


REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Ivone Avila-Ponce, City Attorney's Office

FROM: Matt R. Bryner, P.E., Director, Right-of-Way Services 
Matt R. Bryner (Sep 8, 2022 06:35 MDT)

DATE: September 6, 2022

ROW #: 2022-DEDICATION-0000013 **SCHEDULE #:** Adjacent to 0512214020000

TITLE: This request is to dedicate a City-owned parcel of land as Public Right-of-Way as Public Alley, bounded by N. Fillmore St., E. 3rd Ave., N. Milwaukee St., and E. 4th 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 by the City and County of Denver for Public Right-of-Way, as part of the development project, "300 Fillmore St."

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 # (2022-DEDICATION-0000013-001) **HERE.**

A map of the area to be dedicated is attached.

MB/TB/LRA

cc: Dept. of Real Estate, RealEstate@denvergov.org
City Councilperson, Chris Hinds District # 10
Councilperson Aide, Hannah Bernick
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, Johna Varty
Department of Law, Martin Plate
Department of Law, Deanne Durfee
Department of Law, Ivone Avila-Ponce
Department of Law, Uyen Tran
Department of Law, Stefanie Raph
DOTI Survey, Thomas Breitnauer
DOTI Ordinance
Owner: City and County of Denver
Project file folder 2022-DEDICATION-0000013

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: September 6, 2022

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 as Public Alley, bounded by N. Fillmore St., E. 3rd Ave., N. Milwaukee St., and E. 4th Ave.
3. **Requesting Agency:** DOTI, Right-of-Way Services
Agency Section: Survey
4. **Contact Person:** (With actual knowledge of proposed ordinance/resolution.)
- **Name:** Lisa R. Ayala
 - **Phone:** 720-865-3112
 - **Email:** lisa.ayala@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, "300 Fillmore St."

****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 N. Fillmore St., E. 3rd Ave., N. Milwaukee St., and E. 4th Ave
- d. **Affected Council District:** Chris Hinds District # 10
- 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: 2022-DEDICATION-0000013

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 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, "300 Fillmore St."



Alley parcel to be dedicated

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
- Lots/Blocks
- Parks
 - All Other Parks; Linear
 - Mountain Parks

289 0 144.5 289 Feet

PARCEL DESCRIPTION ROW NO. 2022-DEDICATION-0000013-001:

LAND DESCRIPTION – ALLEY PARCEL:

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 11TH DAY OF AUGUST 2022, AT RECEPTION NUMBER 2022106214 AND 2022106215 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER’S OFFICE, STATE OF COLORADO, THEREIN AS:

A PARCEL OF LAND BEING A PART A PARCEL OF LAND DESCRIBED IN GENERAL WARRANTY DEED RECORDED AUGUST 5, 2005 AT RECEPTION NUMBER 2005130137 IN THE DENVER COUNTY, COLORADO CLERK AND RECORDER’S OFFICE AND BEING A PART OF PLOTS 1 AND 2, BLOCK 38, HARMANS SUBDIVISION AS RECORDED IN PLAT BOOK 7 AT PAGE 127 AND SITUATED IN THE NORTHWEST ONE-QUARTER OF SECTION 12, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EAST 2.50 FEET OF SAID PLOT 1 AND THE EAST 2.50 FEET OF THE SOUTH 1/2 OF SAID PLOT 2.

PARCEL CONTAINS (375 SQUARE FEET) 0.0086 ACRES, MORE OR LESS.



2022106214
Page: 1 of 4
D \$0.00

Return to:
Division of Real Estate
Attn: Jason Clements
City and County of Denver
201 West Colfax Avenue, Dept. 1010
Denver, Colorado 80202
Project Description: 2022-DEDICATION-0000013
Asset Mgmt No.: 22-151

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED ("Deed"), made as of this 9th day of August, 2022, by WEED STREET ACQUISITION, LLC, an Illinois limited liability company, having a principal address of 520 W. Erie St. #430E, Chicago, IL, 60654, United States ("Grantor") as to an undivided 63.4% interest, 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:

~~WEED STREET ACQUISITION, LLC, an Illinois limited liability company~~

By: 

Name: S. JAVOR

Its: Manager

STATE OF IL)
) ss.
COUNTY OF Cook)

The foregoing instrument was acknowledged before me this 3rd day of August, 2022
by S. JAVOR, as Manager of Weed Street Acquisition, LLC, an Illinois
limited liability company.

Witness my hand and official seal.

My commission expires: 10/5/25



Kaitlin M. Tabascio
Notary Public

EXHIBIT "A"

Page 1 of 2

Land Description:

A parcel of land being a part a parcel of land described in General Warranty Deed recorded August 5, 2005 at Reception Number 2005130137 in the Denver County, Colorado Clerk and Recorder's Office and being a part of Plots 1 and 2, Block 38, Harmans Subdivision as recorded in Plat Book 7 at Page 127 and situated in the Northwest One-Quarter of Section 12, Township 4 South, Range 68 West of the 6th Principal Meridian, City and County of Denver, State of Colorado, more particularly described as follows:

The East 2.50 feet of said Plot 1 and the East 2.50 feet of the South 1/2 of said Plot 2.

Parcel Contains (375 Square Feet) 0.0086 Acres, more or less.

Date Prepared: January 21, 2022

Date of Last Revision: April 28, 2022

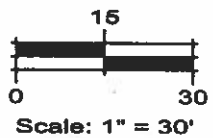
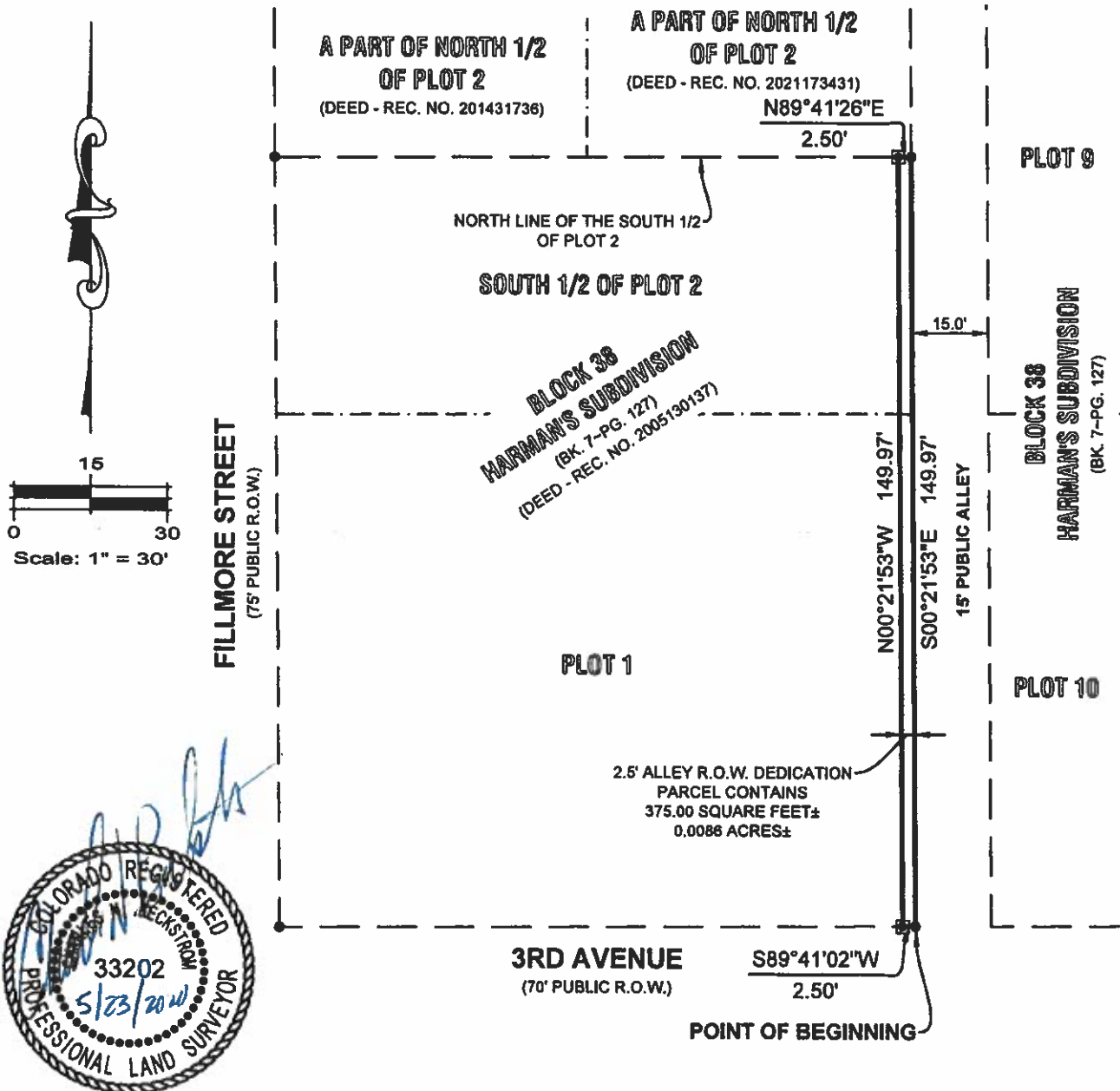
Prepared By: Charles N. Beckstrom, PLS No. 33202

For and on behalf of
Engineering Service Company
14190 East Evans Avenue
Aurora, Colorado 80014
Phone: 303-337-1393



ILLUSTRATION FOR EXHIBIT "A"

Page 2 of 2



ESC
ENGINEERING SERVICE COMPANY
 14190 East Evans Avenue
 Aurora, Colorado 80014
 P 303.337.1393 | F 303.337.7481

PROPERTY OWNER:
MIDWEST PROPERTY GROUP, LTD
 520 WEST ERIE STREET SUITE 430E
 CHICAGO, ILLINOIS 60654

LEGEND
 ■ SET NAIL & 1" BRASS TAG STAMPED "ESC LS 33202"
 ● FOUND NAIL & 1" BRASS TAG STAMPED "ESC LS 33202"

CITY AND COUNTY OF DENVER

Drawn By: <i>JMS</i>	Checked By: <i>CMB, JDP</i>	Project No.: 1549.1	Date: 1/21/2022
Scale: 1" = 30'	File Name: <i>Project:Midwest Property Group, Ltd-Denver-300 Fillmore St-CAD-Exhibit-Denver-300 Fillmore St- EDR087.dwg</i>		

A PART OF PLOTS 1 & 2, BLOCK 38, HARMAN'S SUBDIVISION
 SITUATED IN THE NW 1/4 OF SECTION 12, T.4S., R.88W., OF THE 6TH P.M.
 CITY AND COUNTY OF DENVER, STATE OF COLORADO

Note: This exhibit does not represent a monumented survey. It is intended only to depict the attached description.

After signing, return to:
Division of Real Estate
Attn: Jason Clements
City and County of Denver
201 West Colfax Avenue, Dept. 1010
Denver, Colorado 80202
Project Description: 2022-DEDICATION-0000013
Asset Mgmt No.: 22-151



2022106216
Page: 1 of 4
D \$0.00

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED ("Deed"), made as of this 3rd day of August, 2022, by MAIN-BLAINE LLC, an Illinois limited liability company, having a principal address of 520 W. Erie St. #430E, Chicago, IL, 60654, United States ("Grantor") as to an undivided 36.6% interest, 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:

MAIN-BLAINE LLC, an Illinois limited liability company

By: 

Name: J. JAVORS

Its: Manager

STATE OF IL)
COUNTY OF COOK) ss.

The foregoing instrument was acknowledged before me this 3rd day of August, 2022 by J. JAVORS, as Manager of main-blaine, LLC, an Illinois limited liability company.

Witness my hand and official seal.

My commission expires: 10/5/25


Notary Public



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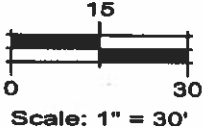
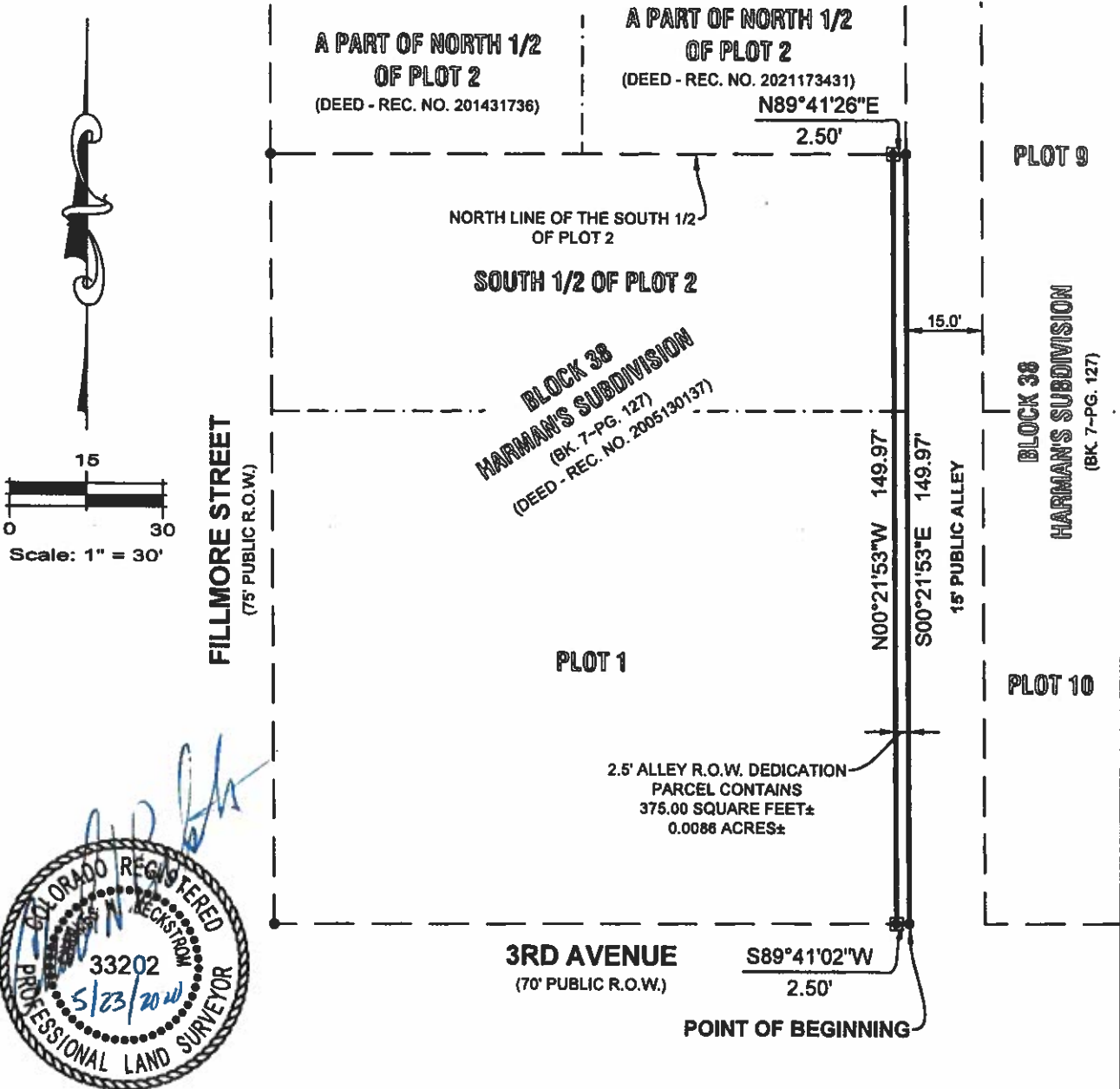
Prepared By: Charles N. Beckstrom, PLS No. 33202

For and on behalf of
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 520 WEST ERIE STREET SUITE 430E
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LEGEND
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CITY AND COUNTY OF DENVER

Drawn By: <i>JMS</i>	Checked By: <i>CNB, JDP</i>	Project No.: <i>1549.1</i>	Date: <i>1/21/2022</i>
Scale: <i>1" = 30'</i>	File Name: <i>N:\Projects\Midwest Property Group, Ltd\Denver-300 Fillmore St\CAPE\Add\Denver-300 Fillmore St - EXHIBIT.dwg</i>		

Note: This exhibit does not represent a monumented survey. It is intended only to depict the attached description.

A PART OF PLOTS 1 & 2, BLOCK 38, HARMAN'S SUBDIVISION SITUATED IN THE NW 1/4 OF SECTION 12, T.4S., R.68W., OF THE 8TH P.M. CITY AND COUNTY OF DENVER, STATE OF COLORADO