



## 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:** April 23, 2019

**ROW #:** 2017-Dedication-0000176      **SCHEDULE #:** Parcel A – 0510233030000  
Parcel B - 0510233031000

**TITLE:** This request is to dedicate a parcel of land as Public Right of Way as Public Alley.  
Located at the alley bounded by N. Broadway, W. 1<sup>st</sup> Ave., N. Acoma St. and W. 2<sup>nd</sup> 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 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 **(101 Broadway Apartments)**

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 # (2017-Dedication-0000176-001 & 002) HERE.**

A map of the area to be dedicated is attached.

MB/DS/bv

cc: Dept. of Real Estate, Katherine Rinehart  
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, 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, Dana Sperling  
Public Works Survey, Paul Rogalla  
Owner: City and County of Denver  
Project file folder 2017-Dedication-0000176

## 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: April 23, 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:** (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.**)

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Located at the alley bounded by N. Broadway, W. 1<sup>st</sup> Ave., N. Acoma St. and W. 2<sup>nd</sup> 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 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 **(101 Broadway Apartments)**

**\*\*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 N. Broadway, W. 1<sup>st</sup> Ave., N. Acoma St. and W. 2<sup>nd</sup> 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.

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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: 2017-Dedication-0000176**

**Description of Proposed Project: Dedicate 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 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 101 Broadway Apartments.**



### Legend

-  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





PW Legal Description No. 2017-Dedication-0000179-001

LAND DESCRIPTION:

PARCEL A:

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON 6/15/2018, AT RECEPTION NO. 2018073738 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND 1.5 FEET IN WIDTH BEING THE WEST 1.5 FEET OF LOTS 15, 16 AND THE SOUTH 16.24 FEET OF LOT 17, BLOCK 13, BROADWAY TERRACE, LOCATED IN THE NORTHWEST ¼ OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO.

THE ABOVE DESCRIBED PARCEL CONTAINS 155 SQUARE FEET OR 0.0036 ACRES MORE OR LESS.

AND

PW Legal Description No. 2017-Dedication-0000179-002

PARCEL B:

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON 6/15/2018, AT RECEPTION NO. 2018073738 IN THE CIT AND COUNT OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND 1.5 FEET IN WIDTH BEING THE EAST 1.5 FEET OF LOTS 4, 5 AND 6, BLOCK 13, BROADWAY TERRACE, LOCATED IN THE NORTHWEST ¼ OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO.

THE ABOVE DESCRIBED PARCEL CONTAINS 205 SQUARE FEET OR 0.0047 ACRES MORE OR LESS.

BASIS OF BEARINGS: AN ASSUMED BEARING OF S00°24'36"E BEING AN 8 FOOT RANGE LINE THAT IS 8 FEET EAST OF AND PARALLEL TO THE EAST LINE OF BLOCK 13, BROADWAY TERRACE, BETWEEN TWO FOUND MONUMENTS 369.37 FEET APART; ONE MONUMENT BEING A 3.25" DIAMETER BRASS CAP STAMPED LS 37929 AT THE INTERSECTION OF WEST 2ND AVENUE AND BROADWAY AND THE OTHER BEING A 3.25" DIAMETER BRASS CAP STAMPED LS 37929 AT THE INTERSECTION OF WEST 1ST AVENUE AND BROADWAY.



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 11 day of JUNE, 2018, by **Digital Cowboy, LLC**, a Colorado limited liability company, whose address is 1385 S, Willow St., Denver, CO 80247, 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.

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

ATTEST:

Digital Cowboy, LLC, a Colorado Limited Liability Company

By: [Signature]

Name: David Zucker

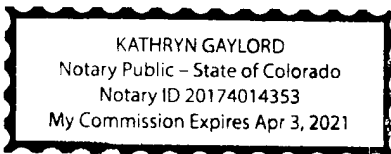
Its: Managing Member

STATE OF CO )  
 ) ss.  
COUNTY OF JEFFERSON )

The foregoing instrument was acknowledged before me this 11 day of JUNE, 2018 by DAVID ZUCKER, as MANAGING MEMBER of Digital Cowboy, LLC, a Colorado Limited Liability Company.

Witness my hand and official seal.

My commission expires: APRIL 3, 2021



[Signature]  
Notary Public

2016-PROJMSTR-0000780-001(PARCEL A)

2016-PROJMSTR-0000780-002(PARCEL B)

**EXHIBIT A**

SHEET 1 OF 2

**LAND DESCRIPTION:****PARCEL A:**

A PARCEL OF LAND 1.5 FEET IN WIDTH BEING THE WEST 1.5 FEET OF LOTS 15, 16 AND THE SOUTH 16.24 FEET OF LOT 17, BLOCK 13, BROADWAY TERRACE, LOCATED IN THE NORTHWEST  $\frac{1}{4}$  OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO.

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AND

**PARCEL B:**

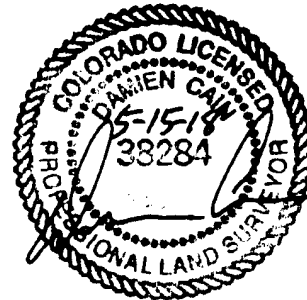
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DAMIEN CAIN PLS 38284  
FOR AND ON BEHALF OF  
39 NORTH ENGINEERING AND SURVEYING LLC  
4495 HALE PARKWAY  
SUITE 305  
DENVER, CO 80220

PREPARED BY:  
39 NORTH ENGINEERING AND SURVEYING LLC  
4495 HALE PARKWAY  
SUITE 305  
DENVER, CO 80220  
PH: 303-325-5071  
EMAIL: damien.cain@39north.net

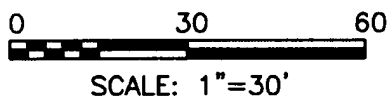




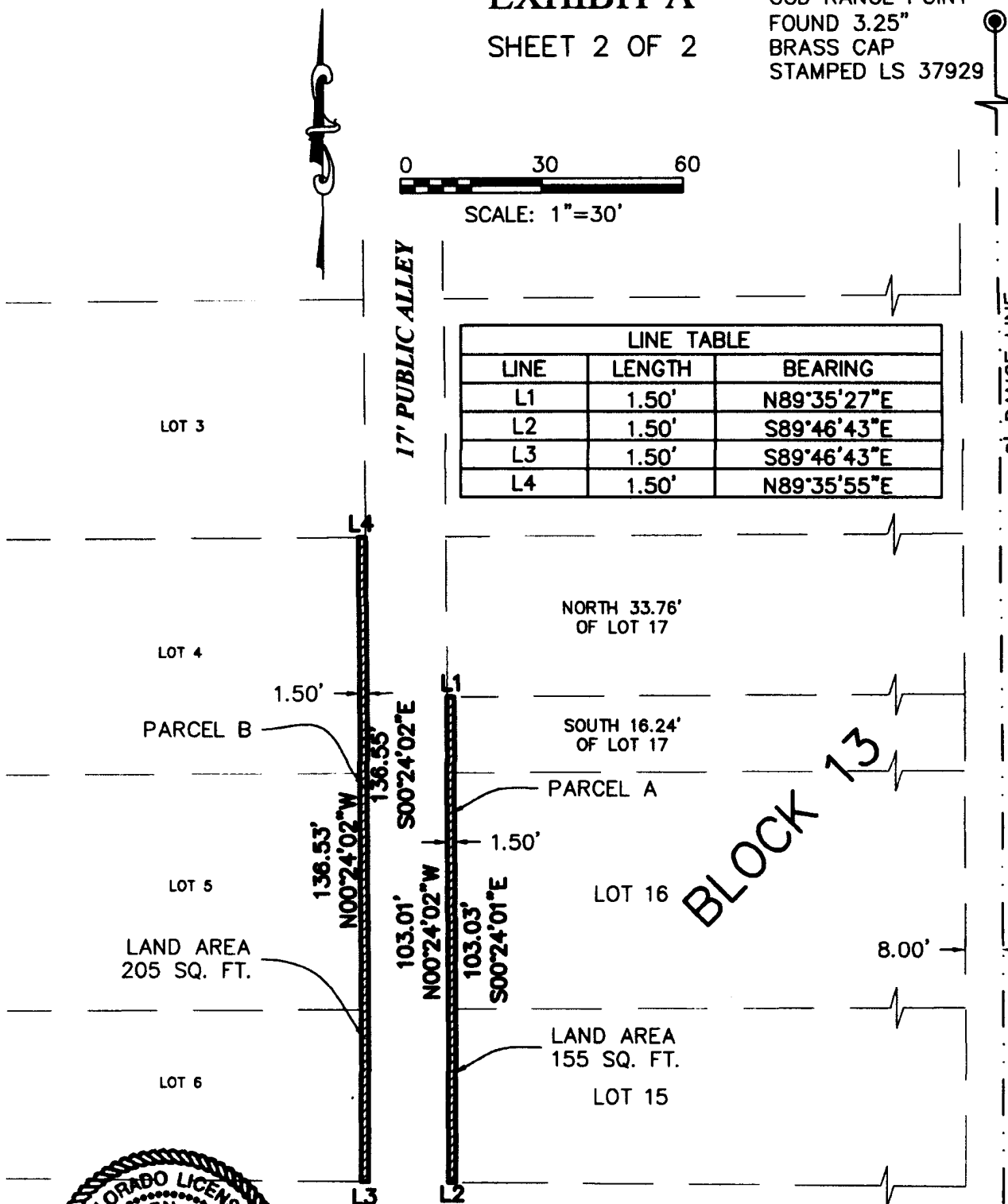
# EXHIBIT A

## SHEET 2 OF 2

CCD RANGE POINT  
FOUND 3.25"  
BRASS CAP  
STAMPED LS 37929



LINE TABLE		
LINE	LENGTH	BEARING
L1	1.50'	N89°35'27"E
L2	1.50'	S89°46'43"E
L3	1.50'	S89°46'43"E
L4	1.50'	N89°35'55"E



8' RANGE LINE  
369.37' A.M. (369.35' REC.)  
S00°24'36"E  
BASIS OF BEARINGS

**BROADWAY**  
100' R.O.W.

**WEST 1ST AVENUE**  
R.O.W. VARIES

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FOUND 3.25"  
BRASS CAP  
STAMPED LS 37929

