




REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Caroline Martin, City Attorney's Office

FROM: Matt R. Bryner, P.E., Director, Right-of-Way Services 

DATE: July 30th, 2021

ROW #: 2020-DEDICATION-0000161 **SCHEDULE #:** 0236312079000

TITLE: This request is to dedicate a City-owned parcel of land as Public Right-of-Way as Public Alley, bounded by E. Colfax Ave., N. Milwaukee St., E. 16th Ave., and N. Saint Paul 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 Public Alley. This parcel(s) of land is being dedicated by the City and County of Denver for Public Right-of-Way, as part of the development project, "Colfax Hotel."

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 Public Alley. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2020-DEDICATION-0000161-001) HERE.

A map of the area to be dedicated is attached.

MB/TB/RL

cc: Dept. of Real Estate, Katherine Rinehart
City Councilperson, Candi CdeBaca District # 9
Councilperson Aide, Lisa Calderon
Councilperson Aide, Liz Stalnaker
City Council Staff, Zach Rothmier
Environmental Services, Andrew Ross
DOTI, Manager's Office, Alba Castro
DOTI, Manager's Office, Jason Gallardo
DOTI, Director, Right-of-Way Engineering Services, Matt Bryner
Department of Law, Maureen McGuire
Department of Law, Martin Plate
Department of Law, Deanne Durfee
Department of Law, Caroline Martin
Department of Law, Rachonda Dixon
DOTI Survey, Tom Breitnauer
DOTI Ordinance
Owner: City and County of Denver
Project file folder 2020-DEDICATION-0000161

City and County of Denver Department of Transportation & Infrastructure
Right-of-Way Services
201 W. Colfax Ave. | Denver, CO 80215
www.denvergov.org/doti
Phone: 720-913-1311

ORDINANCE/RESOLUTION REQUEST

Please email requests to Jason Gallardo
at Jason.Gallardo@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: July 30th, 2021

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:** This request is to dedicate a City-owned parcel of land as Public Right-of-Way as Public Alley, bounded by E. Colfax Ave., N. Milwaukee St., E. 16th Ave., and N. Saint Paul St.

3. **Requesting Agency:** DOTI, Right-of-Way Services
Agency Section: Survey

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

- **Name:** Rebecca Long
- **Phone:** 720-547-5344
- **Email:** Rebecca.Long@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:** Jason Gallardo
- **Phone:** 720-865-8723
- **Email:** Jason.Gallardo@denvergov.org

6. **General description/background of proposed resolution 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 Public Alley. This parcel(s) of land is being dedicated by the City and County of Denver for Public Right-of-Way, as part of the development project, "Colfax Hotel."

****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:** Bounded by E. Colfax Ave., N. Milwaukee St., E. 16th Ave., and N. Saint Paul St.
- d. **Affected Council District:** Candi CdeBaca District # 9
- e. **Benefits:** N/A
- f. **Contract Amount (indicate amended amount and new contract total):** N/A

7. **Is there any controversy surrounding this resolution?** (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

Project Title: 2020-DEDICATION-0000161

Description of Proposed Project: Dedication of a parcel of land as Public Right-of-Way as Public Alley.

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 be dedicated as Public Alley.

Has a Temp MEP been issued, and if so, what work is underway: N/A

What is the known duration of a 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

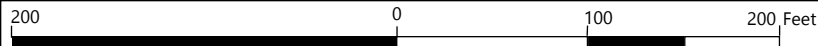
Additional information: This land was deeded to the City and County of Denver for the purpose of dedicating it as Public Alley, as part of a development project called, "Colfax Hotel."



Alley parcel to be dedicated

Legend

- ▲ Well Restrictions
- Barrier Restrictions
- Area Restrictions
 - Liner
 - Sheet Pile Wall Area
- Streams
- Irrigation Ditches Reconstruct (Gardeners)
- Irrigation Ditches
- 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



PARCEL DESCRIPTION ROW NO. 2020-DEDICATION-0000161-001:**LAND DESCRIPTION – ALLEY PARCEL:**

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 7TH DAY OF DECEMBER, 2020, AT RECEPTION NUMBER 2020204231 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

A PORTION OF LOT 18, BLOCK 15 OF COLFAX AVENUE PARK SUBDIVISION, RECORDED AT BOOK 5, PAGE 33 OF THE CITY AND COUNTY OF DENVER CLERK AND RECORDERS RECORDS, LYING WITHIN THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 36, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY & COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: SOUTH 00°04'20" WEST A DISTANCE OF 615.25 FEET, BEING THE BEARING AND DISTANCE OF THE 20.5' RANGE LINE IN MILWAUKEE STREET BETWEEN E. COLFAX AVENUE AND E. 16TH AVENUE, AS DEFINED AND MEASURED BETWEEN A FOUND 1-1/4" YELLOW PLASTIC CAP IN RANGE BOX, PLS 38060 AT THE RANGE LINE INTERSECTION OF E. 16 TH AVENUE AND MILWAUKEE STREET AND A FOUND 1-1/4" YELLOW PLASTIC CAP IN RANGE BOX PLS 38060 AT THE RANGE LINE INTERSECTION OF E. COLFAX AVENUE AND MILWAUKEE STREET.

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 18, BLOCK 15;
THENCE ALONG THE SOUTH LINE OF SAID LOT 18, SOUTH 89°45'52" EAST A DISTANCE OF 104.62 FEET TO THE POINT OF BEGINNING;
THENCE DEPARTING SAID SOUTH LINE, NORTH 46°12'51" EAST A DISTANCE OF 28.13 FEET TO THE EAST LINE OF SAID LOT 18;
THENCE ALONG SAID EAST LINE, SOUTH 00°04'23" WEST A DISTANCE OF 9.50 FEET TO A POINT;
THENCE DEPARTING SAID EAST LINE, SOUTH 45°01'28" WEST A DISTANCE OF 14.15 FEET TO THE SAID SOUTH LINE OF SAID LOT 18;
THENCE ALONG SAID SOUTH LINE, NORTH 89°45'52" WEST A DISTANCE OF 10.28 FEET TO THE POINT OF BEGINNING.

CONTAINING +/-148 SQUARE FEET OR +/-0.003 ACRES OF LAND, MORE OR LESS.



12/07/2020 08:56 AM
City & County of Denver

R \$0.00

WD

2020204231

Page: 1 of 4

D \$0.00

After recording, return to:
Division of Real Estate
City and County of Denver
201 West Colfax Avenue, Dept. 1010
Denver, Colorado 80202
Project Description: 2020-Dedication-0000161
Asset Mgmt No.: 20-183

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED ("Deed"), made as of this 4th day of December, 2020, by **INSPIRE COLFAX LLC**, a Colorado limited liability company, whose address is 10940 S. Parker Rd., Parker, CO 80134, United States ("Grantor") to the **CITY AND COUNTY OF DENVER**, a Colorado municipal corporation of the State of Colorado and home rule city, whose address is 1437 Bannock Street, Denver, Colorado 80202 ("Grantee").

WITNESSETH, that 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 are hereby acknowledged and by these presents does hereby grant, bargain, sell, convey and confirm, unto Grantee, and its successors and assigns forever, the real property described below, together with all improvements thereon, owned by Grantor situate, lying and being in the City and County of Denver, State of Colorado, and being more particularly described on the attached Exhibit(s) hereto and incorporated herein ("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 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 Grantee, and its successors and assigns forever. Grantor, for itself and its successors and assigns does covenant and agree that it shall and will WARRANT AND FOREVER DEFEND the above-bargained Property in the quiet and peaceable possession of Grantee, and its successors and assigns, against all and every person or persons claiming the whole or any part thereof, by, through, or under Grantor.

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

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

ATTEST:

INSPIRE COLFAX LLC, a Colorado limited liability company

By: [Signature]

Name: Brian A. Toerber

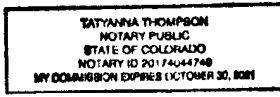
Its: Managing Member

STATE OF Colorado)
) ss.
COUNTY OF Douglas)

The foregoing instrument was acknowledged before me this 4 day of December, 2020
by Brian H. Toerber, as managing member of Inspire Colfax LLC,
a Colorado limited liability company.

Witness my hand and official seal.

My commission expires: 10-30-2021



[Signature]
Notary Public

2020-PROJMSTR-0000126-ROW

EXHIBIT A
LAND DESCRIPTION
SHEET 1 OF 2

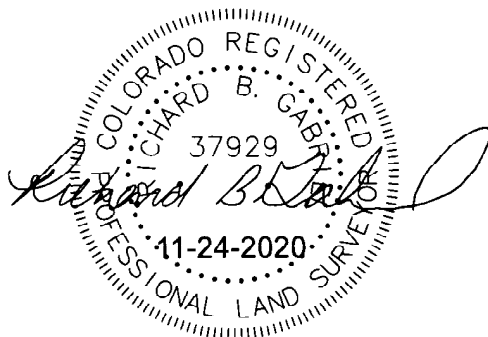
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CONTAINING ±148 SQUARE FEET OR ±0.003 ACRES OF LAND, MORE OR LESS.

End of Legal Description.



Richard B. Gabriel, P.L.S.
Colorado License #37929
For and on behalf of Power Surveying
Company, Inc.
303-702-1617



720 W. 84TH AVE. UNIT #240
THORNHORN, COLORADO 80260

PH 303-702-1617
FAX 303-702-1488
WWW.POWERSURVEYING.COM

DRAWING BY: BJJ
FILE NO. 18-048 ROW DEDICATION.DWG

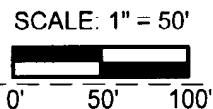
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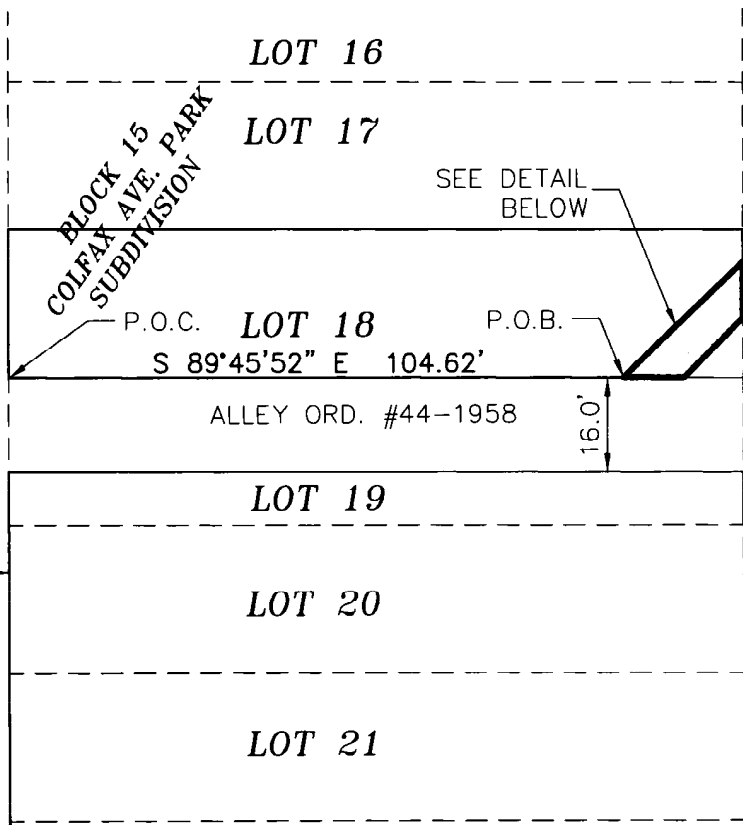
EAST 16TH AVENUE
(70' R.O.W.)

EXHIBIT A
EXHIBIT OF LAND DESCRIPTION
SHEET 2 OF 2

FOUND 1 1/4" YELLOW
PLASTIC CAP PLS 38060
IN RANGE BOX



MILWAUKEE STREET (60' ROW)
S 00°04'20" W
615.25'
20.5' RANGE LINE
(BASIS OF BEARINGS)

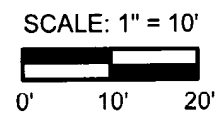


FOUND 1 1/4" YELLOW PLASTIC
CAP PLS 38060 IN RANGE BOX

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

PARCEL CONTAINING
±148 SQUARE FEET
OR ±0.003 ACRES

P.O.B.



LEGEND
P.O.B. POINT OF BEGINNING
P.O.C. POINT OF CORNER



POWERTM
Surveying Company, Inc.
Established 1948

720 W 84TH AVE. UNIT #240
THORNTON, COLORADO 80260

PH 303-702-1617
FAX 303-702-1488
WWW.POWERSURVEYING.COM

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