



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: May 6, 2019

ROW #: 2017-Dedication-0000233 **SCHEDULE #:** Alley-Parcel A adjacent to 0510320005000
Street-Parcel B 0510320064000

TITLE: This request is to dedicate a parcel of land as Public Right of Way as Public alley, S. Broadway and W. Bayaud Ave. Located at the corner of S. Broadway and W. Bayaud Ave., and the alley bounded by S. Broadway, W. Bayaud Ave., S. Bannock St. and W. Archer Pl.

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, S. Broadway, and W. Bayaud 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 (**99 S. Broadway**)

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, S. Broadway and W. Bayaud Ave. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2017-Dedication-0000233-001 & 002) HERE.

A map of the area to be dedicated is attached.

MB/DS/bv

cc: Dept. of Real Estate, Katherine Rinehart
City Councilperson & Aides, Jolon Clark District # 7
Council Aide Maggie Thompson
Council Aide Anita Banuelos
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, 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, Dana Sperling
Public Works Survey, Paul Rogalla
Owner: City and County of Denver
Project file folder 2017-Dedication-0000233

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: May 6, 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, S. Broadway and W. Bayaud Ave. Located at the corner of S. Broadway and W. Bayaud Ave., and the alley bounded by S. Broadway, W. Bayaud Ave., S. Bannock St. and W. Archer Pl.

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, S. Broadway, and W. Bayaud 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 (**99 S. Broadway**)

****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 S. Broadway, W. Bayaud Ave., S. Bannock St. and W. Archer Pl. and corner of S. Broadway and W. Bayaud Ave.
- d. **Affected Council District:** Jolon Clark Dist. #7
- 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: _____



EXECUTIVE SUMMARY

DENVER
THE MILE HIGH CITY

Project Title: 2017-Dedication-0000233

Description of Proposed Project: Dedicate a parcel of land as public right of way as Public Alley, S. Broadway and W. Bayaud 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 99 S. Broadway.

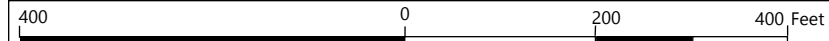


**Alley 001
Parcel A
to be
Dedicated**

**Street 002
Parcel B to be
Dedicated**

Legend

-  Streams
-  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



A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON 10/17/2018 AT RECEPTION NUMBER 2018134882 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND BEING A PORTION OF LOTS 2 AND 3, BLOCK 1, MONTELIUS AND WALKER'S ADDITION, TOGETHER WITH A PORTION OF THE ALLEY VACATED BY ORDINANCE NO. 348, SERIES OF 1972, LYING EAST OF THE EAST LINE OF LOT 3, EXTENDED SOUTHERLY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 1, SAID BLOCK 1;

THENCE SOUTH 89°59'49" WEST ALONG THE NORTH LINE OF SAID BLOCK 1, A DISTANCE OF 57.01 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 00°02'46" WEST, A DISTANCE OF 55.07 FEET;

THENCE SOUTH 28°15'17" EAST, A DISTANCE OF 29.53 FEET;

THENCE SOUTH 00°02'46" WEST, A DISTANCE OF 60.00 FEET TO A POINT ON THE SOUTH LINE OF SAID VACATED ALLEY;

THENCE SOUTH 89°59'46" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 6.99 FEET;

THENCE NORTH 00°02'38" EAST, A DISTANCE OF 41.00 FEET;

THENCE NORTH 30°49'24" WEST, A DISTANCE OF 17.56 FEET;

THENCE NORTH 00°02'46" EAST, A DISTANCE OF 85.00 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 3;

THENCE NORTH 89°59'49" EAST ALONG SAID NORTH LINE, A DISTANCE OF 2.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 867 SQUARE FEET OR 0.02 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE NORTH 20' RANGE LINE IN WEST ARCHER PLACE BETWEEN BROADWAY AND SOUTH BANNOCK STREET AS MONUMENTED AT EITHER END WITH A 1" SPIKE IN RANGE BOX, ASSUMED TO BEAR NORTH 89°58'30" WEST.

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON 10/17/2018 AT RECEPTION NUMBER 2018134882 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND BEING A PORTION OF LOTS 20 THROUGH 22, INCLUSIVE, BLOCK 1, MONTELIUS AND WALKER'S ADDITION, LOTS 1 THROUGH 11, INCLUSIVE, BLOCK 1, BROADWAY PLACE, LOTS 8 THROUGH 14, INCLUSIVE, BLOCK 2, BROADWAY PLACE, TOGETHER WITH A PORTION OF THE ALLEY BY ORDINANCE NO. 348, SERIES OF 1972, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID BLOCK 1, BROADWAY PLACE;

THENCE SOUTH 00°00'43" WEST ALONG THE EAST LINE OF SAID BLOCK 1, A DISTANCE OF 270.15 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK 1;

THENCE SOUTH 89°59'43" WEST ALONG THE SOUTH LINE OF SAID BLOCK 1 AND THE SOUTH LINES OF SAID BLOCK 2, BROADWAY PLACE AND BLOCK 1, MONTELIUS AND WALKER'S ADDITION, A DISTANCE OF 391.23 FEET TO THE SOUTHWEST CORNER OF SAID LOT 20;

THENCE NORTH 00°02'46" EAST ALONG THE WEST LINE OF SAID LOT 20, A DISTANCE OF 6.00 FEET;

THENCE NORTH 89°59'43" EAST, A DISTANCE OF 388.22 FEET;

THENCE NORTH 00°00'43" EAST, A DISTANCE OF 264.15 FEET TO A POINT ON THE NORTH LINE OF SAID BLOCK 1, BROADWAY PLACE;

THENCE NORTH 89°59'49" EAST ALONG SAID LINE, A DISTANCE OF 3.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 3,140 SQUARE FEET OR 0.07 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE NORTH 20' RANGE LINE IN WEST ARCHER PLACE BETWEEN BROADWAY AND SOUTH BANNOCK STREET AS MONUMENTED AT EITHER END WITH A 1" SPIKE IN RANGE BOX, ASSUMED TO BEAR NORTH 89°58'30" WEST.



2018134882

Page: 1 of 7

D \$0.00

City & County of Denver

R \$0.00

WD

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 11th day of OCTOBER, 2018, by **NASH – HOLLAND 99 SOUTH BROADWAY INVESTORS, LLC**, a Delaware limited liability company, whose address is 1111 Main Street, Suite 700, Vancouver, WA 98660, 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. # 18-158

Project Description: 2017 Delicador - DDID 23 off S. Broadway

Asset Management # Date: 10/17/18

Approved (Signature)

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

ATTEST:

NASH - HOLLAND 99 SOUTH BROADWAY INVESTORS, LLC, a Delaware Limited Liability Company

By: *[Signature]*

Name: DENISE GANNON

Its: AUTHORIZED PERSON

STATE OF COLORADO)
) ss.
COUNTY OF DENVER)

The foregoing instrument was acknowledged before me this 11TH day of OCTOBER, 2018 by DENISE GANNON, as AUTHORIZED PERSON of NASH - HOLLAND 99 SOUTH BROADWAY INVESTORS, LLC, a Delaware Limited Liability Company.

Witness my hand and official seal.

My commission expires: NOVEMBER 6, 2018

JENNIFER K SHAFER
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20144043075
MY COMMISSION EXPIRES NOVEMBER 6, 2018

[Signature]
Notary Public

2017-projmstr-0000500-ROW-001

EXHIBIT A
SHEET 1 OF 2

A PARCEL OF LAND BEING A PORTION OF LOTS 2 AND 3, BLOCK 1, MONTELIUS AND WALKER'S ADDITION, TOGETHER WITH A PORTION OF THE ALLEY VACATED BY ORDINANCE NO. 348, SERIES OF 1972, LYING EAST OF THE EAST LINE OF LOT 3, EXTENDED SOUTHERLY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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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



PLANNING SYSTEMS/SURVEYING/DESIGN LAYOUT: EXHIBIT A
DATE: 12/27/17 11:53:26 AM BY: GMS/RENAME

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

ISSUE DATE: 12-27-2017	PROJECT #: 170835
DATE	REVISION COMMENTS

SW 1/4 SEC. 10, T4S, R68W,
6TH P.M.

EXHIBIT A

HKS HARRIS KOCHER SMITH
1120 Lincoln Street, Suite 1000
Denver, Colorado 80203
P: 303.623.6300 F: 303.623.6311
HarrisKocherSmith.com

CHKD BY: ANW DRAWN BY: KDW
SHEET NO 1
1 of 2

EXHIBIT A

SHEET 2 OF 2

BASIS OF BEARINGS

20' R.L. N89°58'30"W 670.07' (670' R)

ARCHER PL

(VARIABLE-WIDTH PUBLIC R.O.W.)



N89°59'49"E
2.00'

POINT OF BEGINNING
PARCEL A

POINT OF COMMENCEMENT
PARCEL A

S89°59'49"W

57.01'

AREA AFFECTED BY ORD. NO. 1028
SER. OF 2016
(REC. NO. 2016164513)

ALLEY PER ORD. NO. 472 SERIES OF 1972

PARCEL A CONTAINS
867 SQ. FT. OR
0.02 ACRES ±

S28°15'17"E
29.53'

16' ALLEY VACATED W/ RESERVATIONS
ORD. NO. 348 SER. OF 1972
(BK. 546 PG. 138)

6

5

4

3

1

7

6

5

BLOCK 1
MONTELIUS & WALKER'S
SUBDIVISION

N30°49'24"W
17.56'

N00°02'46"E 85.00'

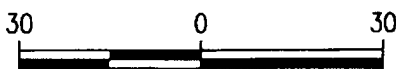
S00°02'46"W 55.07'

N00°02'38"E 41.00'

S00°02'46"W 60.00'

S89°59'46"W
6.99'

BLOCK 2
BROADWAY
PLACE



SCALE: 1" = 30'

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: 12-27-2017	PROJECT #: 170805
DATE	REVISION COMMENTS

SW 1/4 SEC. 10, T4S, R68W,
6TH P.M.

EXHIBIT A

HKS HARRIS KOCHER SMITH
 1129 Lincoln Street, Suite 1000
 Denver, Colorado 80203
 P: 303.623.6300 F: 303.623.6311
 HarrisKocher-Smith.com

CHKD BY: AWV
DRAWN BY: KDW

SHEET NO.
2
2 OF 2

2017-projmstr-0000500-ROW-002

EXHIBIT B
SHEET 1 OF 3

A PARCEL OF LAND BEING A PORTION OF LOTS 20 THROUGH 22, INCLUSIVE, BLOCK 1, MONTELIUS AND WALKER'S ADDITION, LOTS 1 THROUGH 11, INCLUSIVE, BLOCK 1, BROADWAY PLACE, LOTS 8 THROUGH 14, INCLUSIVE, BLOCK 2, BROADWAY PLACE, TOGETHER WITH A PORTION OF THE ALLEY BY ORDINANCE NO. 348, SERIES OF 1972, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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THENCE NORTH 00°02'46" EAST ALONG THE WEST LINE OF SAID LOT 20, A DISTANCE OF 6.00 FEET;

THENCE NORTH 89°59'43" EAST, A DISTANCE OF 388.22 FEET;

THENCE NORTH 00°00'43" EAST, A DISTANCE OF 264.15 FEET TO A POINT ON THE NORTH LINE OF SAID BLOCK 1, BROADWAY PLACE;

THENCE NORTH 89°59'49" EAST ALONG SAID LINE, A DISTANCE OF 3.00 FEET TO THE **POINT OF BEGINNING**.

SAID PARCEL CONTAINS 3,140 SQUARE FEET OR 0.07 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE NORTH 20' RANGE LINE IN WEST ARCHER PLACE BETWEEN BROADWAY AND SOUTH BANNOCK STREET AS MONUMENTED AT EITHER END WITH A 1" SPIKE IN RANGE BOX, ASSUMED TO BEAR NORTH 89°58'30" WEST.

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



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

ISSUE DATE: 12-27-2017	PROJECT #: 170805	SW 1/4 SEC. 10, T4S, R68W, 6TH P.M.	EXHIBIT B	 1120 Lincoln Street, Suite 1000 Denver, Colorado 80203 P: 303.623.6300 F: 303.623.6311 HarrisKocherSmith.com	CHK'D BY: AWM
DATE	REVISION COMMENTS				DRAWN BY: KDW
					SHEET NO
					1
					1 OF 3

EXHIBIT B

SHEET 2 OF 3

BASIS OF BEARINGS

ARCHER PL
(VARIABLE-WIDTH PUBLIC R.O.W.)

20' R.L. N89°58'30"W 670.07' (670' R)

N89°59'49"E
3.00'

POINT OF BEGINNING
PARCEL B

PARCEL B CONTAINS
3,140 SQ. FT. OR
0.07 ACRES ±

4 3 2 1

1

2

3

4

5

6

7

8

9

10

11

11 12 13 14

BLOCK 7
BROADWAY
PLACE

16' ALLEY VACATED W/ RESERVATIONS
ORD. NO. 348 SER. OF 1972
(BK. 546 PG. 138)

N00°00'43"E 264.15'

S00°00'43"W 270.15'

20' R.L. S00°00'43"W 310.15' (310' R)

S BROADWAY
(VARIABLE-WIDTH PUBLIC R.O.W.)

N89°59'43"E 388.22'

S89°59'43"W 391.23'

BAYAUD AVE
(VARIABLE-WIDTH PUBLIC R.O.W.)

14' R.L. S89°55'46"W 670.39' (670' R)

50 0 50

SCALE: 1" = 50'

NOTE:

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APP'D: P:\KAS\B\NEW\18-00230C.LP\07.1817.011
DATE: 12/27/17 2:48:28 PM KJC/KJW

ISSUE DATE: 12-27-2017	PROJECT #: 170805
DATE	REVISION COMMENTS

SW 1/4 SEC. 10, T4S, R68W,
6TH P.M.

EXHIBIT B

HKS HARRIS
KOCHER
SMITH

1123 Lincoln Street, Suite 1000
Denver, Colorado 80203
P. 303.623.6300 F. 303.623.6311
HarrisKocherSmith.com

CHK'D BY: AWW
DRAWN BY: KJW

SHEET NO

2

2 OF 3

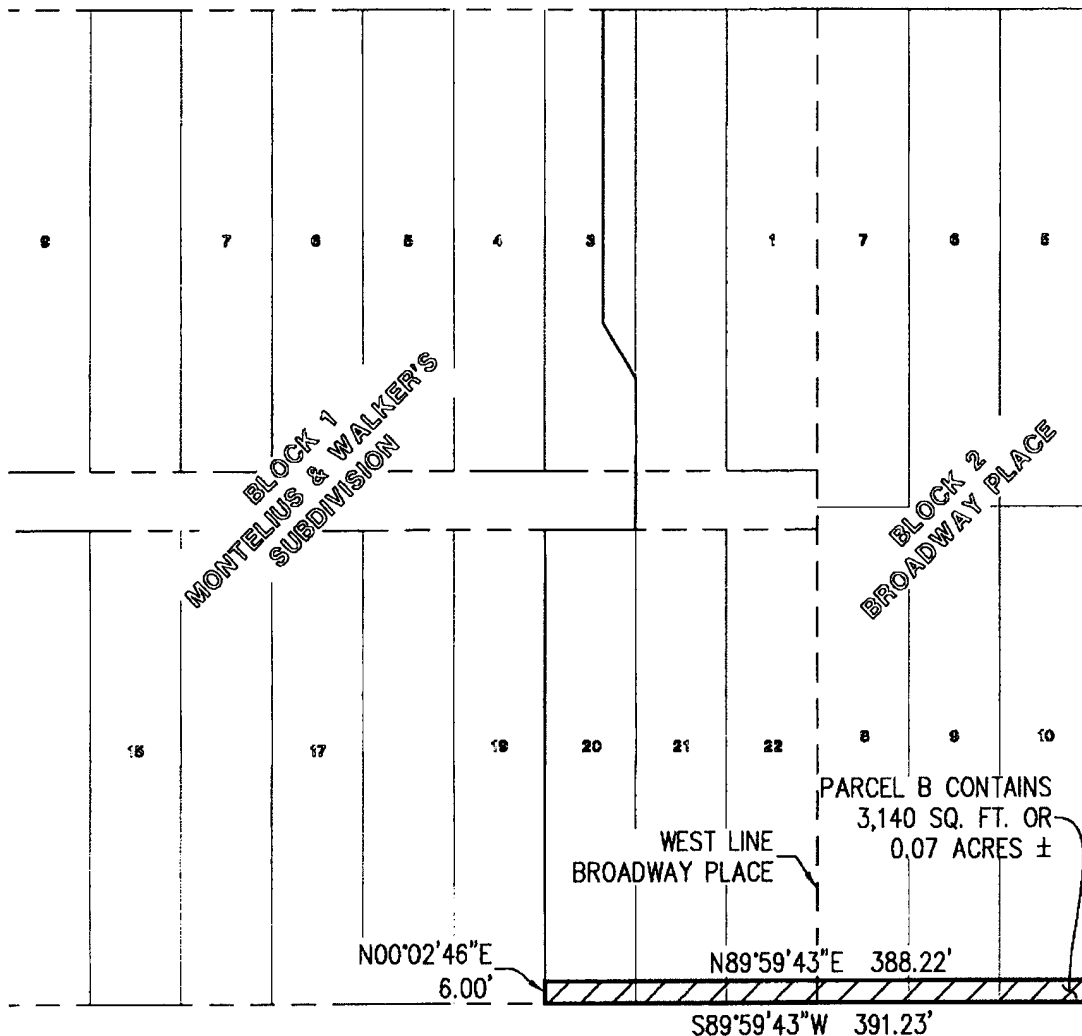
MATCHLINE - SEE SHEET 3

EXHIBIT B

SHEET 3 OF 3

BASIS OF BEARINGS
20' R.L. N89°58'30"W 670.07' (670' R)

ARCHER PL
(VARIABLE-WIDTH PUBLIC R.O.W.)



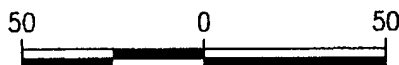
N00°02'46"E
6.00'

N89°59'43"E 388.22'

S89°59'43"W 391.23'

BAYAUD AVE
(VARIABLE-WIDTH PUBLIC R.O.W.)

14' R.L. S89°55'46"W 670.39' (670' R)



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ISSUE DATE: 12-27-2017 PROJECT #: 170805

DATE	REVISION COMMENTS

SW 1/4 SEC. 10, T4S, R68W,
6TH P.M.

EXHIBIT B

HKS HARRIS KOCHER SMITH
1120 Lincoln Street, Suite 1000
Denver, Colorado 80203
P: 303.623.6300 F: 303.623.6311
HarrisKocherSmith.com

CHKD BY: AWV
DRAWN BY: KDW

SHEET NO

3

1 OF 3