



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

**TO:** Caroline Martin, City Attorney's Office

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

**DATE:** November 15, 2016

**ROW #:** 2016-Dedication-0000230      **SCHEDULE #:** Adjacent to 0222122034000

**TITLE:** This request is to dedicate a parcel of land as Public Right of Way as Pearl St.  
Located at the intersection of E. 45<sup>th</sup> 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 Pearl 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 (**StorQuest Storage**)

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 Pearl St. The land is described as follows.

**INSERT PARCEL DESCRIPTION ROW # (2016-Dedication-0000230-001) HERE.**

A map of the area to be dedicated is attached.

RD/JL/BLV

cc: Asset Management, Steve Wirth  
City Councilperson & Aides, Albus Brooks District # 9  
Council Aide Chy Montoya  
Council Aide Brande Micheau  
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, Rob Duncanson  
Department of Law, Brent Eisen  
Department of Law, Shaun Sullivan  
Department of Law, Caroline Martin  
Department of Law, Cindy Cooley  
Public Works Survey, John Lautenschlager  
Public Works Survey, Paul Rogalla  
Owner: City and County of Denver  
Project file folder 2016-Dedication-0000230

## ORDINANCE/RESOLUTION REQUEST

Please email requests to Angela Casias  
at [angela.casias@DenverGov.org](mailto: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 15, 2016

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 Pearl St.  
Located at the intersection of E. 45<sup>th</sup> Ave. and Pearl St.

3. **Requesting Agency:** Public Works – Right-of-Way Services / 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 Pearl 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 (**StorQuest Storage**)

**\*\*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:** E. 45<sup>th</sup> Ave. and Pearl St.
- d. **Affected Council District:** Dist. #9 Albus Brooks
- e. **Benefits:** N/A
- f. **Contract Amount (indicate amended amount and new contract total):** 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: 2016-Dedication-0000230, StorQuest Storage**

**Description of Proposed Project: Dedicate a parcel of public right of way as Pearl 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, StorQuest Storage**



PW Legal Description No. 2016-Dedication-0000230-001

THE WESTERLY 4.00 FEET EXCEPT FOR THE SOUTHERLY 6.00 FEET OF THAT PARCEL OF LAND DESCRIBED AS PARCEL "A" CONVEYED BY WARRANTY DEED TO THE CITY & COUNTY OF DENVER, RECORDED ON THE 3<sup>RD</sup> OF NOVEMBER 2016, BY RECEPTION NUMBER 2016153651 IN THE CITY AND COUNTY OF DENVER, CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, BEING DESCRIBED AS FOLLOWS:

LAND DESCRIPTION PARCEL A

A PARCEL OF LAND BEING A PORTION OF LOTS 1, 2, 3, 4, BLOCK 3, GARDEN PLACE AND LOTS 41, 42, 43, 44, LEETS SUBDIVISION A PART OF BLOCK 3, GARDEN PLACE LOCATED IN THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 41, LEETS SUBDIVISION A PART OF BLOCK 3, GARDEN PLACE SAID POINT BEING THE POINT OF BEGINNING;  
THENCE ALONG THE NORTHERLY LINE OF SAID LOT 41, N89°56'56"E A DISTANCE OF 4.00 FEET;  
THENCE ALONG A LINE 4.00 FEET EASTERLY OF AND PARALLEL WITH WESTERLY LINE OF SAID LOTS 1, 2, 3, 4, 41, 42, 43, AND 44, S00°10'50"E A DISTANCE OF 193.99 FEET;  
THENCE ALONG A LINE 6.00 FEET NORTHERLY OF AND PARALLEL WITH SOUTHERLY LINE OF SAID LOT 1, N89°45'26"E A DISTANCE OF 153.99 FEET;  
THENCE N45°14'25"E A DISTANCE OF 6.81 FEET TO A POINT ON THE EASTERLY LINE OF SAID LOT 1;  
THENCE ALONG THE SAID EASTERLY LINE OF LOT 1, S09°35'56"W A DISTANCE OF 1.72 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF WASHINGTON STREET RECORDED AT RECEPTION NO. 9700107156;  
THENCE ALONG SAID WESTERLY LINE S45°14'25"W A DISTANCE OF 12.96 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID LOT 1;  
THENCE ALONG THE SAID SOUTHERLY LINE, S89°45'26"W A DISTANCE OF 153.32 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1;  
THENCE ALONG THE SAID WESTERLY LINE OF LOTS 1, 2, 3, 4, 41, 42, 43, AND 44, N00°10'50"W A DISTANCE OF 200.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 0.039 ACRES OR 1,720 SQUARE FEET MORE OR LESS.

BASIS OF BEARINGS

AN ASSUMED BEARING OF N89°45'30"E BEING A 16 FOOT RANGE LINE LOCATED WITHIN 45<sup>TH</sup> AVENUE BETWEEN TWO MONUMENTS 518.53 FEET APART; ONE MONUMENT BEING A 1" SQUARE BAR IN A RANGE BOX AT THE INTERSECTION OF PENNSYLVANIA STREET AND 45<sup>TH</sup> AVENUE AND THE OTHER MONUMENT BEING A FOUND 2" DIAMETER ALUMINUM CAP STAMPED "JACOBS ENG" FLUSH WITH ROADWAY AT THE INTERSECTION OF WASHINGTON STREET AND 45<sup>TH</sup> AVENUE.



# 45th and Pearl



- Legend**
- Streams
  - Irrigation Ditches Reconstruct (Gardens)
  - Irrigation Ditches
  - Buildings 2014
  - Streets
  - Alleys
  - Railroads
    - Main
    - Yard
    - Spur
    - Siding
    - Interchange track
    - Other
  - Bridges
  - Rail Transit Stations
    - Existing
    - Planned
  - Park-N-Ride Locations
  - Lakes
  - County Boundary
  - Parcels
  - Lots/Blocks
  - Parks
    - All Other Parks; Linear
    - Mountain Parks

90 0 45 90 Feet

WGS 1984 Web Mercator Auxiliary Sphere  
© City and County of Denver

1: 701

Map Generated 11/15/2016

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.**



2016153651

Page: 1 of 5

11/03/2016 09:16 AM  
City & County of Denver

R \$0.00

WD

D \$0.00

WARRANTY DEED

THIS DEED, dated 11/1, 2016, is between 4501 N Washington SP, LLC, a Delaware 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 encasing 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.

4501 N Washington SP, LLC

By: [Signature]

Title: Manager

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this day \_\_\_\_\_ of \_\_\_\_\_, 20\_\_ by \_\_\_\_\_ as \_\_\_\_\_ of 4501 N Washington SP, LLC.

Witness my hand and official seal.  
My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

See Attached Notary  
Acknowledgment Certificate

Clark Porter 201 Wilshire Blvd Suite 102 Santa Monica, CA 90401  
Name and Address of Person Creating Newly Created Legal Description (§38-35-106.5, C.R.S.)

Subject Description:

Asset Management Date:

Approved:



**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )  
County of Los Angeles )  
On November 1, 2016 before me, MARGARET A. FUJII, Notary Public  
Date Here Insert Name and Title of the Officer  
personally appeared CLARK W. POWERS  
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by (his/her/their) signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Handwritten Signature]  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document 4501 N. WASHINGTON ST. LLC.  
Title or Type of Document: Warranty Deed Document Date: \_\_\_\_\_  
Number of Pages: \_\_\_\_\_ Signer(s) Other Than Named Above: \_\_\_\_\_

Capacity(ies) Claimed by Signer(s)  
Signer's Name: \_\_\_\_\_  
 Corporate Officer — Title(s): \_\_\_\_\_  
 Partner —  Limited  General  
 Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  
 Other: \_\_\_\_\_  
Signer Is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_  
 Corporate Officer — Title(s): \_\_\_\_\_  
 Partner —  Limited  General  
 Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  
 Other: \_\_\_\_\_  
Signer Is Representing: \_\_\_\_\_

2016-PROJMSTR-0000655-ROW-001

EXHIBIT A  
SHEET 1 OF 3

**LAND DESCRIPTION PARCEL A**

A PARCEL OF LAND BEING A PORTION OF LOTS 1, 2, 3, 4, BLOCK 3, GARDEN PLACE AND LOTS 41, 42, 43, 44, LEETS SUBDIVISION A PART OF BLOCK 3, GARDEN PLACE LOCATED IN THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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THENCE ALONG THE NORTHERLY LINE OF SAID LOT 41, N89°56'56"E A DISTANCE OF 4.00 FEET;  
THENCE ALONG A LINE 4.00 FEET EASTERLY OF AND PARALLEL WITH WESTERLY LINE OF SAID LOTS 1, 2, 3, 4, 41, 42, 43, AND 44, S00°10'50"E A DISTANCE OF 193.99 FEET;  
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SAID PARCEL CONTAINS 0.039 ACRES OR 1,720 SQUARE FEET MORE OR LESS.



2016-PROJMSTR-0000655-ROW-001

EXHIBIT A  
SHEET 2 OF 3

**LAND DESCRIPTION PARCEL B**

A PARCEL OF LAND BEING A PORTION OF LOT 4, BLOCK 3, GARDEN PLACE AND LOT 5, LEETS SUBDIVISION A PART OF BLOCK 3, GARDEN PLACE LOCATED IN THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 4, BLOCK 3, GARDEN PLACE THENCE ALONG THE EASTERLY LINE OF SAID LOT 4,  $N09^{\circ}35'56"E$  A DISTANCE OF 3.30 FEET TO THE POINT OF BEGINNING; THENCE  $N01^{\circ}24'28"E$  A DISTANCE OF 39.07 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF WASHINGTON STREET; THENCE ALONG THE SAID WESTERLY LINE,  $S08^{\circ}59'29"E$  A DISTANCE OF 17.46 FEET TO THE NORTHEAST CORNER OF SAID LOT 4; THENCE ALONG THE SAID WESTERLY RIGHT-OF-WAY LINE OF WASHINGTON STREET AND THE EASTERLY LINE OF SAID LOT 4,  $S09^{\circ}35'56"W$  A DISTANCE OF 22.12 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 0.001 ACRES OR 62 SQUARE FEET MORE OR LESS.

**BASIS OF BEARINGS**

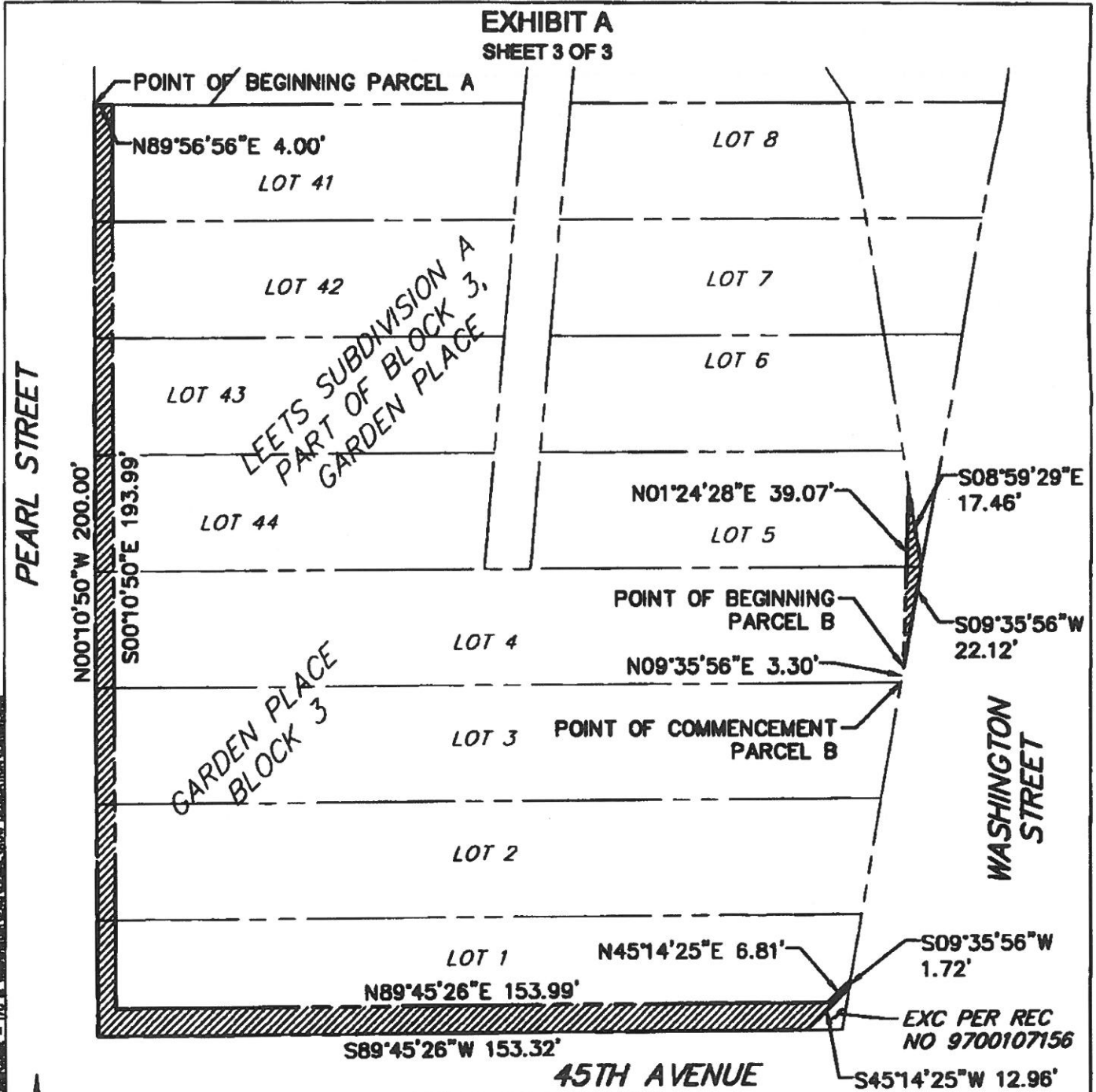
AN ASSUMED BEARING OF  $N89^{\circ}45'30"E$  BEING A 16 FOOT RANGE LINE LOCATED WITHIN 45<sup>TH</sup> AVENUE BETWEEN TWO MONUMENTS 518.53 FEET APART; ONE MONUMENT BEING A 1" SQUARE BAR IN A RANGE BOX AT THE INTERSECTION OF PENNSYLVANIA STREET AND 45<sup>TH</sup> AVENUE AND THE OTHER MONUMENT BEING A FOUND 2" DIAMETER ALUMINUM CAP STAMPED "JACOBS ENG" FLUSH WITH ROADWAY AT THE INTERSECTION OF WASHINGTON STREET AND 45<sup>TH</sup> AVENUE.

PREPARED BY KYLE P. MESSMER, PE  
REVIEWED BY SCOTT A. AREHART, PLS  
FOR AND ON BEHALF OF MARTIN/MARTIN, INC.  
12499 WEST COLFAX AVENUE  
LAKEWOOD, COLORADO 80215  
JULY 21, 2016  
REV. SEPTEMBER 14, 2016



2016-PROJMSTR-0000655-ROW-001

EXHIBIT A  
SHEET 3 OF 3



0 15 30  
 SCALE: 1"=30'  
 ALL DIMENSIONS ARE  
 U.S. SURVEY FEET



REV. SEPTEMBER 14, 2016  
 JULY 21, 2016

**MARTIN/MARTIN**  
 CONSULTING ENGINEERS  
 12489 WEST COLFAX AVENUE, LAKEWOOD, COLORADO 80215  
 MAIN 303.431.6100 MARTINMARTIN.COM

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