



REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Karen Walton, City Attorney's Office

FROM: Robert J. Duncanson P.E., Engineering Manager II
Right-of-Way Services

DATE: March 21, 2014

ROW #: 2014-0051-13 **SCHEDULE #:** 0232107029000

TITLE: This request is to dedicate a parcel of land as Public Right of Way as Public Alley.
Bounded by Federal Blvd., Eliot St., W. 25th Ave. and W. 26th 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 **(2525 Eliot 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 # (2014-0051-13-001) HERE.

A map of the area to be dedicated is attached.

RD/AG/BLV

cc: Asset Management, Steve Wirth
City Councilperson & Aides, Susan Shepherd District # 1
City Council Staff, Gretchen Williams
Environmental Services, David Erickson
Public Works, Manager's Office, Alba Castro
Public Works, Manager's Office, Nancy Kuhn
Public Works, Right-of-Way Engineering Services, Rob Duncanson
Department of Law, Karen Aviles
Department of Law, Brent Eisen
Department of Law, Karen Walton
Public Works Survey, Ali Gulaid
Public Works Survey, Paul Rogalla
Owner: City and County of Denver
Project file folder 2014-0051-13

ORDINANCE/RESOLUTION REQUEST

Please email requests to Nancy Kuhn at Nancy.Kuhn@Denvergov.org by **NOON 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: March 21, 2014

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, amendment, municipal code change, supplemental request, etc.)*

This request is to dedicate a parcel of land as Public Right of Way as Public Alley.
Bounded by Federal Blvd., Eliot St., W. 25th Ave. and W. 26th Ave.

3. **Requesting Agency:** PW Right of Way Engineering Services

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:** Nancy Kuhn
- **Phone:** 720-865-8720
- **Email:** Nancy.Kuhn@denvergov.org

6. **General description 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 (2525 Eliot 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.)*

- a. **Contract Control Number:** N/A
- b. **Duration:** Permanent
- c. **Location:** Alley bounded by Federal Blvd, Eliot St. W. 25th Ave. and W. 26th Ave.
- d. **Affected Council District:** Susan Shepherd Dist. 1
- e. **Benefits:** N/A
- f. **Costs:** N/A

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: _____



EXECUTIVE SUMMARY

DENVER
THE MILE HIGH CITY

Project Title: 2014-0051-13 Dedication, 2525 Eliot

Description of Proposed Project: Dedicate a parcel of 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

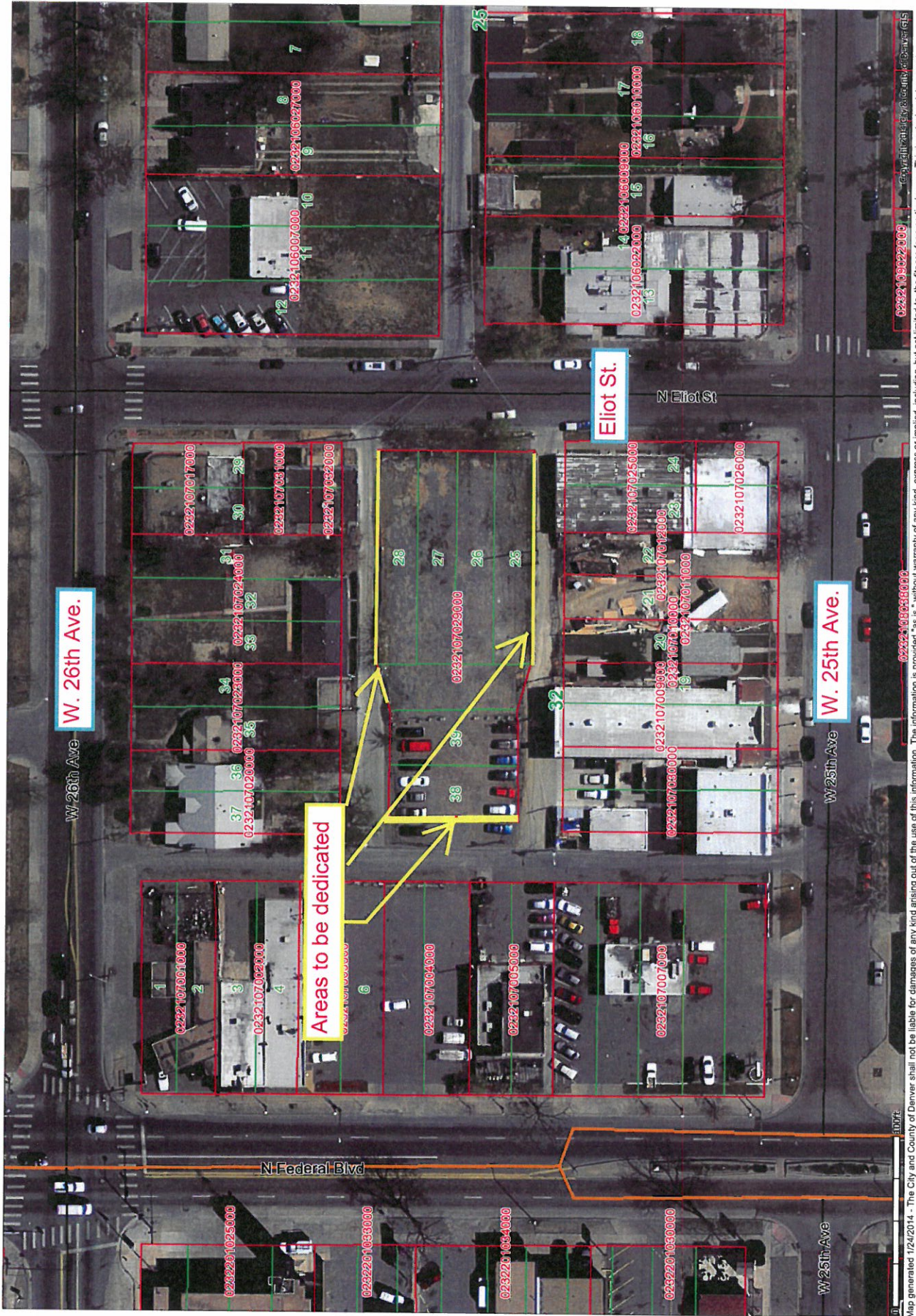
Will land be dedicated to the City if the vacation goes through: N/A

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 to dedicate it as Public Right-of-Way, as a part of a development project called, 2525 Eliot St.

2525 Eliot St.



0232103022000
0232103022000
0232103022000
0232103022000

0232103038000

0232201025000
0232201033000
0232201034000
0232201035000

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NE 1/4 OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, SAID PARCEL OF LAND CONVEYED BY WARRANTY DEED TO THE CITY & COUNTY OF DENVER, RECORDED ON THE 17TH OF JANUARY 2014 BY RECEPTION NUMBER 2014005561 IN THE CITY AND COUNTY OF DENVER CLERK & RECORDER'S OFFICE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT "A":

A TRACT OF LAND SITUATED IN LOT 28 AND PART OF THE VACATED ALLEY (ORDINANCE 367, 1994) C.H. WALKER'S SUBDIVISION OF BLOCK 32, TOWN OF HIGHLAND, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 28; THENCE EAST ALONG THE NORTH LINE OF SAID LOT 28 125.05 FEET TO THE NORTH EAST CORNER OF LOT 28; THENCE ANGLE LEFT 89°58'26" ALONG THE EAST LINE OF LOT 28 2.00 FEET; THENCE ANGLE LEFT 90°01'34" PARALLEL WITH THE NORTH LINE OF SAID LOT 28 131.30 FEET MORE OR LESS TO A POINT ON THE NORTH LINE OF SAID VACATED ALLEY; THENCE ANGLE LEFT 17°44'15" ALONG THE NORTH LINE OF SAID VACATED ALLEY 6.56 FEET MORE OR LESS TO THE POINT OF BEGINNING.
CONTAINS 256 SQUARE FEET.

TRACT "B":

A TRACT OF LAND SITUATED IN LOT 25 AND PART OF THE VACATED ALLEY (ORDINANCE 367, 1994) C.H. WALKER'S SUBDIVISION OF BLOCK 32, TOWN OF HIGHLAND, CITY AND COUNTY OF DENVER, STATE OF COLORADO. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 25, THENCE EAST ALONG THE SOUTH LINE OF SAID LOT 25 125.04 FEET TO THE SOUTH EAST CORNER OF LOT 25; THENCE ANGLE RIGHT 90°01'22" ALONG THE EAST LINE OF LOT 25 2.00 FEET; THENCE ANGLE RIGHT 89°58'38" PARALLEL WITH THE NORTH LINE OF SAID LOT 25 131.30 FEET MORE OR LESS TO A POINT ON THE SOUTH LINE OF SAID VACATED ALLEY THENCE ANGLE RIGHT 17° 44'37" ALONG THE SOUTH LINE OF SAID VACATED ALLEY 6.56 FEET MORE OR LESS TO THE POINT OF BEGINNING.
CONTAINS 257 SQUARE FEET.

TRACT "C":

THE WEST 7.00 FEET OF LOT 38, C.H. WALKER'S SUBDIVISION OF BLOCK 32, TOWN OF HIGHLAND, CITY AND COUNTY OF DENVER, STATE OF COLORADO. CONTAINS 530 SQUARE FEET.

EXHIBIT "A"

LOCATED IN THE NE 1/4 OF SECTION 32
TOWNSHIP 3 SOUTH
RANGE 68 WEST OF THE 6TH P.M.

LEGAL DESCRIPTION**TRACT "A":**

A TRACT OF LAND SITUATED IN LOT 28 AND PART OF THE VACATED ALLEY (ORDINANCE 367, 1994) C.H. WALKER'S SUBDIVISION OF BLOCK 32, TOWN OF HIGHLAND, CITY AND COUNTY OF DENVER, STATE OF COLORADO. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 28, THENCE EAST ALONG THE NORTH LINE OF SAID LOT 28 125.05 FEET TO THE NORTH EAST CORNER OF LOT 28; THENCE ANGLE LEFT 89°58'26" ALONG THE EAST LINE OF LOT 28 2.00 FEET; THENCE ANGLE LEFT 90°01'34" PARALLEL WITH THE NORTH LINE OF SAID LOT 28 131.30 FEET MORE OR LESS TO A POINT ON THE NORTH LINE OF SAID VACATED ALLEY; THENCE ANGLE LEFT 17° 44'15" ALONG THE NORTH LINE OF SAID VACATED ALLEY 6.56 FEET MORE OR LESS TO THE POINT OF BEGINNING.
CONTAINS 256 SQUARE FEET.

TRACT "B":

A TRACT OF LAND SITUATED IN LOT 25 AND PART OF THE VACATED ALLEY (ORDINANCE 367, 1994) C.H. WALKER'S SUBDIVISION OF BLOCK 32, TOWN OF HIGHLAND, CITY AND COUNTY OF DENVER, STATE OF COLORADO. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 25, THENCE EAST ALONG THE SOUTH LINE OF SAID LOT 25 125.04 FEET TO THE SOUTH EAST CORNER OF LOT 25 ; THENCE ANGLE RIGHT 90°01'22" ALONG THE EAST LINE OF LOT 25 2.00 FEET; THENCE ANGLE RIGHT 89°58'38" PARALLEL WITH THE NORTH LINE OF SAID LOT 25 131.30 FEET MORE OR LESS TO A POINT ON THE SOUTH LINE OF SAID VACATED ALLEY; THENCE ANGLE RIGHT 17° 44'37" ALONG THE SOUTH LINE OF SAID VACATED ALLEY 6.56 FEET MORE OR LESS TO THE POINT OF BEGINNING.
CONTAINS 257 SQUARE FEET.

TRACT "C":

THE WEST 7.00 FEET OF LOT 38, C.H. WALKER'S SUBDIVISION OF BLOCK 32, TOWN OF HIGHLAND, CITY AND COUNTY OF DENVER, STATE OF COLORADO. CONTAINS 530 SQUARE FEET.



PWSI LAND SURVEYORS 3545 S. PLATTE RIVER DR., UNIT M-3, SHERIDAN, CO. 80110
(303) 904-1345

EXHIBIT "A"

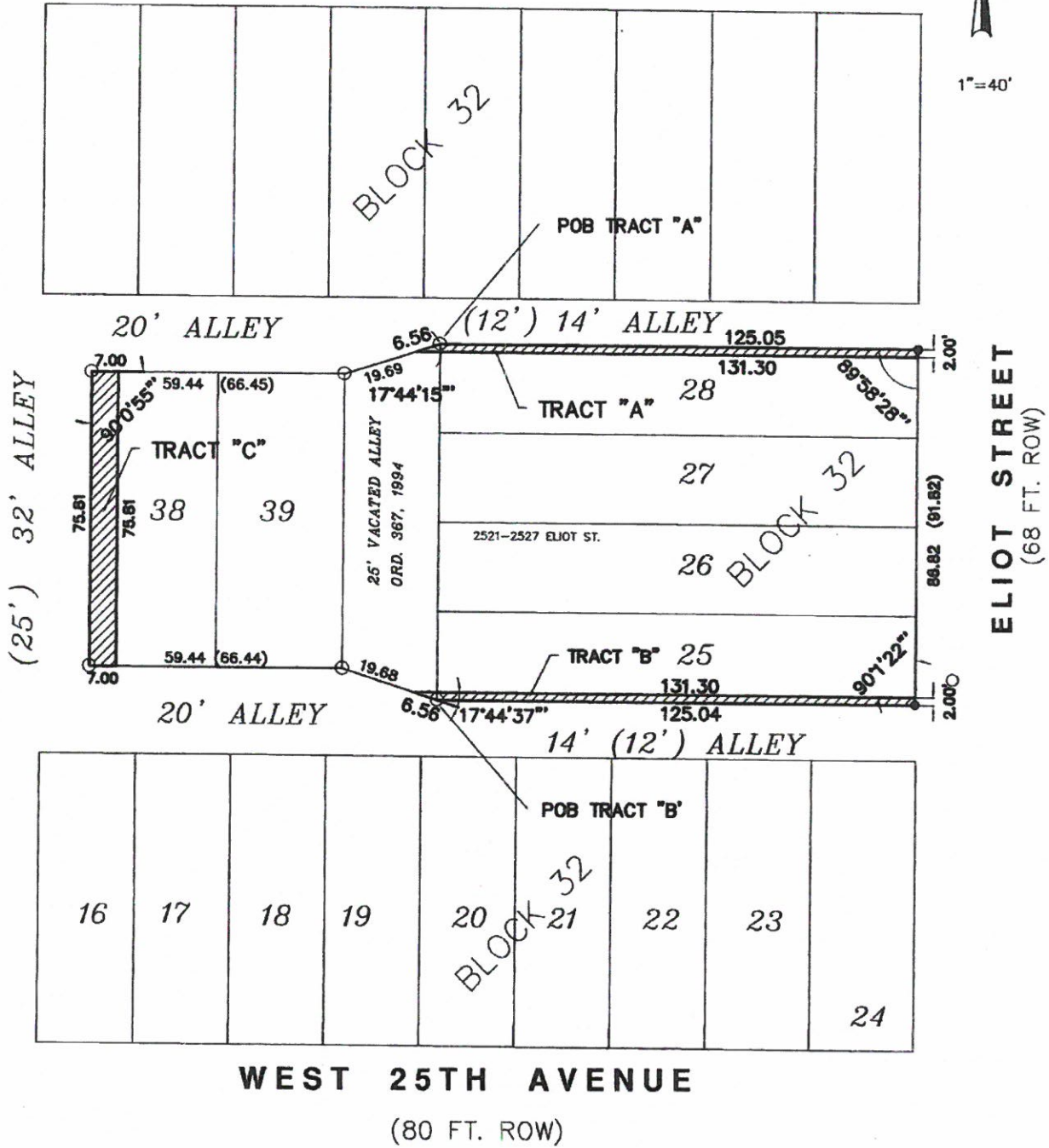
LOCATED IN THE NE 1/4 OF SECTION 32
TOWNSHIP 3 SOUTH
RANGE 68 WEST OF THE 6TH P.M.

WEST 26TH AVENUE

(80 FT. ROW)



1"=40'



PWSI LAND SURVEYORS 3545 S. PLATTE RIVER DR., UNIT M-3, SHERIDAN, CO. 80110
(303) 904-1345



01/17/2014 10:24 AM
City & County of Denver

R \$0.00

WD

2014005561

Page: 1 of 3

D \$0.00

WARRANTY DEED

THIS DEED, dated JANUARY 10, 2014, is between **Eliot and 25th, LLC**, a Colorado limited liability company ("Grantor"), and the **City and County of Denver, a home rule city and municipal corporation of the State of Colorado** ("Grantee"), whose address is 1437 Bannock Street., Denver, CO 80202.

WITNESS, that the 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 is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee, its successors and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the City and County of Denver and State of Colorado, described as follows:

EXHIBIT "A" attached hereto and incorporated herein

Assessor's schedule or parcel number: Vacant Land
Address: Vacant Land

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the Grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the Grantee, its successors and assigns forever. The Grantor covenants, grants, bargains, and agrees to and with the Grantee, its successors and assigns, that at the time of the ensembling and delivery of these presents, it is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature whatsoever, except for all matters of record.

The grantor shall and will **WARRANT AND FOREVER DEFEND** the above bargained premises in the quiet and peaceable possession of the grantee, its successors and assigns, against all and every person or persons lawfully claiming the whole or any part thereof, except for all matters of record.

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

Eliot and 25th, LLC

By: DAVID BERTON

Title: OWNER

STATE OF Colorado
COUNTY OF Denver

The foregoing instrument was acknowledged before me this day 10 of JANUARY, 2014 by DAVID BERTON as OWNER of Eliot and 25th, LLC.

Witness my hand and official seal.

My commission expires: July 17, 2017

Notary Public

**KENNETH GOLDMAN
NOTARY PUBLIC
STATE OF COLORADO**

14-009
Asset Mgmt. #
Asset Management
Date: 1-17-14
Approved
Project Description: Key
2525 ELIOT