



## 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:** November 21, 2018

**ROW #:** 2018-Dedication-0000054      **SCHEDULE #:** 0016100153000

**TITLE:** This request is to dedicate a parcel of land as Public Right of Way as E. 56<sup>th</sup> Ave. Located at E. 56<sup>th</sup> Ave. Between Pena Blvd. and N. Tower Rd.

**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. 56<sup>th</sup> Ave. 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 (**Brick Stone 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 E. 56<sup>th</sup> Ave. The land is described as follows.

**INSERT PARCEL DESCRIPTION ROW # ( 2018-Dedication-0000054-001) HERE.**

A map of the area to be dedicated is attached.

MB/JL/bv

cc: Asset Management, Curtis Anthony  
City Councilperson & Aides, Stacie Gilmore District # 11  
Council Aide Magen Elenz  
Council Aide Melissa Sotelo  
Council Aide Dondre Smallwood  
City Council Staff, Zach Rothmier  
Environmental Services, David Erickson  
Public Works, Manager's Office, Alba Castro  
Public Works, Manager's Office, Jason Gallardo  
Public Works, Right-of-Way Engineering Services, Matt Bryner  
Department of Law, Brad Beck  
Department of Law, Blanca Hernandez  
Department of Law, Brent Eisen  
Department of Law, Deanne Durfee  
Department of Law, Caroline Martin  
Department of Law, Stan Lechman  
Public Works Survey, John Lautenschlager  
Public Works Survey, Paul Rogalla  
Owner: City and County of Denver  
Project file folder 2018-Dedication-0000054

## ORDINANCE/RESOLUTION REQUEST

Please email requests to Sarah Stanek  
at [sarah.stanek@DenverGov.org](mailto:sarah.stanek@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: November 21, 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 E. 56<sup>th</sup> Ave.  
Located at E. 56<sup>th</sup> Ave. Between Pena Blvd. and N. Tower Rd.

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:** Jason Gallardo
- **Phone:** 720-865-8713
- **Email:** Jason.gallardo@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 E. 56<sup>th</sup> Ave. 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 (**Brick Stone 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:** E. 56<sup>th</sup> Ave. between Pena Blvd. and N. Tower Rd.
- d. **Affected Council District:** Stacie Gilmore Dist. #11
- 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: 2018-Dedication-0000054**

**Description of Proposed Project: Dedicate a parcel of land as public right of way as E. 56<sup>th</sup> Ave.**

**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**

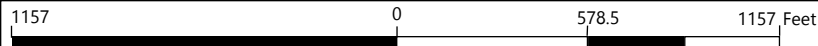
**Additional information: This land was deeded to the City and County of Denver for the purpose of dedicating it as Public Right-of-Way, as a part of a development project called Brick Stone Apartments.**



Are to be Dedicated

### Legend

-  Streams
-  Streets
-  Alleys
- Railroads
  -  Main
  -  Yard
  -  Spur
  -  Siding
  -  Interchange track
  -  Other
- Rail Transit Stations
  -  Existing
  -  Planned
-  Park-N-Ride Locations
-  Lakes
-  County Boundary
-  Parcels
- Parks
  -  All Other Parks; Linear
  -  Mountain Parks



2018-DEDICATION-0000054-001

That parcel of land conveyed by Special Warranty deed to the City & County of Denver, Recorded the 14th of November 2018, by Reception No. 2018147147, In the City and County of Denver, Clerk and Recorder's Office, State of Colorado.

A PARCEL OF LAND BEING A PORTION OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE BEARINGS FOR THIS DESCRIPTION ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH P.M., BEING ASSUMED TO BEAR N 89°47'39" E, FROM THE NORTH QUARTER CORNER OF SAID SECTION 16, BEING MONUMENTED BY A REBAR WITH A 3-1/4 INCH ALUMINUM CAP STAMPED "PLS 27278" TO THE NORTHEAST CORNER OF SAID SECTION 16, BEING MONUMENTED BY A REBAR WITH A 3-1/4 INCH ALUMINUM CAP, STAMPED "PLS 19003", WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 16, THENCE S 84°22'45" E, A DISTANCE OF 602.97 FEET TO THE NORTHEAST CORNER OF THAT SPECIAL WARRANTY DEED RECORDED AT RECEPTION NO. 2015076691, IN THE RECORDS OF THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, ALSO BEING A POINT ON THE SOUTH LINE OF EAST 56TH AVENUE RIGHT-OF-WAY AS DEDICATED BY RESOLUTION 64, OF SERIES 2009, RECORDED AT RECEPTION NO. 2009068395, SAID CITY AND COUNTY OF DENVER RECORDS, AND THE POINT OF BEGINNING;

THENCE N 87°45'22" E, ALONG THE SOUTH LINE OF SAID EAST 56TH AVENUE RIGHT-OF-WAY, A DISTANCE OF 270.79 FEET;  
THENCE S 78°10'56" W, A DISTANCE OF 65.88 FEET;  
THENCE S 87°48'50" W, A DISTANCE OF 44.82 FEET;  
THENCE S 88°10'29" W, A DISTANCE OF 44.78 FEET;  
THENCE S 88°32'08" W, A DISTANCE OF 44.78 FEET;  
THENCE S 88°53'46" W, A DISTANCE OF 44.78 FEET;  
THENCE S 89°59'56" W, A DISTANCE OF 27.02 FEET TO A POINT ON THE EAST LINE OF SAID SPECIAL WARRANTY DEED;  
THENCE N 00°04'06" W, ALONG SAID EAST LINE, A DISTANCE OF 8.03 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 2,444 SQUARE FEET OR 0.056 ACRES, MORE OR LESS.



2018147147

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 14<sup>th</sup> day of November, 2018, by **BRICK STONE APARTMENTS AT 56<sup>TH</sup> LLC**, a Colorado limited liability company, whose address is 1200 Pearl St. Suite 314, Boulder, CO 80302, 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. # 18-198

1100E. 56<sup>TH</sup> AVE.  
2018 - Dedication - 0000084

Date: 11/14/18

Ker

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

ATTEST:

**BRICK STONE APARTMENTS AT 56<sup>TH</sup> LLC**, a Colorado Limited Liability Company

By: [Signature]

Name: Ben Massimino

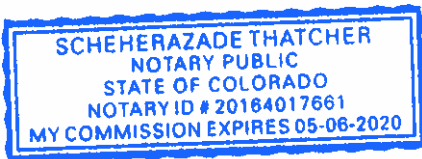
Its: Manager

STATE OF Colorado )  
 ) ss.  
COUNTY OF Arapahoe )

The foregoing instrument was acknowledged before me this 14 day of November, 2018 by Ben Massimino, as Manager of **BRICK STONE APARTMENTS AT 56<sup>TH</sup> LLC**, a Colorado Limited Liability Company.

Witness my hand and official seal.

My commission expires: 05/06/2020



Schen J. Thatcher  
Notary Public

# EXHIBIT

NORTHEAST QUARTER, SECTION 16, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE 6TH P.M.,  
CITY AND COUNTY OF DENVER, COLORADO

## LEGAL DESCRIPTION:

A PARCEL OF LAND BEING A PORTION OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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THENCE N 00°04'06" W, ALONG SAID EAST LINE, A DISTANCE OF 8.03 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 2,444 SQUARE FEET OR 0.056 ACRES, MORE OR LESS.

THOMAS M. GIRARD  
COLORADO PLS 38151  
FOR AND ON BEHALF OF  
CORE CONSULTANTS, INC.



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

PROJECT: 13-008  
DATE: 07/10/18  
SHEET 1 OF 2

DR: J. ANTON  
DS: T. GIRARD  
P.M. B. CALVERT



**CORE**  
CONSULTANTS

CIVIL ENGINEERING  
DEVELOPMENT CONSULTING  
NATURAL RESOURCES  
LAND SURVEYING  
303.703.4444  
1950 W. Littleton Blvd., Ste. 109  
Littleton, CO 80120



# EXHIBIT

NORTHEAST QUARTER, SECTION 16, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE 6TH P.M.,  
CITY AND COUNTY OF DENVER, COLORADO

**POINT OF COMMENCEMENT**

N 1/4 COR. SEC 16, T3S, R66W, 6th PM,  
FND. 3-1/4" ALUM. CAP  
PLS 27278

NE COR. SEC 16, T3S, R66W, 6th PM,  
FND. 3-1/4" ALUM. CAP  
PLS 19003

**E. 56TH AVE.**

PUBLIC R.O.W. VARIES

**BASIS OF BEARINGS**

N. LINE, NE1/4, SEC.16 - N 89°47'39" E

**SUBJECT PARCEL**

2,444 S.F.  
±0.056 Ac.

**POINT OF BEGINNING**

N87°45'22"E 270.79' RESOLUTION 64 - SERIES 2009

N0°04'06"W 8.03'  
S89°59'56"W 27.02'

S88°53'46"W 44.78'

S88°32'08"W 44.78'

S87°48'50"W 44.82'

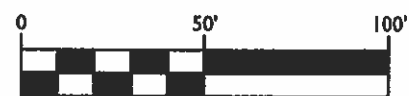
S78°10'56"W 65.88'

S88°10'29"W 44.78'

UNPLATTED  
REC. 2015076691

- 30' SANITARY SEWER EASEMENT  
REC. 2017084124
- 20' UNDERDRAIN EASEMENT  
REC. 2016170037
- 50' DENVER WATER EASEMENT  
REC. 2016182831

NE 1/4,  
SEC. 16  
T3S, R66W,  
6TH P.M.



1 inch = 50 ft.

PARCEL CONTAINS 2,444 S.F. OR 0.056 Ac, MORE OR LESS.  
NOTE: THIS DOES NOT REPRESENT A MONUMENTED SURVEY.  
IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION.  
PROJECT: 13-008      DR: J. ANTON  
DATE: 07/10/18      DS: T. GIRARD  
SHEET 1 OF 1      P.M. B. CALVERT

**CORE CONSULTANTS**  
CIVIL ENGINEERING  
DEVELOPMENT CONSULTING  
NATURAL RESOURCES  
LAND SURVEYING  
303.703.4444  
1850 W. Littleton Blvd., Ste. 109  
Littleton, CO 80120