



## REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

**TO:** Caroline Martin, City Attorney's Office

**FROM:** Matt Bryner, P.E. Senior Engineering Manager  
Right-of-Way Services

**DATE:** March 1, 2018

**ROW #:** 2016-Dedication-0000161      **SCHEDULE #:** 0504420040000

**TITLE:** This request is to dedicate a parcel of land as Public Right of Way as N. Kalamath St. Located at the intersection of W. 7<sup>th</sup> Ave. and N. Kalamath 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. Kalamath St. 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 (**7<sup>th</sup> & Kalamath Retail**)

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 N. Kalamath St. The land is described as follows.

### **INSERT PARCEL DESCRIPTION ROW # (2016-Dedication-0000161-001) HERE.**

A map of the area to be dedicated is attached.

MB/JS/BV

cc: Asset Management, Curtis Anthony  
City Councilperson & Aides, Paul Lopez District # 3  
Council Aide Adriana Lara  
Council Aide Jesus Orrantia  
City Council Staff, Zach Rothmier  
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, Bradley Beck  
Department of Law, Shaun Sullivan  
Department of Law, Caroline Martin  
Department of Law, Stan Lechman  
Department of Law, Cynthia Devereaux  
Public Works Survey, Jon Spirk  
Public Works Survey, Paul Rogalla  
Owner: City and County of Denver  
Project file folder 2016-Dedication-0000161

## ORDINANCE/RESOLUTION REQUEST

Please email requests to Angela Casias  
at [angela.casias@DenverGov.org](mailto: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: March 1, 2018

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 N. Kalamath St.  
Located at the intersection of W. 7<sup>th</sup> Ave. and N. Kalamath St.

**3. Requesting Agency:** Public Works-Right-of-Way Services  
**Agency Division:** 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 N. Kalamath St. 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 (**7<sup>th</sup> & Kalamath 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:** W. 7<sup>th</sup> Ave. and N. Kalamath St.
- d. **Affected Council District:** Paul Lopez Dist #3
- e. **Benefits:** N/A
- f. **Contract Amount (indicate amended amount and new contract total):**

**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: \_\_\_\_\_



**DENVER**  
THE MILE HIGH CITY

## EXECUTIVE SUMMARY

**Project Title:** 7 2016-Dedication-0000161, 7<sup>th</sup> & Kalamath Retail

**Description of Proposed Project:** Dedicate a parcel of land as public right of way as N. Kalamath St.

**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, 7<sup>th</sup> & Kalamath Retail



93 0 93 93 Feet

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere

© City and County of Denver

1: 729

Map Generated: 2/28/2018

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.

A portion of Lots 11 to 13 and the south one half of Lot 14, Block 37, Hunts Addition to Denver as platted in the records of the City and County of Denver, Colorado, being located in the SE ¼, Section 4, Township 4 South, Range 68 West of the Sixth Principal Meridian, being more particularly described as follows:

Commencing at the southeast corner of said Lot 11;  
Thence N0°12'12"W along the west right-of-way line of Kalamath Street, 175.01 feet;  
Thence S89°50'06"W, 6.00 feet;  
Thence S0°12'12"E, 175.01 feet to the north right-of-way line of W. 7<sup>th</sup> Avenue;  
Thence N89°50'04"E along said north line, 6.00 feet to the Point of Beginning.

Said parcel, as described, contains 1,050 square feet or 0.024 acres, more or less.

**BASIS OF BEARINGS**

Bearings are based upon a 20 foot range line in W. 7th Avenue between Lipan Street and Kalamath Street and is assumed to bear S89°50'04"W a distance of 390.00 feet between a range box and 3.25" aluminum cap stamped PLS 35597 located at W. 7th Avenue and Kalamath Street and a range box and no. 6 rebar and 3.25" aluminum cap stamped PLS 37929 located at W. 7th Avenue and Lipan Street.



02/12/2018 03:03 PM  
City & County of Denver

R \$0.00

WD

2018016467

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 SPECIAL WARRANTY DEED ("Deed"), made as of this 30<sup>th</sup> day of January, 2018, by Carr Street LLC, a Colorado limited liability company, whose address is 1685 S Colorado, Suite 318, Denver, CO 80222, 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 #: 16-16

Asset Management:   
Date: 02/12/18  
Approved: [Signature]

Project Description:   
SUD  
Carr Street LLC

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

ATTEST:

Carr Street LLC, a Colorado limited liability company

By: GARY GHICELLI  
Name: [Signature]  
Its: OWNER

STATE OF Colorado )  
  ) ss.  
COUNTY OF Arapahoe )

The foregoing instrument was acknowledged before me this 6<sup>th</sup> day of February, 2018  
by Gary Ghicelli, as owner of Carr Street LLC, a Colorado  
Limited Liability Company.

Witness my hand and official seal.

My commission expires: 2-4-2021

Sandra L. Wilmes  
Notary Public

SANDRA L. WILMES  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20054001099  
MY COMMISSION EXPIRES FEB. 4, 2021

**LEGAL DESCRIPTION FOR DEDICATION OF RIGHT OF WAY**

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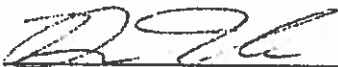
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**CERTIFICATION**



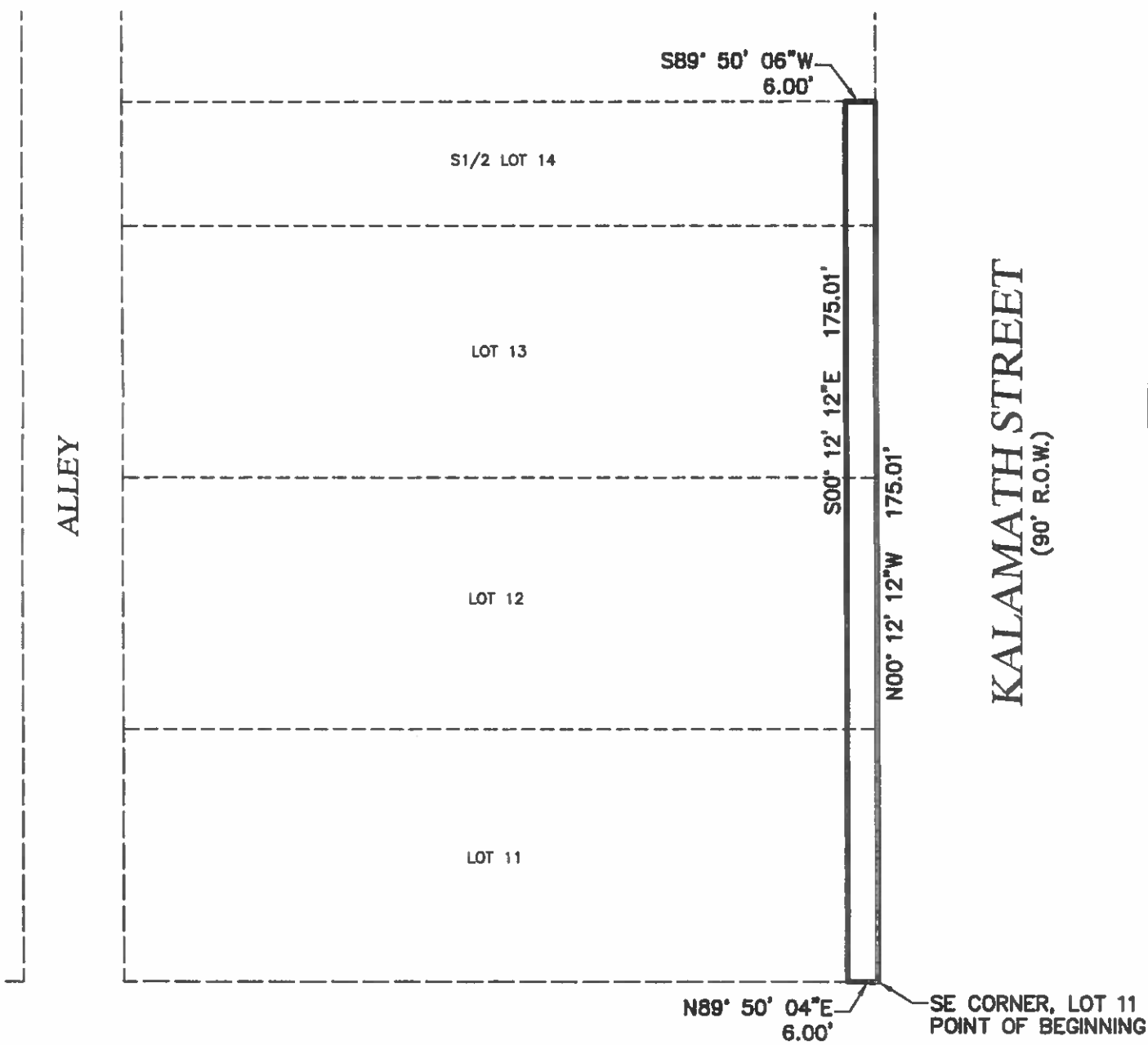
Brian Krombein, PE, PLS  
For and on behalf of  
Vermilion Peak Engineering LLC  
1745 Shea Center Drive, 4<sup>th</sup> Floor  
Highlands Ranch, CO 80129



1/9/15  
Date



PW ROW PROJECT NO. \_\_\_\_\_  
PW LEGAL DESCRIPTION NO. \_\_\_\_\_



**W. 7TH AVENUE**  
(80' R.O.W.)



0 15 30  
SCALE: 1" = 30'

R.O.W. DEDICATION  
7TH & KALAMATH  
JOB NO. 16021  
DATE: AUGUST 15, 2016  
SHEET 2 OF 2

Vermilion  
Peak  
Engineering  
Civil Engineering & Land Surveying  
1745 Shea Center Drive, 4th Floor  
Highlands Ranch, CO 80129  
720-402-6070 / www.vermilionpeak.com