



REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Caroline Martin, City Attorney's Office
FROM: Matt R. Bryner., Senior Engineering Manager
Right-of-Way Services

DATE: May 16, 2017

ROW #: 2016-DEDICATION-0000096 **SCHEDULE #:** 0503902032000

TITLE: This request is to dedicate a parcel of City owned property as Public Alley.
Located near the intersection of E. 7th Ave. and Sherman 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 a Public Alley.

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 an alley. The land is described as follows:

INSERT PARCEL DESCRIPTION ROW # (2016-DEDICATION-0000096-001) HERE.

A map of the area to be dedicated is attached.

RD/AG/BLV

cc: Asset Management, Robert Koehler
City Councilperson & Aides Wayne New District # 10
Council Aide Melissa Horn
Council Aide Molly Williams
City Council Staff, Shelley Smith
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, Matt Bryner
Department of Law, Brent Eisen
Department of Law, Shaun Sullivan
Department of Law, Caroline Martin
Department of Law, Cindy Cooley
Public Works Survey, Jon Spirk
Public Works Survey, Paul Rogalla
Owner: City and County of Denver
Project file folder: 2016-Dedication-0000096

ORDINANCE/RESOLUTION REQUEST

Please email requests to Angela Casias
at 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: May 16, 2017

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 Public alley.
Located near the intersection of E. 7th Ave. and N. Sherman 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 a public alley. This parcel(s) of land is being dedicated to the City and County of Denver for Public Right-of-Way, as part of the project development project (**7th & Sherman Retail**).

****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:** 7th and Sherman St
- d. **Affected Council District:** Wayne New Dist. 10
- 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: _____



EXECUTIVE SUMMARY

DENVER
THE MILE HIGH CITY

Project Title: 2016-DEDICATION-0000096, 7th and Sherman Retail

Description of Proposed Project: Dedicate a parcel for right-of-way as a 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 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: The land was deeded ot the City and County of Denver for the purpose to dedicate it as an alley for Public Right-of-Way, as part of a development project called 7th & Sherman Retail.

A parcel of land conveyed by Warranty Deed to the City and County of Denver, recorded on the 4th day of January, 2017, at Reception No. 2017000990 in the City and County of Denver Clerk and Recorder's Office, State of Colorado, being more particularly described as follows:

The east 2 feet of the south ½ of Lot 19 and the east 2 feet of Lot 20, Block 21, ARLINGTON HEIGHTS ADDITION TO DENVER (Book 2, Page 84), City and County of Denver, State of Colorado, located within the Southeast 1/4 of Section 3, Township 4 South, Range 68 West of the 6th P.M., being more particularly described as follows:

Commencing at the 20 foot range point (a hole punch on a stone in a range box) located at the intersection of North Sherman Street and East 7th Avenue;

thence S89°53'53"E along the East 7th Avenue 20 foot range line a distance of 195.09 feet (bearings based on the East 7th Avenue 20 foot range line, monumented with a hole punch on a stone in a range box on the west end and a No. 5 rebar with a plastic cap, PLS 26606 in a range box on the east end, with a bearing and distance of N89°53'53"W, 356.19 feet);

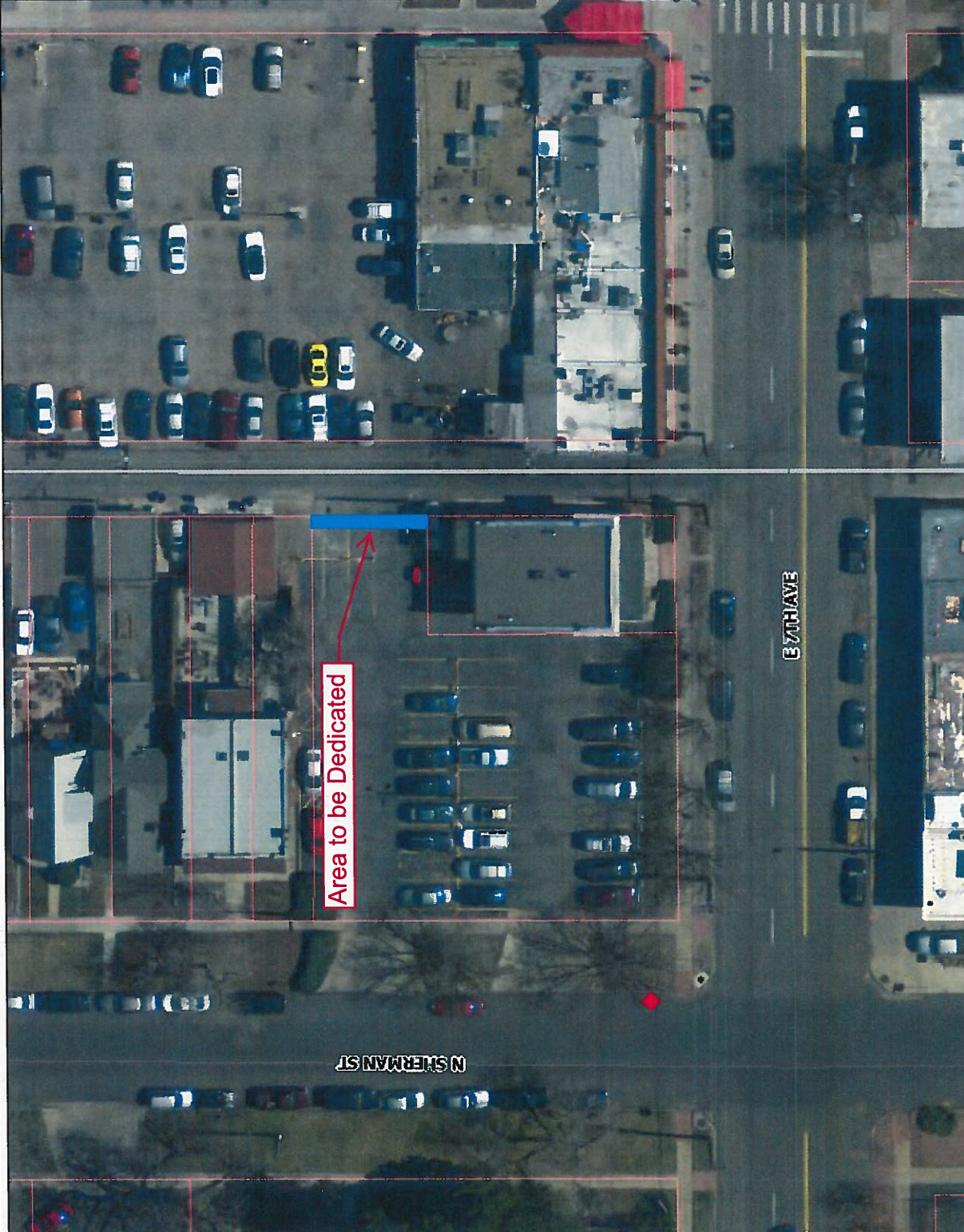
thence N00°09'05"E, 20.00 feet to the southeast corner of Lot 23 of said Block 21;

thence N00°09'05"E along the west line of a 16 foot alley 75.00 feet to the southeast corner of Lot 20 of said Block 21 and the POINT OF BEGINNING:

thence N89°53'53"W along the south line of said Lot 20 a distance of 2.00 feet; thence N00°09'05"E parallel with and 2 feet west of the west line of said 16 foot alley a distance of 37.50 feet; thence S89°53'53"E a distance of 2.00 feet to the west line of said alley; thence S00°09'05"W along the west line of said alley a distance of 37.50 feet to the POINT OF BEGINNING.

Said parcel contains an area of 75 square feet or 0.002 acres, more or less.

Cameron Forth, Professional Land Surveyor
State of Colorado, L.S. 38390
For and on behalf of Clark Land Surveying, Inc.



- Legend**
- Benchmarks
 - Range Points
 - Streams
 - Irrigation Ditches Reconstruct (Gardens)
 - 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
 - Parks
 - All Other Parks; Linear
 - Mountain Parks



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.



01/04/2017 01:10 PM R \$23.00 D \$0.00
City & County of Denver WD
Electronically Recorded

WARRANTY DEED

THIS DEED, dated January 3rd 2017, is between 7th AND SHERMAN DEVELOPMENT 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.

DOC Fee \$0.00

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.

7th AND SHERMAN DEVELOPMENT LLC
By: [Signature]
Title: MANAGER

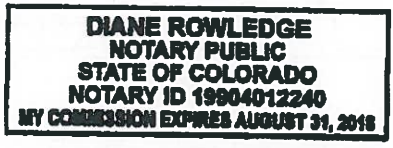
STATE OF Colorado
City & COUNTY OF Denver

The foregoing instrument was acknowledged before me this day 1st of December 2016 by Brenton Forban as manager of 7th AND SHERMAN DEVELOPMENT LLC

Witness my hand and official seal.
My commission expires:

August 31, 2018

[Signature]
Notary Public



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

Asset Mgmt # 16-218

Approved Asset Management Date: 01-06-17

Approved Description: wD - Sherman Development Group



2017000990
Page: 1 of 3

01/04/2017 01:10 PM R \$23.00 D \$0.00
City & County of Denver WD
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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 sealing 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.

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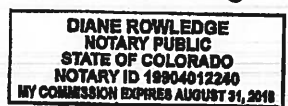
7th AND SHERMAN DEVELOPMENT LLC
By: [Signature]
Title: Manager

STATE OF Colorado
City & COUNTY OF Denver

The foregoing instrument was acknowledged before me this day 1st of December 2016 by Christina Forster as manager of 7th AND SHERMAN DEVELOPMENT LLC.

Witness my hand and official seal.
My commission expires: August 31, 2018

[Signature]
Notary Public



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



April 27, 2016

Land Description

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