



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 15, 2014

ROW #: 2012-0159-05 **SCHEDULE #:** 0521108012000

TITLE: This request is to dedicate a parcel of land as Public Right of Way as S. Pecos St.
Located at the intersection of S. Pecos and Mississippi 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 S. Pecos 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 (**Ruby Hill Residences**)

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 S. Pecos St. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2012-0159-05-001) HERE.

A map of the area to be dedicated is attached.

RD/PK/BLV

cc: Asset Management, Steve Wirth
City Councilperson & Aides, Chris Nevitt District # 7
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, Peter Kent
Public Works Survey, Paul Rogalla
Owner: City and County of Denver
Project file folder 2012-0159-05

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: April 15, 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 S. Pecos St.
Located at the intersection of S. Pecos and Mississippi Ave.

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

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 S. Pecos 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 (Ruby Hill Residences)

****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:** S. Pecos at Mississippi Ave.
- d. **Affected Council District:** Chris Nevitt District #7
- 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: 2012-0159-05 Dedication, Ruby Hill Residences

Description of Proposed Project: Dedicate a parcel of public right of way as S. Pecos 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, Ruby Hill Residences.

2012-0159-05-001

**LEGAL DESCRIPTION OF
RIGHT OF WAY**

**A PART OF BLOCK 1, MANCHESTER HEIGHTS, SITUATED IN THE NE 1/4
OF SECTION 21, T4S, R68W, OF THE 6TH P.M.
CITY AND COUNTY OF DENVER, STATE OF COLORADO**

A PORTION OF LOTS 1 THRU 14, BLOCK 1, MANCHESTER HEIGHTS, SITUATED IN THE NE 1/4
OF SECTION 21, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M., MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 21; FROM WHENCE THE
EAST 1/16 CORNER OF SAID SECTION 21 BEARS N89°58'24"E
A DISTANCE OF 1329.99 FEET WITH ALL BEARINGS HEREIN RELATIVE THERETO;

THENCE SOUTH 37°12'03" EAST A DISTANCE OF 49.68 FEET TO THE NORTH LINE OF SAID
EASEMENT AND THE TRUE POINT OF BEGINNING;
THENCE NORTH 90°00'00" EAST A DISTANCE OF 22.35 FEET;
THENCE SOUTH 68°03'01" WEST A DISTANCE OF 9.00 FEET;
THENCE SOUTH 00°02'04" WEST A DISTANCE OF 346.64 FEET;
THENCE SOUTH 90°00'00" WEST A DISTANCE OF 14.00 FEET;
THENCE NORTH 00°02'04" EAST A DISTANCE OF 350.00 FEET;

TO THE TRUE POINT OF BEGINNING.

CONTAINING: 4914 SQUARE FEET OR 0.113 ACRES OF LAND, MORE OR LESS.

PREPARED BY:
JEFFREY J. MACKENNA P.L.S. 34183 DATE:10/17/2013
FOR FALCON SURVEYING, INC.



WARRANTY DEED

THIS DEED, dated February 20, 2014, is between Ruby Hill GP, 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

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.

Ruby Hill GP, LLC By: [Signature] Title: Manager



STATE OF Colorado COUNTY OF Denver

The foregoing instrument was acknowledged before me this day 20th of February, 2014 by Henry K. Burgwyn as Manager of Ruby Hill GP, LLC.

Witness my hand and official seal. My commission expires: 8/24/2014 Notary Public [Signature]

Asset Mgmt. # 154-817 Date: 2-24-14 SSBK And W. Sec. 4E

EXHIBIT "A"

RIGHT OF WAY DEDICATION

A PART OF BLOCK 1, MANCHESTER HEIGHTS, SITUATED IN THE NE $\frac{1}{4}$ OF SECTION 21, T4S, R68W, OF THE 6TH P.M. CITY AND COUNTY OF DENVER, STATE OF COLORADO

A PORTION OF LOTS 1 THRU 14, BLOCK 1, MANCHESTER HEIGHTS, SITUATED IN THE NE $\frac{1}{4}$ OF SECTION 21, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 21; FROM WHENCE THE EAST $\frac{1}{16}$ CORNER OF SAID SECTION 21 BEARS N89°58'24"E A DISTANCE OF 1329.99 FEET WITH ALL BEARINGS HEREIN RELATIVE THERETO;

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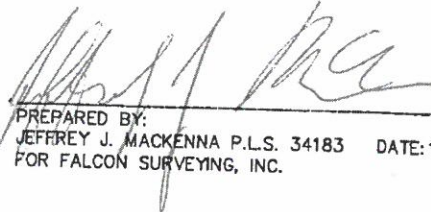
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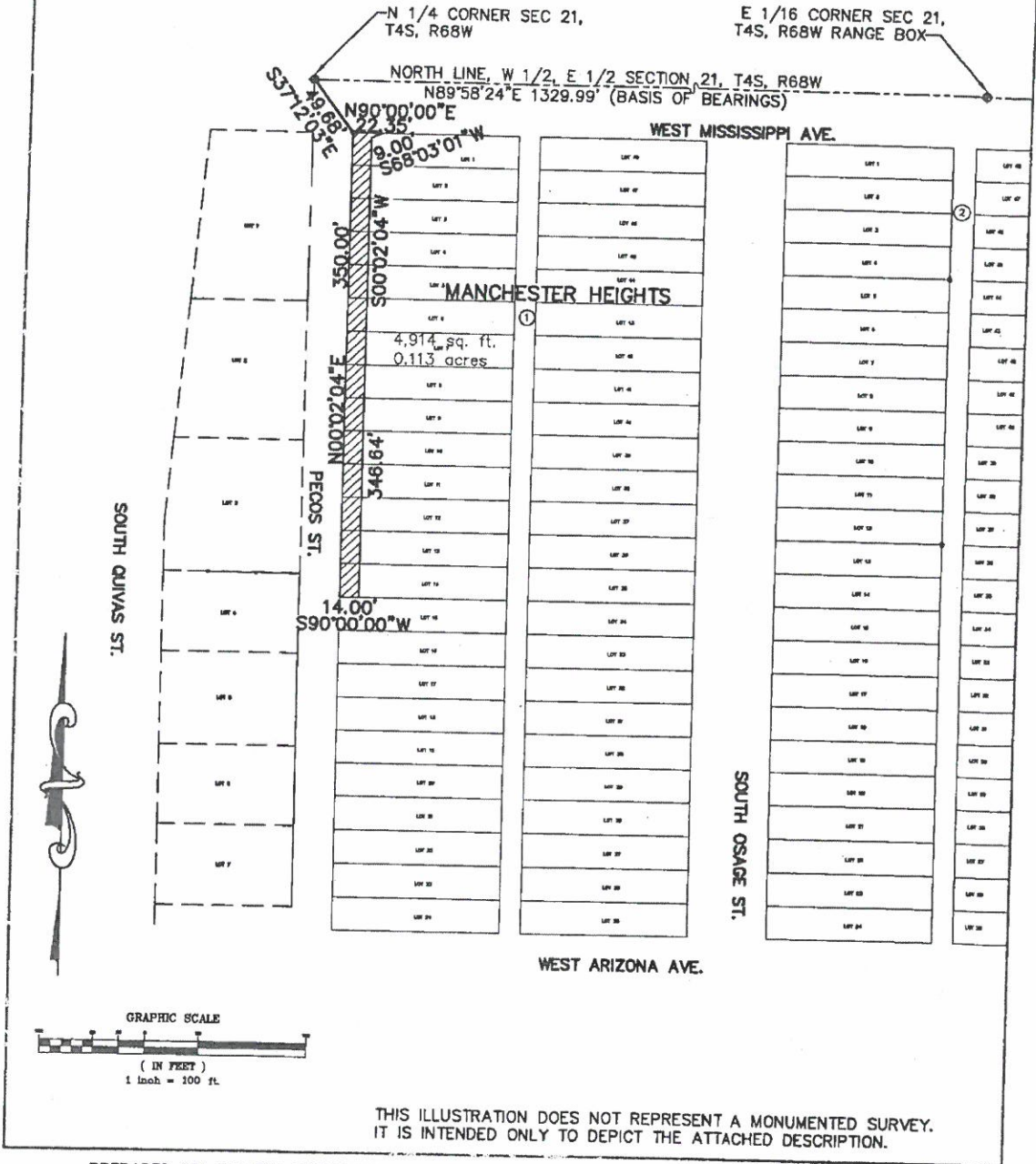
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JEFFREY J. MACKENNA P.L.S. 34183 DATE: 10/17/2013
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T4S, R68W, OF THE 6TH P.M. CITY AND COUNTY OF DENVER, STATE OF COLORADO



PREPARED BY: FALCON SURVEYING, INC., 9940 WEST 25TH AVE, LAKEWOOD CO 80215 (303)202-1560