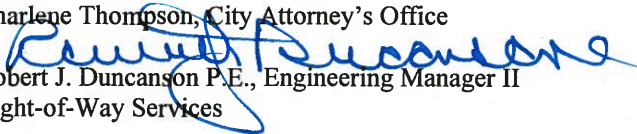




REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Charlene Thompson, City Attorney's Office
FROM:  Robert J. Duncanson P.E., Engineering Manager II
Right-of-Way Services
DATE: February 3, 2016
ROW #: 2015-Dedication-0000009 **SCHEDULE #:** 0512218026000
TITLE: This request is to dedicate a parcel of land as Public Right of Way as Public Alley.
Located at the intersection of E. 2nd Ave. and Milwaukee 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 to the City and County of Denver for Public Right-of-Way, as part of the development project **(222 Milwaukee)**

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 # (2015-Dedication-0000009-001) HERE.

A map of the area to be dedicated is attached.

RD/JC/BLV

cc: Asset Management, Steve Wirth
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, Rob Duncanson
Department of Law, Brent Eisen
Department of Law, Charlene Thompson
Department of Law, Adam Hernandez
Department of Law, Angela Garcia
Public Works Survey, John Clarke
Public Works Survey, Paul Rogalla
Owner: City and County of Denver
Project file folder 2015-Dedication-0000009

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: February 3, 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 Public Alley.
Located at the intersection of E. 2nd Ave. and Milwaukee 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 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 development project (222 Milwaukee)

****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. 2nd Ave. and Milwaukee
- 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: 2015-Dedication-0000009, 222 Milwaukee

Description of Proposed Project: Dedicate a parcel of 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 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

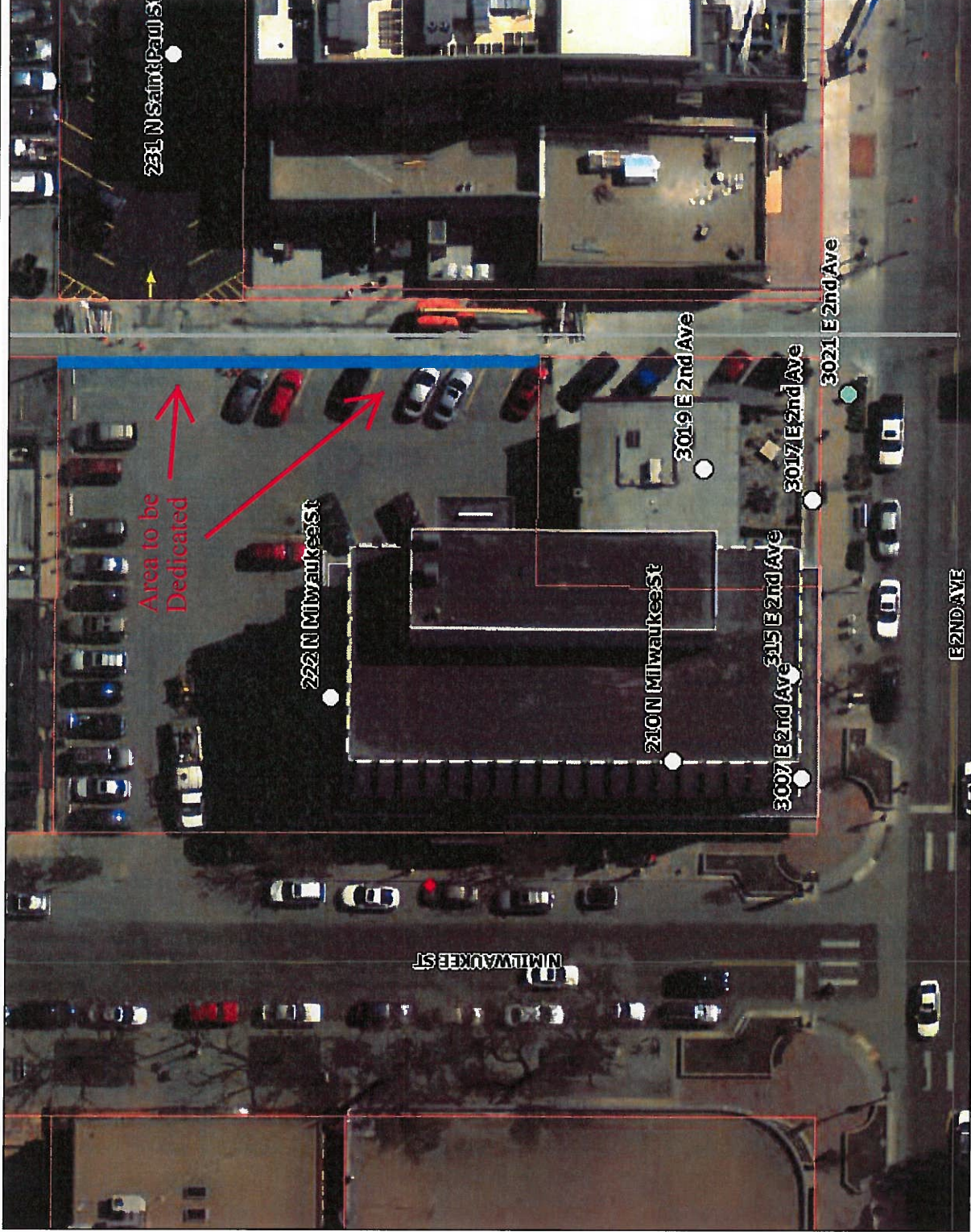
Will an easement relinquishment be submitted at a later date: N/A

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, 222 Milwaukee.



Protecting the Present & Building the Future
Accountability, Innovation, Empowerment, Performance, Integrity,
Diversity, Teamwork, Respect, Excellence, Safety

222 Milwaukee



77

0 38.5 77 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere
© City and County of Denver

1: 604

Map Generated 2/3/2016

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.

Legend

Active Addresses

- Associated
- Land
- Structure
- Utility

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

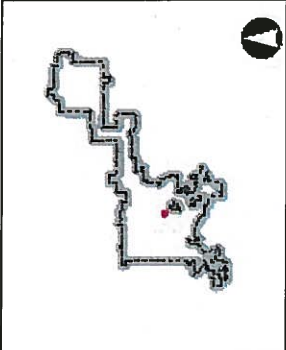
Lakes

County Boundary

Parcels

Parks

- Mountain Parks
- All Other Parks



A PARCEL OF LAND CONVEYED BY WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 29TH DAY OF JANUARY, 2016, AT RECEPTION NUMBER 2016011151 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND BEING A PORTION OF LOTS 1 AND 2, BLOCK 58 HARMON'S SUBDIVISION LOCATED IN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 2, BLOCK 58, HARMON'S SUBDIVISION SAID POINT BEING THE POINT OF BEGINNING;

THENCE ALONG THE EASTERLY LINE OF SAID LOTS 1 AND 2, S00°21'42"E A DISTANCE OF 130.09 FEET;

THENCE S89°39'54"W A DISTANCE OF 2.50 FEET;

THENCE ALONG A LINE 2.50 FEET WEST OF AND PARALLEL WITH SAID EASTERLY LINE OF LOTS 1 AND 2, N00°21'42"W A DISTANCE OF 130.09 FEET TO A POINT ON THE NORTHERLY LINE OF SAID LOT 2;

THENCE ALONG THE NORTHERLY LINE OF SAID LOT 2, N89°40'33"E A DISTANCE OF 2.50 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 0.007 ACRES OR 325 SQUARE FEET MORE OR LESS.

BASIS OF BEARINGS

BEARINGS ARE BASED ON THE 20' RANGE LINE IN EAST 2ND AVENUE ASSUMED TO BEAR N89°43'18"E AND BEING MONUMENTED BY A FOUND 2" BRASS DISK PLS #28283 AT THE INTERSECTION OF EAST 2ND AVENUE AND MILWAUKEE STREET AND A FOUND 2-1/2" BRASS CAP IN RANGE BOX PLS #10945 AT THE INTERSECTION OF EAST 2ND AVENUE AND SAINT PAUL STREET.



01/29/2016 08:20 AM
City & County of Denver

R \$0.00

WD

201601151

Page: 1 of 3

D \$0.00

WARRANTY DEED

THIS DEED, dated December 23rd, 2015, is between Milwaukee BL, 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.

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.

Milwaukee BL, LLC
By: [Signature]
Title: MANAGER

STATE OF COLORADO
COUNTY OF ARAPAHOE

The foregoing instrument was acknowledged before me this day 23rd of December, 2015 by Terin C. Diamond as manager of Milwaukee BL, LLC.

Witness my hand and official seal.
My commission expires: 6/30/2017

[Signature]
Notary Public

SHERYL A HANEBRINK
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID # 20054025848
MY COMMISSION EXPIRES JUNE 30, 2017

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

Asset Mgmt. # 16-007
Approved [Signature]
Date: 1-28-16
Project Description: 222 Milwaukee

EXHIBIT A
SHEET 1 OF 2

LAND DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF LOTS 1 AND 2, BLOCK 58 HARMON'S SUBDIVISION LOCATED IN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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BASIS OF BEARINGS

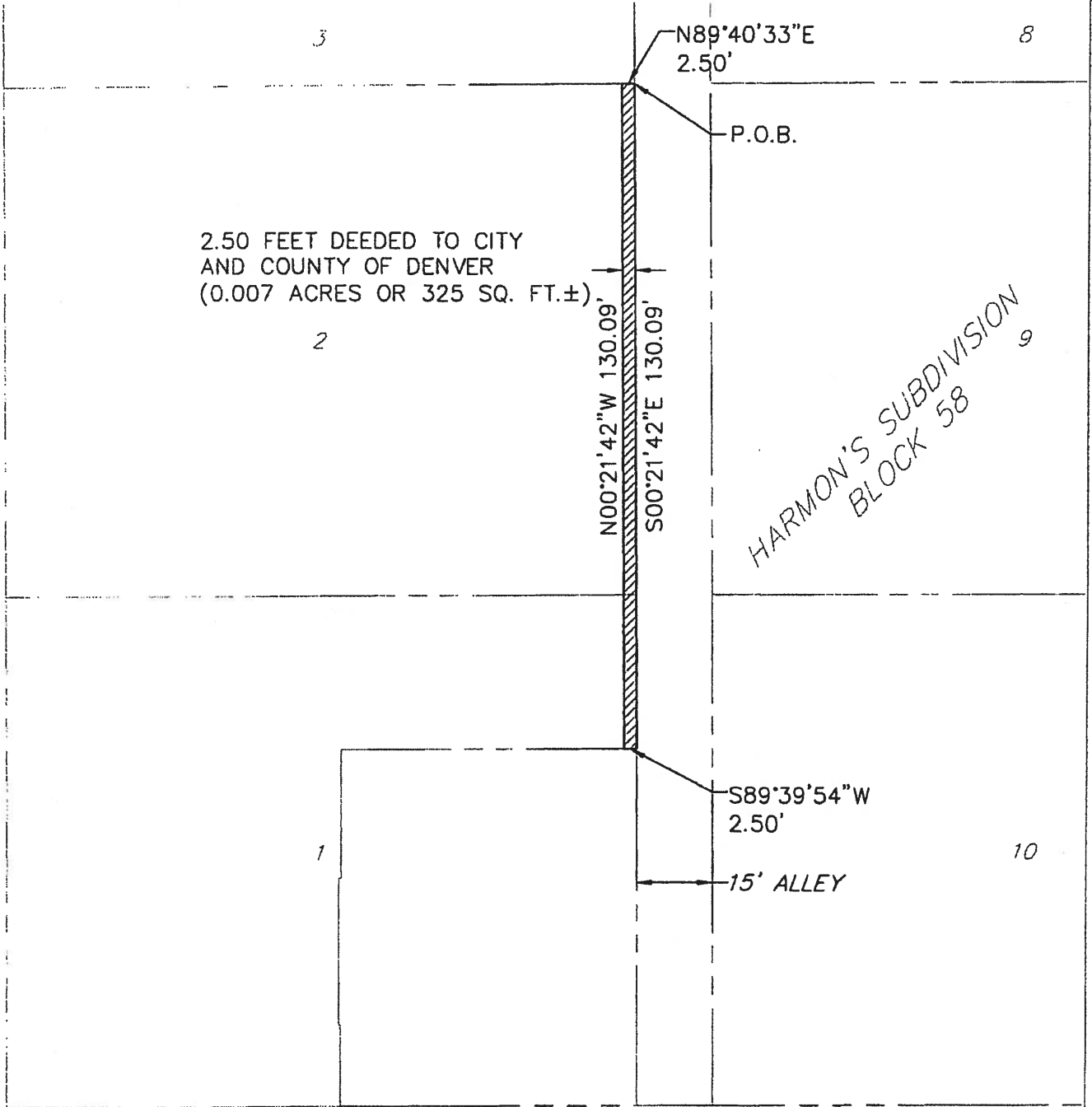
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PREPARED BY
SCOTT A. AREHART, PLS
FOR AND ON BEHALF OF
MARTIN/MARTIN, INC.
12499 WEST COLFAX AVENUE,
LAKEWOOD, CO, 80215
July 8, 2015
Revised August 12, 2015



EXHIBIT A
SHEET 2 OF 2

MILWAUKEE STREET



2.50 FEET DEEDED TO CITY
AND COUNTY OF DENVER
(0.007 ACRES OR 325 SQ. FT.±)

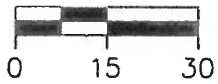
HARMON'S SUBDIVISION
BLOCK 58

S89°39'54\"W
2.50'

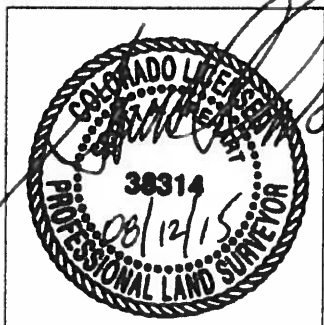
15' ALLEY

EAST 2ND AVENUE

REV. AUGUST 12, 2015
JULY 08, 2015



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



MARTIN/MARTIN
CONSULTING ENGINEERS

12499 WEST COLFAX AVENUE, LAKEWOOD, COLORADO 80215
MAIN 303.431.6100 MARTINMARTIN.COM

DRAWING LOCATION: G:\HARRIS\15_0041_Revised_Hotel\SURVEY\Topo02-15\Exhibits\Exhibit.dwg

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