



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*
Matt R. Bryner (Apr 11, 2022 17:49 MDT)

DATE: April 11, 2022

ROW #: 2021-DEDICATION-0000163 **SCHEDULE #:** 0114303025000

TITLE: This request is to dedicate a City-owned parcel of land as Public Right-of-Way as E. 47th Ave., located at the intersection of N. Ironston St. and E. 47th 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 E. 47th Ave. 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, "DSST 10825 E 47th Ave."

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-0000163-001) HERE.

A map of the area to be dedicated is attached.

MB/JL/LRA

cc: Dept. of Real Estate, Katherine Rinehart
City Councilperson, Christopher J. Herndon District # 8
Councilperson Aide, Amanda Schoultz
Councilperson Aide, Bonnie Guillen
Councilperson Aide, Leya Hartman
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, Caroline Martin
Department of Law, Rachonda Dixon
DOTI Survey, Johanna Lee
DOTI Ordinance
Owner: City and County of Denver
Project file folder 2021-DEDICATION-0000163

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: April 11, 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 E. 47th Ave., located at the intersection of N. Ironton St. and E. 47th 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:** 720-641-4842
- **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 E. 47th Ave. 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, "DSST 10825 E 47th Ave."

****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:** N. Ironton St. and E. 47th Ave.
- d. **Affected Council District:** Christopher J. Herndon District # 8
- 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-0000163

Description of Proposed Project: Dedication of a parcel of land as Public Right-of-Way as E. 47th Ave.

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 Right-of-Way.

Has a Temp MEP been issued, and if so, what work is underway: N/A

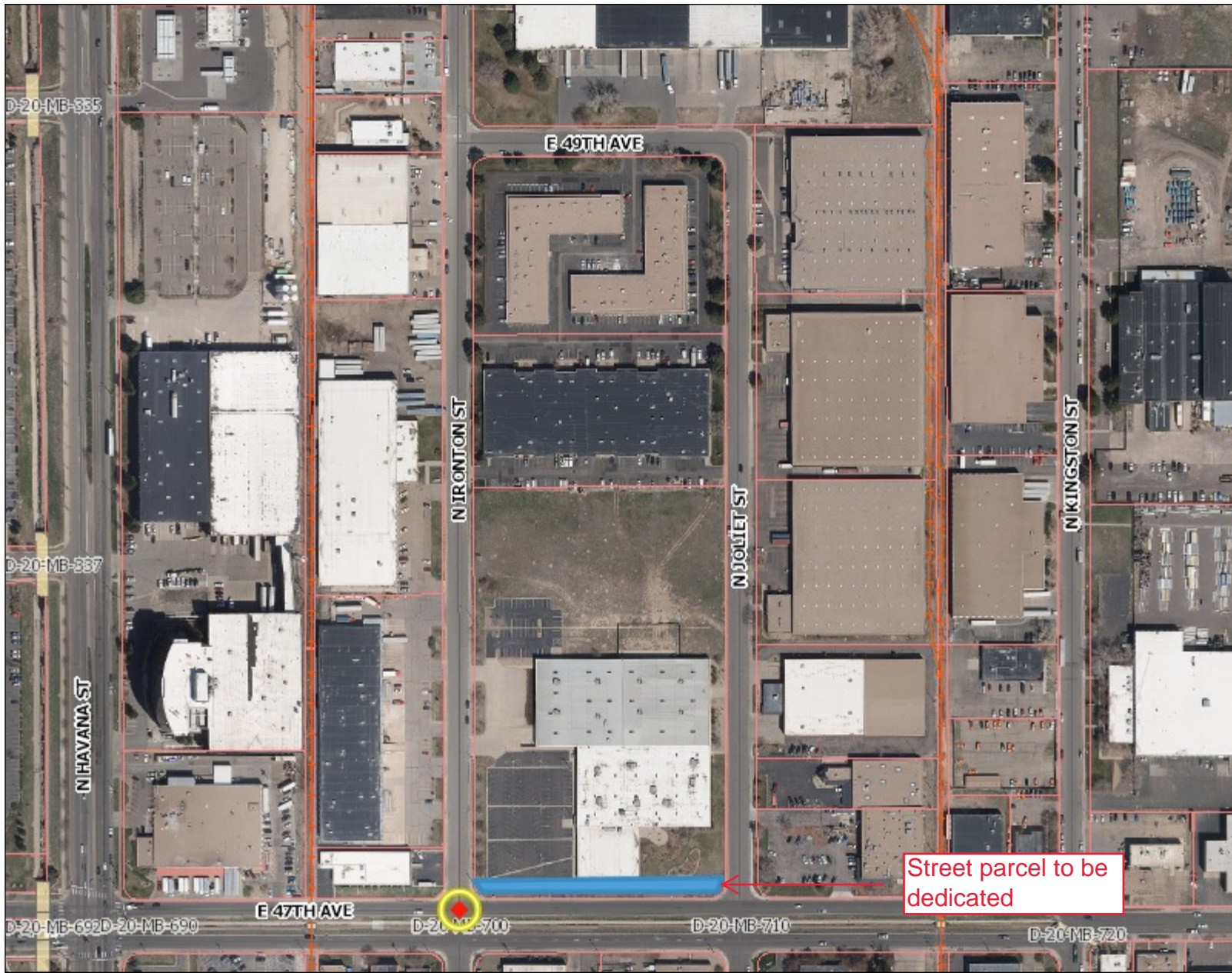
What is the known duration of a MEP: N/A

Will land be dedicated to the City if the vacation goes through: N/A

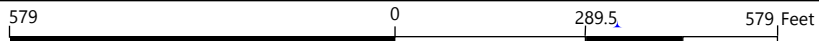
Will an easement be placed over a vacated area, and if so explain: N/A

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 Right-of-Way, as part of a development project called DSST 10825 E 47th Ave.



- ### 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-0000163-001:

LAND DESCRIPTION – STREET PARCEL

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 25TH DAY OF MARCH 2022, AT RECEPTION NUMBER 2022040613 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

A parcel of land located within Block 3, Montbello No. 4, recorded August 8, 1966 at Reception No. 066702, and within Lot 2, Block 2, Montbello No. 11, recorded November 13, 1967 at Reception No. 028432, lying in the Northwest Quarter of Section 23, Township 3 South, Range 67 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado, more particularly described as follows:

Commencing at the intersection of the Denver Range Line lying 20 feet east of the East line of said Block 3, Montbello No. 4 with the Denver Range Line lying 20 feet south of the South line of said Block 3, Montbello No. 4, being a #6 rebar in a range box in the northwest quadrant of the intersection of East 47th Avenue and Joliet Street, and considering said Denver Range Line in East 47th Avenue to bear South 89°27'07" West relative to the Colorado Coordinate System of 1983, Central Zone (grid bearings);

Thence North 27°01'59" West, a distance of 47.16 feet to a point on the southerly line of said Block 3, Montbello No. 4, the Point of Beginning;

Thence along the southerly lines of said Block 3, Montbello No. 4 and said Lot 2, Block 2, Montbello No. 11 the following three (3) courses:

1. Along the arc of a curve to the right having a radius of 30.00 feet and a central angle of 74°56'38", an arc distance of 39.24 feet (chord bears South 51°58'48" West, 36.50 feet);
2. South 89°27'07" West, a distance of 430.00 feet;
3. Along the arc of a curve to the right having a radius of 30.00 feet and a central angle of 66°41'16", an arc distance of 34.92 feet (chord bears North 57°12'15" West, 32.98 feet);

Thence North 89°41'35" East, a distance of 3.09 feet;
Thence South 44°59'47" East, a distance of 7.03 feet;
Thence North 89°41'35" East, a distance of 37.07 feet;
Thence South 45°00'00" East, a distance of 5.36 feet;
Thence North 89°27'07" East, a distance of 411.94 feet;
Thence North 59°28'56" East, a distance of 9.63 feet;
Thence North 89°41'35" East, a distance of 7.37 feet;
Thence North 49°46'37" East, a distance of 13.03 feet to the Point of Beginning,

containing 4,482 Square Feet, or 0.103 Acres, more or less.



2022040613
Page: 1 of 5
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-0000163
Asset Mgmt No.: 21-201

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED (“Deed”), made as of this 18th day of MARCH, 2022, by **DSST BUILDING CORPORATION**, a Colorado nonprofit corporation, whose address is 3401 Quebec Street, Suite 200, Denver, CO 80207, 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:

DSST BUILDING CORPORATION, a Colorado nonprofit corporation

By: *[Signature]*

Name: NICK PLANTAN

Its: SECRETARY

STATE OF Colorado)
) ss.
COUNTY OF Arapahoe)

The foregoing instrument was acknowledged before me this 18th day of March, 2022
by Nick Plantan, as Secretary of DSST Building Corp.,
a Colorado limited liability company.

Witness my hand and official seal.

My commission expires: 05.26.2023

[Signature]
Notary Public

DIANE L. PERRI
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20114020715
MY COMMISSION EXPIRES 05/26/2023

Exhibit A

LAND DESCRIPTION

A parcel of land located within Block 3, Montbello No. 4, recorded August 8, 1966 at Reception No. 066702, and within Lot 2, Block 2, Montbello No. 11, recorded November 13, 1967 at Reception No. 028432, lying in the Northwest Quarter of Section 23, Township 3 South, Range 67 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado, more particularly described as follows:

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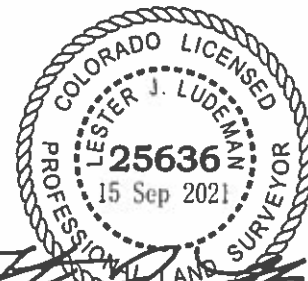
Thence along the southerly lines of said Block 3, Montbello No. 4 and said Lot 2, Block 2, Montbello No. 11 the following three (3) courses:

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Thence North 89°41'35" East, a distance of 3.09 feet;
 Thence South 44°59'47" East, a distance of 7.03 feet;
 Thence North 89°41'35" East, a distance of 37.07 feet;
 Thence South 45°00'00" East, a distance of 5.36 feet;
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 Thence North 89°41'35" East, a distance of 7.37 feet;
 Thence North 49°46'37" East, a distance of 13.03 feet to the Point of Beginning,

containing 4,482 Square Feet, or 0.103 Acres, more or less.

Authored by Lester J. Ludeman, PLS 25636
 1309 S. Inca Street, Denver, CO 80223
 (303) 504-4440



FWS FORESIGHT WEST
 SURVEYING INC.

1309 S. Inca Street, Denver, CO 80223
 (303) 504-4440

Exhibit A



Ironton Street

60' R.O.W. Ordinance 373, 1967

20' Range Line

Lot 2, Block 2
Montbello No. 11
Rec. No. 028432, 11/13/67

Block 3
Montbello No. 4
Rec. No. 066702, 8/8/66

Ordinance 373, 1967

Joliet Street

60' R.O.W. Ordinance 357, 1966

20' Range Line

1"=100'

Parcel Area:
4,482 Sq. Ft.

Point of Beginning

L2
L3
L4
L5

L8
L7
L6
L1

N89°27'07"E 411.94'

S89°27'07"W 430.00'

20' Range Line

90°

90°

Range Point as Evidenced by
Cut Crosses on Walls shown on
Monument Record filed 4/4/94
(No Range Box, Found MagNail)

S89°27'07"W
Bearing Basis
East 47th Avenue

Point of
Commencement
Found #6 Rebar
in Range Box

Ordinance 68, 1967

106' R.O.W.

Ordinance 357, 1966

FWS FORESIGHT WEST
SURVEYING INC.

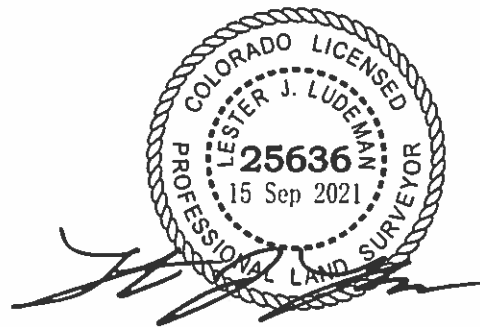
1309 S. Inca Street, Denver, CO 80223
(303) 504-4440

This illustration does not represent a monumented land survey
and is only intended to depict the accompanying description.

Exhibit A

Line	Bearing	Distance
L1	N27°01'59"W	47.16'
L2	N89°41'35"E	3.09'
L3	S44°59'47"E	7.03'
L4	N89°41'35"E	37.07'
L5	S45°00'00"E	5.36'
L6	N59°28'56"E	9.63'
L7	N89°41'35"E	7.37'
L8	N49°46'37"E	13.03'

Curve	Delta Angle	Radius	Arc Distance	Chord Bearing	Chord
C1	74°56'38"	30.00'	39.24'	S51°58'48"W	36.50'
C2	66°41'16"	30.00'	34.92'	N57°12'15"W	32.98'



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