



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: February 13, 2019

ROW #: 2018-Dedication-0000141 **SCHEDULE #:** 0526108027000

TITLE: This request is to dedicate a parcel of land as Public Right of Way as E. Evans Ave. Located near the intersection of E. Evans Ave. and S. Race St.

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. Evans Ave. 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 (**DU Community Commons and First Year Residence Hall**)

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 E. Evans Ave. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2018-Dedication-0000141-001) HERE.

A map of the area to be dedicated is attached.

MB/RP/bv

cc: Dept. of Real Estate, Katherine Rinehart
City Councilperson & Aides, Paul Kashmann District # 6
Council Aide Valerie Kerns
Council Aide Brent Fahrberger
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, Brad Beck
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 Post
Public Works Survey, Paul Rogalla
Owner: City and County of Denver
Project file folder 2018-Dedication-0000141

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: February 13, 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 E. Evans Ave.
Located near the intersection of E. Evans Ave. and S. Race St.

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 E. Evans Ave. 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 (**DU Community Commons and First Year Residence Hall**)

****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:** Near E. Evans and S. Race St.
- d. **Affected Council District:** Paul Kashmann Dist. #6
- 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-0000141

Description of Proposed Project: Dedicate a parcel of land as public right of way as E. Evans 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 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

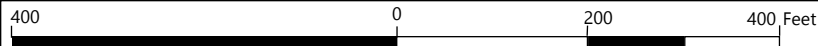
Will an easement relinquishment be submitted at a later date: N/A

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 DU Community Commons and First Year Residence Hall.



Legend

-  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



PW Legal Description No. 2018-Dedication-0000141-001

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 14TH DAY OF NOVEMBER 2018, AT RECEPTION NUMBER 2018146733 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

A PARCEL OF LAND BEING A PORTION OF BLOCKS 32 AND 33, UNIVERSITY PARK AMENDED MAP, VACATED SOUTH GAYLORD STREET, VACATED VINE STREET AND THE VACATED ALLEY WITHIN SAID BLOCK 33, LOCATED IN THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE RIGHT-OF-WAY DEDICATED BY ORDINANCE 416-SERIES 1991; THENCE ALONG THE EASTERLY LINE OF SAID RIGHT-OF-WAY, $N00^{\circ}02'50''W$ A DISTANCE OF 2.00 FEET; THENCE ALONG A LINE THAT IS 2 FEET NORTHERLY OF AND PARALLEL TO THE SOUTHERLY LINE OF SAID BLOCK 33 AND ITS EASTERLY EXTENSION, $N89^{\circ}57'10''E$ A DISTANCE OF 157.54 FEET; THENCE $N89^{\circ}36'25''E$ A DISTANCE OF 165.66 FEET; THENCE ALONG A LINE THAT IS 3 FEET NORTHERLY OF AND PARALLEL TO THE SOUTHERLY LINE OF SAID BLOCK 32 AND ITS EASTERLY EXTENSION, $N89^{\circ}57'10''E$ A DISTANCE OF 60.32 FEET; THENCE $S00^{\circ}02'50''E$ A DISTANCE OF 3.00 FEET; THENCE ALONG THE SOUTHERLY LINE OF SAID BLOCK 32 AND 33 AND SAID VACATED STREETS AND ALLEY, $S89^{\circ}57'10''W$ A DISTANCE OF 383.51 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 0.021 ACRES (910 SQUARE FEET), MORE OF LESS.

ALL DIMENSIONS ARE IN U.S. SURVEY FEET.

BASIS OF BEARINGS AND COORDINATES:

BEARINGS ARE BASED ON STATE PLANE COORDINATES FOR THE NAD 83(1996) COLORADO CENTRAL ZONE BASED ON THE CITY AND COUNTY OF DENVER HORIZONTAL CONTROL NETWORK.

COORDINATES ARE MODIFIED TO GROUND LEVEL BY MULTIPLYING THE STATE PLANE COORDINATES BY A COMBINED SCALE FACTOR OF 1.000267379 AND SUBTRACTING 1,000,000 FROM THE NORTHING AND 3,000,000 FROM THE EASTING WITH A BEARING OF $N89^{\circ}57'47''E$ ALONG THE 20 FOOT RANGE LINE IN EAST ASBURY AVENUE BETWEEN S. RACE ST. AND S. YORK ST. BEING MONUMENTED BY A FOUND #4 REBAR IN RANGE BOX AT S. RACE ST. AND A FOUND 1-1/2" SQUARE ROD PLS # 31158 IN RANGE BOX AT S. YORK ST.



11/14/2018 10:32 AM
City & County of Denver

R \$0.00

WD

2018146733

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 31st day of OCTOBER, 2018, by Colorado Seminary, a Colorado non-profit corporation, organized and existing pursuant to a charter approved by the Council and House of Representatives of Colorado Territory, March 4, 1864, whose address is 2199 South University Boulevard, Denver, CO 80210-4711, 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.

Asset Mgmt. #11111111

1000 E. Astbury Ave.
2018 - Dedication - 0000141

11/14/18

Ver

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

ATTEST:

COLORADO SEMINARY

By: Craig Woody

Name: Craig Woody

Its: Senior Vice Chancellor for Business & Financial Affairs

ATTEST:

Angela P. Duggan

Assistant

[SEAL]



STATE OF COLORADO)

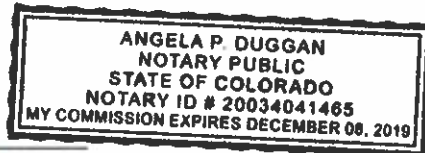
) ss.

COUNTY OF DENVER)

The foregoing instrument was acknowledged before me this 31st day of October, 2018 by Craig Woody, as its Senior Vice Chancellor for Business and Financial Affairs of **COLORADO SEMINARY**, a Colorado non-profit corporation, organized and existing pursuant to a Charter approved by the Council and House of Representatives of Colorado Territory on March 4, 1864.

Witness my hand and official seal.

My commission expires: Dec. 8, 2019



Angela P. Duggan
Notary Public

EXHIBIT A
LAND DESCRIPTION
SHEET 1 OF 2

A PARCEL OF LAND BEING A PORTION OF BLOCKS 32 AND 33, UNIVERSITY PARK AMENDED MAP, VACATED SOUTH GAYLORD STREET, VACATED VINE STREET AND THE VACATED ALLEY WITHIN SAID BLOCK 33, LOCATED IN THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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BASIS OF BEARINGS AND COORDINATES:

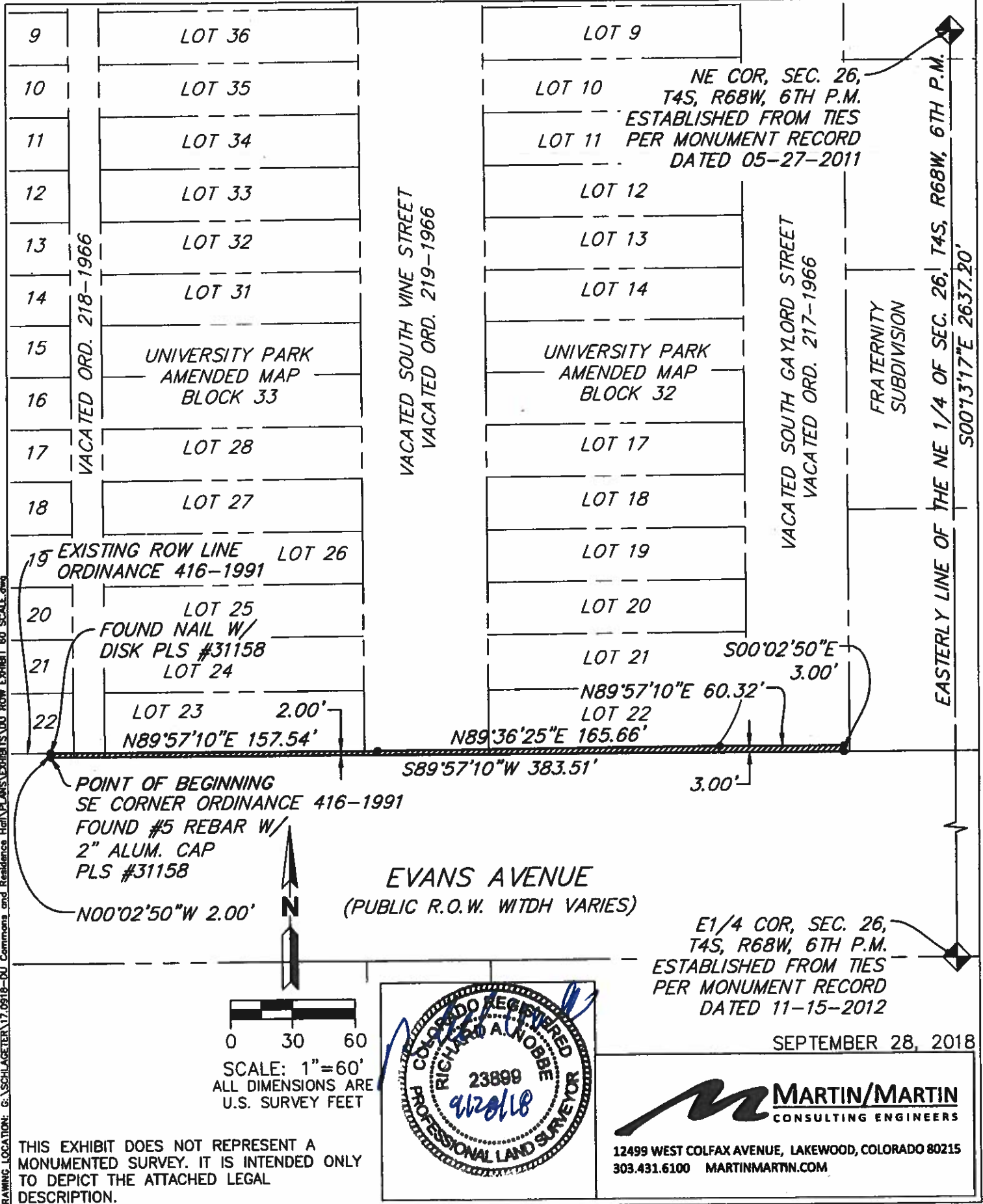
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PREPARED BY DENNIS PETER
REVIEWED BY RICHARD A. NOBBE, PLS
FOR AND ON BEHALF OF MARTIN/MARTIN, INC.
12499 WEST COLFAX AVENUE
LAKEWOOD, COLORADO 80215
SEPTEMBER 28, 2018



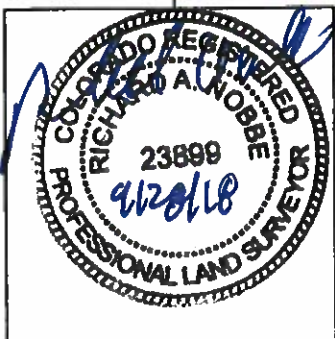
EXHIBIT A
SHEET 2 OF 2

2018-PROJMSTR-000057-ROW



DRAWING LOCATION: G:\SCHLAGETER\17.0919-DU Commons and Residence Hall\PLANS\EXHIBITS\DU ROW EXHIBIT 60 SCALE.dwg

THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED SURVEY. IT IS INTENDED ONLY TO DEPICT THE ATTACHED LEGAL DESCRIPTION.



MARTIN/MARTIN
CONSULTING ENGINEERS
12499 WEST COLFAX AVENUE, LAKEWOOD, COLORADO 80215
303.431.6100 MARTINMARTIN.COM

SEPTEMBER 28, 2018