


REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Caroline Martin, City Attorney's Office

FROM: Matt R. Bryner, P.E., Director, Right-of-Way Services 
Matt R. Bryner (Dec 16, 2021 10:22 MST)

DATE: December 10, 2021

ROW #: 2021-DEDICATION-0000109 **SCHEDULE #:** Adjacent to parcels 0606306017000, 0606306016000 and 0606306015000

TITLE: This request is to dedicate a City-owned parcel of land as Public Right-of-Way as Public Alley, bounded by E. 8th Ave., N. Cherry St., E. 9th Ave., and N. Dexter 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 Public Alley. 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, "880 N Cherry."

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 Right-of-Way. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2021-DEDICATION-0000109-001) HERE.

A map of the area to be dedicated is attached.

MB/TB/RL

cc: Dept. of Real Estate, Katherine Rinehart
City Councilperson, Amanda Sawyer, District # 5
Councilperson Aide, Logan Fry
Councilperson Aide, Jenn Gross
Councilperson Aide, Felicia Rodriguez
Councilperson Aide, Sara Visser
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, Maureen McGuire
Department of Law, Martin Plate
Department of Law, Deanne Durfee
Department of Law, Caroline Martin
Department of Law, Rachonda Dixon
DOTI Survey, Tom Breitnauer
DOTI Ordinance
Owner: City and County of Denver
Project file folder DES # 2021-DEDICATION-0000109

City and County of Denver Department of Transportation & Infrastructure
Right-of-Way Services
201 W. Colfax Ave. | Denver, CO 80215
www.denvergov.org/doti
Phone: 720-913-1311

ORDINANCE/RESOLUTION REQUEST

Please email requests to Jason Gallardo
at 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: December 10, 2021

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 Public Alley, bounded by E. 8th Ave., N. Cherry St., E. 9th Ave., and N. Dexter St.

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

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

- **Name:** Rebecca Long
- **Phone:** 720-547-5344
- **Email:** 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:** 720-865-8723
- **Email:** 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 by the City and County of Denver for Public Right-of-Way, as part of the development project, "880 N Cherry."**

*****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:** Bounded by E. 8th Ave., N. Cherry St., E. 9th Ave., and N. Dexter St.
- d. **Affected Council District:** Amanda Sawyer, District #5
- 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.

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: _____

Date Entered: _____

EXECUTIVE SUMMARY

Project Title: 2021-DEDICATION-0000109

Description of Proposed Project: Dedication of a parcel of land as Public Right-of-Way 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 and Public Alley.

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

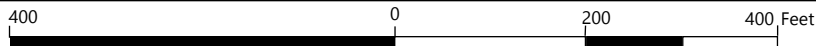
Will an easement relinquishment be submitted at a later date: N/A

Additional information: This land was deeded to the City and County of Denver for the purpose of dedicating it as Public Alley, as part of a development project called "880 N Cherry."



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
- Parks
 - All Other Parks; Linear
 - Mountain Parks



PARCEL DESCRIPTION ROW NO. 2021-DEDICATION-0000109-001:

LAND DESCRIPTION – PUBLIC ALLEY

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 22ND DAY OF SEPTEMBER, 2021, AT RECEPTION NUMBER 2021180029 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

A PARCEL OF LAND BEING A PORTION OF LOTS 42 - 35, BLOCK 3, CHAMBERLIN'S COLFAX PLACE LOCATED IN THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 42, FROM WHENCE THE FOUND RANGE POINT AT THE INTERSECTION OF 9TH AVENUE AND DAHLIA STREET BEARS N61°16'05"E A DISTANCE OF 397.47 FEET ALSO BEING THE POINT OF BEGINNING; THENCE ALONG THE EAST LINE OF SAID LOT 42 ALSO BEING THE WEST RIGHT-OF-WAY OF DEXTER STREET, S00°28'27"E A DISTANCE OF 20.00 FEET, THENCE ALONG A LINE THAT IS 20.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID LOT 42, S89°39'43"W A DISTANCE OF 107.04 FEET, THENCE S47°58'01"W A DISTANCE OF 24.05 FEET, THENCE ALONG A LINE THAT IS 2.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID LOTS 35 - 41, S00°28'39"E A DISTANCE OF 164.01 FEET, THENCE ALONG THE SOUTH LINE OF SAID LOT 35, S89°39'40"W A DISTANCE OF 2.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 35, THENCE ALONG THE WEST LINE OF SAID LOTS 35 - 42 ALSO BEING THE EAST LINE OF THE ALLEY WITHIN SAID BLOCK 3, N00°28'39"W A DISTANCE OF 200.01 FEET TO THE NORTHWEST CORNER OF SAID LOT 43, THENCE ALONG THE NORTH LINE OF SAID LOT 42, N89°39'43"E A DISTANCE OF 127.04 FEET TO THE POINT OF BEGINNING;

SAID PARCEL CONTAINS 0.070 ACRES OR 3,045 SQUARE FEET MORE OR LESS.

ALL LINEAR DIMENSIONS ARE IN U.S. SURVEY FEET.

BASIS OF BEARINGS:

BEARINGS ARE BASED ON THE 21' RANGE LINE, IN EAST 9TH AVENUE ASSUMED TO BEAR N89°39'14"E BEING MONUMENTED BY A FOUND REBAR WITH 3-1/4" ALLOY CAP IN RANGE BOX ILLEGIBLE AT THE INTERSECTION OF CHERRY STREET AND EAST 9TH AVENUE AND A FOUND REBAR WITH 3-1/4" ALUMINUM CAP IN RANGE BOX PLS #38141 AT THE INTERSECTION OF DAHLIA STREET AND EAST 9TH AVENUE.



2021180029
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-0000109
Asset Mgmt No.: 21-166

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED (“Deed”), made as of this 15th day of September, 2021, by **HCA-HEALTHONE LLC, A COLORADO LIMITED LIABILITY COMPANY FORMERLY KNOWN AS COLUMBIA-HEALTHONE LLC**, a Colorado limited liability company, whose address is 4900 S MONACO ST STE 380, DENVER, CO 80237, 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.

EXHIBIT A
SHEET 1 OF 2

2020-PROJMSTR-0000187-ROW

LAND DESCRIPTION:

A PARCEL OF LAND BEING A PORTION OF LOTS 42 - 35, BLOCK 3, CHAMBERLIN'S COLFAX PLACE LOCATED IN THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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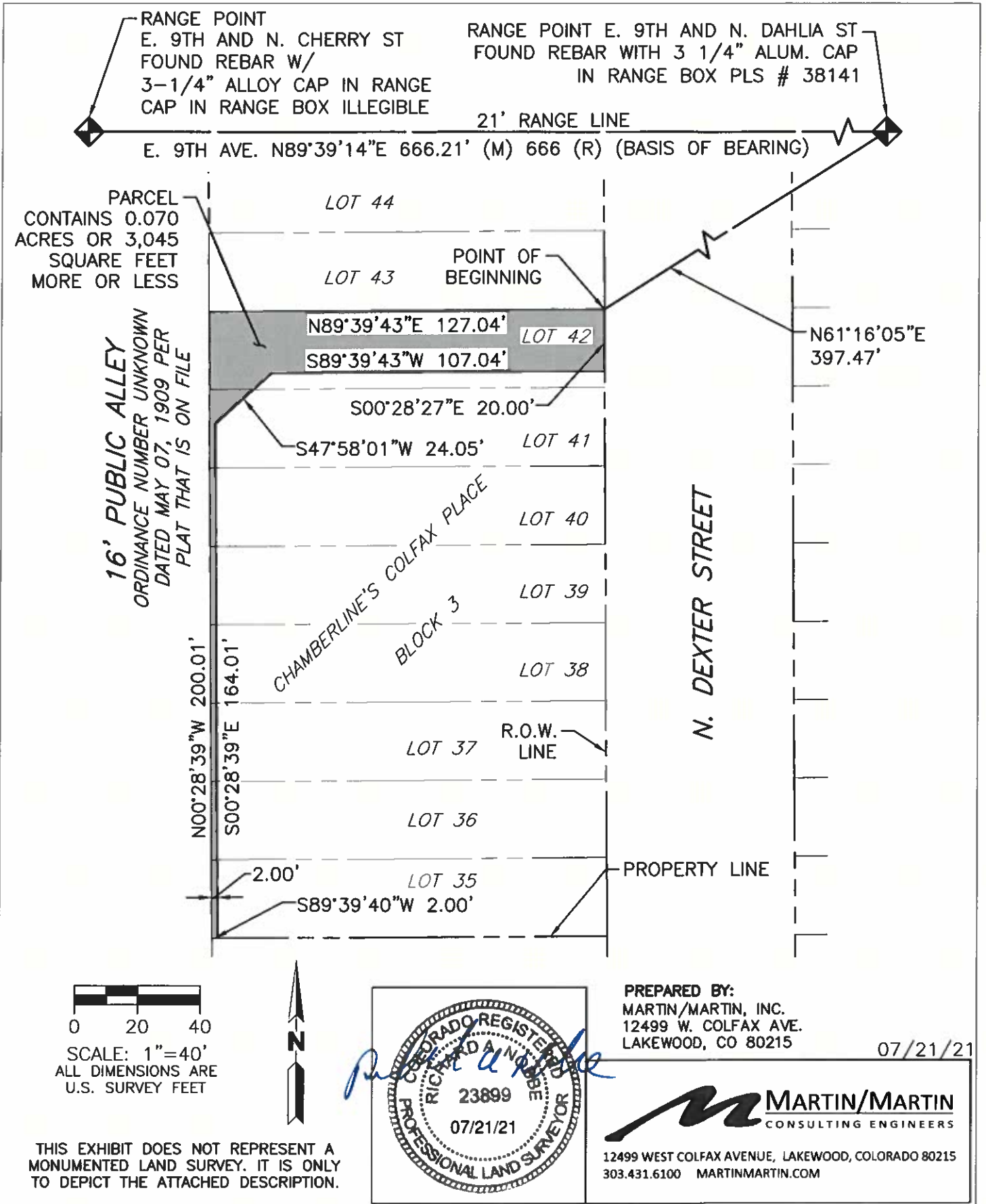
PREPARED BY JESUS DIAZ
REVIEWED BY RICHARD A. NOBBE, PLS #23899
FOR AND ON BEHALF OF
MARTIN/MARTIN, INC.
12499 WEST COLFAX AVENUE
LAKEWOOD, COLORADO 80215
303-431-6100
JULY 21, 2021



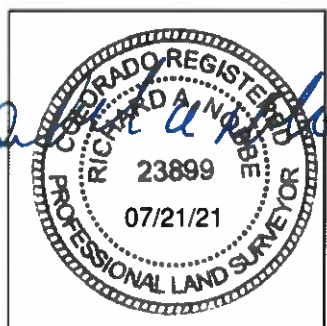
EXHIBIT A

PAGE 2 OF 2

2020-PROJMSTR-0000187-ROW



SCALE: 1"=40'
ALL DIMENSIONS ARE
U.S. SURVEY FEET



PREPARED BY:
MARTIN/MARTIN, INC.
12499 W. COLFAX AVE.
LAKEWOOD, CO 80215

07/21/21



12499 WEST COLFAX AVENUE, LAKEWOOD, COLORADO 80215
303.431.6100 MARTINMARTIN.COM

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