

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: February 20th, 2020

ROW #: 2019-DEDICATION-0000144 **SCHEDULE #:** Adjacent to 0509108033000

TITLE: This request is to dedicate a parcel of land as Public Right-of-Way as N. Santa Fe Dr. (parcel -001) and Public Alley (parcel -002), bounded by W. 4th Ave., N. Santa Fe Dr., W. 5th Ave., and N. Inca 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 N. Santa Fe Dr. (parcel -001) and Public Alley (parcel -002). 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, 'Arte Bella Apartments.'

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 Santa Fe Dr. (parcel -001) and Public Alley (parcel -002). The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2019-DEDICATION-0000144-001 & 002) HERE.

A map of the area to be dedicated is attached.

MB/DS/RL

cc: Dept. of Real Estate, Katherine Rinehart
City Councilperson, Jolon Clarke District # 7
Councilperson Aide, Tate Carpenter
Councilperson Aide, Maggie Thompson
Councilperson Aide, Anita Banuelos
City Council Staff, Zach Rothmier
Environmental Services, David Erickson
DOTI, Manager's Office, Alba Castro
DOTI, Manager's Office, Jason Gallardo
DOTI, Director, Right-of-Way 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, Stan Lechman
DOTI Survey, Dana Sperling
DOTI Survey, Paul Rogalla
Public Works Ordinance
Owner: City and County of Denver
Project file folder 2019-DEDICATION-0000144

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: February 20th, 2020

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 parcel of land as Public Right-of-Way as N. Santa Fe Dr. (parcel -001) and Public Alley (parcel -002), bounded by W. 4th Ave., N. Santa Fe Dr., W. 5th Ave., and N. Inca St.

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

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

- **Name:** Rebecca Long
- **Phone:** 720-913-4518
- **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 N. Santa Fe Dr. (parcel -001) and Public Alley (parcel -002). 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, 'Arte Bella Apartments.'

****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 W. 4th Ave., N. Santa Fe Dr., W. 5th Ave., and N. Inca St.
- d. **Affected Council District:** Jolon Clark, District #7
- e. **Benefits:** N/A
- f. **Contract Amount (indicate amended amount and new contract total):**

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: 2019-DEDICATION-0000144

Description of Proposed Project: Dedication of a parcel of land as Public Right-of-Way as N. Santa Fe Dr. (parcel -001) and Public Alley (parcel -002).

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 N. Santa Fe Dr. (parcel -001) and Public Alley (parcel -002).

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

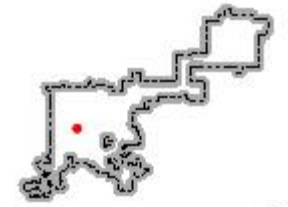
What is the known duration of a MEP: N/A

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

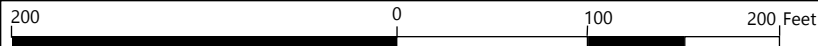
Will an easement relinquishment be submitted at a later date: N/A

Additional information: This land was deeded to the City and County of Denver for the purpose of dedicating it as N. Santa Fe Dr. (parcel -001) and Public Alley (parcel -002), as part of a development project called, 'Arte Bella Apartments.'



Legend

- ▲ Well Restrictions
- Barrier Restrictions
- Area Restrictions
 - Liner
 - Sheet Pile Wall Area
- Streams
- 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; Liner
 - Mountain Parks



2019-DEDICATION-0000144-001

PARCEL DESCRIPTION ROW NO. 2019-DEDICATION-0000144-001:

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 10TH DAY OF JANUARY 2020, AT RECEPTION NUMBER 2020004205 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

LAND DESCRIPTION – STREET PARCEL 1

A PARCEL OF LAND BEING A PORTION OF LOT 6, BLOCK 7, SUMNER'S ADDITION TO DENVER, AND SITUATED IN THE NORTHEAST 1/4 OF SECTION 9, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WESTERLY 11.00 FEET OF LOT 6, BLOCK 7, SUMNER'S ADDITION TO DENVER.

CONTAINING: 550 SQUARE FEET OR 0.013 ACRES, MORE OR LESS.

2019-DEDICATION-0000144-002

PARCEL DESCRIPTION ROW NO. 2019-DEDICATION-0000144-002:

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 10TH DAY OF JANUARY 2020, AT RECEPTION NUMBER 2020004205 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

LAND DESCRIPTION – ALLEY PARCEL 2

A PARCEL OF LAND BEING A PORTION OF LOT 6, BLOCK 7, SUMNER'S ADDITION TO DENVER, AND SITUATED IN THE NORTHEAST 1/4 OF SECTION 9, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EASTERLY 2.00 FEET OF LOT 6, BLOCK 7, SUMNER'S ADDITION TO DENVER.

CONTAINING: 100 SQUARE FEET OR 0.002 ACRES, MORE OR LESS.



01/10/2020 12:55 PM
City & County of Denver

R \$0.00

WD

2020004205

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

SPECIAL WARRANTY DEED

******This deed is given to correct a spelling error in Exhibit A used in a former deed between the parties hereto, dated December 18, 2019, and recorded on December 23, 2019, at Reception Number 2019180257 of the real property records of the office of the clerk and recorder of the City and County of Denver, Colorado.******

THIS SPECIAL WARRANTY DEED ("Deed"), made as of this 7th day of January, 2020, by **ARTE BELLA ON SANTA FE, LLC**, a South Dakota limited liability company, whose address is 4615 S. Techlink Circle, Sioux Falls SD, 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.

Asset Mgmt. # 20-005

Project Description: 2019-Dedication-0000144

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

ATTEST:

ARTE BELLA ON SANTA FE, LLC, a South Dakota Limited Liability Company

By: [Signature]

Name: Brady Hyde

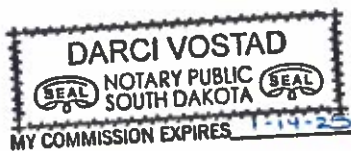
Its: member

STATE OF South Dakota)
) ss.
COUNTY OF Minnehaha)

The foregoing instrument was acknowledged before me this 7th day of January, 2020
by Brady Hyde, as Member of ARTE BELLA ON SANTA FE,
LLC, a South Dakota Limited Liability Company.

Witness my hand and official seal.

My commission expires: January 14th, 2025



[Signature]
Notary Public

EXHIBIT "A" LAND DESCRIPTION

SHEET 1 OF 2

PARCEL 1

A PARCEL OF LAND BEING A PORTION OF LOT 6, BLOCK 7, SUMNER'S ADDITION TO DENVER, AND SITUATED IN THE NORTHEAST 1/4 OF SECTION 9, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WESTERLY 11.00 FEET OF LOT 6, BLOCK 7, SUMNER'S ADDITION TO DENVER.


CONTAINING: 550 SQUARE FEET OR 0.013 ACRES, MORE OR LESS.

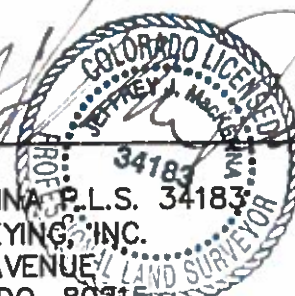
PARCEL 2

A PARCEL OF LAND BEING A PORTION OF LOT 6, BLOCK 7, SUMNER'S ADDITION TO DENVER, AND SITUATED IN THE NORTHEAST 1/4 OF SECTION 9, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EASTERLY 2.00 FEET OF LOT 6, BLOCK 7, SUMNER'S ADDITION TO DENVER.

CONTAINING: 100 SQUARE FEET OR 0.002 ACRES, MORE OR LESS.


 PREPARED BY: JEFFREY J. MACKENNA P.L.S. 34183 DATE: 1/2/2020
 FOR FALCON SURVEYING, INC.
 9940 WEST 25TH AVENUE
 LAKEWOOD COLORADO, 80215
 (303)202-1560



S:\JOBS\2018\180517\Exhibits\12-4-2018\180517_EXHIBIT-V3.dwg

EXHIBIT "A"

SITUATED IN THE NE 1/4, SECTION 9, T4S, R68W, OF THE 6TH P.M.
CITY AND COUNTY OF DENVER, STATE OF COLORADO

FOUND 3.25" BRASS CAP
"37929" IN CONCRETE

SHEET 2 OF 2

BLOCK 7
SUMNER'S
ADDITION TO
DENVER

LOT 5, BLOCK 7, SUMNER'S ADDITION TO DENVER
ADDRESS: 422 SANTA FE DRIVE
OWNER: WEISS, NANCY
SCHEDULE #: 05091-08-009-000

LOT 16

LOT 5

SANTA FE DRIVE
60' RIGHT OF WAY

PARCEL 1
550 SQUARE FEET
OR 0.013 ACRES ±

PARCEL 2
100 SQUARE FEET
OR 0.002 ACRES ±

11.00'

LOT 6

2.00'

16' PUBLIC ALLEY

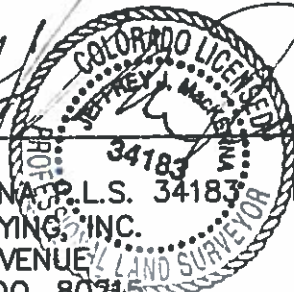
LOT 15

N 26' OF LOT 7, BLOCK 7, SUMNER'S ADDITION
TO DENVER ADDRESS: 430 SANTA FE DRIVE
OWNER: LEE, SAMMY SEUNG MIN
SCHEDULE #: 05091-08-012-000

LOT 14

20' RANGE LINE

PREPARED BY:
JEFFREY J. MACKENNA P.L.S. 34183 DATE: 1/2/2020
FOR FALCON SURVEYING, INC.
9940 WEST 25TH AVENUE
LAKEWOOD COLORADO, 80215
(303)202-1560



GRAPHIC SCALE



(IN US SURVEY FEET)

1 inch = 30 ft.

FOUND #5 REBAR
0.6' B.G.
IN RANGE BOX

SW CORNER
BLOCK 7, SUMNER'S ADDITION

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