



## REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

**TO:** Caroline Martin, City Attorney's Office

**FROM:** Matt Bryner, P.E. Senior Engineering Manager  
Right-of-Way Services

**DATE:** May 21, 2018

**ROW #:** 2015-Dedication-0000060      **SCHEDULE #:** 0522705041000

**TITLE:** This request is to dedicate a parcel of land as Public Right of Way as Public alley.  
Located in the alley bounded by S. Pearl St., E. Iowa Ave., S. Pennsylvania St. and E. Florida 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 (**Denchu Restaurant**)

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 # (2018-Dedication-0000060-001) 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, Sarah Stanek  
Public Works, Right-of-Way Engineering Services, Matt Bryner  
Department of Law, Brent Eisen  
Department of Law, Shaun Sullivan  
Department of Law, Caroline Martin  
Department of Law, Stan Lechman  
Department of Law, Cynthia Devereaux  
Public Works Survey, Ron Ellis  
Public Works Survey, Paul Rogalla  
Owner: City and County of Denver  
Project file folder 2018-Dedication-0000060

## ORDINANCE/RESOLUTION REQUEST

Please email requests to Sarah Stanek  
at [sarah.stanek@DenverGov.org](mailto: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: May 21, 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 a parcel of land as Public Right of Way as Public alley.  
Located in the alley bounded by S. Pearl St., E. Iowa Ave., S. Pennsylvania St. and E. Florida 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:** Sarah Stanek
- **Phone:** 720-865-8713
- **Email:** Sarah.stanek@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 (**Denchu Restaurant**)

**\*\*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 S. Pearl St., E. Iowa Ave., S. Pennsylvania St. and E. Florida 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.

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: \_\_\_\_\_

Date Entered: \_\_\_\_\_



**DENVER**  
THE MILE HIGH CITY

## EXECUTIVE SUMMARY

**Project Title: 2018-Dedication-0000060, Denchu Restaurant**

**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**

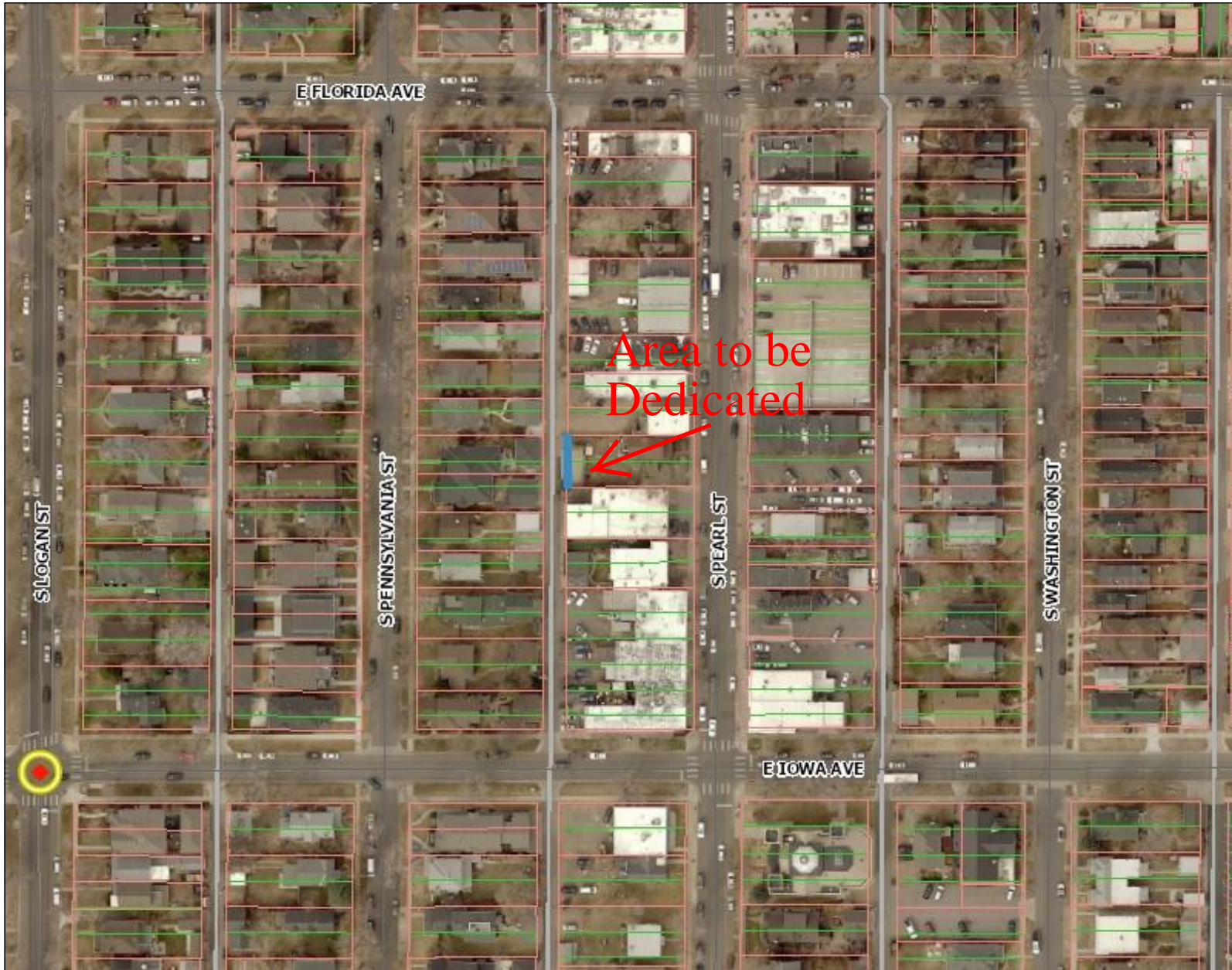
**What is the known duration of an MEP: N/A**

**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 to dedicate it as Public Right-of-Way, as a part of a development project called, Denchu Restaurant.**



### 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

289 0 144.5 289 Feet

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
© City and County of Denver

1:2,257

Map Generated 5/21/2018

The City and County of Denver shall not be liable for damages of any kind arising out of the use of this information. The information is provided "as is" without warranty of any kind, express or implied, including, but not limited to, the fitness for a particular use.

**THIS IS NOT A LEGAL DOCUMENT.**

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING A PORTION OF LOTS 35 & 36, BLOCK 2, FLEMING'S SUBDIVISION AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE 16' RANGE LINE ALONG SOUTH PEARL STREET TO BEAR SOUTH 00°00'34" WEST, A DISTANCE OF 628.25 FEET BETWEEN FOUND 2 1/4" ALUMINUM CAPS STAMPED "FALCON SURVEYING INC. CITY & CNT DEN PLS 34183" IN RANGE BOXES AT THE INTERSECTION OF SOUTH PEARL STREET AND FLORIDA AVENUE AND AT THE INTERSECTION OF SOUTH PEARL STREET AND IOWA AVENUE, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT SAID RANGE POINT AT THE INTERSECTION OF SOUTH PEARL STREET AND FLORIDA AVENUE; THENCE ALONG SAID 16' RANGE LINE, SOUTH 00°00'34" WEST, A DISTANCE OF 369.75 FEET; THENCE SOUTH 89°25'30" WEST, A DISTANCE OF 16.00 FEET TO THE SOUTHEASTERLY CORNER OF LOT 35, BLOCK 2, FLEMING'S SUBDIVISION MONUMENTED BY A 1 1/2" PLUG WITH 1" COPPER CAP STAMPED "COPLS.COM 26958 RM" AT A 4.0' OFFSET; THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 35, SOUTH 89°25'30" WEST, A DISTANCE OF 123.05 FEET TO THE POINT OF BEGINNING;  
THENCE CONTINUING ALONG SAID SOUTHERLY LINE, SOUTH 89°25'30" WEST, A DISTANCE OF 2.00 FEET TO THE SOUTHWESTERLY CORNER OF SAID LOT 35, MONUMENTED BY A 1 1/2" PLUG WITH 1" COPPER CAP STAMPED "COPLS.COM 26958 RM" AT A 2.0' OFFSET; THENCE ALONG THE EASTERLY RIGHT-OF-WAY LINE OF THE ALLEY WITHIN SAID BLOCK 2, NORTH 00°00'34" EAST, A DISTANCE OF 50.00 FEET TO THE NORTHWESTERLY CORNER OF LOT 36, SAID BLOCK 2, BEING MONUMENTED BY A 1 1/2" PLUG WITH 1" COPPER CAP STAMPED "COPLS.COM 26958 RM" AT A 2.0' OFFSET; THENCE ALONG THE NORTHERLY LINE OF SAID LOT 36, NORTH 89°25'35" EAST, A DISTANCE OF 2.00 FEET; THENCE PARALLEL WITH AND 2.0 FEET EASTERLY OF SAID EASTERLY RIGHT-OF-WAY LINE, SOUTH 00°00'34" WEST, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 100 SQ. FT., MORE OR LESS.



05/16/2018 11:02 AM  
City & County of Denver

R \$0.00

WD

2018057800

Page: 1 of 4

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

**SPECIAL WARRANTY DEED**

**THIS SPECIAL WARRANTY DEED** (“Deed”), made as of this 14 day of May, 2018, by **TOSHIHIRO KIZAKI**, whose address is 1487 S. Pearl St., Denver, CO 80210, 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:

TOSHIHIRO KIZAKI

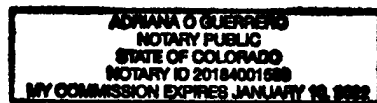
*[Handwritten signature of Toshihiro Kizaki]*

STATE OF Colorado )  
 ) ss.  
COUNTY OF Denver )

The foregoing instrument was acknowledged before me this 14 day of May, 2018.

Witness my hand and official seal.

My commission expires: 01-10-2022



*[Handwritten signature of Notary Public]*  
\_\_\_\_\_  
Notary Public

# EXHIBIT "A"

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 4 SOUTH,  
RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN,  
CITY AND COUNTY OF DENVER, STATE OF COLORADO  
SHEET 1 OF 2

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING A PORTION OF LOTS 35 & 36, BLOCK 2, FLEMING'S SUBDIVISION AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE 16' RANGE LINE ALONG SOUTH PEARL STREET TO BEAR SOUTH 00°00'34" WEST, A DISTANCE OF 628.25 FEET BETWEEN FOUND 2 1/4" ALUMINUM CAPS STAMPED "FALCON SURVEYING INC. CITY & CNT DEN PLS 34183" IN RANGE BOXES AT THE INTERSECTION OF SOUTH PEARL STREET AND FLORIDA AVENUE AND AT THE INTERSECTION OF SOUTH PEARL STREET AND IOWA AVENUE, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

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SAID PARCEL CONTAINING 100 SQ. FT., MORE OR LESS.

I, JOHN B. GUYTON, A LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY STATE FOR AND ON BEHALF OF FLATIRONS, INC., THAT THIS PARCEL DESCRIPTION AND ATTACHED EXHIBIT, BEING MADE A PART THEREOF, WERE PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE AT THE REQUEST OF THE CLIENT AND IS NOT INTENDED TO REPRESENT A MONUMENTED LAND SURVEY OR SUBDIVIDE LAND IN VIOLATION OF STATE STATUTE.

JOHN B. GUYTON  
COLORADO P.L.S. #16406  
CHAIRMAN/CEO, FLATIRONS, INC.



JOB NUMBER: 17-69,956  
DRAWN BY: M. LUND  
DATE: JANUARY 18, 2018

THIS IS NOT A "LAND SURVEY PLAT" OR "IMPROVEMENT SURVEY PLAT" AND THIS EXHIBIT IS NOT INTENDED FOR PURPOSES OF TRANSFER OF TITLE OR SUBDIVISIONS OF LAND. RECORD INFORMATION SHOWN HEREON IS BASED ON INFORMATION PROVIDED BY CLIENT.

**Flatirons, Inc.**  
Surveying, Engineering & Geomatics



4501 LOGAN ST.  
DENVER, CO 80216  
PH: (303) 936-6997  
FAX: (303) 443-9830  
[www.FlatironsInc.com](http://www.FlatironsInc.com)



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LOCATED IN THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 4 SOUTH,  
RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN,  
CITY AND COUNTY OF DENVER, STATE OF COLORADO

SHEET 2 OF 2

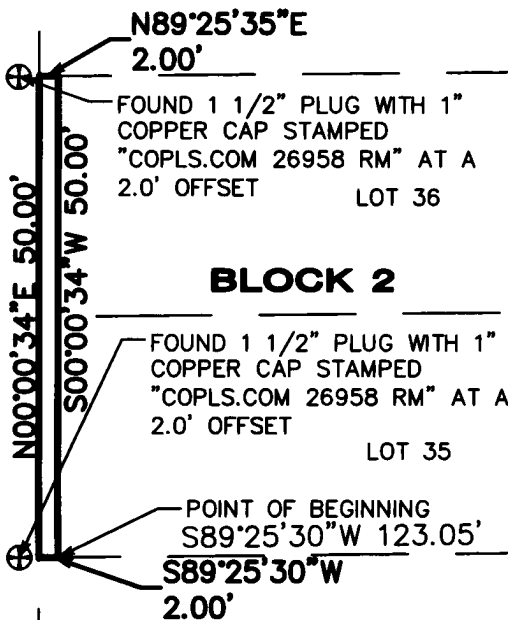


FLORIDA AVENUE

POINT OF COMMENCEMENT  
FOUND 2 1/4" ALUMINUM CAP  
STAMPED "FALCON SURVEYING  
INC. CITY & CNT DEN PLS  
34183" IN RANGE BOX

19.75' RANGE LINE

ALLEY  
(16' RIGHT-OF-WAY)



**BLOCK 2**

369.75' 16' RANGE LINE  
BASIS OF BEARINGS  
S00°00'34"W 628.25' (AM)

SOUTH PEARL STREET  
(60' RIGHT-OF-WAY)

FOUND 1 1/2" PLUG WITH  
1" COPPER CAP STAMPED  
"COPLS.COM 26958 RM"  
AT A 4.0' OFFSET  
S89°25'30"W  
16.00'

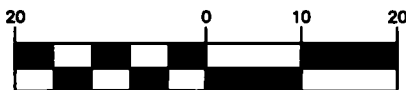
POINT OF BEGINNING  
S89°25'30"W 123.05'  
2.00'

FOUND 2 1/4" ALUMINUM CAP  
STAMPED "FALCON SURVEYING  
INC. CITY & CNT DEN PLS  
34183" IN RANGE BOX

IOWA AVENUE

20' RANGE LINE

GRAPHIC SCALE



( IN FEET )

1 inch = 20 ft.

JOB NUMBER: 17-69,956  
DRAWN BY: M. LUND  
DATE: JANUARY 18, 2018

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FAX: (303) 443-9830

www.FlatironsInc.com

BY:MLUND FILE:69956 ALLEY EXH C17.DWG DATE:1/18/2018 2:09 PM