



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: March 4, 2014

ROW #: 2012-0373-05 **SCHEDULE #:** 0232133082000

TITLE: This request is to dedicate a parcel of land as Public Right of Way as W. Front View Crescent. Located at the intersection of W. Front View Crescent and Clay 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 W. Front View Crescent. 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 **(Clay Street Village)**

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 W. Front View Crescent. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2012-0373-05-001) HERE.

A map of the area to be dedicated is attached.

RD/AG/BLV

cc: Asset Management, Steve Wirth
City Councilperson & Aides, Susan Shepard District # 1
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
Public Works Survey, Ali Gulaid
Public Works Survey, Paul Rogalla
Owner: City and County of Denver
Project file folder 2012-0373-05

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: March 4, 2014

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 Public Right of Way as W. Front View Crescent.
Located at the intersection of W. Front View Crescent and Clay St.

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

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:** 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 W. Front View Crescent. 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 (Clay Street Village)

***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:** N/A
- b. **Duration:** Permanent
- c. **Location:** W. Front View Crescent and Clay St.
- d. **Affected Council District:** Susan Shepherd District 1
- 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: _____



DENVER
THE MILE HIGH CITY

EXECUTIVE SUMMARY

Project Title: 2012-0373-05, Dedication W. Front View Crescent and Clay St

Description of Proposed Project: Dedicate a parcel of public right of way as W. Front View Crescent.

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, Clay Street Village.

2100 Clay St



LEGAL DESCRIPTION:

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY & COUNTY OF DENVER, RECORDED ON FEBRUARY 25, 2013 BY RECEPTION NUMBER 2013024829 IN THE CITY AND COUNTY OF DENVER CLERK & RECORDER'S OFFICE, STATE OF COLORADO.

A PARCEL OF LAND LOCATED WITHIN THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO, SAID PARCEL BEING A PORTION OF FRONT VIEW CRESCENT DRIVE THAT WAS VACATED BY ORDINANCE NO. 43, SERIES 1968 LOCATED ON THE NORTH SIDE OF LOT 7, BLOCK 5, RIVER FRONT IN THE TOWN OF HIGHLANDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: BEARINGS ARE BASED UPON A 20 FOOT RANGE LINE IN CLAY STREET MONUMENTED BY A 2.5" ALUMINUM CAP (ILLEGIBLE) IN A RANGE BOX FOUND AT THE INTERSECTION OF FRONT VIEW CRESCENT DRIVE AND CLAY STREET AND A 2" ALUMINUM CAP (ILLEGIBLE) IN A RANGE BOX FOUND AT THE INTERSECTION OF WEST 20TH AVENUE AND CLAY STREET, SAID LINE BEARING NORTH 00°06'00" WEST, A DISTANCE OF 786.88 FEET WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE HERETO.

COMMENCING AT SAID 2.5" ALUMINUM CAP IN A RANGE BOX FOUND AT THE INTERSECTION OF FRONT VIEW CRESCENT DRIVE AND CLAY STREET;
THENCE ALONG A 30.65' RANGE LINE IN FRONT VIEW CRESCENT DRIVE, SOUTH 76°53'32" EAST A DISTANCE OF 20.70 FEET; THENCE DEPARTING SAID 30.65' RANGE LINE SOUTH 00°06'00" EAST A DISTANCE OF 31.48 FEET TO THE NORTHWEST CORNER OF SAID LOT 7, BLOCK 5 AND THE NORTHWEST CORNER OF SAID ORDINANCE NO. 43, SERIES 1968, A FOUND #3 REBAR AND **THE POINT OF BEGINNING**;
THENCE SOUTH 76°53'32" EAST ON THE NORTH LINE OF SAID ORDINANCE NO. 43 SERIES 1968 A DISTANCE OF 182.82 FEET TO THE NORTHEAST CORNER OF SAID ORDINANCE NO. 43 SERIES 1968, A FOUND NAIL AND BRASS WASHER STAMPED P.L.S. #37929; THENCE SOUTH 00°06'00" EAST ON THE EAST LINE OF SAID ORDINANCE NO. 43 SERIES 1968 A DISTANCE OF 9.60 FEET TO THE NORTHEAST CORNER OF SAID LOT 7, BLOCK 5, RIVER FRONT IN THE TOWN OF HIGHLANDS; THENCE NORTH 76°53'32" WEST ON THE NORTH LINE OF SAID LOT 7, BLOCK 5, A DISTANCE OF 182.82 FEET TO THE NORTHWEST CORNER OF SAID LOT 7, BLOCK 5, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF SAID ORDINANCE NO. 43 SERIES 1968; THENCE NORTH 00°06'00" WEST ON THE WEST LINE OF SAID ORDINANCE NO. 43 SERIES 1968 A DISTANCE OF 9.60 FEET TO **THE POINT OF BEGINNING**.

CONTAINING ±1,709 SQUARE FEET OR ±0.039 ACRES MORE OR LESS.

EXHIBIT "A"

LEGAL DESCRIPTION

PWROWS Project No. 2012-0373
Parcel Legal Description No. 20120373-03-001

LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED WITHIN THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO, SAID PARCEL BEING A PORTION OF FRONT VIEW CRESENT DRIVE THAT WAS VACATED BY ORDINANCE NO. 43, SERIES 1968 LOCATED ON THE NORTH SIDE OF LOT 7, BLOCK 5, RIVER FRONT IN THE TOWN OF HIGHLANDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: BEARINGS ARE BASED UPON A 20 FOOT RANGE LINE IN CLAY STREET MONUMENTED BY A 2.5" ALUMINUM CAP (ILLEGIBLE) IN A RANGE BOX FOUND AT THE INTERSECTION OF FRONT VIEW CRESCENT DRIVE AND CLAY STREET AND A 2" ALUMINUM CAP (ILLEGIBLE) IN A RANGE BOX FOUND AT THE INTERSECTION OF WEST 20TH AVENUE AND CLAY STREET, SAID LINE BEARING NORTH 00°06'00" WEST, A DISTANCE OF 786.88 FEET WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO.

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CONTAINING ±1,709 SQUARE FEET OR ±0.039 ACRES MORE OR LESS.



RICHARD BRUCE GABRIEL
COLORADO P.L.S. 37929



120 W. BATH AVENUE
THORNTON, COLORADO 80260

PH. 303-702-1917
FAX. 303-702-1488
WWW.POWERSURVEYING.COM

DRAWING BY: DBY DATE: 11/13/12
PROJECT NO. 501-12-223A

EXHIBIT "A"
EXHIBIT OF LEGAL DESCRIPTION

FOUND 2.5" ALUMINUM
CAP (ILLEGIBLE)
IN RANGE BOX
POINT OF
COMMENCEMENT

FND. NO.
3 REBAR
POINT OF
BEGINNING

FND. 1.25" RPC
PLS 26958

FOUND
RAILROAD
SPIKE
IN RANGE BOX

FOUND NO. 5
REBAR IN
RANGE BOX

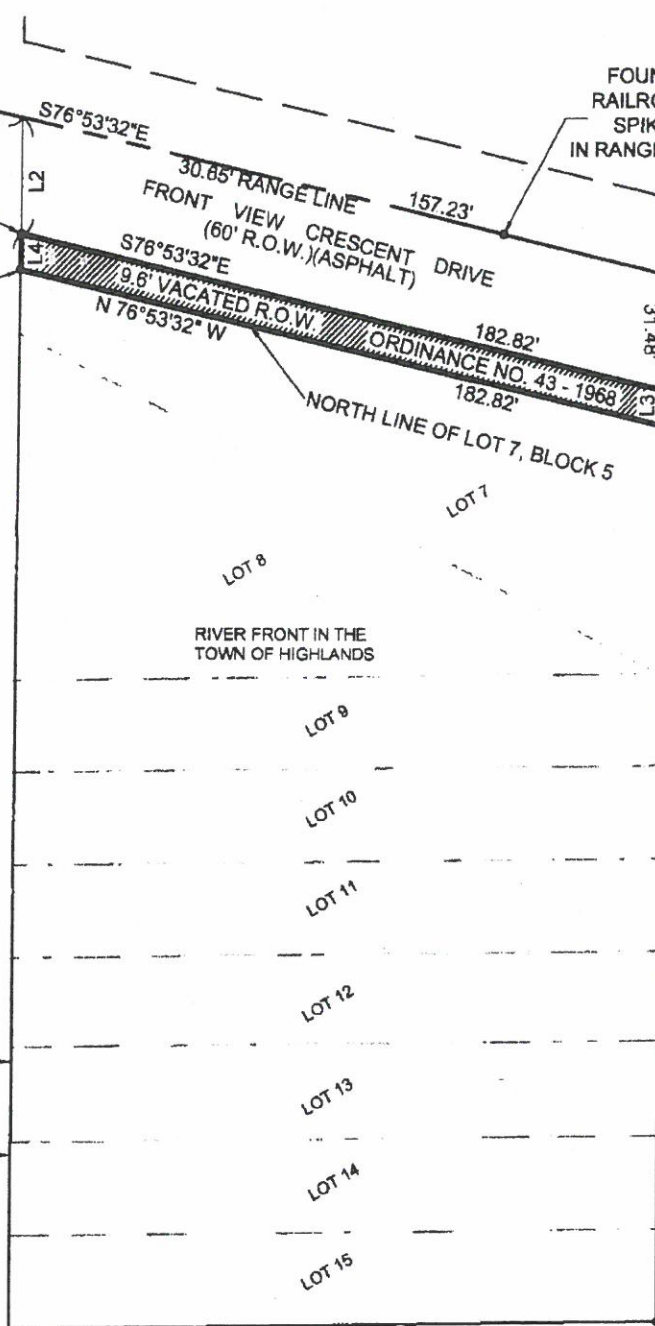
FOUND NAIL
AND BASS
WASHER P.L.S.
#37929

CLAY STREET
(67' WIDE PUBLIC DEDICATED RIGHT OF WAY)

(BASIS OF BEARINGS)
20' RANGE LINE

67'
R.O.W.

N00°06'00"W



LINE TABLE

L1 = S 76°53'32" E	20.70'
L2 = S 00°06'00" E	31.48'
L3 = S 00°06'00" E	9.60'
L4 = N 00°06'00" W	9.60'

PWROWS Project No. 2012-0373
Parcel Legal Description No. 20120373-03-001



120 W. 84TH AVENUE
THORNTON, COLORADO 80260

PH. 303-702-1817
FAX. 303-702-1488
WWW.POWERSURVEYING.COM

FOUND 2" ALUMINUM
CAP (ILLEGIBLE)
IN RANGE BOX

W. 20TH AVENUE

DRAWING BY: DBY DATE: 11/13/12
PROJECT NO. 501-12-223A

EXHIBIT B

Permitted Exceptions

N/A

SPECIAL WARRANTY DEED

THIS DEED, dated February 18, 2013, between **Jefferson Row Houses LLC, a Colorado limited liability company ("Grantor")**, whose address is 10700 E Bethany Drive, Suite 200, Aurora, CO 80014, and **City and County of Denver, a home rule city and municipal corporation of the State of Colorado ("Grantee")**, whose address is 1437 Bannock Street., Denver, CO 80202.

WITNESS, that Grantor, for and in consideration of the sum of ten dollars (\$10.00), the receipt and sufficiency of which is hereby acknowledged, hereby grants, sells and conveys unto Grantee all of the real property described on Exhibit A, attached hereto and incorporated herein by this reference, commonly known as vacant land County of Denver, State of Colorado, together with improvements and appurtenances, if any ("Property").

Grantor does covenant and agree that it shall WARRANT AND FOREVER DEFEND the title to the Property for the benefit of Grantee against all persons claiming by, through or under Grantor, subject to the matters described on Exhibit B, attached hereto and incorporated herein by this reference.

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

Jefferson Row Houses LLC
a Colorado limited liability company

By: Jefferson Row Houses Management LLC, its Manager

By: [Signature]
Name: ERIC HELWIG
Title: MANAGER

STATE OF Colorado)
) SS.
COUNTY OF Arapahoe)

The foregoing instrument was acknowledged before me this 20th day of February, 2013, by Eric Helwig, as Manager of Jefferson Row Houses Management LLC as Manager for Jefferson Row Houses LLC, a Colorado limited liability company.

WITNESS my hand and official seal.

[Signature]

My Commission Expires: 11-29-15

**JEREMY E REED
NOTARY PUBLIC
STATE OF COLORADO**

The Clerk and Recorder for the
CITY AND COUNTY OF DENVER State
of Colorado does hereby certify this
document to be a full, true and
correct copy of the original
document recorded in my office
Clerk and Recorder
by [Signature]
Deputy County Clerk
Date 2-26-2013
Cambria L. Serrano



13-017
Asset Mgmt #
ASSET MANAGEMENT
Date: 2-25-13
Row Houses
2100 CLAY