



DENVER
THE MILE HIGH CITY

Department of Public Works
Capital Projects Management
Permit Operations and Right of Way Enforcement
Infrastructure Planning & Programming
Traffic Engineering Services
201 W. Colfax Avenue
Denver, CO 80202
www.denvergov.org

REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Karen Walton, City Attorney's Office
FROM: Robert J. Duncanson P.E., Engineering Manager II
Right-of-Way Services
DATE: December 13, 2013
ROW #: 2011-0547-04 **SCHEDULE #:** A Part of 0510113139000
TITLE: This request is to dedicate a parcel of land as a Public alley.
Located between Pearl St. and Washington St along eastbound Speer Blvd.
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 a Public Alley. This parcel(s) of land has been deeded to the City and County of Denver for Public Right-of-Way, as part of the development project (Speer and Washington 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 a public alley. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (Parcel # 2011-0547-04-001) HERE.

A map of the area to be dedicated is attached.

RD/JL/CP

cc: Asset Management, Steve Wirth
City Councilperson & Aides, Chris Nevitt, District # 7
City Council Staff, Gretchen Williams
Environmental Services, David Erickson
Public Works, Manager's Office, Alba Castro
Public Works, Manager's Office, Nancy Kuhn
Public Works, Right-of-Way Engineering Services, Rob Duncanson
Department of Law, Karen Aviles
Department of Law, Brent Eisen
Department of Law, Karen Walton
Department of Law, Arlene Dykstra
Public Works Survey, Ali Gulaid
Public Works Survey, Paul Rogalla
Owner: City and County of Denver
Project file folder 2011-0547-04



for City Services
Denver gets it done!

ORDINANCE/RESOLUTION REQUEST

Please email requests to Nancy Kuhn at
Nancy.Kuhn@Denvergov.org by **NOON 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 13, 2013

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, amendment, municipal code change, supplemental request, etc.)

This request is to dedicate a parcel of land as a public alley.
Located between Pearl St. and Washington St along eastbound Speer Blvd.

3. **Requesting Agency:** PW Right of Way Engineering Services

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

- **Name:** Christine Pacheco
- **Phone:** 720-865-3115
- **Email:** christine.pacheco@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:** Nancy Kuhn
- **Phone:** 720-865-8720
- **Email:** Nancy.Kuhn@denvergov.org

6. **General description 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 a 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 (Speer and Washington 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.)

- a. **Contract Control Number:** No
- b. **Duration:** Permanent
- c. **Location:** Between Pearl St and Washington St, along eastbound Speer Blvd
- d. **Affected Council District:** Chris Nevitt, District 7
- e. **Benefits:** N/A
- f. **Costs:** 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: _____



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EXECUTIVE SUMMARY

Project Title: 2011-0547-04 Dedication, Speer and Washinton Apartments

Description of Proposed Project: This request is to dedicate a parcel of land as Public right of Way as a public alley. Located between Pearl St and Washington St at alley intersection along eastbound Speer Blvd.

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: No

What is the known duration of an MEP:NA

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, (Speer and Washington Apartments.).

LEGAL DESCRIPTION

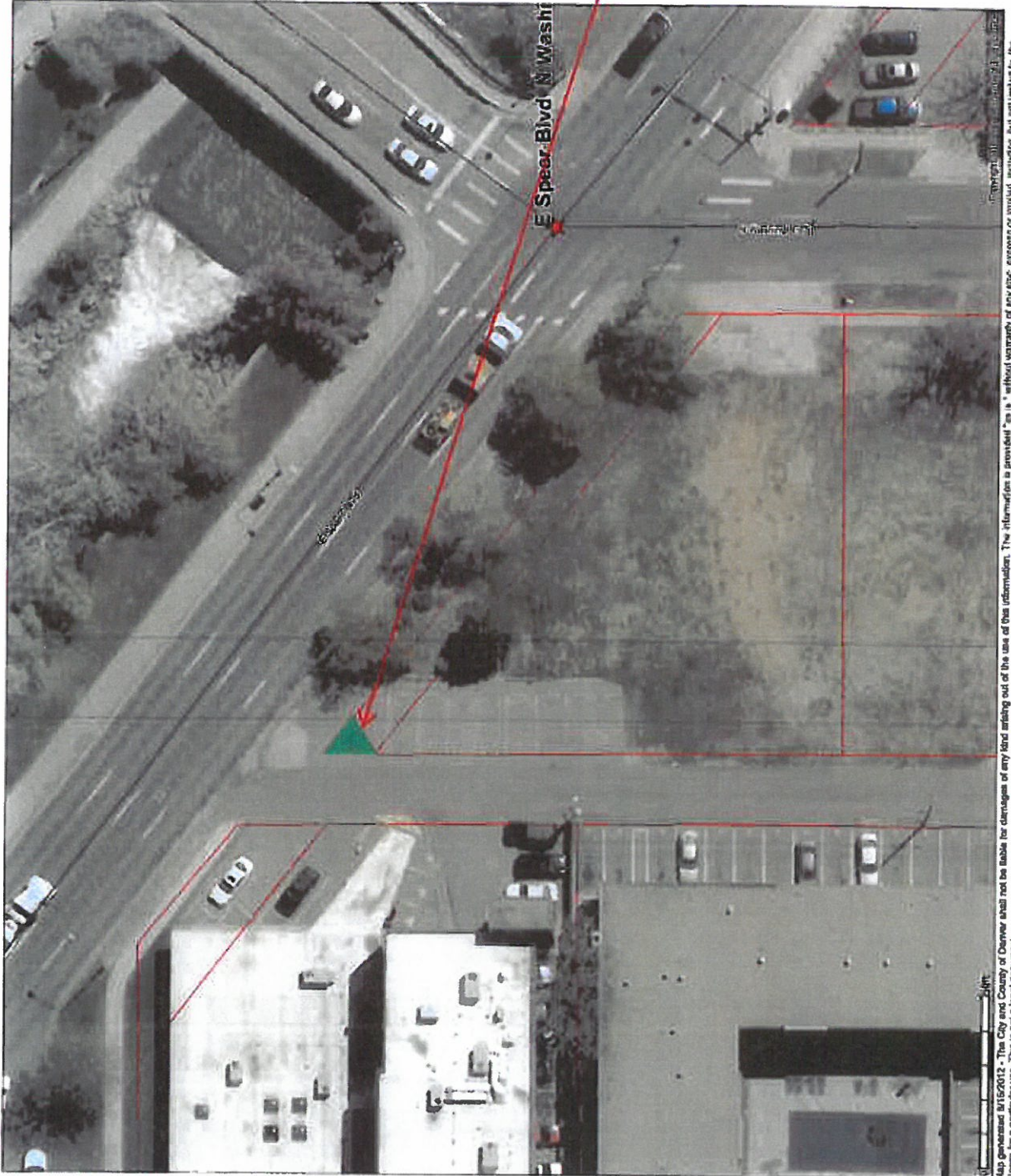
A PARCEL OF LAND CONVEYED BY WARRANTY DEED TO THE CITY & COUNTY OF DENVER ON THE 16TH OF AUGUST 2012, BY RECEPTION NO. 2012109983, RECORDED IN THE CITY AND COUNTY OF DENVER, CLERK AND RECORDER'S OFFICE, STATE OF COLORADO.

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING A PORTION OF LOTS 38 AND 39, BLOCK 20 OF KETTLE'S ADDITION THIRD FILING AS RECORDED IN BOOK 13 AT PAGE 7, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 38, WHENCE THE NORTHWEST CORNER THEREOF BEARS N00°26'02"W; THENCE N00°26'02"W, ALONG THE WEST LINE OF SAID LOT 38 AND THE WEST LINE OF SAID LOT 39, A DISTANCE OF 25.43 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SPEER BOULEVARD AS RECORDED IN RESOLUTION NO. 18, SERIES OF 2008; THENCE S51°22'48"E, ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 16.02 FEET; THENCE S38°37'12"W, A DISTANCE OF 19.75 FEET TO THE POINT OF BEGINNING.

CONTAINING 158 SQUARE FEET OR 0.004 ACRES MORE OR LESS.

Speer_and_Washington



- Denver County (Boundary)
- Street Centerline
- Interstates
- US Highway
- Other
- Parcels
- 2010_Denver.jp2.1r1
- Denver County (Shaded)
- Denver County
- Adams County
- Arapahoe County
- Jefferson County

Approximate area of dedication.

Map generated 8/15/2012. 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, accuracy, but not limited to, the fitness for a particular use. This is not a legal document.

Vigil Land Consultants

SURVEYORS

480 Yuma Street ■ Denver, Colorado 80204
Off: (303) 436-9233 ■ Fax: (303) 436-9235

Date 08-03-12

Job No. 11044

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING A PORTION OF LOTS 38 AND 39, BLOCK 20 OF KETTLE'S ADDITION THIRD FILING AS RECORDED IN BOOK 13 AT PAGE 7, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 38, WHENCE THE NORTHWEST CORNER THEREOF BEARS $N00^{\circ}26'02''W$; THENCE $N00^{\circ}26'02''W$, ALONG THE WEST LINE OF SAID LOT 38 AND THE WEST LINE OF SAID LOT 39, A DISTANCE OF 25.43 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SPEER BOULEVARD AS RECORDED IN RESOLUTION NO. 18, SERIES OF 2008; THENCE $S51^{\circ}22'48''E$, ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 16.02 FEET; THENCE $S38^{\circ}37'12''W$, A DISTANCE OF 19.75 FEET TO THE POINT OF BEGINNING.
CONTAINING 158 SQUARE FEET OR 0.004 ACRES MORE OR LESS.


JOHN G. VIGIL, LICENSE NO. 26606

~~ACR 11044~~

Vigil Land Consultants

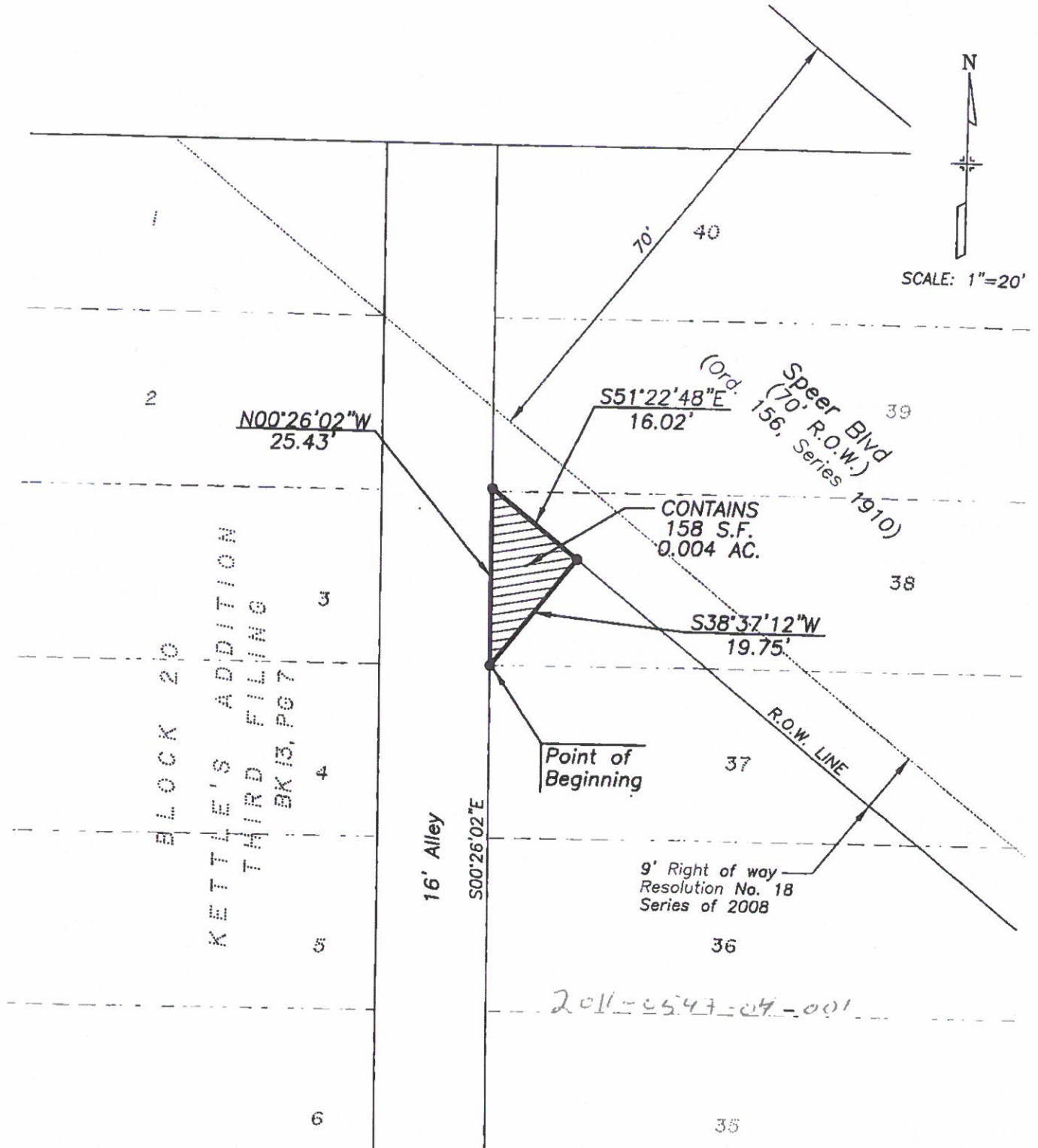
SURVEYORS

480 Yuma Street ■ Denver, Colorado 80204
 Off: (303) 436-9233 ■ Fax: (303) 436-9235

Date 08-03-12

ATTACHMENT TO LEGAL DESCRIPTION - NOT A SURVEY

Job No. 11044



WARRANTY DEED

THIS DEED, is dated Aug-16, 2012, and is made between SPEER PARTNERS, LLC A WASHINGTON LIMITED LIABILITY COMPANY

(whether one, or more than one), the "Grantor," of the CITY & County of DENVER and State of COLORADO and CITY & COUNTY OF DENVER A COLORADO MUNICIPAL CORPORATION & HOME RULE CITY

(whether one, or more than one), the "Grantee," whose legal address is 1437 BANNOCK ST. DENVER, CO 80202 of the CITY & County of DENVER and State of COLORADO

WITNESS, that the Grantor, for and in consideration of the sum of TEN DOLLARS & OTHER GOOD & VALUABLE CONSIDERATION (\$ 10.00), the receipt and sufficiency of which is hereby acknowledged, hereby grants, bargains, sells, conveys and confirms unto the Grantee and the Grantee's heirs and assigns forever, all the real property, together with any improvements thereon, located in the CITY & County of DENVER and State of Colorado, described as follows:

FOR A LEGAL DESCRIPTION SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART OF THIS GENERAL WARRANTY DEED



also known by street address as: and assessor's schedule or parcel number: VACANT LAND TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, the reversions, 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 and the Grantee's heirs and assigns forever. The Grantor, for the Grantor and the Grantor's heirs and assigns, does covenant, grant, bargain, and agree to and with the Grantee, and the Grantee's heirs and assigns: that at the time of the sealing and delivery of these presents, the Grantor is well seized of the premises above described: has good, sure, perfect, absolute and indefeasible estate of inheritance, in law and 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 soever, except and subject to: none; or the following matters:

And the Grantor shall and will WARRANT AND FOREVER DEFEND the above described premises, but not any adjoining vacated street or alley, if any, in the quiet and peaceable possession of the Grantee and the heirs and assigns of the Grantee, against all and every person or persons claiming the whole or any part thereof.

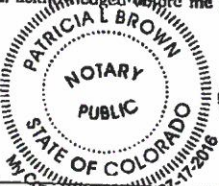
IN WITNESS WHEREOF, the Grantor has executed this deed on the date set forth above.

SPEER PARTNERS, LLC BY: [Signature] TITLE: MEMBER of Speer Partners LLC

STATE OF COLORADO County of Denver } ss.

The foregoing instrument was acknowledged before me this 6th day of Aug, 2012, by Christina Sepic

Witness my hand and official seal My commission expires: 7-17-2016



[Signature] Notary Public

Name and Address of Grantee: [Blank] Newly Created Legal Description (§38-35-106.5, C.R.S.)

Asset Mgmt. # 12-091
Asset Management Data: 8-16-12
Approved: [Signature]
Project Description: SPEER & WASHINGTON

7