



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

**TO:** Karen Walton, City Attorney's Office

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

**DATE:** April 16, 2014

**ROW #:** 2013-0398-05    **SCHEDULE #:** Portion of 0223106037000 &  
0223106040000

**TITLE:** This request is to dedicate a parcel of land as Public Right of Way as High St.  
Located at the intersection of 47<sup>th</sup> Ave. and High 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 High 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 (**Odyssey Family Housing**)

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 High St. The land is described as follows.

**INSERT PARCEL DESCRIPTION ROW # (2013-0398-05-001) HERE.**

A map of the area to be dedicated is attached.

RD/JL/BLV

cc: Asset Management, Steve Wirth  
City Councilperson & Aides, Judy Montero District # 9  
City Council Staff, Gretchen Williams  
Environmental Services, David Erickson  
Public Works, Manager's Office, Alba Castro  
Public Works, Manager's Office, Nancy Kuhn  
Public Works, Right-of-Way Engineering Services, Rob Duncanson  
Department of Law, Karen Aviles  
Department of Law, Brent Eisen  
Department of Law, Karen Walton  
Public Works Survey, Paul Rogalla  
Public Works Survey, Paul Rogalla  
Owner: City and County of Denver  
Project file folder 2013-0398-05

**ORDINANCE/RESOLUTION REQUEST**

Please email requests to Nancy Kuhn at [Nancy.Kuhn@Denvergov.org](mailto:Nancy.Kuhn@Denvergov.org) by **NOON 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: April 16, 2014

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, amendment, municipal code change, supplemental request, etc.)

This request is to dedicate a parcel of land as Public Right of Way as High St.  
Located at the intersection of 47th Ave. and High St.

3. **Requesting Agency:** PW Right of Way Engineering Services

4. **Contact Person:** (With actual knowledge of proposed ordinance/resolution.)

- **Name:** Barbara Valdez
- **Phone:** 720-865-3153
- **Email:** [Barbara.valdez@denvergov.org](mailto: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:** Nancy Kuhn
- **Phone:** 720-865-8720
- **Email:** [Nancy.Kuhn@denvergov.org](mailto:Nancy.Kuhn@denvergov.org)

6. **General description 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 High 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 (Odyssey Family Housing)

**\*\*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.)

- a. **Contract Control Number:** N/A
- b. **Duration:** Permanent
- c. **Location:** 47<sup>th</sup> and High St.
- d. **Affected Council District:** Judy Montero Dist. #9
- e. **Benefits:** N/A
- f. **Costs:** 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: \_\_\_\_\_



**DENVER**  
THE MILE HIGH CITY

## EXECUTIVE SUMMARY

**Project Title: 2013-0398-05 Dedication, Odyssey Family Housing**

**Description of Proposed Project: Dedicate a parcel of public right of way as High 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, Odyssey Family Housing**

# High St. Parcel 1



- Denver County (Boundary)
- Street Centerline
- Interstate
- US Highway
- Other
- Parcels
- mask
- 2012\_Denver.jp2.iri
- Denver County (Shaded)
- Denver County
- Adams County
- Arapahoe County
- Jefferson County

Map generated 4/15/2014 - 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.

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# High St. Parcel 2



- Denver County (Boundary)
- Street Centerline
- Interstate
- US Highway
- Other
- Parcels
- mask
- 2012\_Denver.jp2.iri
- Denver County (Shaded)
- Denver County
- Adams County
- Arapahoe County
- Jefferson County

Map generated 4/15/2014 - 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.

PW Legal Description No. 2013-0398-05-001

2 Parcels of land located in the Northeast Quarter of Section 23, Township 3 South, Range 68 West of the Sixth Principal Meridian. City & County of Denver, State of Colorado.

Parcel 1

A parcel of the land conveyed by Warranty Deed to the City & County of Denver, recorded on the 15th of April 2014, by Reception Number 2014042124, in the City and County of Denver Clerk & Records Office, State of Colorado, being more particularly described as follows:

The east 1.50 feet of Lots 26 through 29 and the east 1.50 feet of the south 11.75 feet of Lot 30, The east 1.50 feet of Lot 37, 38 and the east 1.50 feet of the north 10.42 feet of Lot 36, Block 6, Elyria Addition, City & County of Denver, State of Colorado.

Containing 257 sq. ft. (0.06 AC.), more or less.

Parcel 2

A parcel of the land conveyed by Warranty Deed to the City & County of Denver, recorded on the 15th of April 2014, by Reception Number 2014042125, in the City and County of Denver Clerk & Records Office, State of Colorado, being more particularly described as follows:

The east 1.50 feet of Lots 31 through 35 and the east 1.50 feet of the south 14.60 feet of Lot 36, The east 1.50 feet of the north 13.27 feet of Lot 30, Block 6, Elyria Addition, City & County of Denver, State of Colorado.

Contains 228 sq. ft. (0.005 AC.), more or less.

PARCEL 1



2014042124  
Page: 1 of 3  
D \$0.00

WARRANTY DEED

Asset Mgmt. # 14-056

THIS DEED, dated April 14, 2014, is between Odyssey I, 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

Asset Management  
Date: 4-15-14

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.

Odyssey I, LLC

By: [Signature]  
Title: Executive Director

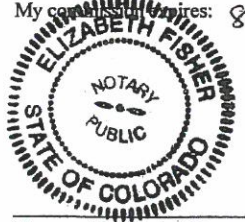
4700 & High St.

STATE OF COLORADO  
COUNTY OF DENVER

The foregoing instrument was acknowledged before me this day 14<sup>th</sup> of APRIL, 2014 by CAROLYN T. LEASE as EXECUTIVE DIRECTOR of Odyssey I, LLC.

Witness my hand and official seal.  
My commission expires: 8/8/2015

[Signature] ELIZABETH FISHER  
Notary Public



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

**ODYSSEY I, LLC  
RIGHT-OF-WAY DEDICATION**

**PROPERTY DESCRIPTION**

THE EAST 1.50 FEET OF LOTS 26 THROUGH 29 AND THE EAST 1.50 FEET OF THE SOUTH 11.75 FEET OF LOT 30, THE EAST 1.50 FEET OF LOTS 37, 38 AND THE EAST 1.50 FEET OF THE NORTH 10.42 FEET OF LOT 36, BLOCK 6, ELYRIA ADDITION, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

CONTAINING 257 SQ. FT. (0.006 AC.), MORE OR LESS.

**PROPERTY DESCRIPTION STATEMENT**

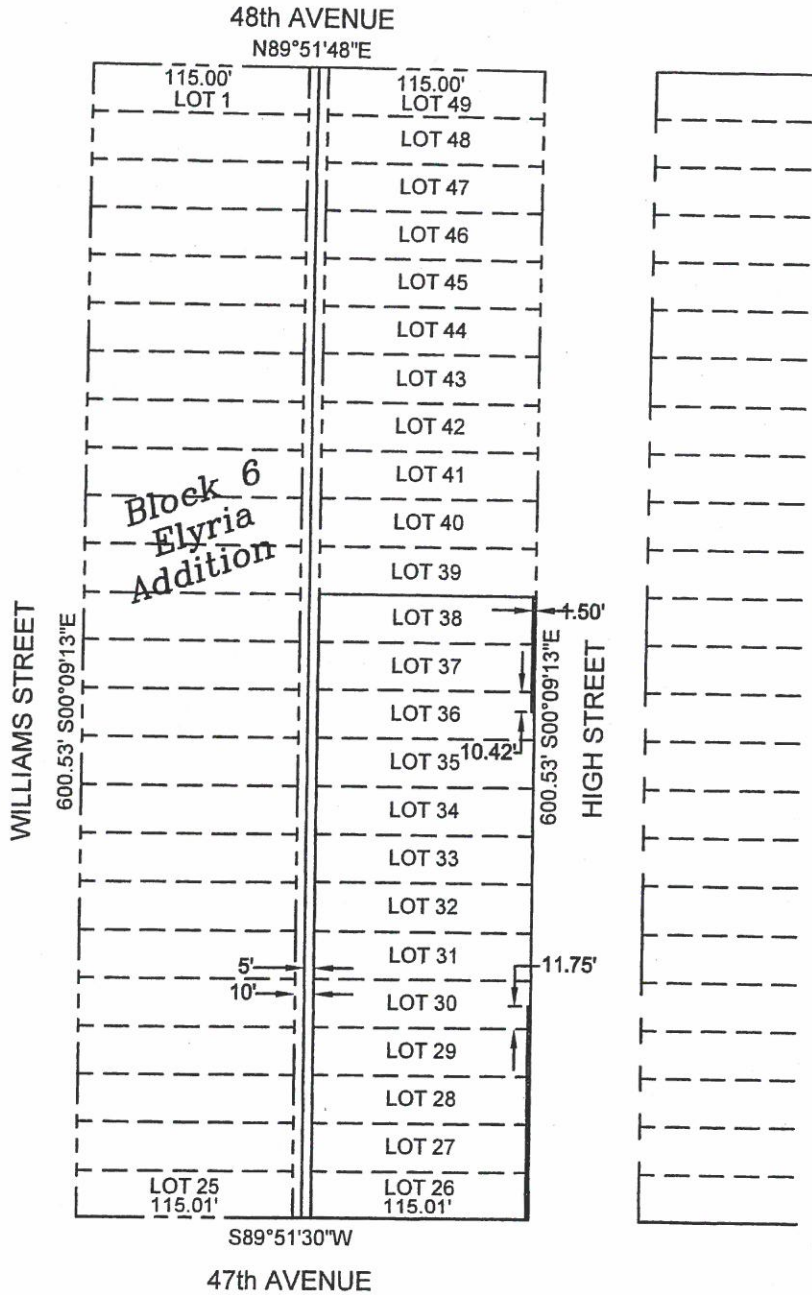
I, JAMES D. RIHANEK, A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE ABOVE PROPERTY DESCRIPTION AND ATTACHED EXHIBIT WERE PREPARED UNDER MY RESPONSIBLE CHARGE, AND ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF, ARE CORRECT.

JAMES D. RIHANEK, PROFESSIONAL LAND SURVEYOR  
COLORADO NO. 23053  
FOR AND ON BEHALF OF HCL ENGINEERING & SURVEYING, LLC





PARCEL 1



PARCELS CONTAIN ±257 SQ./FT. (0.006 ACRES)

**HCL**  
Engineering & Surveying, LLC

9570 KINGSTON COURT, SUITE 310  
ENGLEWOOD, CO. 80112 • HCLENGINEERING.COM

PHONE: (303) 773-1605  
FAX: (303) 773-3297

PROJECT: 4705 HIGH STREET RIGHT-OF-WAY DEDICATION		
DATE: 01/23/14	BY: KJC/JDR	CHKD: JDR
JOB NO. 133010.00	SHEET NO. 2 OF 2	



2014042125  
Page: 1 of 3  
D \$0.00

PARCEL 2

Asset Mgmt. #: 14-03 +

WARRANTY DEED

THIS DEED, dated April 14, 2014, is between Elyria School, 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:

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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.

Elyria School, LLC

By: [Signature]

Title: Managing Member

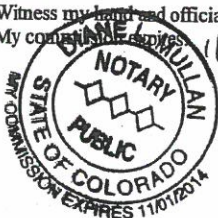
STATE OF Colorado

COUNTY OF Denver

The foregoing instrument, was acknowledged, before me this day 14th of April, 2014 by KEITH L. HOAGHED as Managing Member of Elyria School, LLC.

Witness my hand and official seal.  
My commission expires 11/01/2014

[Signature]  
Notary Public



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

**ELYRIA SCHOOL, LLC  
RIGHT-OF-WAY DEDICATION**

**PROPERTY DESCRIPTION**

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CONTAINING 228 SQ. FT. (0.005 AC.), MORE OR LESS.

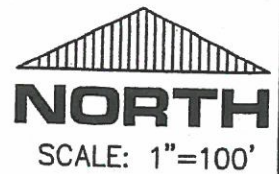
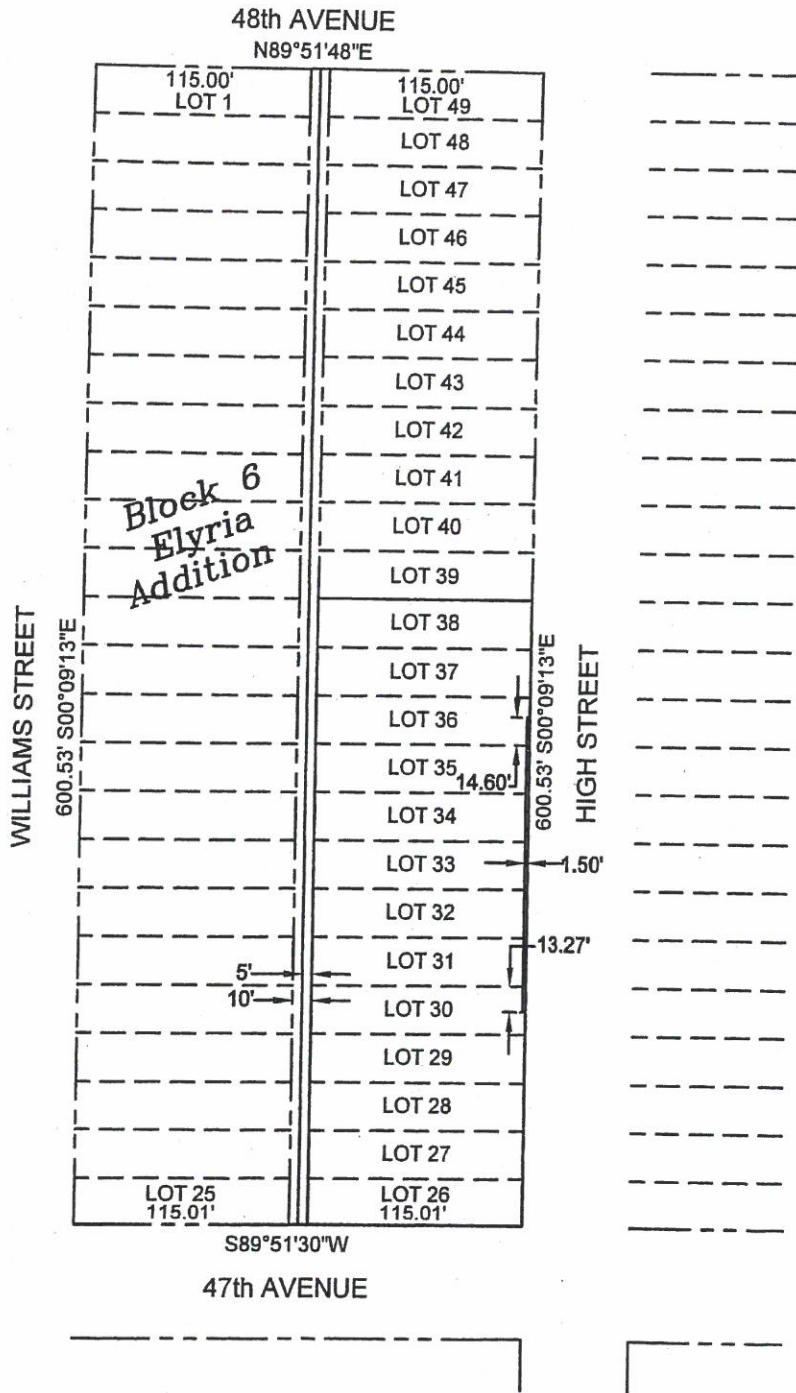
**PROPERTY DESCRIPTION STATEMENT**

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JAMES D. RIHANEK, PROFESSIONAL LAND SURVEYOR  
COLORADO NO. 23053  
FOR AND ON BEHALF OF HCL ENGINEERING & SURVEYING, LLC



PARCEL 2



PARCEL CONTAINS ±228 SQ./FT. (0.005 ACRES)

**HCL**  
Engineering & Surveying, LLC

9570 KINGSTON COURT, SUITE 310  
ENGLEWOOD, CO. 80112

PHONE: (303) 773-1605  
HCLENGINEERING.COM  
FAX: (303) 773-3297

PROJECT: 4725 HIGH STREET RIGHT-OF-WAY DEDICATION		
DATE: 01 / 30 / 14	BY: KJC	CHKD: JDR
JOB NO. 133010.00	SHEET NO. 2 OF 2	