



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 20, 2014

ROW #: 2007-0535-20 **SCHEDULE #:** 0229425049000

TITLE: This request is to dedicate a parcel of land as Public Right of Way as Speer Blvd. Located at the intersection of Speer Blvd and Alcott.

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 Speer Blvd. 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 **(2785 Speer Alcott Apts.)**

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 Speer Blvd. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2007-0535-20) 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 2007-0535-20

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 20, 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 Speer Blvd.
Located at the intersection of Speer Blvd and Alcott 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 Speer Blvd. 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 (2785 Speer / Alcott Apts.)

****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:** Speer Blvd and Alcott St.
- d. **Affected Council District:** Susan Shepherd Dist. 1
- 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: 2007-0535-20 Dedication, 2785 Speer / Alcott Apts.

Description of Proposed Project: Dedicate a parcel of public right of way as Speer Blvd.

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, 2785 Speer / Alcott Apts

Alcott & Speer



LAND DESCRIPTIONS

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY & COUNTY OF DENVER, RECORDED ON SEPTEMBER 10, 2013 BY RECEPTION NUMBER 2013133470 IN THE CITY AND COUNTY OF DENVER CLERK & RECORDER'S OFFICE, STATE OF COLORADO.

A PARCEL OF LAND BEING A PORTION OF BLOCK 6 AND A PORTION OF BLOCK 5 TOGETHER WITH A PORTION OF VACATED ALLEYS WITHIN BLOCK 5 VACATED ORDINANCE NO. 460-2010 AND BLOCK 6 VACATED ORDINANCE NO. 225-2009 TOGETHER WITH A PORTION OF VACATED ALCOTT STREET VACATED ORDINANCE NO. 125-2010 TOGETHER WITH A PORTION OF VACATED 28TH AVENUE VACATED ORDINANCE NOS. 224-2209 & 461-2010 LOCATED WITHIN EMERY'S SUBDIVISION OF BLOCKS 5, 6, 7, 14, 15, AND 16 HIGHLAND, LOCATED IN THE SOUTH EAST QUARTER OF SECTION 29, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWESTERLY CORNER OF LOT 15 OF BLOCK 6, EMERY'S SUBDIVISION OF BLOCKS 5, 6, 7, 14, 15, AND 16 HIGHLAND; THENCE ALONG THE WESTERLY LINE OF SAID BLOCK 6 AND THE EASTERLY RIGHT-OF-WAY LINE EXTENDED OF BRYANT STREET N00°03'56"W A DISTANCE OF 428.05 FEET TO THE **POINT OF BEGINNING**; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE EXTENDED OF BRYANT STREET N00°03'56"W A DISTANCE OF 16.54 FEET TO A POINT ON A LINE THAT IS 70 FEET SOUTHWESTERLY OF AND PARALLEL TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SPEER BOULEVARD; THENCE ALONG SAID PARALLEL LINE OF SPEER BOULEVARD S64°42'34"E A DISTANCE OF 776.39 FEET TO A POINT ON THE NORTHEASTERLY CORNER OF THE WEST 19.80 FEET OF SAID LOT 21, BLOCK 5; THENCE ALONG THE EASTERLY LINE OF THE WEST 19.80 FEET OF SAID LOT 21 S00°01'47"E A DISTANCE OF 13.21 FEET; THENCE DEPARTING THE EASTERLY LINE OF SAID WEST 19.80 FEET OF LOT 21, N64°42'34"W A DISTANCE OF 354.03 FEET TO A POINT ON THE WESTERLY LINE OF SAID BLOCK 5; THENCE N67°02'09"W A DISTANCE OF 73.90 FEET TO A POINT ON THE EASTERLY LINE OF SAID BLOCK 6; THENCE N64°42'34"W A DISTANCE OF 347.09 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE EXTENDED OF SAID BRYANT STREET BEING THE **POINT OF BEGINNING**.

SAID PARCEL CONTAINS 0.239 ACRES (10,425 SQ. FT.)

BASIS OF BEARINGS: THE SOUTHERLY LINE OF BLOCK 6, EMERY'S SUBDIVISION OF BLOCKS 5, 6, 7, 14, 15, AND 16, HIGHLAND BEING MONUMENTED BY A FOUND 4' X 4' OFFSET CORNER AT THE SOUTHEAST CORNER AND THE SOUTHWEST CORNER OF SAID BLOCK 6, ASSUMED TO BEAR N89°59'47"W.

2785 SPEER

R.O.W. DEDICATION
A PART OF THE SE ¼ SEC.29 T.3 S, R.68 W. OF THE 6TH P.M.
CITY AND COUNTY OF DENVER, COLORADO
LAND DESCRIPTIONS
SHEET 1 OF 2

LAND DESCRIPTIONS

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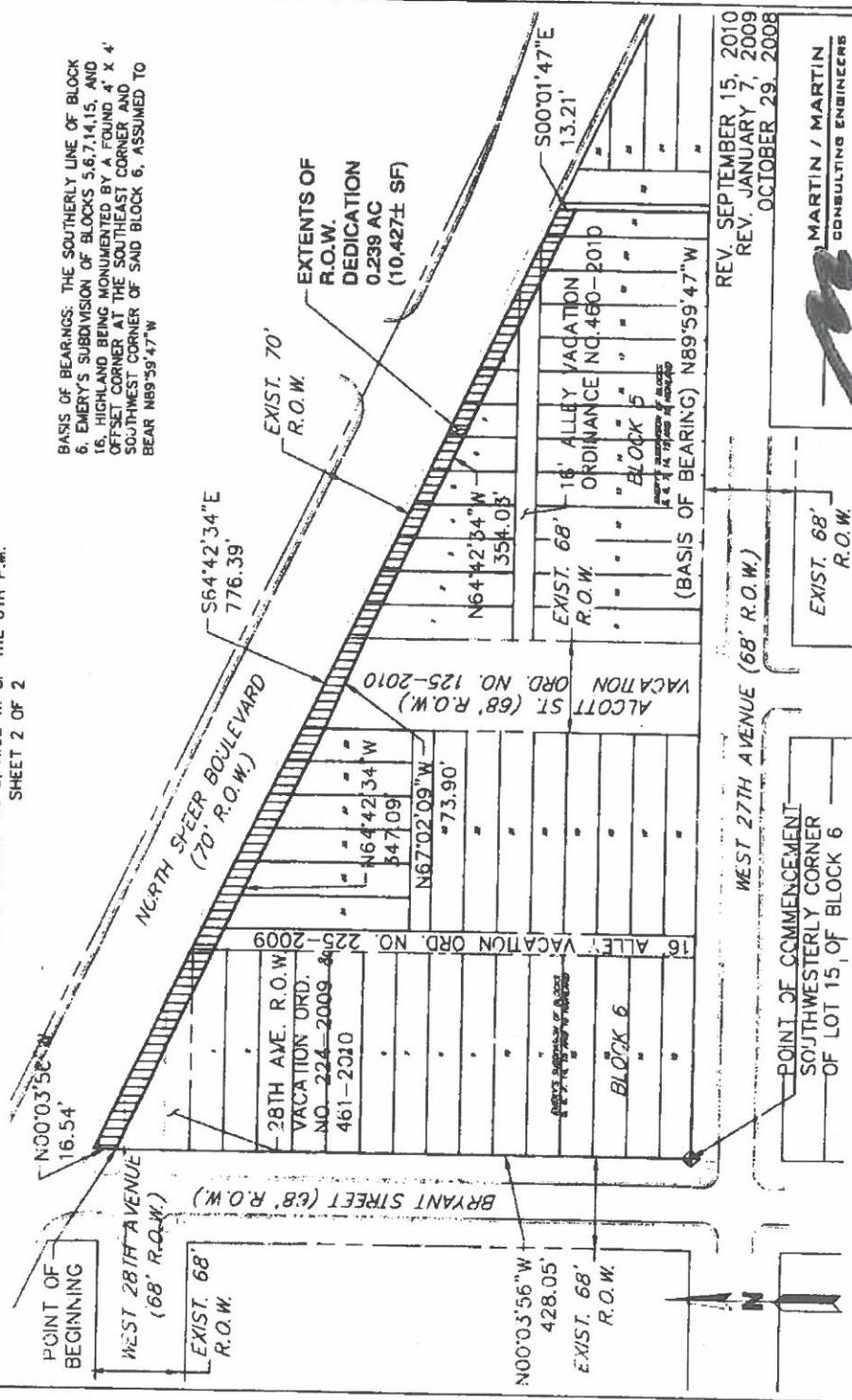
PREPARED BY DAVID A LOVATO
REVIEWED BY RICHARD A NOBBE, PLS NO. 23899
FOR AND ON BEHALF OF
MARTIN/MARTIN, INC.
12499 WEST COLFAX AVENUE
LAKEWOOD, COLORADO 80215
OCTOBER 29, 2008
REVISED JANUARY 7, 2009
REVISED SEPTEMBER 15, 2010
REVISED OCTOBER 04, 2010



R.O.W PROJECT NO. 2007-0535
 DES PARCEL NO. 2007-0535-006

2785 SPEER
 SPEER BOULEVARD R.O.W. DEDICATION
 SE ¼ SEC. 25 T.3 S. R.68 W. OF THE 6TH P.M.
 SHEET 2 OF 2

BASIS OF BEARINGS: THE SOUTHERLY LINE OF BLOCK 6, EMERY'S SUBDIVISION OF BLOCKS 5, 6, 7, 14, 15, AND 16, HIGHLAND BEING MONUMENTED BY A FOUND 4' x 4' OFFSET CORNER AT THE SOUTHEAST CORNER AND SOUTHWEST CORNER OF SAID BLOCK 6, ASSUMED TO BEAR N89°59'47" W



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



REV. SEPTEMBER 15, 2010
 REV. JANUARY 7, 2009
 OCTOBER 29, 2008

MARTIN / MARTIN
 CONSULTING ENGINEERS
 12499 WEST COLFAX AVE.
 P.O. BOX 151500
 LAKEWOOD, CO 80215
 303.431.6100
 FAX 303.431.4028

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

SPECIAL WARRANTY DEED
 (Speer and Alcott - Speer Right-of-Way)

Speer & Alcott, LLC, a Colorado limited liability company ("Grantor"), whose street address is 1050 17th Street, Suite 2300, Denver, Colorado 80202, for ten DOLLARS (\$10.00) and other good and valuable consideration, in hand paid, hereby sells and conveys to the City and County of Denver Colorado, a Colorado municipal corporation and a home rule city, whose street address is 1437 Bannock Street, Denver, Colorado 80202, the real property in the City and County of Denver and State of Colorado that is legally described on Exhibit A attached hereto, with all its appurtenances, and warrants the title against all persons claiming under Grantor, subject to the matters set forth on Exhibit B attached hereto.

Signed as of the 10th day of August, 2013.

Speer & Alcott, LLC, a Colorado limited liability company

By: 2785 SPEER BOULEVARD HOLDINGS, LLC, a Delaware limited liability company, its Sole Member

By: AMSTAR/ALLIED HIGHLANDS, LLC, a Colorado limited liability company, its Managing Member

By: AMSTAR-36, LLC, a Colorado limited liability company, its Managing Member

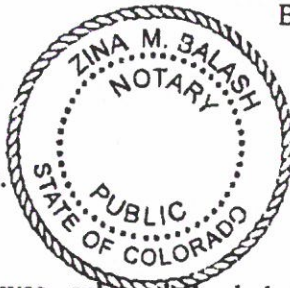
By: G. Douglas Wiley II
 G. Douglas Wiley II,
 Manager

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 Dina Combs
 Deputy County Clerk
 Date 9/10/13

STATE OF COLORADO)
) ss.
 COUNTY OF DENVER)



The foregoing instrument was acknowledged before me this 10th day of August, 2013, by G. Douglas Wiley, II, Manager, as Manager of Amstar-36, LLC, a Colorado limited liability company, as Managing Member of Amstar/Allied Highlands, LLC, a Colorado limited liability company, as Managing Member of 2785 Speer Boulevard Holdings, LLC, a Delaware limited liability company, as the Sole Member of Speer & Alcott, LLC, a Colorado limited liability company.

Witness my hand and official seal.

Zina M Balash
 Notary Public

My commission expires: 12-24-13

13-17

Asset Management
 Date: 9-10-13
 Approved: [Signature]

Project Description:
Alcott & Speer

EXHIBIT A

(Attached to and forming a part of
the Special Warranty Deed
from Speer & Alcott, LLC, as grantor,
to City and County of Denver, Colorado, as grantee)

Description of the Real Property