



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: December 14, 2018

ROW #: 2018-Dedication-0000195 **SCHEDULE #:** 0527412030000

TITLE: This request is to dedicate a parcel of land as Public Right of Way as S. Delaware St and Public Alley. Located near the intersection of S. Delaware St. and W. Harvard 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. Delaware St. and Public Alley. 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 **(2478 S. Delaware Street 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 S. Delaware St. and Public Alley. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2018-Dedication-0000195-001 & 002) HERE.

A map of the area to be dedicated is attached.

MB/RE/bv

cc: Asset Management, Curtis Anthony
City Councilperson & Aides, Jolon Clark District # 7
Council Aide Maggie Thompson
Council Aide Anita Banuelos
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, Ron Ellis
Public Works Survey, Paul Rogalla
Owner: City and County of Denver
Project file folder 2018-Dedication-0000195

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 14, 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 S. Delaware St and Public Alley.
Located near the intersection of S. Delaware St. and W. Harvard Ave.

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 S. Delaware St. and Public Alley. 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 (2478 S. Delaware Street 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:** Near S. Delaware St. and W. Harvard Ave.
- d. **Affected Council District:** Jolon Clark Dist. #7
- 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-0000195, 2478 S. Delaware Street Townhomes

Description of Proposed Project: Dedicate a parcel of land as public right of way as S. Delaware St. and 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 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 2478 S. Delaware Street Townhomes.



Legend

-  Streams
-  Buildings
-  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

289 0 144.5 289 Feet

PW Legal Description No. 2018-Dedication-0000195-001

LAND DESCRIPTION PARCEL #1

A FOUR FOOT WIDE PARCEL OF LAND BEING THE WEST FOUR FEET OF LOTS 19 AND 20, BLOCK 12, BREENLOW SUBDIVISION OF SOUTH DENVER, CITY AND COUNTY OF DENVER, SITUATED IN THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M., SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 20 BEING A 5/8" IRON ROD WITH YELLOW CAP STAMPED "DDSI PLS 38497", THENCE NORTH 00°15'17" WEST ALONG THE WESTERLY BOUNDARY OF SAID LOTS 19 AND 20 A DISTANCE OF 50.00 TO THE NORTHWEST CORNER OF SAID LOT 19; THENCE NORTH 89°44'43" EAST ALONG THE NORTHERLY BOUNDARY OF SAID LOT 19 A DISTANCE OF 4.00 FEET; THENCE SOUTH 00°15'17" EAST, A DISTANCE OF 50.00 FEET TO THE SOUTHERLY BOUNDARY OF SAID LOT 20, THENCE SOUTH 89°44'43" WEST ALONG SAID SOUTHERLY BOUNDARY A DISTANCE OF 4.00 FEET TO THE FEET TO THE POINT OF BEGINNING;

CONTAINING ±200 SQUARE FEET OR 0.005 ACRES MORE OR LESS

PW Legal Description No. 2018-Dedication-0000195-002

LAND DESCRIPTION PARCEL #2

A TWO FOOT WIDE PARCEL OF LAND BEING THE EAST TWO FEET OF LOTS 19 AND 20, BLOCK 12, BREENLOW SUBDIVISION OF SOUTH DENVER, CITY AND COUNTY OF DENVER, SITUATED IN THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M., SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 20 BEING A FOUND 3/8" IRON ROD, THENCE SOUTH 89°44'43" WEST ALONG THE SOUTHERLY BOUNDARY OF SAID LOT 20 A DISTANCE OF 2.00 FEET; THENCE NORTH 00°15'17" WEST, A DISTANCE OF 50.00 FEET TO THE NORTHERLY BOUNDARY OF SAID LOT 19, THENCE NORTH 89°44'43" EAST ALONG THE NORTHERLY BOUNDARY OF SAID LOT 19 A DISTANCE OF 2.00 FEET; THENCE SOUTH 00°15'17" EAST ALONG THE EASTERLY BOUNDARY OF SAID LOTS 19 AND 20 A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING;

CONTAINING ±100 SQUARE FEET OR 0.002 ACRES MORE OR LESS

BASIS OF BEARING: BEARINGS ARE BASED UPON THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M., BEARING NORTH 00°19'00" WEST A DISTANCE OF 1,316.76 FEET, COLORADO STATE PLANE CENTRAL ZONE 0502, NAD83, US SURVEY FEET, ALL DISTANCES ARE GROUND.



2018152090
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 20 day of November, 2018, by **GEARHART MOORE HOLDINGS**, a Colorado limited liability company, whose address is 2828 Speer Boulevard, #2020, Denver, CO 80211, 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. # 18-203

Project Description: 2478 Delaware St.
2018-Dedication-0000195

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

ATTEST:

GEARHART MOORE HOLDINGS, a Colorado Limited Liability Company

By: [Signature]

Name: Ben Gearhart

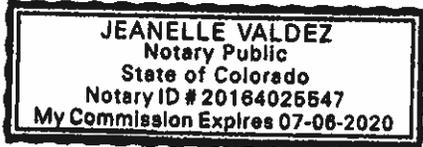
Its: Owner

STATE OF Colorado)
COUNTY OF Denver) ss.

The foregoing instrument was acknowledged before me this 20 day of November, 2018
by Ben Gearhart, as Owner of **GEARHART MOORE
HOLDINGS**, a Colorado Limited Liability Company.

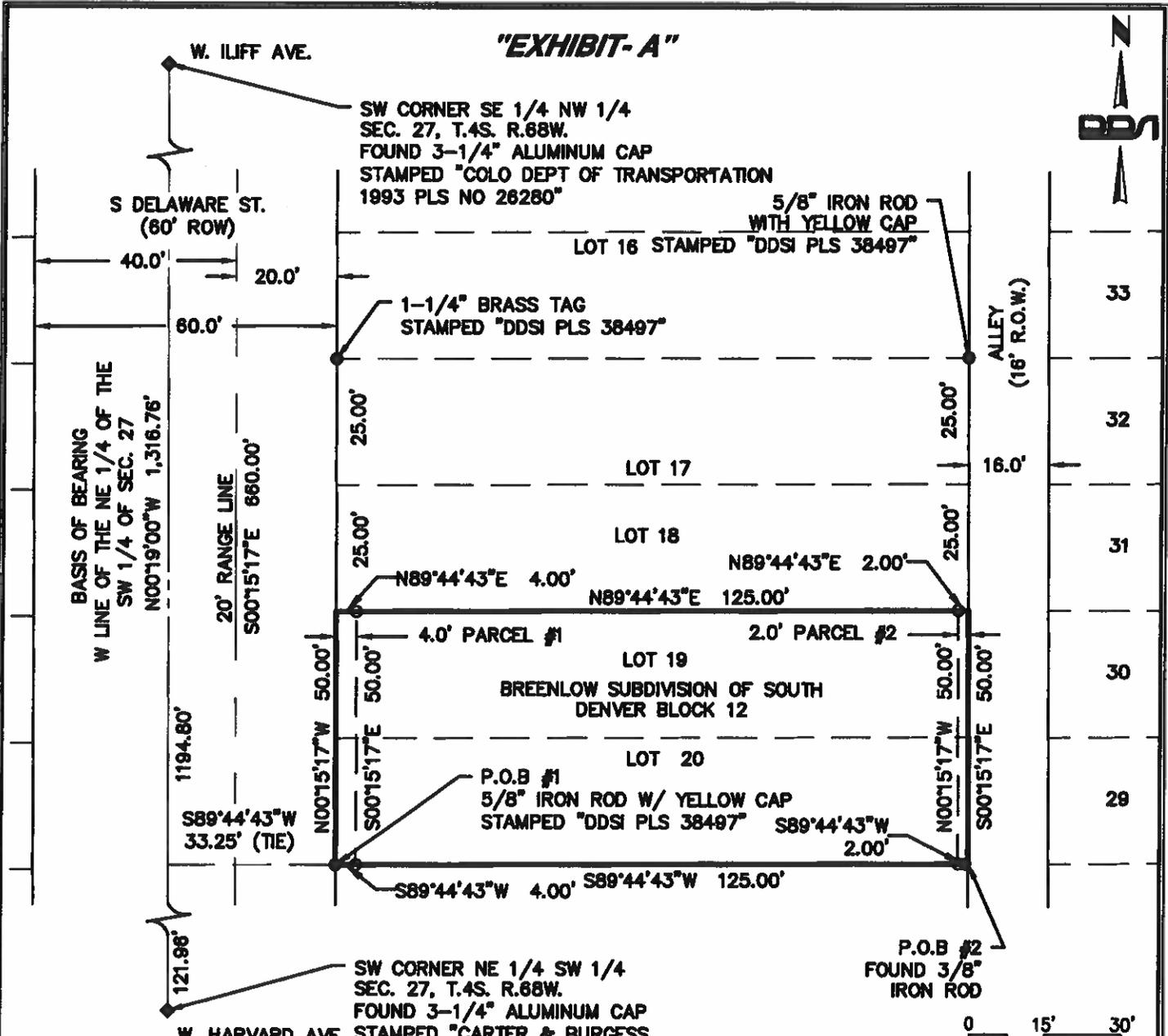
Witness my hand and official seal.

My commission expires: 07-06-2020



[Signature]
Notary Public

"EXHIBIT-A"



NOTES:
1. RESEARCH HAS BEEN PROVIDED BY OTHERS.

- LEGEND**
- ◆ = FOUND SECTION CORNER
 - = DENOTES FOUND MONUMENT AS NOTED
 - = SET 5/8" IRON ROD W/ YELLOW CAP STAMPED "DDSI PLS 38497"
 - P.O.B. = POINT OF BEGINNING

SURVEYOR'S CERTIFICATION

I, JASON SCYOC, A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SURVEY REPRESENTED BY THIS PLAT WAS MADE DIRECTLY UNDER MY SUPERVISION, AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS PLAT ACCURATELY REPRESENTS SAID SURVEY.

DATE OF PLAT OR MAP: 11/8/18


JASON SCYOC, PLS 38497
FOR AND ON BEHALF OF
DOWNTOWN DESIGN SERVICES INC.




SITE: 2478 S. DELAWARE STREET DENVER, CO 80212	
LOTS 19 AND 20, BLOCK 12 BREENLOW SUBDIVISION OF SOUTH DENVER CITY AND COUNTY OF DENVER, STATE OF COLORADO	
A PARCEL OF LAND LOCATED IN SECTION 27, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M. CITY AND COUNTY OF DENVER, STATE OF COLORADO	
SURVEY DATE: MAR. 30, 2018	SHEET 1 OF 2 SHEETS
REVISED:	DRAWN BY: JSS

"EXHIBIT-A"

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SEE SHEET 1 OF 2 FOR A DETAILED SKETCH

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SURVEY DATE: MAR. 30, 2018	SHEET 2 OF 2 SHEETS
REVISED:	DRAWN BY: JSS