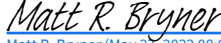


**REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY**

**TO:** Ivone Avila-Ponce, City Attorney's Office

**FROM:** Matt R. Bryner, P.E., Director, Right-of-Way Services   
Matt R. Bryner (May 27, 2022 08:06 MDT)

**DATE:** May 13, 2022

**ROW #:** 2021-DEDICATION-0000176 **SCHEDULE #:** 0619213008000

**TITLE:** This request is to dedicate a City-owned parcel of land as Public Right-of-Way as S. Birch St., located at the intersection of S. Birch St. and E. Arkansas Ave.

**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 S. Birch St. 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, "1360 S Birch."

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 S. Birch St. The land is described as follows.

**INSERT PARCEL DESCRIPTION ROW # (2021-DEDICATION-0000176-001) HERE.**

A map of the area to be dedicated is attached.

MB/TB/LRA

cc: Dept. of Real Estate, Katherine Rinehart  
City Councilperson, Paul Kashmann District # 6  
Councilperson Aide, Brent Fahrberger  
Councilperson Aide, Elise Bupp  
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, Johna Varty  
Department of Law, Martin Plate  
Department of Law, Deanne Durfee  
Department of Law, Ivone Avila-Ponce  
Department of Law, Uyen Tran  
Department of Law, Stefanie Raph  
DOTI Survey, Thomas Breitnauer  
DOTI Ordinance  
Owner: City and County of Denver  
Project file folder 2021-DEDICATION-0000176

## 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: May 13, 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 S. Birch St., located at the intersection of S. Birch St. and E. Arkansas Ave.

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

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

- **Name:** Lisa R. Ayala
- **Phone:** 720-641-4842
- **Email:** [lisa.ayala@denvergov.org](mailto:lisa.ayala@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 S. Birch St. 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, "1360 S Birch."

**\*\*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:** S. Birch St. and E. Arkansas Ave.
- d. **Affected Council District:** Paul Kashmann District # 6
- 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.

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To be completed by Mayor's Legislative Team:

SIRE Tracking Number: \_\_\_\_\_

Date Entered: \_\_\_\_\_

## EXECUTIVE SUMMARY

**Project Title:** 2021-DEDICATION-0000176

**Description of Proposed Project:** Dedication of a parcel of land as Public Right-of-Way as S. Birch 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 be dedicated as S. Birch St.

**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

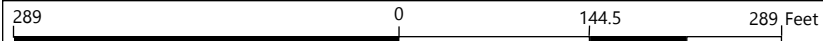
**Will an easement relinquishment be submitted at a later date:** N/A

**Additional information:** This land was deeded to the City and County of Denver for the purpose of dedicating it as S. Birch St., as part of a development project called, "1360 S Birch."



### 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
-  Lots/Blocks
- Parks
  -  All Other Parks; Linear
  -  Mountain Parks



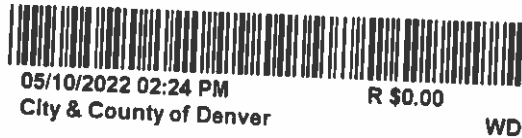
**PARCEL DESCRIPTION ROW NO. 2021-DEDICATION-0000176-001:**

**LAND DESCRIPTION – STREET PARCEL:**

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 10TH DAY OF MAY, 2022, AT RECEPTION NUMBER 2022063115 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

THE WEST 8.00 FEET OF LOT 9, GARWOOD SUBDIVISION, SITUATED IN THE NORTHWEST 1/4 OF SECTION 19, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

CONTAINING 603 SQUARE FEET, 0.014 ACRES OF LAND, MORE OR LESS.



2022063115

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  
Project Description:2021-Dedication-0000176  
Asset Mgmt No.: 22-090

**SPECIAL WARRANTY DEED**

MAY THIS SPECIAL WARRANTY DEED (“Deed”), made as of this 5<sup>TH</sup> day of \_\_\_\_\_, 2022, by PHILIP G LOPER, an individual, whose address is 1360 S. Birch St, 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.

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

ATTEST:

**PHILIP G LOPER**

By: Philip G Loper

STATE OF Colorado )  
 ) ss.  
COUNTY OF Jefferson )

The foregoing instrument was acknowledged before me this 5<sup>th</sup> day of May, 2022  
by Philip G Loper.

Witness my hand and official seal.

My commission expires: 09-12-2022

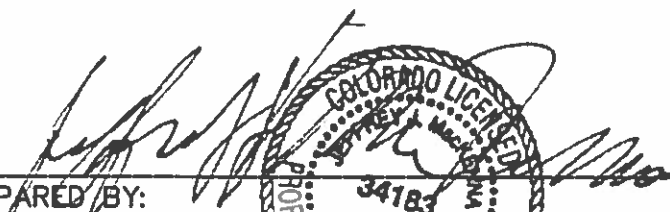
[Signature]  
Notary Public

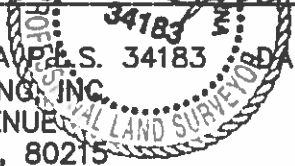
THOMAS ALAN STEINKAMP  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20184036068  
MY COMMISSION EXPIRES 09/12/2022

# EXHIBIT "A" LAND DESCRIPTION

THE WEST 8.00 FEET OF LOT 9, GARWOOD SUBDIVISION, SITUATED IN THE  
NORTHWEST 1/4 OF SECTION 19, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE  
6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

CONTAINING 603 SQUARE FEET, 0.014 ACRES OF LAND, MORE OR LESS.

  
PREPARED BY: JEFFREY J. MACKENNA P.E.S. 34183 DATE: 11/23/2021  
FOR FALCON SURVEYING, INC.  
9940 WEST 25TH AVENUE  
LAKEWOOD COLORADO, 80215  
(303)202-1560  
JOB NO. 210729

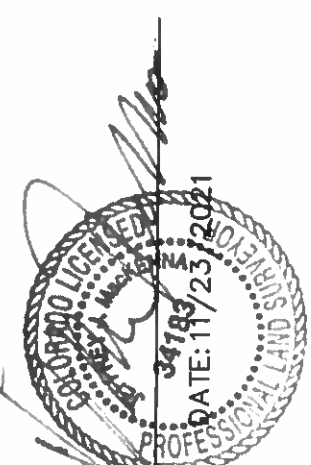
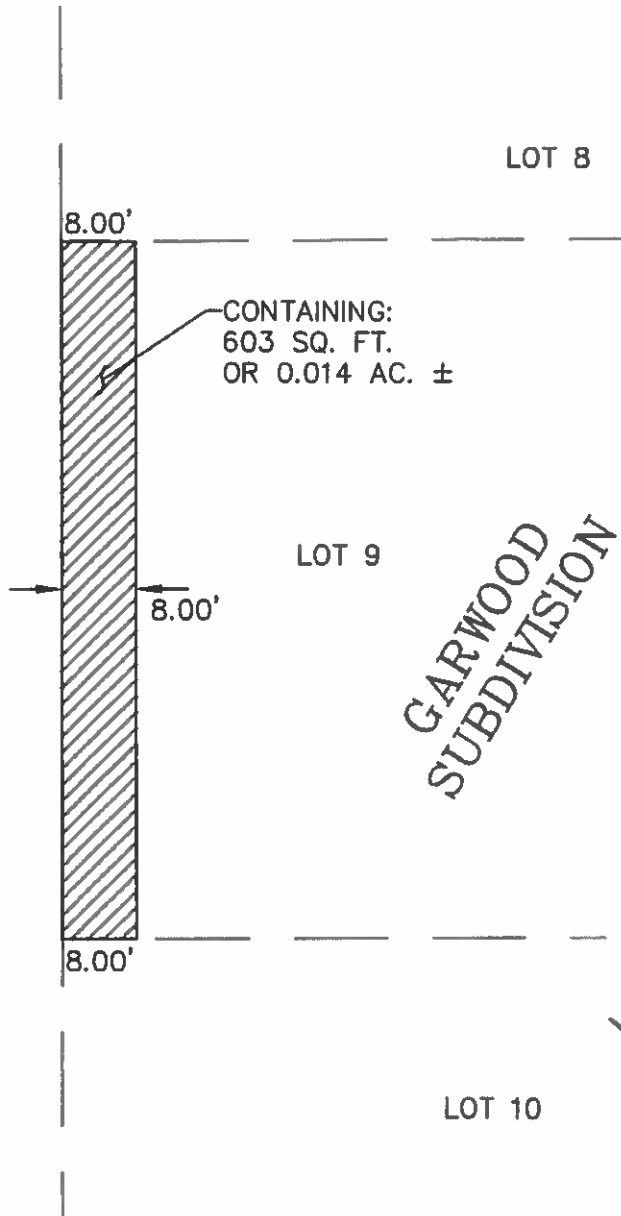




# EXHIBIT "A"

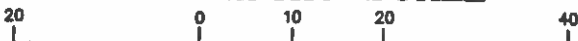
SITUATED IN THE NW 1/4, SECTION 19, T4S, R67W, OF THE 6TH P.M.  
CITY AND COUNTY OF DENVER, STATE OF COLORADO

SOUTH BIRCH STREET  
PUBLIC RIGHT OF WAY VARIES



JEFFREY J. MACKENNA  
PLS 34183

## GRAPHIC SCALE



( IN US SURVEY FEET )  
1 inch = 20 ft.

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