

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

TO: Karen Walton, City Attorney's Office

FROM: Robert J. Duncanson P.E., Engineering Manager II
Right-of-Way Services

DATE: March 28, 2014

ROW #: 2014-0051-15 **SCHEDULE #:** 0231313034000

TITLE: This request is to dedicate a parcel of land as Public Right of Way as Public Alley.
Located between W. Colfax Ave., W. 16th Ave., Winona Ct. and Vrain 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 (**1541 Vrain St.**)

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 # (2014-0051-15-0021) HERE.

A map of the area to be dedicated is attached.

RD/AG/BLV

cc: Asset Management, Steve Wirth
City Councilperson & Aides, Susan Shepherd District # 1
City Council Staff, Gretchen Williams
Environmental Services, David Erickson
Public Works, Manager's Office, Alba Castro
Public Works, Manager's Office, Nancy Kuhn
Public Works, Right-of-Way Engineering Services, Rob Duncanson
Department of Law, Karen Aviles
Department of Law, Brent Eisen
Department of Law, Karen Walton
Public Works Survey, Ali Gulaid
Public Works Survey, Paul Rogalla
Owner: City and County of Denver
Project file folder 2014-0051-15

ORDINANCE/RESOLUTION REQUEST

Please email requests to Nancy Kuhn at Nancy.Kuhn@Denvergov.org by **NOON 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: March 28, 2014

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, 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 between W. Colfax Ave., W. 16th Ave., Winona Ct. and Vrain St.

3. **Requesting Agency:** PW Right of Way Engineering Services

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:** Nancy Kuhn
- **Phone:** 720-865-8720
- **Email:** Nancy.Kuhn@denvergov.org

6. **General description 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 (1541 Vrain St.)

****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.)

- a. **Contract Control Number:** N/A
- b. **Duration:** Permanent
- c. **Location:** Bounded by W. Colfax Ave., W. 16th Ave., Winona Ct. and Vrain St.
- d. **Affected Council District:** Dist 1, Susan Shepherd
- e. **Benefits:** N/A
- f. **Costs:** 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: 2014-0051-15 Dedication, 1541 Vrain St.

Description of Proposed Project: Dedicate a parcel of 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

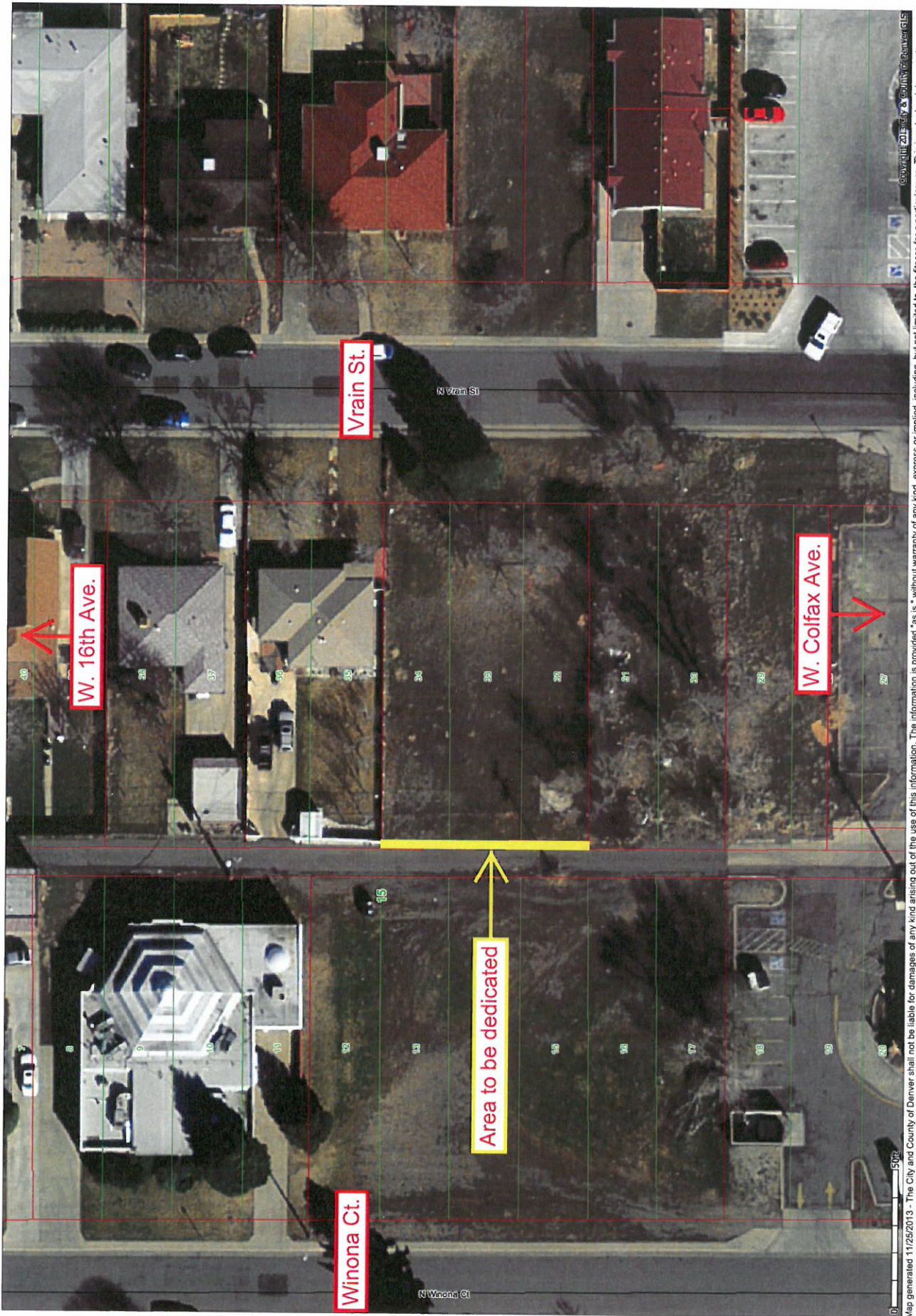
Will land be dedicated to the City if the vacation goes through: N/A

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, 1541 Vrain St.

1541 Vrain St



LEGAL DESCRIPTION

A PARCEL OF LAND CONVEYED BY WARRANTY DEED TO THE CITY & COUNTY OF DENVER, RECORDED ON MARCH 7, 2013 BY RECEPTION NUMBER 2013032959 IN THE CITY AND COUNTY OF DENVER CLERK & RECORDER'S OFFICE, STATE OF COLORADO.

A PARCEL OF LAND TO BE DEDICATED TO THE CITY AND COUNTY OF DENVER FOR RIGHT-OF-WAY PURPOSES, LOCATED IN LOTS 32, 33, 34, BLOCK 15, IN SUBDIVISION OF BLOCK 15, SLOAN LAKE SUBDIVISION, LOCATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 31, TOWNSHIP 3 SOUTH, RANGE 68 WEST, OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, RECORDED MARCH 27TH, 1901 AT BOOK 14, PAGE 36.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 34, BLOCK 15;
THENCE EASTERLY ALONG THE NORTH LINE OF LOT 34, BLOCK 15 A DISTANCE OF 3.00 FEET;
THENCE SOUTHERLY A DISTANCE OF 75.00 FEET TO A POINT ON THE SOUTH LINE OF LOT 32, BLOCK 15;
THENCE WESTERLY ALONG SAID SOUTH LINE OF LOT 32, BLOCK 15 A DISTANCE OF 3.00 FEET;
THENCE NORTHERLY ALONG THE WEST RIGHT-OF-WAY LINE OF LOTS 32, 33 AND 34, BLOCK 15 A DISTANCE OF 75.00 FEET TO THE **POINT OF BEGINNING**.

THE ABOVE DESCRIBED PARCEL CONTAINS 225 SQUARE FEET, OR 0.005 ACRES MORE OR LESS.

ALL LINEAL UNITS ARE REPRESENTED IN U.S. SURVEY FEET.

EXHIBIT A
SHEET 1

2012D00396

LEGAL DESCRIPTION

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THE ABOVE DESCRIBED PARCEL CONTAINS 225 SQUARE FEET, OR 0.005 ACRES MORE OR LESS.

ALL LINEAL UNITS ARE REPRESENTED IN U.S. SURVEY FEET.

I, JONATHAN R. LANGE, A SURVEYOR LICENSED IN THE STATE OF COLORADO,
DO HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION WAS PREPARED
BY ME OR UNDER MY DIRECT SUPERVISION.

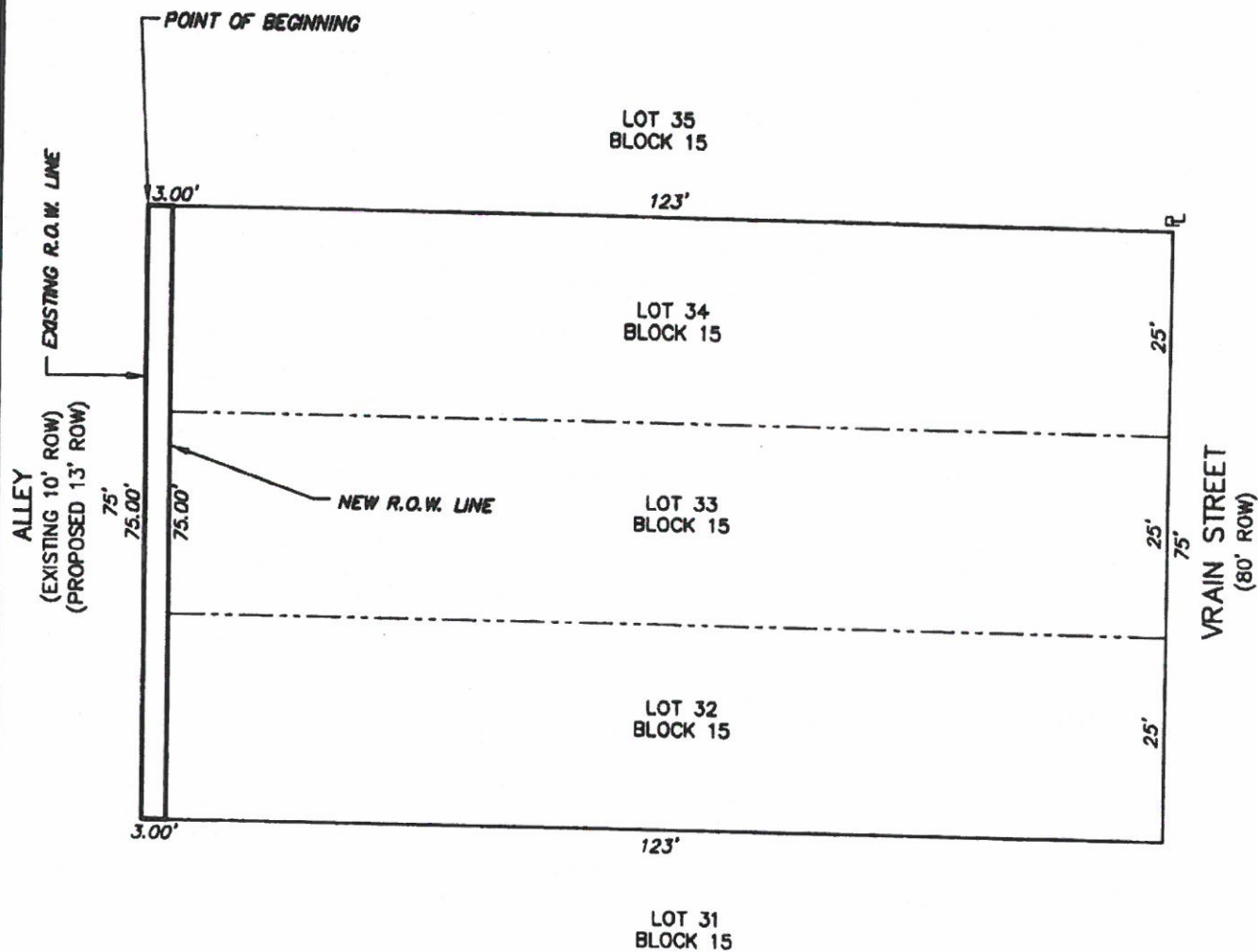


JONATHAN R. LANGE, P.L.S. 37908
FOR AND ON BEHALF OF LANGE LAND SURVEYING, LLC.
9572 W. 58TH AVE. ARVADA, CO 80002

EXHIBIT A

SHEET 2

2012D00396



LS Lange
Land
Surveys
9572 W. 58TH AVE. ARVADA, CO 80002
P: (720) 242-9732 F: (720) 242-9654

ALLEY ROW DEDICATION

| | | |
|---|---------------------|----------------|
| SUBDIVISION OF BLOCK 15, SLOAN LAKE SUBDIVISION | DRAWN BY: LC | DATE: 01-10-13 |
| | JOB NUMBER: 980-348 | SHEET: 2 OF 2 |



2013032959

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WARRANTY DEED

CITY & COUNTY OF DENVER
ASSET MANAGEMENT
201 W. COMMERCE DEPT 1010
DENVER, CO 80202

THIS DEED, dated FEBRUARY 15, 2013 is between Alpert Development, Inc. ("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:

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.

Alpert Development, Incorporated

By:

Title:

Scott Alpert
president

CERTIFICATION

The Clerk and Recorder for the CITY AND COUNTY OF DENVER State of Colorado does hereby certify this document to be a full, true and correct copy of the original document recorded in my office.



Clerk and Recorder
by *Bridget M. Svalberg*
Deputy County Clerk
Date March 7, 2013
Bridget M. Svalberg

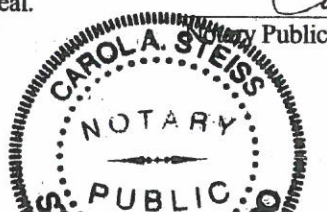
STATE OF COLORADO

COUNTY OF DENVER

The foregoing instrument was acknowledged before me this day 15TH of FEBRUARY, 2013 by SCOTT ALPERT, of the Alpert Development, Incorporated.

Witness my hand and official seal.
My commission expires:

5/29/15



Carol A. Steiss

Asset Mgmt. #: 15-0-19
Project Description: 1541 VRAIN ST.