


**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   
Matt R. Bryner (Jan 31, 2022 12:22 MST)

**DATE:** January 27<sup>th</sup>, 2022

**ROW #:** 2020-DEDICATION-0000105 **SCHEDULE #:** Adjacent to 0016100172000

**TITLE:** This request is to dedicate a City-owned parcel of land as Public Right-of-Way as E. 49<sup>th</sup> Pl., located at the intersection of N. Telluride St. and E. 49<sup>th</sup> Pl.

**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 E. 49<sup>th</sup> Pl. 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, "Green Valley Ranch 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 Public Right-of-Way. The land is described as follows.

**INSERT PARCEL DESCRIPTION ROW # (2020-DEDICATION-0000105-001) HERE.**

A map of the area to be dedicated is attached.

MB/JL/RL

cc: Dept. of Real Estate, Katherine Rinehart  
City Councilperson, Stacie Gilmore District # 11  
Councilperson Aide, Chiquita Sanders  
Councilperson Aide, Melissa Sotelo  
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, Johanna Lee  
DOTI Ordinance  
Owner: City and County of Denver  
Project file folder 2020-DEDICATION-0000105

## ORDINANCE/RESOLUTION REQUEST

Please email requests to Jason Gallardo  
at [Jason.Gallardo@DenverGov.org](mailto: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: January 27<sup>th</sup>, 2022

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 E. 49th Pl., located at the intersection of N. Telluride St. and E. 49th Pl.

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](mailto: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](mailto: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 E. 49th Pl. 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, "Green Valley Ranch 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:** located at the intersection of N. Telluride St. and E. 49th Pl.
- d. **Affected Council District:** Stacie Gilmore District # 11
- 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-0000105

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

**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 E. 49th Pl.

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

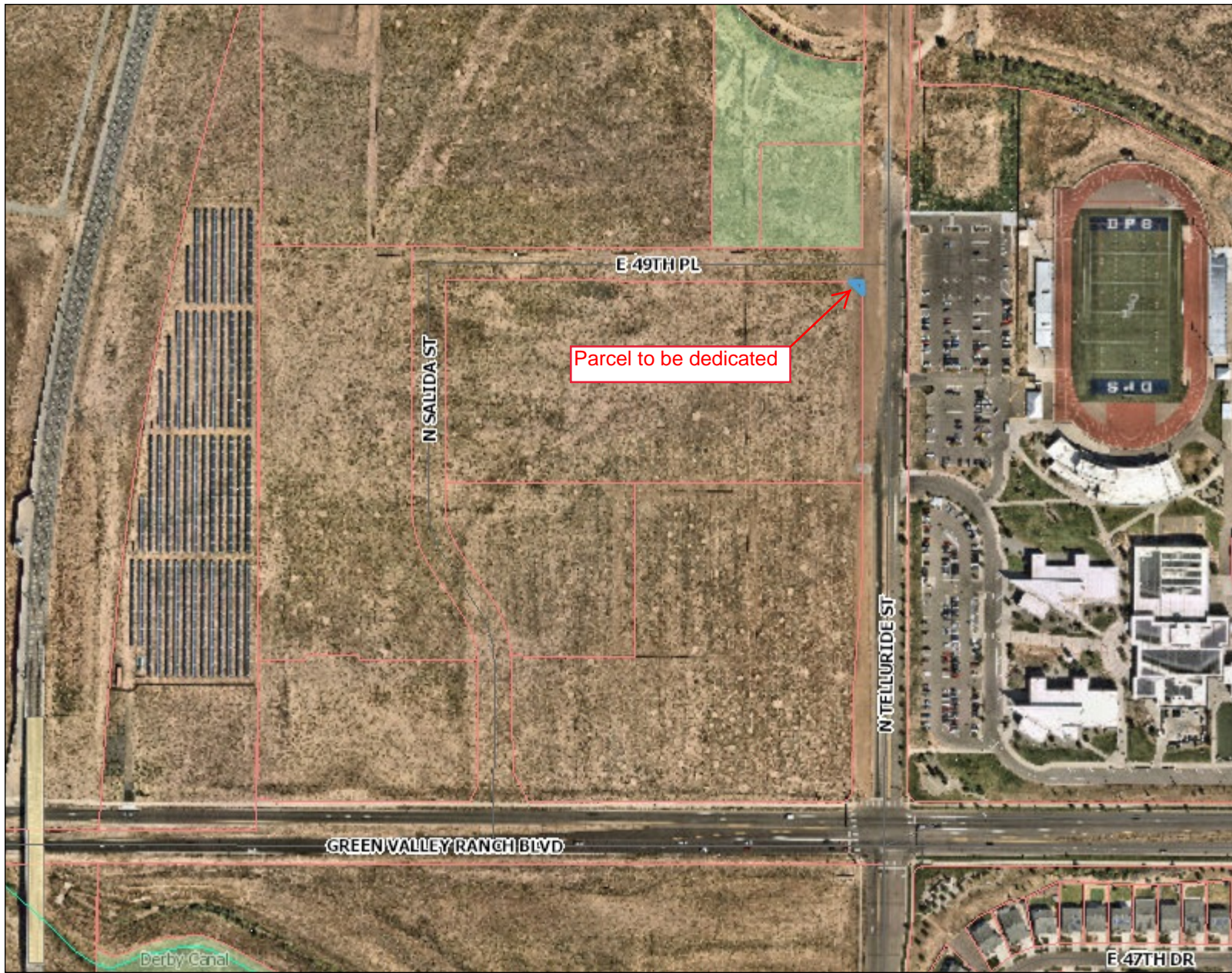
**What is the known duration of a MEP:** N/A

**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

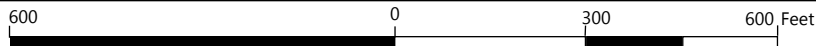
**Will an easement relinquishment be submitted at a later date:** N/A

**Additional information:** This land was deeded to the City and County of Denver for the purpose of dedicating it as E. 49th Pl., as part of a development project called, "Green Valley Ranch Apartments."



### 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
- Parks**
  -  All Other Parks; Linear
  -  Mountain Parks



**PARCEL DESCRIPTION ROW NO. 2020-DEDICATION-0000105-001:**

**LAND DESCRIPTION – STREET PARCEL:**

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 21ST DAY OF JANUARY, 2022, AT RECEPTION NUMBER 2022009901 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

A PARCEL OF LAND BEING A PORTION OF LOT 1, BLOCK 2, GATEWAY LANDING SUBDIVISION RECORDED AT RECEPTION NO. 2020200141, IN THE OFFICIAL RECORDS OF THE CLERK AND RECORDER, CITY AND COUNTY OF DENVER, STATE OF COLORADO, LYING IN THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, SAID COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER QUARTER CORNER OF SAID SECTION 16, WHENCE THE EAST LINE OF SAID SOUTHWEST QUARTER BEARS SOUTH 00°04'35" EAST, A DISTANCE OF 2,649.97 FEET, WITH ALL BEARINGS REFERENCED HEREIN RELATIVE THERETO;

THENCE ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER, SOUTH 00°04'35" EAST, A DISTANCE OF 1,536.04 FEET;

THENCE DEPARTING SAID EAST LINE, SOUTH 89°52'50" WEST, A DISTANCE OF 94.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 1, AND THE SOUTHERLY RIGHT-OF-WAY OF EAST 49TH PLACE AS DEPICTED ON SAID GATEWAY LANDING SUBDIVISION, AND THE POINT OF BEGINNING;

THENCE ALONG THE EASTERLY BOUNDARY OF SAID LOT 1, SOUTH 00°04'35" EAST, A DISTANCE OF 10.30 FEET;

THENCE DEPARTING SAID EASTERLY BOUNDARY, NORTH 63°33'16" WEST, A DISTANCE OF 23.02 FEET TO THE NORTHERLY BOUNDARY OF SAID LOT 1, AND SAID SOUTHERLY RIGHT-OF-WAY;

THENCE ALONG SAID NORTHERLY BOUNDARY AND SAID SOUTHERLY RIGHT-OF-WAY, NORTH 89°52'50" EAST, A DISTANCE OF 20.60 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 0.002 ACRES, (106 SQUARE FEET), MORE OR LESS.



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-0000105**  
**Asset Mgmt No.: 21-205**

**SPECIAL WARRANTY DEED**

**THIS SPECIAL WARRANTY DEED** (“Deed”), made as of this 13<sup>th</sup> day of January, 2022, by **MILLENNIUM GREEN VALLEY RANCH OWNER, LLC**, a Delaware limited liability company, whose address is 3411 Richmond Ave., 5<sup>th</sup> floor, Houston, TX 77046, 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:

**MILLENNIUM GREEN VALLEY RANCH OWNER, LLC**

a Delaware limited liability company

By: [Signature]

Name: John Caltagirone

Its: President

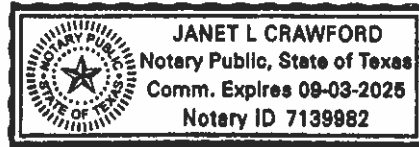
STATE OF TEXAS )  
 ) ss.  
COUNTY OF HARRIS )

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of January, 2022  
by John Caltagirone, as President of **MILLENNIUM GREEN  
VALLEY RANCH OWNER, LLC**, a Delaware limited liability company.

Witness my hand and official seal.

My commission expires: 9-3-2025

[Signature]  
Notary Public



**EXHIBIT A**

**LEGAL DESCRIPTION**

A PARCEL OF LAND BEING A PORTION OF LOT 1, BLOCK 2, GATEWAY LANDING SUBDIVISION RECORDED AT RECEPTION NO. 2020200141, IN THE OFFICIAL RECORDS OF THE CLERK AND RECORDER, CITY AND COUNTY OF DENVER, STATE OF COLORADO, LYING IN THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, SAID COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE CENTER QUARTER CORNER OF SAID SECTION 16, WHENCE THE EAST LINE OF SAID SOUTHWEST QUARTER BEARS SOUTH 00°04'35" EAST, A DISTANCE OF 2,649.97 FEET, WITH ALL BEARINGS REFERENCED HEREIN RELATIVE THERETO;

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CONTAINING AN AREA OF 0.002 ACRES, (106 SQUARE FEET), MORE OR LESS.

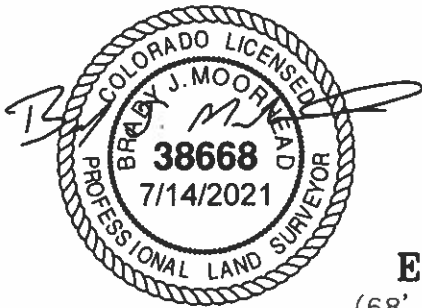
EXHIBIT ATTACHED AND MADE A PART HEREOF.

BRADY J. MOORHEAD, PLS 38668  
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR  
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.  
300 E. MINERAL AVENUE, SUITE 1  
LITTLETON, CO 80122





ILLUSTRATION TO EXHIBIT A



**POINT OF COMMENCEMENT**  
**CENTER 1/4 CORNER OF SECTION 16**  
 T3S, R66W, 6TH P.M.  
 FOUND 2-1/2" STEEL PIPE WITH 3-1/4" ALUMINUM  
 CAP STAMPED "VIGIL LAND CONSULTANTS LS 20699  
 (1998)" 0.3"± ABOVE GROUND

**E. 49TH PL.**  
 (68' WIDE PUBLIC ROW)  
 REC. NO. 2020200141

20' PERMANENT EASEMENT  
 REC NO. 2019060312

N89°52'50"E  
 20.60'

**POINT OF BEGINNING**

S89°52'50"W 94.00' (TIE)

6' UTILITY EASEMENT  
 REC NO. 2020200141

N63°33'16"W  
 23.02'

PARCEL CONTAINS  
 106 (SQ.FT.)  
 0.002 ACRES  
 MORE OR LESS

S00°04'35"E  
 10.30'

E 1/2 SW 1/4 SEC. 16,  
 T.3S., R.66W., SIXTH P.M.

6' UTILITY EASEMENT  
 REC NO. 2020200141

**TELLURIDE ST.**  
 (94' WIDE PUBLIC ROW)  
 REC. NO. 2008079854

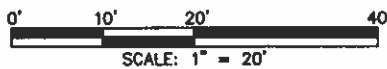
S00°04'35"E 1536.04' (TIE)

S00°04'35"E 2649.97'  
 EAST LINE OF THE SW 1/4 OF SEC. 16  
 (BASIS OF BEARINGS)

**TOWER 160 SUBDIVISION**  
 REC. NO. 2008079854



LOT 1, BLOCK 2  
**GATEWAY LANDING**  
**SUBDIVISION**  
 REC. NO. 2020200141



**S 1/4 CORNER SECTION 16**  
 T3S, R66W, 6TH P.M.

FOUND NO. 6 REBAR WITH 3-1/4" ALUMINUM CAP  
 STAMPED "LUCHETTI SURVEYING INC. PLS 36053  
 (2005)" 0.4"± BELOW GROUND IN RANGE BOX

NOTE: THIS DRAWING DOES NOT REPRESENT A MONUMENTED LAND SURVEY AND IS ONLY INTENDED TO DEPICT THE ATTACHED LEGAL DESCRIPTION.

PATH: Q:\48120-02\Dwg\EXHIBITS  
 DWG NAME: \_\_\_\_\_  
 DWG: **BJM** CHK: **BJM**  
 DATE: **7/14/2021**  
 SCALE: **1" = 20'**



**EXHIBIT**  
 E 1/2, SW 1/4 SEC. 16, T.3S., R.66W., 6TH P.M.  
 CITY AND COUNTY OF DENVER, COLORADO  
 JOB NUMBER 48120-02 2 of 2 SHEETS