


REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Ivone Avila-Ponce, City Attorney's Office

FROM: Glen D. Blackburn, P.E., Director, Right-of-Way Services 

DATE: December 5, 2023

ROW #: 2021-DEDICATION-0000144 **SCHEDULE #:** 0221414023000

TITLE: This request is to dedicate a City-owned parcel of land as Public Right-of-Way as Public Alley, bounded by North Kalamath Street, West 42nd Avenue, North Jason Street and West 43rd Avenue.

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, "4200 Kalamath."

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 # (2021-DEDICATION-0000144-001) HERE.

A map of the area to be dedicated is attached.

GB/TB/LRA

cc: Dept. of Real Estate, RealEstate@denvergov.org
City Councilperson, Amanda Sandoval, District # 1
Councilperson Aide, Gina Volpe
Councilperson Aide, Melissa Horn
Councilperson Aide, Andrew Blanco
Councilperson Aide, Alessandra Dominguez
City Council Staff, Luke Palmisano
Environmental Services, Andrew Ross
DOTI, Manager's Office, Alba Castro
DOTI, Manager's Office, Jason Gallardo
DOTI, Director, Right-of-Way Services, Glen Blackburn
Department of Law, Johna Varty
Department of Law, Martin Plate
Department of Law, Deanne Durfee
Department of Law, Ivone Avila-Ponce
Department of Law, Joann Tristani
DOTI Survey, Thomas Breitnauer
DOTI Ordinance
Owner: City and County of Denver
Project file folder 2021-DEDICATION-0000144

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: December 5, 2023

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 North Kalamath Street, West 42nd Avenue, North Jason Street and West 43rd Avenue

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

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

- **Name:** Lisa R. Ayala
- **Phone:** 720-865-3112
- **Email:** Lisa.ayala@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:** Proposing to build a new apartment complex structure. The developer has been asked to dedicate a parcel of land as Public Alley.

****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 North Kalamath Street, West 42nd Avenue, North Jason Street and West 43rd Avenue
- d. **Affected Council District:** Amanda Sandoval, District # 1
- 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: 2021-DEDICATION-0000144

Description of Proposed Project: Proposing to build a new apartment complex structure. The developer has been asked to dedicate a parcel of land 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

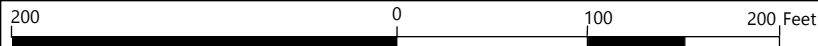
Additional information: This land was deeded to the City and County of Denver for the purpose of dedicating it as Public Alley, as part of a development project called, "4200 Kalamath."



Legend

- Streets
- Alleys
- ▭ County Boundary
- ▭ Parcels
- ▭ Lots/Blocks

Alley parcel to be dedicated



PARCEL DESCRIPTION ROW NO. 2021-DEDICATION-0000144-001:

LAND DESCRIPTION - ALLEY PARCEL

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 4TH DAY OF FEBRUARY, 2022, AT RECEPTION NUMBER 2022016374 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:
A PORTION OF LOTS 3 THROUGH 15, INCLUSIVE, BLOCK 15, VIADUCT ADDITION TO DENVER, LYING WITHIN THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 3;

THENCE ALONG THE EAST LINE OF SAID LOTS 3 THROUGH 15, INCLUSIVE, ALSO BEING THE WEST LINE OF A 16-FOOT PUBLIC ALLEY, SOUTH 00°10'07" WEST, A DISTANCE OF 325.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 15;

THENCE ALONG THE SOUTH LINE OF SAID LOT 15, NORTH 89°49'55" WEST, A DISTANCE OF 2.00 FEET;
THENCE ALONG A LINE BEING 2.0 FEET WEST AND PARALLEL WITH AFOREMENTIONED SAID EAST LINE, NORTH 00°10'07" EAST, A DISTANCE OF 325.00 FEET TO A POINT ON THE NORTH LINE OF AFOREMENTIONED LOT 3;

THENCE SOUTH 89°49'55" EAST, A DISTANCE OF 2.00 FEET TO THE POINT OF BEGINNING.

CONTAINING: 650 SQUARE FEET OR 0.015 ACRE OF LAND.

BASIS OF BEARINGS: BEARINGS ARE BASED UPON THE NORTH LINE OF LOT 3, BLOCK 15, VIADUCT ADDITION TO DENVER, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MONUMENTED AT THE EAST END BY A #5 REBAR WITH ORANGE PLASTIC CAP STAMPED "PLS 38495" AND AT THE WEST END BEING A LINE EXTENDED 17.5 FEET TO A CHISELED "X". SAID LINE IS ASSUMED TO BEAR NORTH 89°49'55" WEST.



02/04/2022 11:06 AM
City & County of Denver

R \$0.00

WD

2022016374

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: 2021-Dedication-0000144
Asset Mgmt No.: 22-016

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED (“Deed”), made as of this 25 day of January, 2022, by **KALAMATH JOINT VENTURE, LLC**, a Colorado limited liability company, whose address is 2700 S. Broadway, Suite 200, Englewood, CO 80113, 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:

KALAMATH JOINT VENTURE, LLC, a Colorado limited liability company

By: [Signature]

Name: Paul Books

Its: Authorized Signer

STATE OF Colorado)
) ss.
COUNTY OF Denver)

The foregoing instrument was acknowledged before me this 25 day of January, 2022
by Paul Books, as Authorized Signer of KALAMATH JOINT VENTURE,
LLC, a Colorado limited liability company.

Witness my hand and official seal.

My commission expires: 6-10-23

KRYSTAL L SHORES
Notary Public
State of Colorado
Notary ID # 20194021513
My Commission Expires 06-10-2023

[Signature]
Notary Public

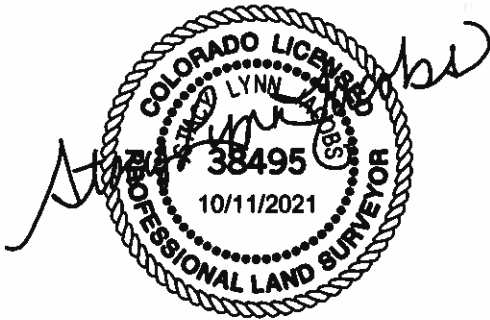
**EXHIBIT A
LEGAL DESCRIPTION
SHEET 1 OF 2**

A PORTION OF LOTS 3 THROUGH 15, INCLUSIVE, BLOCK 15, VIADUCT ADDITION TO DENVER, LYING WITHIN THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

**BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 3;
THENCE ALONG THE EAST LINE OF SAID LOTS 3 THROUGH 15, INCLUSIVE, ALSO BEING THE WEST LINE OF A 16-FOOT PUBLIC ALLEY, SOUTH 00°10'07" WEST, A DISTANCE OF 325.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 15;
THENCE ALONG THE SOUTH LINE OF SAID LOT 15, NORTH 89°49'55" WEST, A DISTANCE OF 2.00 FEET;
THENCE ALONG A LINE BEING 2.0 FEET WEST AND PARALLEL WITH AFOREMENTIONED SAID EAST LINE, NORTH 00°10'07" EAST, A DISTANCE OF 325.00 FEET TO A POINT ON THE NORTH LINE OF AFOREMENTIONED LOT 3;
THENCE SOUTH 89°49'55" EAST, A DISTANCE OF 2.00 FEET TO THE POINT OF BEGINNING.**

CONTAINING: 650 SQUARE FEET OR 0.015 ACRE OF LAND.

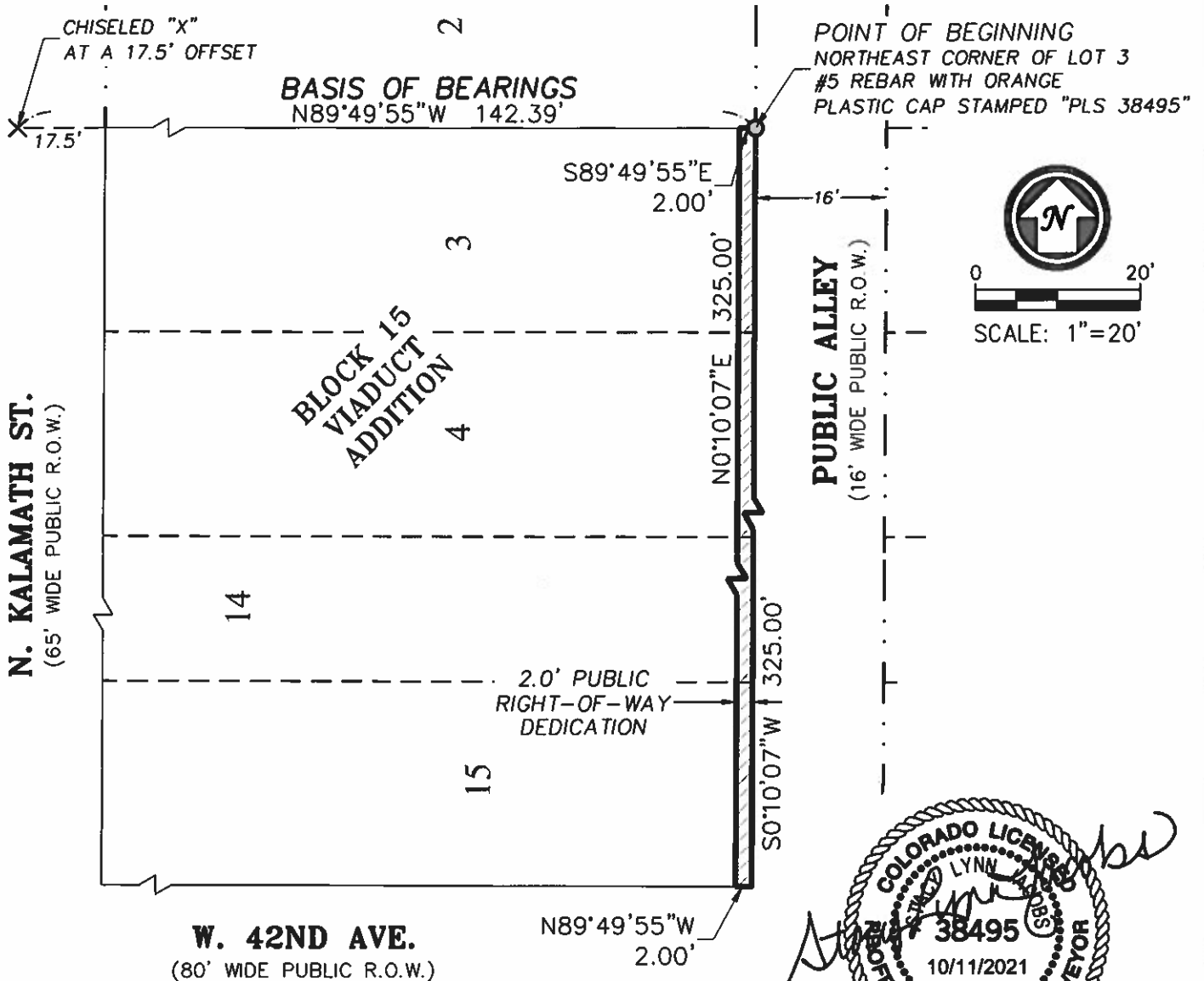
BASIS OF BEARINGS: BEARINGS ARE BASED UPON THE NORTH LINE OF LOT 3, BLOCK 15, VIADUCT ADDITION TO DENVER, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MONUMENTED AT THE EAST END BY A #5 REBAR WITH ORANGE PLASTIC CAP STAMPED "PLS 38495" AND AT THE WEST END BEING A LINE EXTENDED 17.5 FEET TO A CHISELED "X". SAID LINE IS ASSUMED TO BEAR NORTH 89°49'55" WEST.



STACY LYNN JACOBS, PLS
COLORADO REG. NO. 38495
FOR, AND ON BEHALF OF:
R&R ENGINEERS-SURVEYORS, INC.
1635 W. 13TH AVE, STE 310
DENVER, COLORADO 80204
(303) 753-6730
SW19048

EXHIBIT A

A PORTION OF LOTS 3 THROUGH 15, INCLUSIVE, BLOCK 15, VIADUCT ADDITION TO DENVER
 LOCATED IN THE SOUTHEAST QUARTER OF SECTION 21,
 TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
 CITY AND COUNTY OF DENVER, STATE OF COLORADO



NOTE
 THIS DRAWING IS MEANT TO DEPICT THE ATTACHED LEGAL DESCRIPTION AND IS FOR INFORMATIONAL PURPOSES ONLY. IT DOES NOT REPRESENT A MONUMENTED LAND SURVEY.

PARCEL CONTAINS 650 SQ. FT. OR 0.015 ACRE

RIGHT-OF-WAY DEDICATION

Date:	9/1/2021	Sheet 2 of 2
Drawn:	JDM	
Checked:	SLJ	
Job No.:	SW19048	



R&R ENGINEERS-SURVEYORS, INC.
 1635 W. 13TH AVENUE, SUITE 310
 DENVER, COLORADO 80204
 PH: 303-753-6730
 WWW.RRENINEERS.COM