HARRIS KOCHER SMITH.

ISSUE DATE: 6-1-2017 PROJECT #: 170218

DATE	REVISION COMMENTS
9-7-2017	MISC REVISIONS

NE 1/4 SEC. 21, T3S, R66W, 6TH PM

EXHIBIT A

HKS HARRIS KOCHER SMITH
1120 Lincoln Street, Suite 1000
Denver, Colorado 80203
P. 303.823.6300 F. 303.823.6311
HarrisKocherSmith.com

CHKD BY: AWM
DRAWN BY: TWG

SHEET NO

2

1 OF 2