



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

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

**FROM:** Matt Bryner, Director Engineer-Architect  
Right-of-Way Services

**DATE:** November 22<sup>nd</sup>, 2019

**ROW #:** 2019-DEDICATION-0000001      **SCHEDULE #:** 0232129041000

**TITLE:** This request is to dedicate a parcel of land as Public Alley, located in the alley bounded by W 22<sup>nd</sup> Ave, N Eliot St, W 21<sup>st</sup> Ave and N Federal 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 Public Alley. This parcel(s) of land is being dedicated to the City and County of Denver for Public Alley, as part of the development project, 'Eliot Townhomes.'

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 Alley. The land is described as follows.

### **INSERT PARCEL DESCRIPTION ROW # (2019-DEDICATION-0000001-001) HERE.**

A map of the area to be dedicated is attached.

MB/JS/RL

cc: Dept. of Real Estate, Katherine Rinehart  
City Councilperson, Amanda Sandoval, District # 1  
Councilperson Aide, Gina Volpe  
Councilperson Aide, Naomi Grunditz  
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, Maureen McGuire  
Department of Law, Martin Plate  
Department of Law, Deanne Durfee  
Department of Law, Caroline Martin  
Department of Law, Stan Lechman  
Public Works Survey, Jon Spirk  
Public Works Survey, Paul Rogalla  
Public Works Ordinance  
Owner: City and County of Denver  
Project file folder 2019-DEDICATION-0000001

## 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: November 22<sup>nd</sup>, 2019

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 parcel of land as Public Alley, located in the alley bounded by W 22nd Ave, N Eliot St, W 21st Ave and N Federal Blvd.

**3. Requesting Agency:** Public Works, Right-of-Way Services  
**Agency Division:** Survey

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

- **Name:** Rebecca Long
- **Phone:** 720-913-4518
- **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:** 720-865-8713
- **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 Public Alley. This parcel(s) of land is being dedicated to the City and County of Denver for Public Alley, as part of the development project, 'Eliot Townhomes.'

**\*\*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:** alley bounded by W 22<sup>nd</sup> Ave, N Eliot St, W 21<sup>st</sup> Ave and N Federal Blvd
- d. **Affected Council District:** Amanda Sandoval, Dist. #1
- e. **Benefits:** N/A
- f. **Contract Amount (indicate amended amount and new contract total):**

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



**DENVER**  
THE MILE HIGH CITY

## EXECUTIVE SUMMARY

**Project Title:** 2019-DEDICATION-0000001

**Description of Proposed Project:** Dedication of a parcel of land as Public Alley.

**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 Public Alley.

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

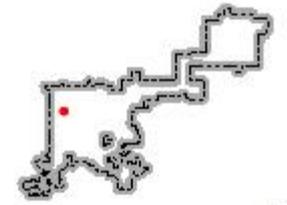
**What is the known duration of an MEP:** N/A

**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

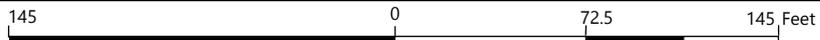
**Will an easement relinquishment be submitted at a later date:** N/A

**Additional information:** This land was deeded to the City and County of Denver for the purpose of dedicating it as Public Alley, as part of a development project called Eliot Townhomes.



### Legend

- ▲ Well Restrictions
- Barrier Restrictions
- Area Restrictions
  - Liner
  - Sheet Pile Wall Area
- Streams
- 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



A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 19TH DAY OF APRIL 2019, AT RECEPTION NO. 2019046783 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN DESCRIBED AS:

THE WEST ONE (1) FOOT OF THE NORTH 20' OF LOT 30 AND ALL OF LOT 31, BLOCK 8, RATHBONE HEIGHTS, CITY AND COUNTY OF DENVER, STATE OF COLORADO, LYING WITHIN THE SOUTHWEST 1/4 (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO.

CONTAINING +/- 50 SQUARE FEET OR +/- 0.001 ACRES OF LAND, MORE OR LESS.



04/19/2019 09:52 AM  
City & County of Denver

R \$0.00

WD

2019046783

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 19 day of April, 2019, by **MB Designs, LLC**, a Colorado limited liability company, whose address is 814 S. High Street, Denver, CO 80209, 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.

19-42

Project Description  
2018-Dedication - 00000  
2151 N. Elliot ST



## EXHIBIT A Land Description

### 1' WIDE ALLEY DEDICATION

THE WEST ONE (1) FOOT OF THE NORTH 20' OF LOT 30 AND ALL OF LOT 31, BLOCK 8, RATHBONE HEIGHTS, CITY AND COUNTY OF DENVER, STATE OF COLORADO, LYING WITHIN THE SOUTHWEST 1/4 (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO.

CONTAINING +/- 50 SQUARE FEET OR +/- 0.001 ACRES OF LAND, MORE OR LESS.

End of Legal Description.



RICHARD B GABRIEL, P.L.S.  
Colorado License #37929  
For and on behalf of Power Surveying Company, Inc.  
303-702-1617

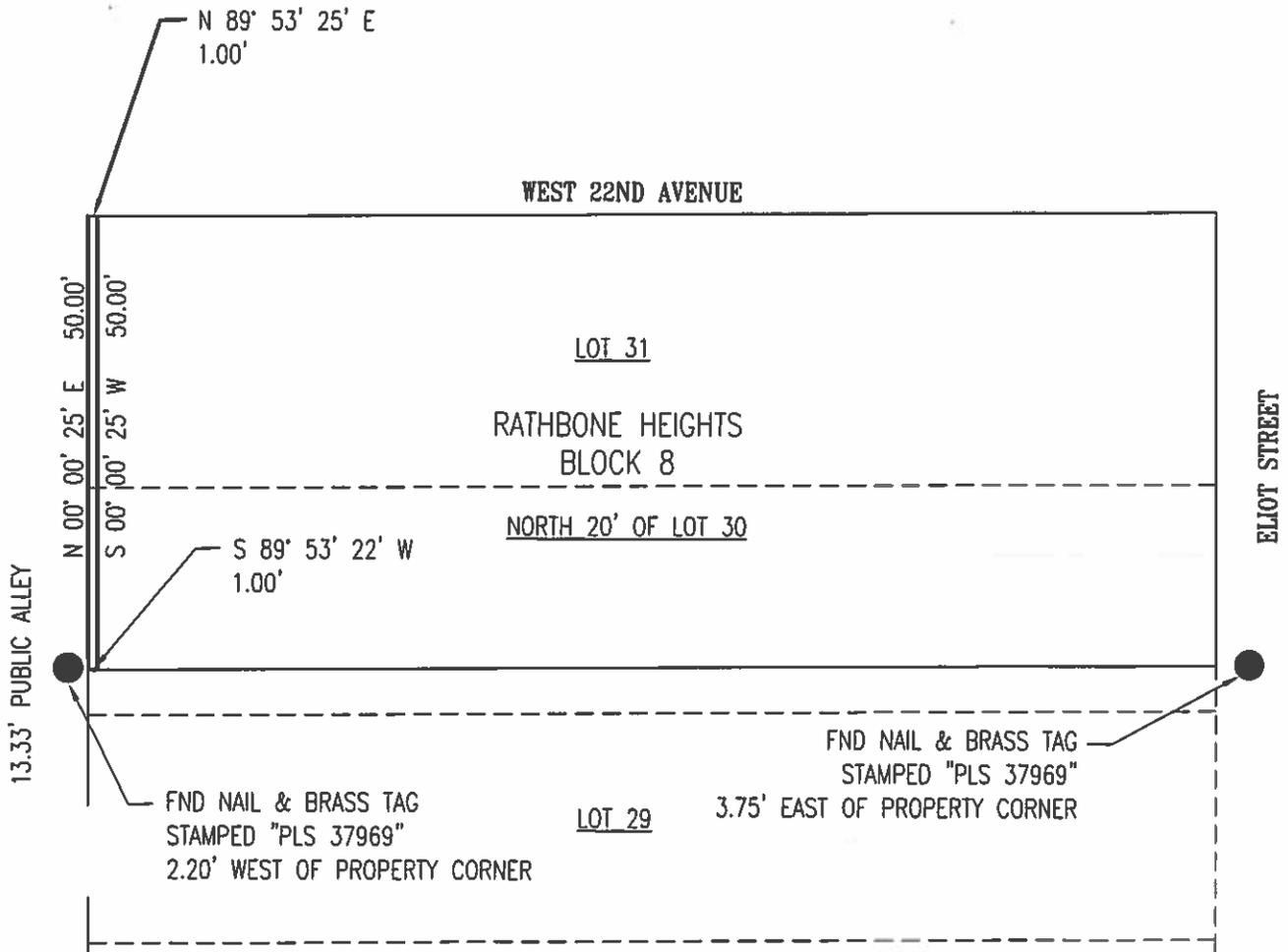
SHEET 1 OF 2



DRAWING BY: JB  
PROJECT NO.

DATE: 10-25-2018  
501-18-274

# EXHIBIT A Land Description Exhibit



SCALE: 1" = 20'



SHEET 2 OF 2



720 W BATHAVENUE, UNIT 240  
THORNTON, CO, COLORADO 80260

PH 303-702-1817  
FAX 303-702-1488  
www.powerinsurveying.com

DRAWING BY: JB  
PROJECT NO.

DATE: 10-24-2018  
501-18-274