



REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Charlene Thompson, City Attorney's Office
FROM: Robert J. Duncanson P.E., Engineering Manager II
Right-of-Way Services
DATE: December 10, 2015
ROW #: 2015-Dedication-0000101 **SCHEDULE #:** 0513103051000
TITLE: This request is to dedicate a parcel of land as Public Right of Way as Dakota Ave.
Located at the intersection of S. Jackson and E. Dakota 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 Dakota 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 (**Jackson Street Apartments**)

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 Dakota Ave. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2015-Dedication-0000101-001) HERE.

A map of the area to be dedicated is attached.

RD/JC/BLV

cc: Asset Management, Steve Wirth
City Councilperson & Aides, Wayne New District # 10
City Council Staff, Shelley Smith
Environmental Services, David Erickson
Public Works, Manager's Office, Alba Castro
Public Works, Manager's Office, Angela Casias
Public Works, Right-of-Way Engineering Services, Rob Duncanson
Department of Law, Brent Eisen
Department of Law, Charlene Thompson
Department of Law, Adam Hernandez
Department of Law, Angela Garcia
Public Works Survey, John Clarke
Public Works Survey, Paul Rogalla
Owner: City and County of Denver
Project file folder 2015-Dedication-0000101

ORDINANCE/RESOLUTION REQUEST

Please email requests to Angela Casias
at angela.casias@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: December 10, 2015

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 Dakota Ave.
Located at the intersection of S. Jackson and E. Dakota St.

3. **Requesting Agency:** Public Works – Right-of-Way Services / 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:** Angela Casias
- **Phone:** 720-913-8529
- **Email:** Angela.Casias@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 Dakota 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 (**Jackson Street Apartments**)

****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:** S. Jackson St. and E. Dakota Ave.
- d. **Affected Council District:** Wayne New Dist. 10
- e. **Benefits:** N/A
- f. **Contract Amount (indicate amended amount and new contract total):** 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-Dedication-0000101, Jackson Street Apartments

Description of Proposed Project: Dedicate a parcel of public right of way as Dakota 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

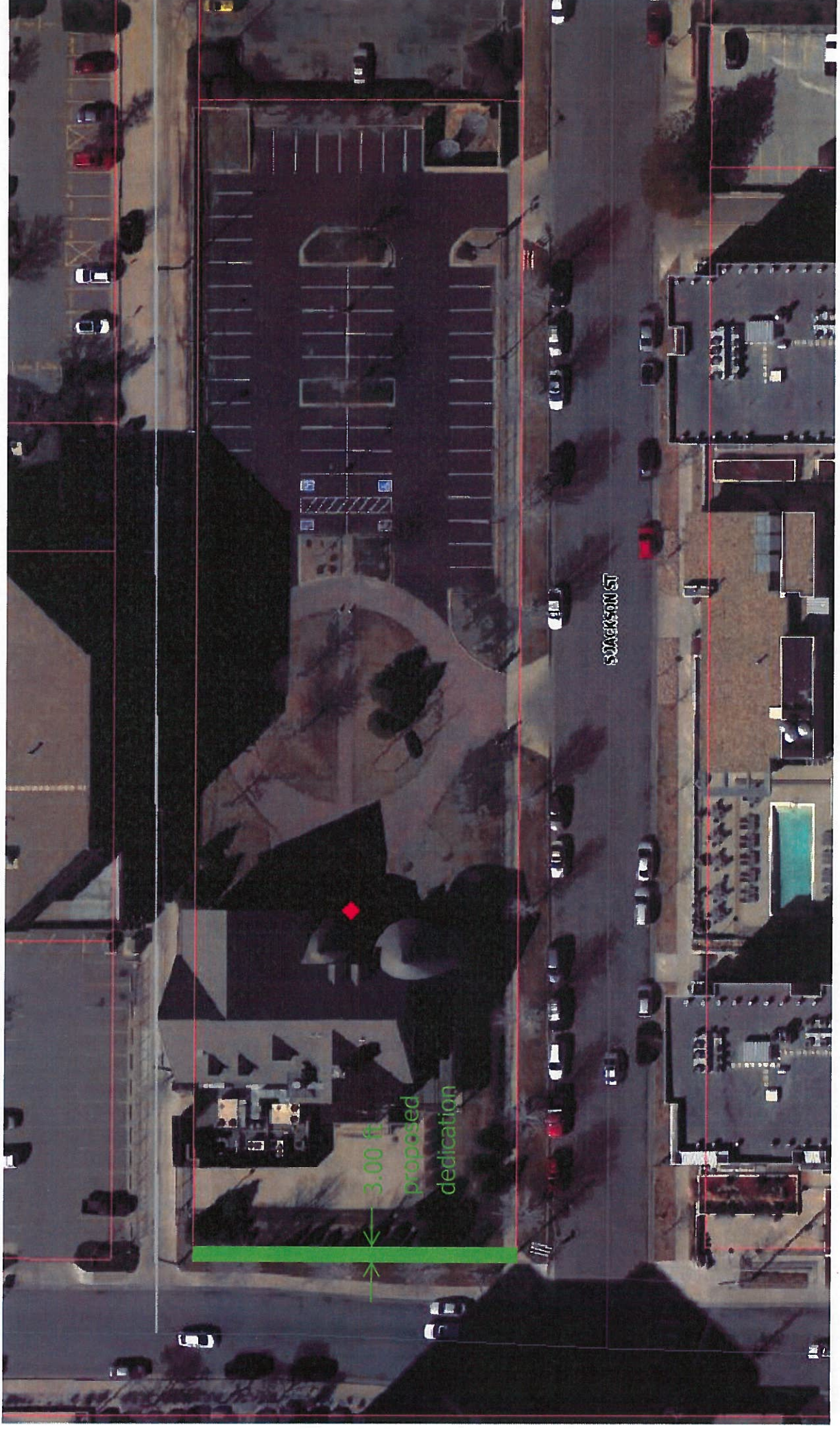
Will an easement be placed over a vacated area, and if so explain: N/A

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 to dedicate it as Public Right-of-Way, as a part of a development project called, Jackson Street Apartments.



Protecting the Present & Building the Future
Accountability, Innovation, Empowerment, Performance, Integrity,
Diversity, Teamwork, Respect, Excellence, Safety



3.00 ft
proposed
dedication

S OAKSON ST

A PARCEL OF LAND CONVEYED BY WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 19TH DAY OF NOVEMBER, 2015, AT RECEPTION NUMBER 2015162215 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT CERTAIN PORTION OF LOT 27, BLOCK 3, BURNSDALE, IN THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, PER THE RECORDED PLAT THEREOF, TOGETHER WITH A PORTION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 4 SOUTH, RANGE 68 WEST, 6TH PRINCIPAL MERIDIAN, SAID CITY, COUNTY AND STATE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 26, BLOCK 3, SAID BURNSDALE;

THENCE ALONG THE EASTERLY LINE OF SAID BLOCK 3, NORTH 00°19'20" WEST, 30.00 FEET TO THE SOUTHERLY LINE OF THE NORTHERLY 20.00 FEET OF SAID LOT 27, BLOCK 3, AND THE **POINT OF BEGINNING**, SAID SOUTHERLY LINE ALSO BEING THE SOUTHERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN CITY AND COUNTY OF DENVER ORDINANCE NO. 467, SERIES OF 1962, RECORDS OF SAID CITY AND COUNTY;

THENCE ALONG SAID SOUTHERLY LINE OF THE NORTHERLY 20.00 FEET, SOUTH 89°41'40" WEST, 125.09 FEET TO THE WESTERLY LINE OF THE EASTERLY 34.19 FEET OF THE EASTERLY 66.00 FEET OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 13, SAID WESTERLY LINE ALSO BEING THE EASTERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN CITY AND COUNTY OF DENVER ORDINANCE NO. 77, SERIES OF 1955, RECORDS OF SAID CITY AND COUNTY;

THENCE ALONG SAID WESTERLY LINE, NORTH 00°19'20" WEST, 3.00 FEET TO A LINE PARALLEL WITH AND DISTANT NORTHERLY 3.00 FEET, MEASURED AT RIGHT ANGLES, FROM SAID SOUTHERLY LINE OF THE NORTHERLY 20.00 FEET;

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THENCE ALONG SAID EASTERLY LINE, SOUTH 00°19'20" EAST, 3.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINS 375 SQUARE FEET OR 0.009 ACRES, MORE OR LESS.



11/19/2015 02:34 PM
City & County of Denver

R \$0.00

WD

2015162215

Page: 1 of 3

D \$0.00

WARRANTY DEED

THIS DEED, dated November 13, 2015, is between CG Cherry Creek III LP, a Delaware limited partnership ("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.

CG Cherry Creek III LP

By: [Signature]

Title: Area VP of Investments

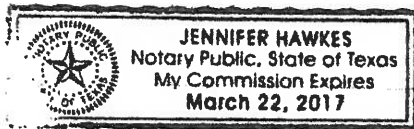
STATE OF Texas

COUNTY OF Harris

The foregoing instrument was acknowledged before me this day 13th of November, 2015 by Josh Landry as Area VP of Investments of CG Cherry Creek III LP.

Witness my hand and official seal.
My commission expires: 3.22.17

[Signature]
Notary Public



Name and Address of Person Creating Newly Created Legal Description (§38-35-106.5, C.R.S.)

Asset Mgmt. # 15-189

Asset Management Date: 11-19-15

Approved by: [Signature] 357 S. Jackson St.

**EXHIBIT A
LAND DESCRIPTION**

THAT CERTAIN PORTION OF LOT 27, BLOCK 3, BURNSDALE, IN THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, PER THE RECORDED PLAT THEREOF, TOGETHER WITH A PORTION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 4 SOUTH, RANGE 68 WEST, 6TH PRINCIPAL MERIDIAN, SAID CITY, COUNTY AND STATE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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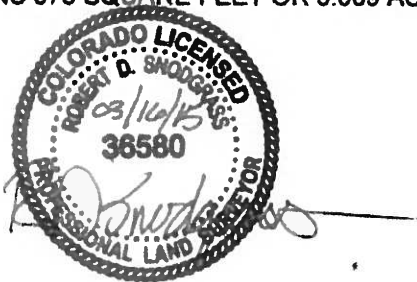
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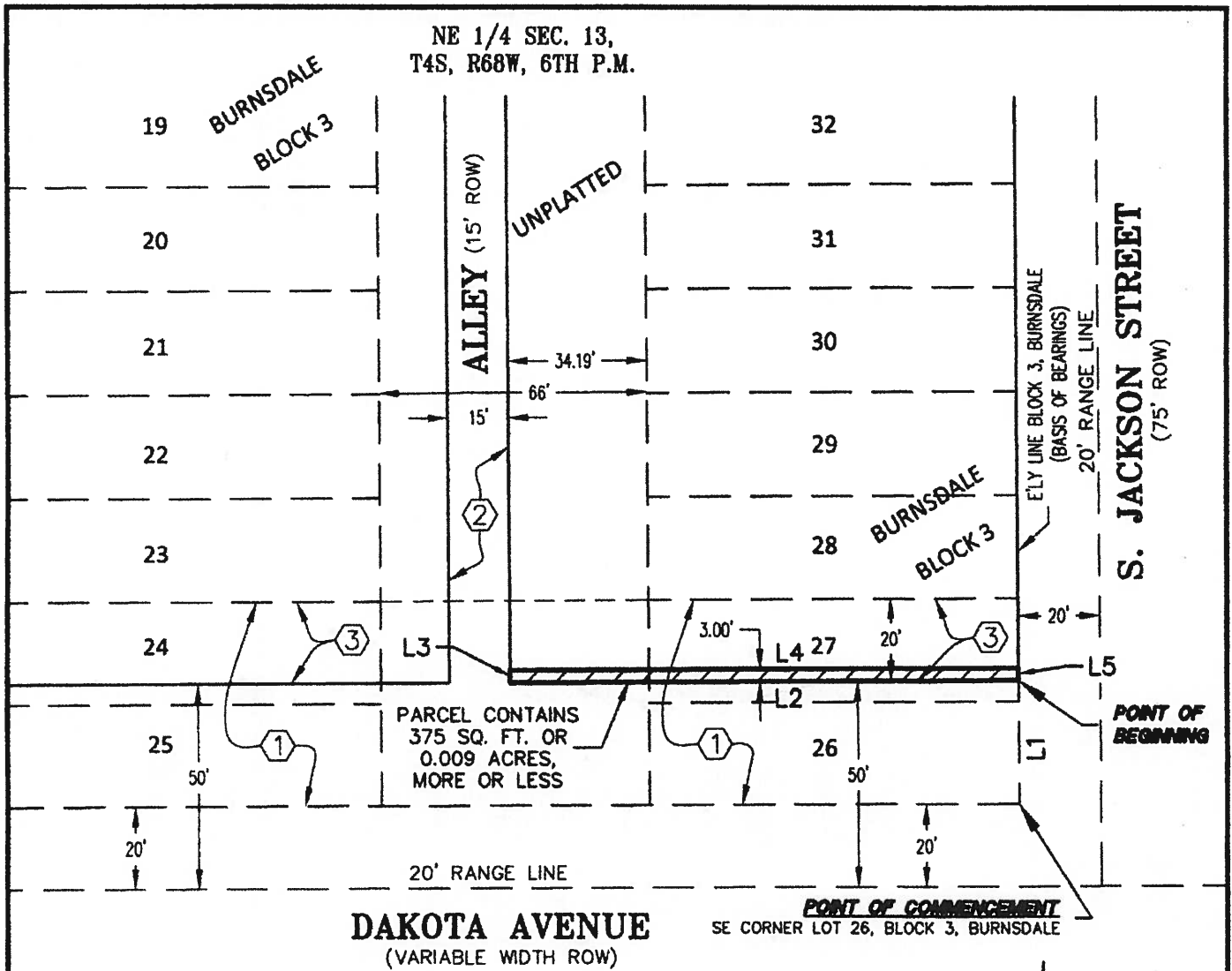
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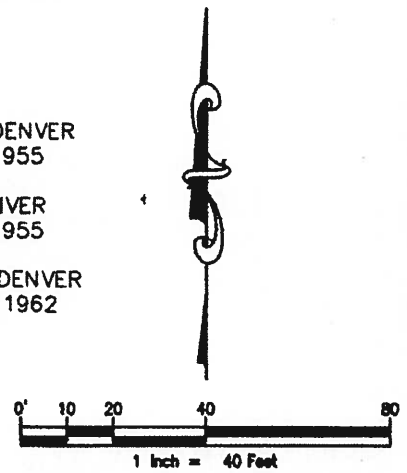
ROBERT D. SNODGRASS, PLS 36580
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR
FOR AND BEHALF OF AZTEC CONSULTANTS
300 E. MINERAL AVENUE, SUITE 1
LITTLETON, CO 80122

ILLUSTRATION TO LAND DESCRIPTION



LINE TABLE		
LINE	BEARING	LENGTH
L1	N00°19'20"W	30.00'
L2	S89°41'40"W	125.09'
L3	N00°19'20"W	3.00'
L4	N89°41'40"E	125.09'
L5	S00°19'20"E	3.00'

- ① STREET WIDENING PER CITY OF DENVER ORDINANCE NO. 76, SERIES OF 1955
- ② ALLEY OPENED PER CITY OF DENVER ORDINANCE NO. 77, SERIES OF 1955
- ③ STREET VACATION PER CITY OF DENVER ORDINANCE NO. 467, SERIES OF 1962



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

PATH: Y:\48114-07\DWG\
 DWG NAME: ROW DEDICATION
 DWG: RDS CHK: DED
 DATE: 03/04/15
 SCALE: 1" = 40'

AZTEC
 CONSULTANTS, INC.

300 East Mineral Ave.
 Suite 1
 Littleton, Colorado 80122
 Phone: (303)713-1898
 Fax: (303)713-1897
 www.aztecconsultants.com

EXHIBIT A
NE 1/4 SEC. 13, T4S, R68W, 6TH P.M.
CITY AND COUNTY OF DENVER
 JOB NUMBER 48114-07 2 OF 2 SHEETS