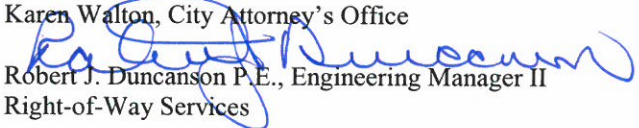




REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Karen Walton, City Attorney's Office

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

DATE: December 12, 2013

ROW #: 2007-0741-09 **SCHEDULE #:** 0234925031000

TITLE: This request is to dedicate a parcel of land as Public Right of Way as Colfax Ave.
Located at the intersection of Colfax Ave and Pearl 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 Colfax Ave. 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 Renaissance Uptown Lofts.


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 Colfax Ave. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2007-0741-09-001) HERE.

A map of the area to be dedicated is attached.

RD/jl/ba

cc: Asset Management, Steve Wirth
City Councilperson & Aides, Albus Brooks District # 8
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
Department of Law, Shaun Sullivan
Public Works Survey, John Lautenschlager 
Public Works Survey, Paul Rogalla
Owner: City and County of Denver
Project file folder 2007-0741-09

ORDINANCE/RESOLUTION REQUEST

Please email requests to Nancy Kuhn at 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: December 12, 2013

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 Colfax Ave. Located at the intersection of Colfax Ave and Pearl St.

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

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

- **Name:** Beverly Aragon
- **Phone:** 720-856-3125
- **Email:** Beverly.Aragon@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

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 Colfax Ave. 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 Renaissance Uptown Lofts.

****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:** Colfax Ave and Pearl St
- d. **Affected Council District:** Albus Brooks, District #8
- e. **Benefits:** None
- f. **Costs:** None

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: 2007-0741-09 Dedication, Renaissance Uptown Lofts

Description of Proposed Project: 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 Colfax Ave. 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 Renaissance Uptown Lofts.

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: No

What is the known duration of an MEP: N/A

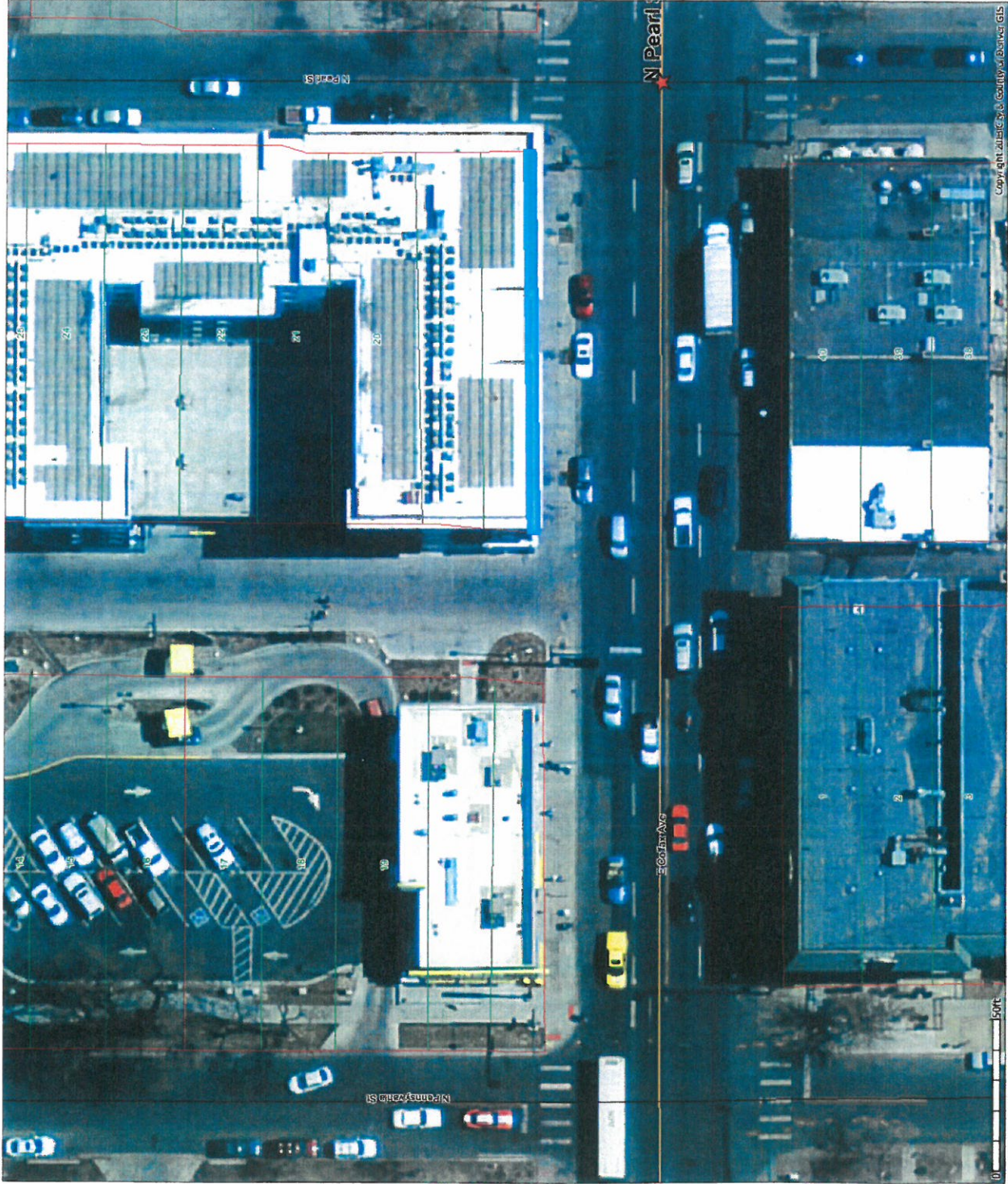
Will land be dedicated to the City if the vacation goes through: N/A

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 Renaissance Uptown Lofts.

Colfax Ave.



- Dedicating Ordinances
- Denver County (Boundary)
- Street Centerline
- Interstate
- US Highway
- Other
- Parcels
- Lots/Blocks (Base Map)
- mask
- 2012_Denver.jp2.iri
- Denver County (Shaded)
- Denver County
- Adams County
- Arapahoe County
- Jefferson County

Map generated 2/28/2013 - 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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PUBLIC WORKS LEGAL DESCRIPTION
2007-0741-09-001

A parcel of land conveyed by Correction Warranty Deed to the City & County of Denver, recorded on the 26th of June 2009 by Reception Number 2009080903 in the City and County of Denver Clerk & Recorders Office, State of Colorado, being more particularly described as follows:

A 3.00' wide strip of land located in the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 3, Township 4 South, Range 68 West of the Sixth Principal Meridian, also being a portion of Lot 21, Block 320, J.W. Smith's Addition to Denver, a subdivision plat recorded August 6, 1886, in Page 6 Book of Plats of the Arapahoe Clerk and Recorder, being more particularly described as follows:

Beginning at the Southeast corner of said 21; Thence North $89^{\circ}22'03''$ West, along the North Right-of-Way line of East Colfax Ave, 125.07 feet to the Southwest corner of said Lot 21; Thence North $00^{\circ}37'44''$ East, along the West line of said Lot 21, 3.00 feet; Thence South $89^{\circ}22'03''$ East, along a line 3:00 feet north of and parallel to the North Right-of-Way line of East Colfax, 125.07 feet to a point on the East line of said Lot 21; Thence South $00^{\circ}38'04''$ West, along the East line of said Lot 21, 3.00 feet to the Point of Beginning. Containing 0.009 Acres (375 sq.ft.), more or less.

Exhibit A

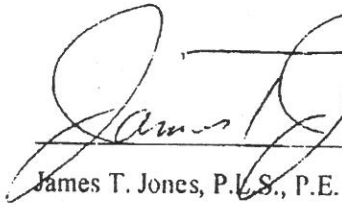
3.00' RIGHT-OF-WAY DEDICATION LEGAL DESCRIPTION CORRECTION DEED


A 3.00' wide strip of land located in the Northeast 1/4 of the Northeast 1/4 of Section 3, Township 4 South, Range 68 West of the Sixth Principal Meridian, also being a portion of Lot 21, Block 320, J.W. Smith's Addition to Denver, a subdivision plat recorded August 6, 1886, in Page 6 of Book of Plats of the Arapahoe Clerk and Recorder, being more particularly described as follows:

Beginning at the Southeast corner of said Lot 21;
Thence North 89°22'03" West, along the North Right-of-Way line of East Colfax, 125.07 feet, to the Southwest corner of said Lot 21;
Thence North 00°37'44" East, along the West line of said Lot 21, 3.00 feet;
Thence South 89°22'03" East, along a line 3.00 feet north of and parallel to the North Right-of-Way line of East Colfax, 125.07 feet to a point on the East line of said Lot 21;
Thence South 00°38'04" West, along the East line of said Lot 21, 3.00 feet to the Point of Beginning.

Containing 0.009 Acres (375 sq. ft.), more or less.

CERTIFICATION


James T. Jones, P.L.S., P.E. _____ Date 6/2/09
For and on behalf of
Jones Engineering Associates, Inc.
2120 W. Littleton Blvd., Suite 205
Littleton, Colorado 80120



BASIS OF BEARINGS:

The North Right-of-Way line of Colfax Avenue, which bears North 89°22'03" West.

Exhibit A

PEARL STREET

(60' R.O.W.)

S00°38'04"W 3.00'

EAST LINE - LOT 21

POINT OF BEGINNING
THE SOUTHEAST
CORNER OF LOT 21



0 10 20

SCALE: 1" = 20'

NORTH R.O.W. LINE

3.00' R.O.W. DEDICATION
375 SQ.FT.
0.009 ACRES

BLOCK 320
J.W. SMITHS' ADD.

S89°22'03"E 125.07'

N89°22'03"W 125.07'

COLFAX AVENUE
(80' R.O.W.)

LOT 22

LOT 21

3.00'

3.00' R.O.W. DEDICATION
EXHIBIT

551-569 E. COLFAX AVE
JOB NO. 8032

DATE: DECEMBER 9, 2008
SHEET 2 OF 2

19.96'

THE SOUTHWEST
CORNER OF LOT 21

WEST LINE - LOT 21

(16' ALLEY.)

N00°37'44"E 3.00'

LOT 19

LOT 20

JONES ENGINEERING
ASSOC., INC.

CORRECTION

WARRANTY DEED

THIS DEED, is dated June 26, 2009, and is made between UPTOWN LOFTS HOUSING CORPORATION a Colorado non-profit corporation

(whether one, or more than one), the "Grantor," of the * CITY & County of DENVER and State of COLORADO and THE CITY & COUNTY OF DENVER A COLORADO MUNICIPAL CORPORATION

(whether one, or more than one), the "Grantee," whose legal address is 1437 BANNOCK STREET DENVER, CO 80202 of the CITY & County of DENVER and State of COLORADO

WITNESS, that the Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) & OTHER GOOD & VALUABLE CONSIDERATION (\$ 10.00), the receipt and sufficiency of which is hereby acknowledged, hereby grants, bargains, sells, conveys and confirms unto the Grantee and the Grantee's heirs and assigns forever, all the real property, together with any improvements thereon, located in the CITY & County of DENVER and State of Colorado, described as follows:

FOR A LEGAL DESCRIPTION SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART OF THIS GENERAL WARRANTY DEED

CORRECTION DEED

TO CORRECT LEGAL DESCRIPTION AS RECORDED ON WARRANTY DEED AS FOUND AT RECEPTION NUMBER 2009053253

also known by street address as: VACANT LAND and assessor's schedule or parcel number:

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, the reversions, 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 and the Grantee's heirs and assigns forever.

The Grantor, for the Grantor and the Grantor's heirs and assigns, does covenant, grant, bargain, and agree to and with the Grantee, and the Grantee's heirs and assigns: that at the time of the encasing and delivery of these presents, the Grantor is well seized of the premises above described; has good, sure, perfect, absolute and indefeasible estate of inheritance, in law and 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 soever, except and subject to: none; or the following matters:

And the Grantor shall and will WARRANT AND FOREVER DEFEND the above described premises, but not any adjoining vacated street or alley, if any, in the quiet and peaceable possession of the Grantee and the heirs and assigns of the Grantee, against all and every person or persons claiming the whole or any part thereof.

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

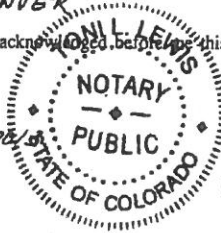
UPTOWN LOFTS HOUSING CORPORATION
a Colorado non-profit corporation

BY: [Signature]
JOHN PARVENSKY, PRESIDENT

STATE OF COLORADO
County of DENVER

The foregoing instrument was acknowledged before me, on this 24th day of JUNE, 2009, by JOHN PARVENSKY.

Witness my hand and official seal.
My commission expires: 6/8/2010



[Signature]
Notary Public

*Insert "City and" if applicable

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

Asset Mgmt # 09-037

Asset Management Date: 6/16/09

Approved [Signature]

Project Description: Colfax Ave. & Pearl St. #2007-074

