



REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Caroline Martin, City Attorney's Office

FROM: Matt Bryner, P.E. Director
Right-of-Way Services

DATE: November 20, 2018

ROW #: 2018-Dedication-0000159 **SCHEDULE #:** 0527205014000

TITLE: This request is to dedicate parcels of land as Public Alley, and Public Right of Way as S. Cherokee St. Located near the intersection of W. Evans Ave. and S. Cherokee 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 and S. Cherokee St. These parcel(s) of land are being dedicated to the City and County of Denver for Public Right-of-Way, as part of the development project (**Cherokee Mixed-Use**)

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 two parcels of land for Public Right-of-Way purposes as S. Cherokee St. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2018-Dedication-0000159-001-Alley & 2018-Dedication-0000159-002-Cherokee St.) 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-0000159

ORDINANCE/RESOLUTION REQUEST

Please email requests to Sarah Stanek
at sarah.stanek@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 20, 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 parcels of land as Public Alley, and Public Right of Way as S. Cherokee St.
Located near the intersection of W. Evans Ave. and S. Cherokee St.

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 Public Alley and S. Cherokee St. These 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 (**Cherokee Mixed-Use**)

****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:** 2065 S. Cherokee St.
- 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-0000159

Description of Proposed Project: Dedicate parcels of land as public alley, and public right of way as S. Cherokee 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 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 Cherokee Mixed-Use.



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

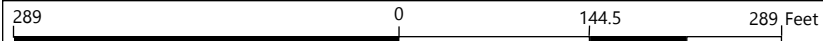


EXHIBIT "B"
PAGE 1 OF 2

LAND DESCRIPTION - ALLEY

A TRACT OR PARCEL OF LAND LOCATED IN THE NORTHWEST ¼ OF SECTION 27, TOWNSHIP 4 SOUTH, RANGE 68 WEST, OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING THE WESTERLY 2.00 FEET OF LOTS 31 THROUGH 40 INCLUSIVE, BLOCK 5, ROSEDALE, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWESTERLY CORNER OF SAID LOT 40;

THENCE ALONG THE NORTHERLY LINE OF SAID LOT 40, N89°56'55"E, 2.00 FEET;

THENCE ALONG A LINE PARALLEL WITH AND 2.00 FEET DISTANT FROM THE WESTERLY LINE OF SAID LOTS 40 THROUGH 31, INCLUSIVE, S00°09'42"W, 250.15 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID LOT 31;

THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 31, S89°53'42"W, 2.00 FEET TO THE SOUTHWESTERLY CORNER OF SAID LOT 31;

THENCE ALONG THE WESTERLY LINE OF SAID LOTS 31 THROUGH 40, INCLUSIVE, N00°09'42"E, 250.15 FEET TO THE POINT OF BEGINNING.

CONTAINING 500 SQUARE FEET OR 0.011 ACRES, MORE OR LESS.

BASIS OF BEARINGS: BEARINGS USED HEREIN ARE BASED ON A 20' RANGE LINE ON W. EVANS AVE. BETWEEN SOUTH DELAWARE STREET AND SOUTH CHEROKEE STREET, BEING MEASURED AS S89°55'12"E USING THE CITY AND COUNTY OF DENVER CONTROL COORDINATES, AS MONUMENTED AT SOUTH DELAWARE STREET BY A FOUND 2.5" ALUMINUM CAP PLS 18116 IN DENVER RANGE BOX. AND MONUMENTED AT SOUTH CHEROKEE STREET BY A FOUND 2.5" ALUMINUM CAP PLS 18116 IN DENVER RANGE BOX.

PREPARED UNDER THE SUPERVISION OF:
DOUGLAS H. ORT III, PLS 37066
(303) 501-1221
1675 BROADWAY, SUITE 200
DENVER, CO 80202

EXHIBIT "C"
PAGE 1 OF 2

LAND DESCRIPTION – CHEROKEE ST.

A TRACT OR PARCEL OF LAND LOCATED IN THE NORTHWEST ¼ OF SECTION 27, TOWNSHIP 4 SOUTH, RANGE 68 WEST, OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING THE EASTERLY 2.00 FEET OF LOTS 31 THROUGH 40 INCLUSIVE, BLOCK 5, ROSEDALE, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF SAID LOT 31;

THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 31, S89°53'42"W, 2.00 FEET;

THENCE ALONG A LINE PARALLEL WITH AND 2.00 FEET DISTANT FROM THE EASTERLY LINE OF SAID LOTS 31 THROUGH 40, N00°09'42"E, 250.04 FEET TO A POINT ON THE NORTHERLY LINE OF SAID LOT 40;

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1675 BROADWAY, SUITE 200
DENVER, CO 80202



2018145224

Page: 1 of 6

D \$0.00

R \$0.00

WD

City & County of Denver

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 8th day of November, 2018, by LCP CHEROKEE, LLC, a Colorado limited liability company, whose address is 2150 W. 29TH Ave., Suite 410, 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 A 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, except and subject to those matters listed on Exhibit B hereto. No separate bill of sale with respect to improvements on the Property will be executed.

Asset Mgmt. # 18-192

2065 S. Cherokee St.
208-Dedication-0000154

Asset Management
Date: 11/9/18

Ker

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

ATTEST:

LCP CHEROKEE, LLC, a Colorado Limited Liability Company

By: Littleson Capital Partners, LLC ITS MANAGER

Name: By Windward Investments LLC, ITS MANAGING MEMBER

Its: By: Stephen W Kurtz, Manager


STATE OF Colorado)

COUNTY OF Denver) ss.

The foregoing instrument was acknowledged before me this 8 day of November, 2018
by Stephen W. Kurtz, as Manager of LCP CHEROKEE, LLC, a
Colorado Limited Liability Company.

Witness my hand and official seal.

My commission expires: March 4, 2021

Stephanie M Strand
Notary Public

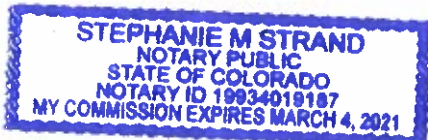


EXHIBIT "A - 1"
PAGE 1 OF 2

LAND DESCRIPTION

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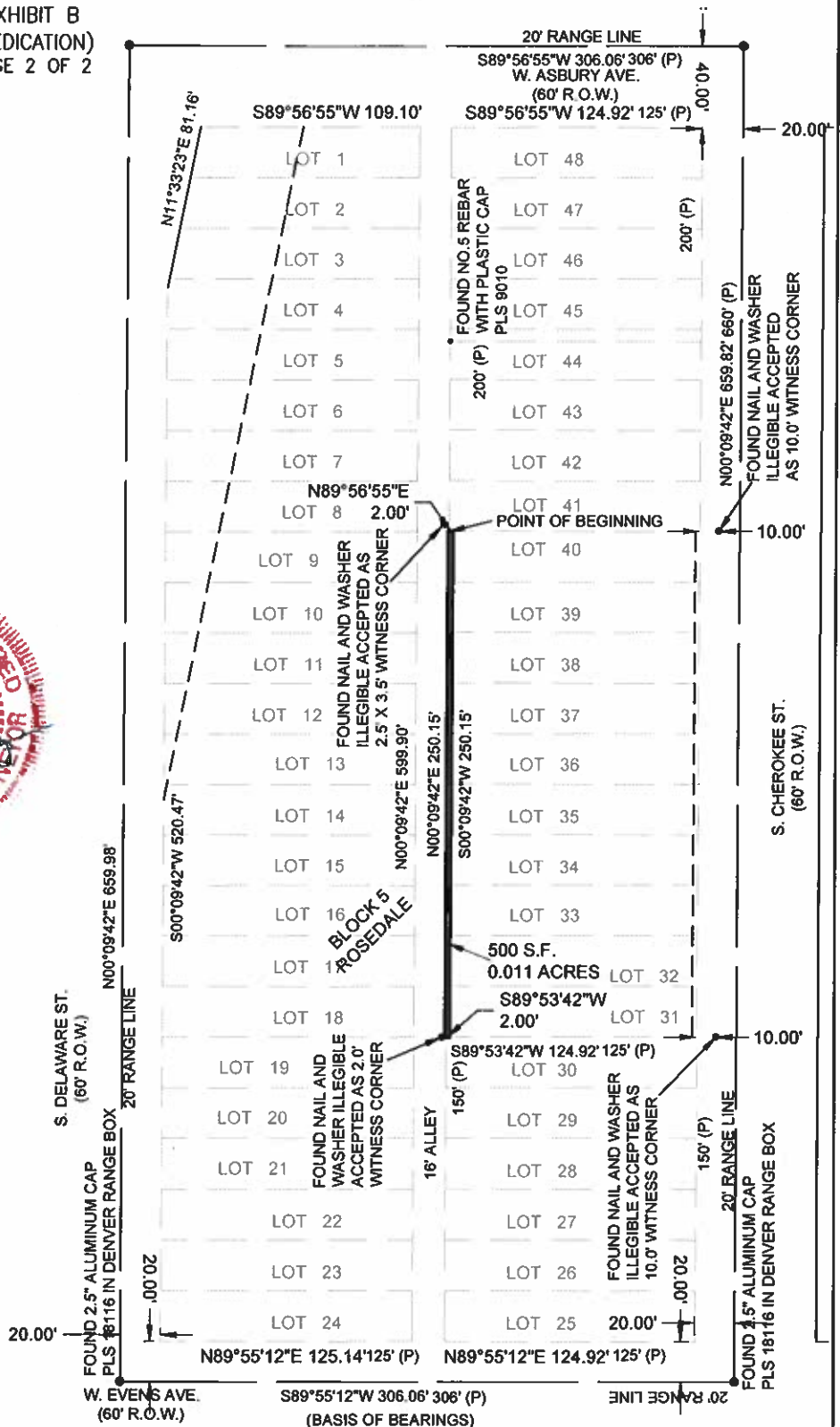


EXHIBIT B
(DEDICATION)
PAGE 2 OF 2



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NOTE: THIS DRAWING IS MEANT TO DEPICT THE ATTACHED LEGAL DESCRIPTION AND IS FOR INFORMATIONAL PURPOSES ONLY. IT DOES NOT REPRESENT A MONUMENTED LAND SURVEY.



17-600-432

SHT. NO: 2 OF 2					
SCALE: 1" = 80'					
DWN. BY:	TJB	DATE:	8-30-2018		
CHK BY:					
PROJ MGR:	DHO	DATE:	8-30-2018		
NO	REVISION-DESCRIPTION	BY	DATE	CHKD	APPD

WILSON & COMPANY
1675 Broadway Suite 200
Denver, CO 80202
Phone: 303-297-2976
Fax: 303-297-2693

2065 S. CHEROKEE
CITY AND COUNTY OF DENVER
STATE OF COLORADO

EXHIBIT "A-2"
PAGE 1 OF 2

LAND DESCRIPTION

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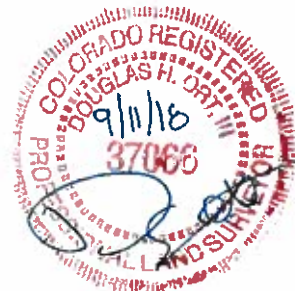


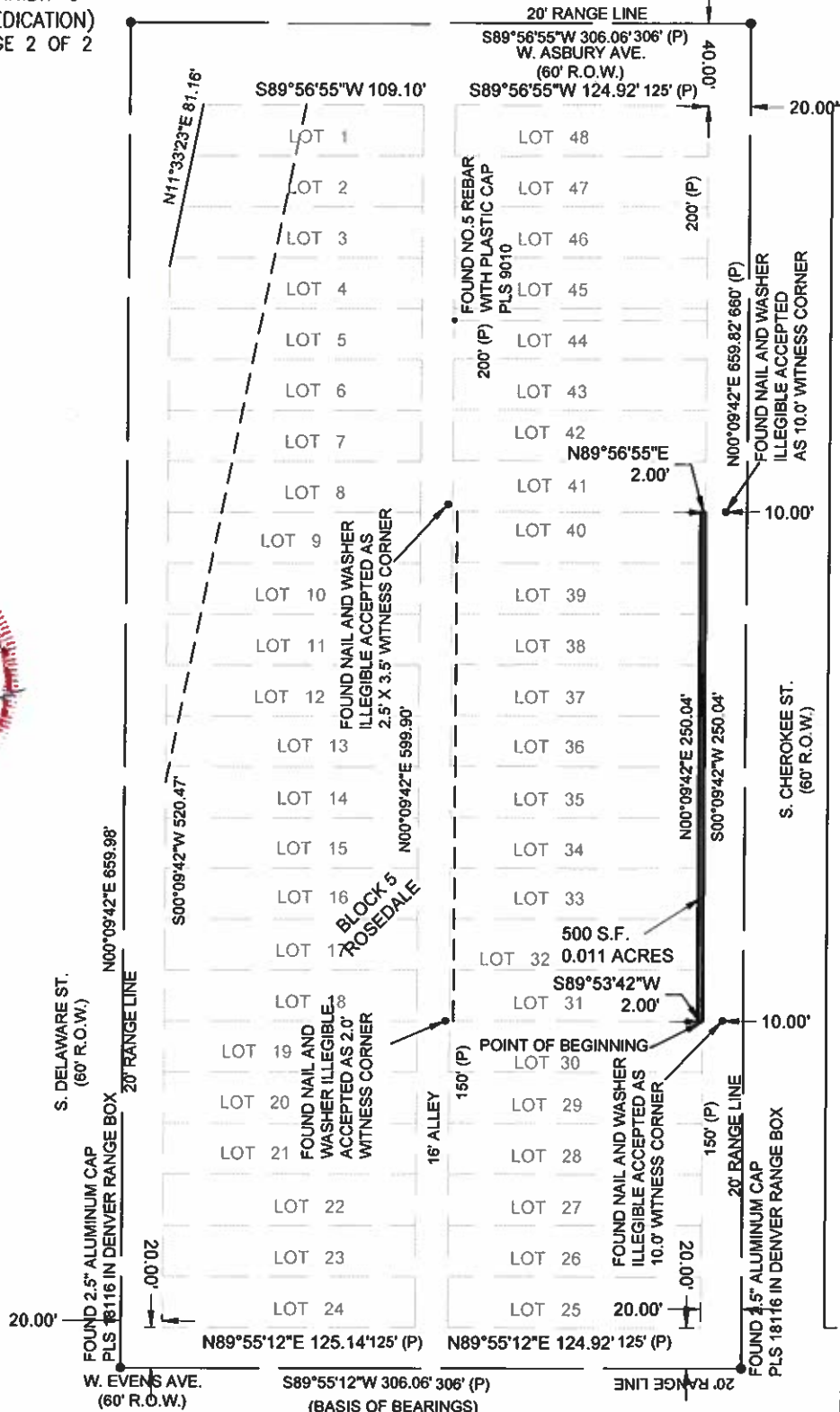
EXHIBIT C
(DEDICATION)
PAGE 2 OF 2



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17-600-432



NO.	REVISION-DESCRIPTION	BY	DATE	CHKD	APPD

SHT. NO: 2 OF 2
SCALE: 1" = 80'
DWN. BY: TJB DATE: 8-30-2018
CHK. BY:
PROJ. MGR: DHO 8-30-2018
CLIENT APP:

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Denver, CO 80202
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