



## 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:** September 26, 2019

**ROW #:** 2019-Dedication-0000098      **SCHEDULE #:** 0522705038000

**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 (**Second Star to the Right Children's Store**)

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 # (2019-Dedication-0000098-001) HERE.**

A map of the area to be dedicated is attached.

MB/RE/bv

cc: Dept. of Real Estate, Katherine Rinehart  
City Councilperson & Aides, Jolon Clark District # 7  
Council Aide Maggie Thompson  
Council Aide Anita Banuelos  
Council Aide Tate Carpenter  
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, Ron Ellis  
Public Works Survey, Paul Rogalla  
Public Works Ordinance  
Owner: City and County of Denver  
Project file folder 2019-Dedication-0000098

## 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: September 26, 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.**)

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:** 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 (**Second Star to the Right Children's Store**)

**\*\*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: 2019-Dedication-0000098**

**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**

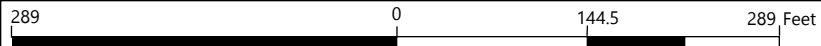
**Additional information: This land was deeded to the City and County of Denver for the purpose of dedicating it as Public Right-of-Way, as a part of a development project called Second Star to the Right Children's Store.**



Area to be dedicated

### Legend

-  Well Restrictions
-  Barrier Restrictions
- Area Restrictions**
-  Liner
-  Sheet Pile Wall Area
-  Streams
-  Buildings
-  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



**2019-DEDICATION-0000098-001**

A parcel of land conveyed by Special Warranty Deed to the City and County of Denver, recorded on the 3rd day of September 2019, at Reception No. 2019117643 in the City and County of Denver Clerk and Recorder's Office, State of Colorado, being more particularly described as follows:

**LAND DESCRIPTION:**

**A PARCEL OF LAND 2 FEET IN WIDTH BEING THE WEST 2' OF LOT 37 AND THE SOUTH 2 INCHES OF LOT 38, BLOCK 2, FLEMING'S SUBDIVISION. LOCATED IN THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING AT THE NORTHWEST CORNER OF THE SOUTH 2 INCHES OF SAID LOT 38; THENCE N89°26'02"E A DISTANCE OF 2 FEET ALONG THE NORTH LINE OF THE SAID SOUTH 2 INCHES OF LOT 38; THENCE S00°00'34"W ALONG A LINE 2.0 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID LOT 38 AND SAID LINE EXTENDED, 25.17 FEET TO A POINT ON THE SOUTH LINE OF LOT 37, THENCE S89°26'02"W ALONG SAID SOUTH LINE OF LOT 37, 2.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 37, THENCE N00°00'34"E ALONG THE WEST LINE OF LOT 37 AND SAID LINE EXTENDED, 25.17 FEET TO THE POINT OF BEGINNING.**

**THE ABOVE DESCRIBED PARCEL CONTAINS 50.34 SQUARE FEET MORE OR LESS.**

**BASIS OF BEARINGS:**

**THE 4.00' OFFSET LINE EAST OF THE EAST LINE OF LOTS 35-37, BLOCK 2, FLEMMING'S SUBDIVISION BEING MONUMENTED BY 1.5" PLUG & 1" COPPER CAP, STAMPED "COPLS.COM 26958 RM" AT A 4.0' OFFSET, IN THE NORTH AND 1.5" PLUG & 1" COPPER CAP STAMPED "COPLS.COM 26958 M" AT A 4.0' OFFSET IN THE SOUTH AND BEARS N00°00'34"E, CITY AND COUNTY OF DENVER RECORDS.**



2019117643  
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 27<sup>th</sup> day of August, 2019, by **Speedy Dog LLC**, a Colorado limited liability company, whose address is 9663 W. 69<sup>th</sup> Place, Arvada, CO 80004, 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.

Record Map # 19-123

Project Description  
2019-Dedication - 00000 98  
1915 & Dan Small

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

ATTEST:

**Speedy Dog LLC**, a Colorado Limited Liability Company

By: Marc Lavoie

Name: Marc Lavoie

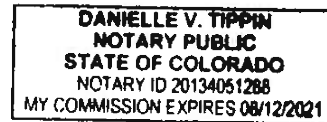
Its: owner

STATE OF COLORADO    )  
  ) ss.  
COUNTY OF DENVER    )

The foregoing instrument was acknowledged before me this 27<sup>th</sup> day of August, 2019 by Marc Lavoie, as owner of **Speedy Dog LLC**, a Colorado Limited Liability Company.

Witness my hand and official seal.

My commission expires: 8/12/2021



Danielle V. Tippin  
Notary Public

EXHIBIT A  
SHEET 1 OF 2

LAND DESCRIPTION:

A PARCEL OF LAND 2 FEET IN WIDTH BEING THE WEST 2' OF LOT 37 AND THE SOUTH 2 INCHES OF LOT 38, BLOCK 2, FLEMING'S SUBDIVISION. LOCATED IN THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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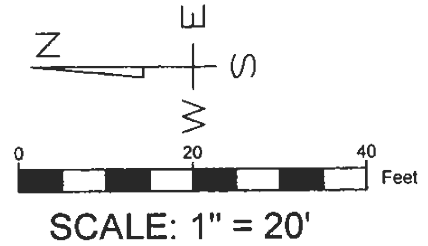
RAYMOND W. BAYER PLS 6973  
FOR AND ON BEHALF OF CALAHAN CONSTRUCTION  
1661 WADSWORTH BOULEVARD  
LAKEWOOD, CO 80214



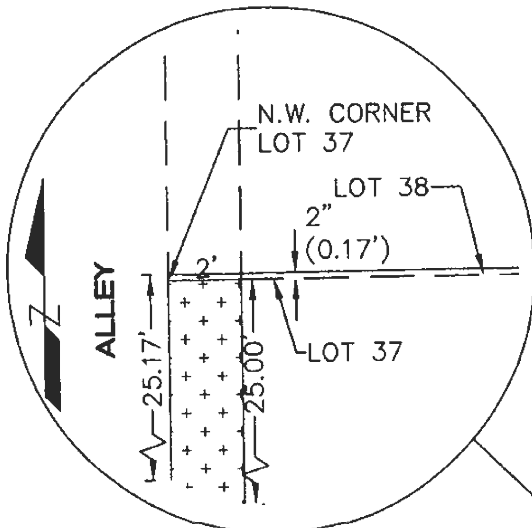
PREPARED BY:  
R.W. BAYER & ASSOCIATES, INC.  
12170 NORTH TEJON STREET, NO. 700  
WESTMINSTER, CO 80234  
(303) 406-1330



EXHIBIT A  
SHEET 2 OF 2



LINE TABLE		
LINE #	BEARING	DISTANCE
L1	N89°26'02"E	2.00
L2	S89°26'02"W	2.00



DETAIL - NOT TO SCALE

