Denver Public Works

Plan Review Services



201 W Colfax Ave, Dept. 507
Denver, CO 80202
p: 720.865.2782
e: Denver.ROW@denvergov.org
www.denvergov.org/PWPRS

REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO:

Karen Walton, City Attorney's Office

FROM:

Robert J. Duncanson R.E., Engineering Manager II

Right-of-Way Services

DATE:

December 1, 2014

ROW #:

2011-0571-05

SCHEDULE #: Adjacent to Parcels 0515203035333, 0515204049000,

0515204050000, 0515204047000, 0515205015000, 0515205027000, 0515205026000 and 0515206034000

TITLE:

This request is to dedicate a parcel of land as Public Right of Way as W. Dakota Ave. Located at the intersection of W. Dakota between S. Broadway and S. Cherokee.

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 W. Dakota 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 (West Dakota

Outfall Project)

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 W. Dakota Ave. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2011-0571-05-001) HERE.

A map of the area to be dedicated is attached.

RD/JL/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, Ron Ellis
Public Works Survey, Paul Rogalla

Owner: City and County of Denver Project file folder 2011-0571-05

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:	December 1, 2014
Pl	ease mark one:	☐ Bill Request	or	Resolution Requ	iest	
1.	Has your agency submitted this request in the last 12 months?					
	☐ Yes	⊠ No				
	If yes, please ex	xplain:				
2.	Title: (Include a concise, one sentence description – please include <u>name of company or contractor</u> and <u>contract control number</u> - that clearly indicates the type of request: grant acceptance, contract execution, amendment, municipal code change, supplemental request, etc.)					
	This request is to d Located at the inte	edicate a parcel of land rsection of W. Dakota	as Public R between S. I	ight of Way as W. Dako Broadway and S. Cherok	ta Ave. ee.	
3.	Requesting Agency	: PW Right of Way En	gineering Se	ervices		
4.	 Contact Person: (With actual knowledge of proposed ordinance/resolution.) Name: Barbara Valdez Phone: 720-865-3153 Email: Barbara.valdez@denvergov.org 					
5.	Name: Nancy IPhone: 720-865	<i>first and second readin</i> Kuhn	f proposed o g, if necessa	ordinance/resolution <u>who</u> r <u>v</u> .)	will present the item at Ma	ayor-Council and who
6.	General description	of proposed ordinanc	e including	contract scope of work	if applicable:	
	Request for a Re of the municipali	solution for laying out, ty; i.e. as W. Dakota A	opening and ve. This par	d establishing certain rea	l property as part of the sys	etem of thoroughfares unty of Denver for
		e following fields: (Inc			in processing. If a field is	not applicable, please
	a. Contract Co	ontrol Number: N/A				
	b. Duration:	Permanent				
	c. Location:			lway and S. Cherokee St		
		uncil District: Chris N	Nevitt Dist.	7		
	e. Benefits:	N/A				
	f. Costs: N/A	L				
7.	Is there any controve explain.	ersy surrounding this	ordinance?	(Groups or individuals	who may have concerns ab	out it?) Please
	None					
		To be	completed	by Mayor's Legislative T	eam:	
SIR	E Tracking Number:			Date	Entered:	





Project Title: 2011-0571-05 Dedication, West Dakota Outfall Project

Description of Proposed Project:Dedicate a parcel of public right of way as W. Dakota Ave.

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, (West Dakota Outfall Project)



Denver County (Boundary)

Street Centerline

Interstate US Highway

Other

2012_Denver.jp2.iri Denver County (Shaded)

Denver County Adams County Arapahoe County

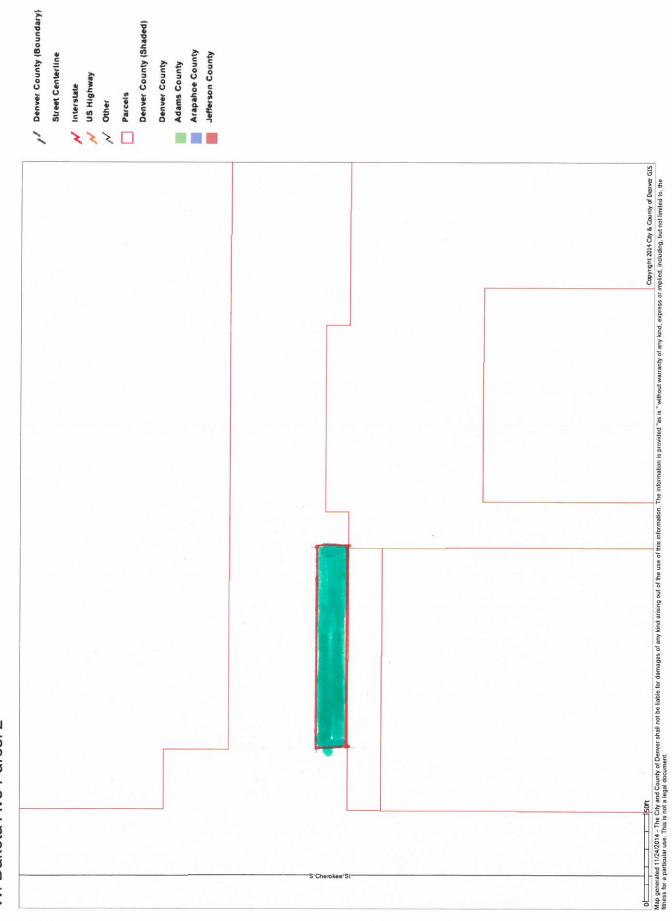
Jefferson County



W. Dakota Ave Parcel 1







W. Dakota Ave Parcel 2

PW LEGAL DESCRIPTION 2011-0571-05-001

LEGAL DESCRIPTION:

TWO PARCELS OF LAND CONVEYED BY QUIT CLAIM DEED TO THE CITY AND COUNTY OF DENVER BY QUIT CLAIM DEED ON 11/14/2014 BY RECEPTION NUMBER 2014139293, CITY AND COUNTY OF DENVER, COLORADO RECORDS; SITUATED IN THE NW ¼ OF SECTION 15, T.4S., R.68W., OF THE 6TH P.M., BEING A PART OF BLOCKS 38, 39 42 & 43, BYERS SUBDIVISION AND A PART OF VACATED WEST DAKOTA AVENUE (ORD. NO. 279-1995), CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARLEL 1

COMMENCING AT THE NW CORNER OF SAID SECTION 15, WHENCE THE WEST 1/4 CORNER OF SAID SECTION 15 BEARS S00°39'22"E A DISTANCE OF 2641.18 FEET: THENCE S63°13'29"E A DISTANCE OF 1485.00 FEET TO THE NORTHWEST CORNER OF A PARCEL OF LAND RECORDED AT RECEPTION NO. 2013121196, CITY AND COUNTY OF DENVER, COLORADO RECORDS, SAID CORNER LYING ON THE EASTERLY R.O.W. LINE OF WEST DAKOTA AVENUE, SAID POINT BEING THE POINT OF BEGINNING; THENCE N00°00'50"E ALONG SAID EASTERLY R.O.W. LINE A DISTANCE OF 52.02 FEET; THENCE S89°59'53"E A DISTANCE OF 1060.37 FEET; THENCE S00°00'45"W A DISTANCE OF 1.21 FEET; THENCE S89°59'15"E ALONG THE SOUTHERLY LINE OF A PARCEL RECORDED AT RECEPTION NO. 1996176151, CITY AND COUNTY OF DENVER, COLORADO RECORDS. EXTENDED WESTERLY AND ALONG SAID SOUTHERLY LINE A DISTANCE OF 174.17 FEET TO THE SOUTHEASTERLY CORNER OF SAID PARCEL AND THE WESTERLY R.O.W. LINE OF SOUTH BROADWAY; THENCE S00°00'50"W ALONG SAID WESTERLY R.O.W. LINE A DISTANCE OF 70.00 FEET TO THE NORTHEASTERLY CORNER OF A PARCEL RECORDED AT RECEPTION NO. 1996133705, CITY AND COUNTY OF DENVER, COLORADO RECORDS: THENCE N89°59'08"W ALONG THE NORTHERLY LINE OF SAID PARCEL A DISTANCE OF 140.00 FEET TO THE NORTHWESTERLY CORNER OF SAID PARCEL; THENCE N89°38'10"W A DISTANCE OF 34.16 FEET; THENCE S00°00'07"W A DISTANCE OF 1.00 FEET; THENCE N89°59'53"W A DISTANCE OF 807.96 FEET; THENCE N00°00'07"E A DISTANCE OF 1.00 FEET; THENCE N89°59'53"W A DISTANCE OF 11.86 FEET; THENCE N00°00'07"E A DISTANCE OF 13.00 FEET; THENCE N89°59'53"W A DISTANCE OF 105.56 FEET; THENCE S00°00'07"W A DISTANCE OF 13.00 FEET; THENCE N89°59'53"W A DISTANCE OF 20.59 FEET TO THE SOUTHEAST CORNER OF A PARCEL RECORDED AT RECEPTION NO. 2013121196, CITY AND COUNTY OF DENVER, COLORADO RECORDS; THENCE N00°00'50"E ALONG THE EASTERLY LINE OF SAID PARCEL A DISTANCE OF 18.96 FEET TO THE NORTHEASTERLY CORNER OF SAID PARCEL; THENCE N89°59'15"W ALONG THE NORTH LINE OF SAID PARCEL A DISTANCE OF 114.41 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS (84,740 SQUARE FEET) 1.9454 ACRES.

PARCEL 2

COMMENCING AT THE NW CORNER OF SAID SECTION 15, WHENCE THE WEST ¼ CORNER OF SAID SECTION 15 BEARS S00°39′22″E A DISTANCE OF 2641.18 FEET; THENCE S63°13′29″E A DISTANCE OF 1485.00 FEET TO A POINT ON THE EASTERLY R.O.W. LINE OF WEST DAKOTA AVENUE AND THE NORTHWESTERLY CORNER OF A PARCEL OF LAND AS RECORDED AT RECEPTION NO. 2013121196, CITY AND COUNTY OF DENVER, COLORADO, RECORDS, SAID POINT BEING THE POINT OF BEGINNING; THENCE S89°59′15″E ALONG THE NORTH LINE OF SAID PARCEL A DISTANCE OF 114.41 FEET TO THE NORTHEAST CORNER OF SAID PARCEL; THENCE S00°00′50″W ALONG THE EAST LINE OF SAID PARCEL A DISTANCE OF 18.96 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL; THENCE N89°59′53″W A DISTANCE OF 114.41 FEET TO THE SOUTHWESTERLY CORNER OF SAID PARCEL AND SAID EASTERLY R.O.W. LINE; THENCE N00°00′50″E ALONG SAID EASTERLY R.O.W. LINE A DISTANCE OF 18.98 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS (2,170 SQUARE FEET) 0.0498 ACRES.

BEARINGS ARE BASED ON THE WEST LINE OF THE NW ¼ OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE 68 WEST, OF THE 6TH PRINCIPAL MERIDIAN BEARING S00°39'22"E, MONUMENTED BY A FOUND CHISELED "+" ON A STONE IN A RANGE BOX AT THE NW CORNER OF SECTION 15 AND A FOUND 3 ¼" ALUMINUM CAP L.S. NO. 7735 AT THE WEST ¼ CORNER OF SECTION 15.

After recording return to: Karen A. Aviles City Attorney's Office 201 W. Colfax Avenue, Dept 1207 Denver, Colorado 80202



11/14/2014 02:23 PM City & County of Denver

R \$0.00 QCD

2014139293 Page: 1 of 7 D \$0.00

QUITCLAIM DEED

(Dakota Avenue Fee Parcels)

THIS DEED ("Deed"), made as of this 7th day of November, 2014, by BMP METROPOLITAN DISTRICT NO. 1 ("Grantor") to the City and County of Denver, a Colorado municipal corporation of the State of Colorado, whose address is 1437 Bannock Street, Denver, Colorado 80202 ("Grantee").

WITNESSETH, that Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has remised, sold and quitclaimed unto the Grantee, and its successors and assigns forever, the real property described below, together with all improvements thereon, owned by the Grantor situate, lying and being in the City and County of Denver, State of Colorado, and being more particularly described on Exhibit A attached hereto and incorporated herein (the "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 the 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 the Grantee, and its successors and assigns forever.

No separate bill of sale with respect to the improvements on the Property will be executed.

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

GRANTOR:

BMP METROPOLITAN DISTRICT NO. 1, a quasi-municipal corporation and political subdivision of the State of Colorado

Daniel Cohen, President

STATE OF COLORADO)
CITY AND)ss
COUNTY OF DENVER)

The foregoing instrument was acknowledged before me this 7th day of November, 2014, by Daniel Cohen, as President of the BMP Metropolitan District No. 1, a quasi-municipal corporation and political subdivision of the State of Colorado

WITNESS MY HAND AND OFFICIAL SEAL.

My commission expires: 8/22/2015



2011-0571-04-001

EXHIBIT "A"

LEGAL DESCRIPTION:

A PARCEL OF LAND SITUATED IN THE NW $\frac{1}{4}$ OF SECTION 15, T.4S., R.68W., OF THE 6TH P.M., BEING A PART OF BLOCKS 38, 39 42 & 43, BYERS SUBDIVISION AND A PART OF VACATED WEST DAKOTA AVENUE (ORD. NO. 279-1995), CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NW CORNER OF SAID SECTION 15, WHENCE THE WEST 1/4 CORNER OF SAID SECTION 15 BEARS S00°39'22"E A DISTANCE OF 2641.18 FEET; THENCE S63°13'29"E A DISTANCE OF 1485.00 FEET TO THE NORTHWEST CORNER OF A PARCEL OF LAND RECORDED AT RECEPTION NO. 2013121196, CITY AND COUNTY OF DENVER, COLORADO RECORDS, SAID CORNER LYING ON THE EASTERLY R.O.W. LINE OF WEST DAKOTA AVENUE, SAID POINT BEING THE POINT OF BEGINNING; THENCE N00°00'50"E ALONG SAID EASTERLY R.O.W. LINE A DISTANCE OF 52.02 FEET; THENCE S89°59'53"E A DISTANCE OF 1060.37 FEET; THENCE S00°00'45"W A DISTANCE OF 1.21 FEET; THENCE S89°59'15"E ALONG THE SOUTHERLY LINE OF A PARCEL RECORDED AT RECEPTION NO. 1996176151, CITY AND COUNTY OF DENVER, COLORADO RECORDS. EXTENDED WESTERLY AND ALONG SAID SOUTHERLY LINE A DISTANCE OF 174.17 FEET TO THE SOUTHEASTERLY CORNER OF SAID PARCEL AND THE WESTERLY R.O.W. LINE OF SOUTH BROADWAY; THENCE S00°00'50"W ALONG SAID WESTERLY R.O.W. LINE A DISTANCE OF 70.00 FEET TO THE NORTHEASTERLY CORNER OF A PARCEL RECORDED AT RECEPTION NO. 1996133705, CITY AND COUNTY OF DENVER, COLORADO RECORDS; THENCE N89°59'08"W ALONG THE NORTHERLY LINE OF SAID PARCEL A DISTANCE OF 140.00 FEET TO THE NORTHWESTERLY CORNER OF SAID PARCEL; THENCE N89°38'10"W A DISTANCE OF 34.16 FEET; THENCE S00°00'07"W A DISTANCE OF 1.00 FEET; THENCE N89°59'53"W A DISTANCE OF 807.96 FEET; THENCE N00°00'07"E A DISTANCE OF 1.00 FEET; THENCE N89°59'53"W A DISTANCE OF 11.86 FEET; THENCE N00°00'07"E A DISTANCE OF 13.00 FEET; THENCE N89°59'53"W A DISTANCE OF 105.56 FEET; THENCE S00°00'07"W A DISTANCE OF 13.00 FEET; THENCE N89°59'53"W A DISTANCE OF 20.59 FEET TO THE SOUTHEAST CORNER OF A PARCEL RECORDED AT RECEPTION NO. 2013121196, CITY AND COUNTY OF DENVER. COLORADO RECORDS; THENCE N00°00'50"E ALONG THE EASTERLY LINE OF SAID PARCEL A DISTANCE OF 18.96 FEET TO THE NORTHEASTERLY CORNER OF SAID PARCEL; THENCE N89°59'15"W ALONG THE NORTH LINE OF SAID PARCEL A DISTANCE OF 114.41 FEET TO THE POINT OF BEGINNING.

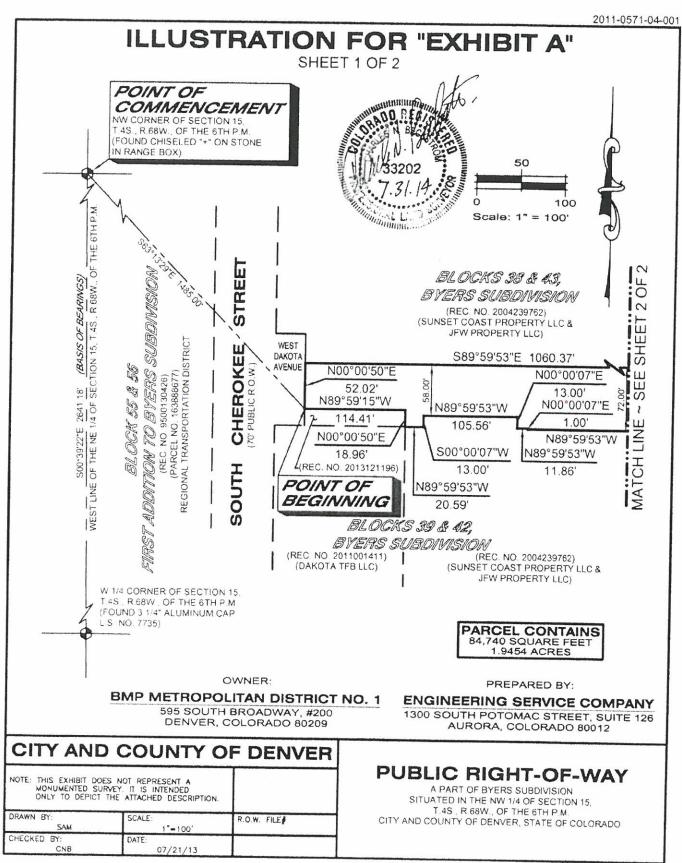
PARCEL CONTAINS (84,740 SQUARE FEET) 1.9454 ACRES.

BEARINGS ARE BASED ON THE WEST LINE OF THE NW ¼ OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE 68 WEST, OF THE 6TH PRINCIPAL MERIDIAN BEARING \$00°39'22"E, MONUMENTED BY A FOUND CHISELED "+" ON A STONE IN A RANGE BOX AT THE NW CORNER OF SECTION 15 AND A FOUND 3 ¼" ALUMINUM CAP L.S. NO. 7735 AT THE WEST ¼ CORNER OF SECTION 15.

annuminum.

DATE PREPARED February 22, 2013
DATE OF LAST REVISION: July 31, 2014
PREPARED BY: CHARLES N. BECKSTROM, PLS NO. 33202
FOR AND ON BEHALF OF
ENGINEERING SERVICE COMPANY
1300 SOUTH POTOMAC STREET, SUITE 126

AURORA, COLORADO 80012 PHONE: (303) 337-1393



2011-0571-04-001 ILLUSTRATION FOR "EXHIBIT A" SHEET 2 OF 2 annininining) BROADWA Y SUBDIVISION GALL UPS SOUTH BL OCK Minning Committee y S BLOCK 38, BYEAS SHEET SOUTH BROADWAY (PUBLIC R.O.W. VARIES) SUBDIVISION (REC. NO. 1996176151) (I SEPCO LLC) S00°00'45"W SE S89°59'15"E 174.17' **DAKOTA** 1.21 S00°00'50"W 1 S00°00'07"W **AVENUE** 70.00 MATCH LINE (70' PUBLIC R.O.W.) 1.00 807.96 N89°59'08"W 140.00 NOISIAIGENS BLOCK 39, BYERS N89°38'10"W RUNOS SUBDIVISION 34.16 (REC. NO. 1996133705) (CHUOI-SEN & SAU WAI LEE HSU) POMEROYS BROLDWAY. 50 100 Scale: 1" = 100' PARCEL CONTAINS 84,740 SQUARE FEET 1.9454 ACRES OWNER: PREPARED BY BMP METROPOLITAN DISTRICT NO. 1 **ENGINEERING SERVICE COMPANY** 595 SOUTH BROADWAY, #200 DENVER, COLORADO 80209 1300 SOUTH POTOMAC STREET, SUITE 126 AURORA, COLORADO 80012 CITY AND COUNTY OF DENVER PUBLIC RIGHT-OF-WAY NOTE: THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED SURVEY. IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION. A PART OF BYERS SUBDIVISION SITUATED IN THE NW 1/4 OF SECTION 15, T.4S., R.68W., OF THE 6TH P.M. CITY AND COUNTY OF DENVER, STATE OF COLORADO DRAWN BY SCALE R.O.W. FILE# SAM 1 = 100 CHECKED BY: CNB 07/21/13



2011-0571-04-002

EXHIBIT "A"

LEGAL DESCRIPTION:

A PARCEL OF LAND SITUATED IN THE NW 1 OF SECTION 15, T.4S., R.68W., OF THE 6TH P.M., BEING A PART OF VACATED DAKOTA AVENUE (ORD. NO. 279-1995), ALSO BEING THAT PARCEL OF LAND AS DESCRIBED AT RECEPTION NO. 2013121196, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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DATE PREPARED: February 22, 2013
DATE OF LAST REVISION: July 31, 2014
PREPARED BY: CHARLES N. BECKSTROM, PLS NO. 33202
FOR AND ON BEHALF OF
ENGINEERING SERVICE COMPANY
1300 SOUTH POTOMAC STREET, SUITE 126
AURORA, COLORADO 80012
PHONE: (303) 337-1393



