



## 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:** January 24, 2019

**ROW #:** 2018-Dedication-0000155      **SCHEDULE #:** 0235233037000

**TITLE:** This request is to dedicate a parcel of land as Public Right of Way as Public Alley.  
Located in the alley bounded by 26<sup>th</sup> St., Welton St. and N. Washington 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 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 (**9-story mixed-use bldg.**)

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-0000155-001) HERE.**

A map of the area to be dedicated is attached.

MB/JS/bv

cc: Dept. of Real Estate, Katherine Rinehart  
City Councilperson & Aides, Albus Brooks District # 9  
Council Aide Chy Montoya  
Council Aide Emily Brown  
Council Aide Evelyn Barnes  
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, Jon Spirk  
Public Works Survey, Paul Rogalla  
Owner: City and County of Denver  
Project file folder 2018-Dedication-0000155

## 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: January 24, 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 26<sup>th</sup> St., Welton St. and N. Washington 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 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 (**9-story mixed-use bldg.**)

**\*\*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 26<sup>th</sup> St., Welton St. and N. Washington St.
- d. **Affected Council District:** Albus Brooks Dist. #9
- 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-0000155**

**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, a 9-story mixed-use bldg.**



### 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

200 0 100 200 Feet

Being that parcel of land conveyed by Special Warranty Deed to the City and County of Denver, recorded on the 30th day of October 2018, at Reception No. 2018140364 in the City and County of Denver Clerk and Recorder's Office, State of Colorado, being more particularly described as follows:

A PARCEL OF LAND BEING A PORTION OF LOTS 11 THROUGH 16, BLOCK 184, STILES ADDITION TO THE CITY OF DENVER, SITUATED IN THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 3 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 EAST CORNER OF LOT 11, BLOCK 184, STILES ADDITION TO THE CITY OF DENVER;

THENCE SOUTH 44°55'51" WEST, A DISTANCE OF 150.00 FEET TO THE SOUTH CORNER OF SAID LOT 16;

THENCE NORTH 45°01'41" WEST ALONG THE SOUTHWEST LINE OF SAID LOT 16, A DISTANCE OF 2.00 FEET;

THENCE NORTH 44°55'51" EAST, A DISTANCE OF 150.00 FEET TO A POINT ON THE NORTHEAST LINE OF SAID LOT 11;

THENCE SOUTH 45°01'41" EAST ALONG SAID NORTHEAST LINE, A DISTANCE OF 2.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 300 SQUARE FEET OR 0.01 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE EAST LINE OF THE NORTH HALF OF THE NORTH QUARTER OF SECTION 34, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, ASSUMED TO BEAR N00°02'37E.



2018140364

Page: 1 of 6

D \$0.00

10/30/2018 03:08 PM

R \$0.00

WD

City & County of Denver

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 29<sup>th</sup> day of October 2018, by **2600 WELTON ST., LLC**, a Colorado limited liability company, whose address is 1127 Sherman St. #100 ("Grantor") to the **CITY AND COUNTY OF DENVER**, a Colorado municipal corporation of Denver, CO the State of Colorado and home rule city, whose address is 1437 Bannock Street, Denver, Colorado 80202 ("Grantee"). 80203

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 **Exhibit A** attached hereto and incorporated herein (the "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, subject to all matters listed on **Exhibit B**, attached hereto and incorporated herein.

No separate bill of sale with respect to improvements on the Property will be executed.

[Signature Page Follows]

Asset Mgmt. # 18-182

Project Description: 2600 + Welton 2018 - Dedication - 0000155

Asset Management Date: 10/30/18

Approved: [Signature]



**Exhibit A  
To Special Warranty Deed**

**The Property**

**[See attached]**



## **Exhibit B**

**(Exceptions listed on Title Commitment effective September 10, 2018)**

9. ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE N.B.R. WELTON STRIP PUBLIC IMPROVEMENTS PEDESTRIAN MALL, 2600-2700 BLOCKS LOCAL MAINTENANCE DISTRICT, AS EVIDENCED BY INSTRUMENT RECORDED NOVEMBER 14, 1985, UNDER RECEPTION NO. 1191853.
  
11. ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE WELTON STREET PEDESTRIAN MALL LOCAL MAINTENANCE DISTRICT, AS EVIDENCED BY INSTRUMENT RECORDED SEPTEMBER 29, 1995, UNDER RECEPTION NO. 9500120023.
  
12. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE WELTON STREET COMMERCIAL CORRIDOR CULTURAL DISTRICT, AS EVIDENCED BY INSTRUMENT RECORDED FEBRUARY 15, 2002, UNDER RECEPTION NO. 2002033014.
  
13. ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE FIVE POINTS BUSINESS IMPROVEMENT DISTRICT, AS EVIDENCED BY INSTRUMENT RECORDED JUNE 02, 2016, UNDER RECEPTION NO. 2016071855.

EXHIBIT A

SHEET 1 OF 2

LAND DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF LOTS 11 THROUGH 16, BLOCK 184, STILES ADDITION TO THE CITY OF DENVER, SITUATED IN THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 3 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 EAST CORNER OF LOT 11, BLOCK 184, STILES ADDITION TO THE CITY OF DENVER;

THENCE SOUTH 44°55'51" WEST, A DISTANCE OF 150.00 FEET TO THE SOUTH CORNER OF SAID LOT 16;  
THENCE NORTH 45°01'41" WEST ALONG THE SOUTHWEST LINE OF SAID LOT 16, A DISTANCE OF 2.00 FEET;

THENCE NORTH 44°55'51" EAST, A DISTANCE OF 150.00 FEET TO A POINT ON THE NORTHEAST LINE OF SAID LOT 11;

THENCE SOUTH 45°01'41" EAST ALONG SAID NORTHEAST LINE, A DISTANCE OF 2.00 FEET TO THE POINT OF BEGINNING.

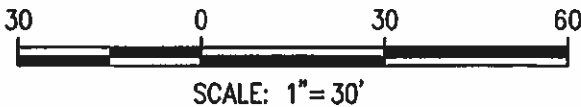
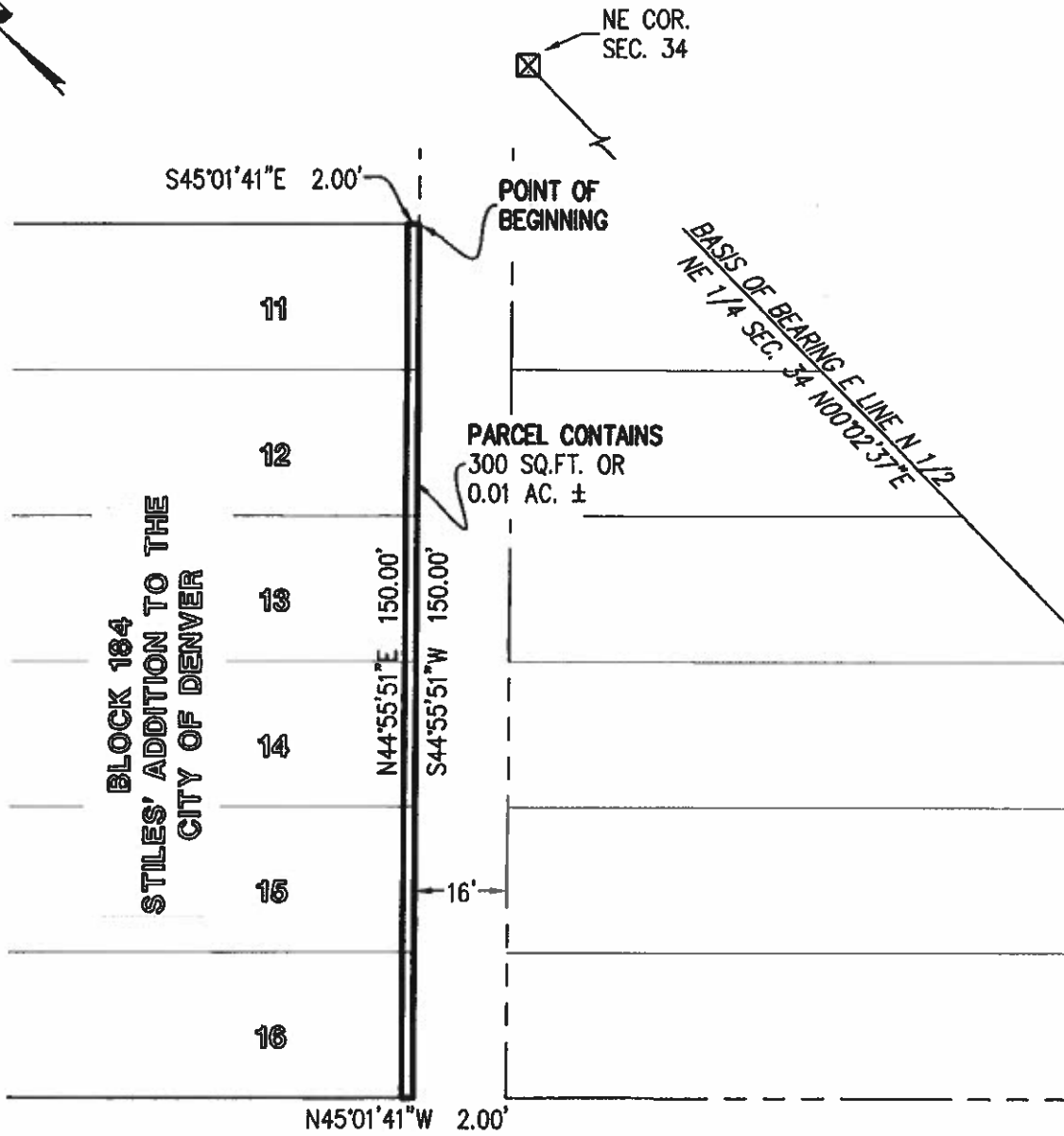
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PREPARED BY: AARON MURPHY  
PLS 38162  
ON BEHALF OF: HARRIS KOCHER SMITH  
1120 LINCOLN STREET, SUITE 1000  
DENVER, CO 80203  
303.623.6300



**EXHIBIT A**  
SHEET 2 OF 2



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

NO CHANGES ARE TO BE MADE TO THIS DRAWING WITHOUT WRITTEN PERMISSION OF HARRIS KOCHER SMITH.

ISSUE DATE: 09-07-2018		PROJECT #: 180408	
DATE	REVISION COMMENTS		

NE 1/4 SEC. 34, T3S, R68W,  
6TH PRINCIPAL MERIDIAN

EXHIBIT A

**HKS** HARRIS  
KOCHER  
SMITH  
1120 Lincoln Street, Suite 1000  
Denver, Colorado 80203  
P: 303.823.8300 F: 303.823.8311  
HarrisKocherSmith.com

CHKD BY: AWM  
DRAWN BY: JAF

SHEET NO

2

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