



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: February 11, 2019

ROW #: 2013-Dedication-0013105 **SCHEDULE #:** Parcel 1 – 0522107058000
Parcel 2 - 0522107062000

TITLE: This request is to dedicate a parcel of land as Public Right of Way as Public Alley.
Located in the alley bounded by S. Lincoln St. E. Arizona Ave. S. Sherman St. and E. Mississippi Ave

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 (**Platt Park North**)

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 # (2013-Dedication-0013105-001 & 002) HERE.

A map of the area to be dedicated is attached.

MB/JL/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, 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, John Lautenschlager
Public Works Survey, Paul Rogalla
Owner: City and County of Denver
Project file folder 2013-Dedication-00131

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: February 11, 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 S. Lincoln St. E. Arizona Ave. S. Sherman St. and E. Mississippi Ave

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 (Platt Park North)

****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. Lincoln St., E. Arizona Ave., S. Sherman St. and E. Mississippi
- 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: _____



DENVER
THE MILE HIGH CITY

EXECUTIVE SUMMARY

Project Title: 2013-Dedication-0013105

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 called Platt Park North.



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

289 0 144.5 289 Feet

PW Legal Description No. 2013-Dedication-0013105-001

Two parcels of land being a portion of that deed conveyed by Special Warranty Deed to the City & County of Denver, recorded on the 31st May 2013, by Reception Number 2013078342 in the City and County of Denver, Clerk & Recorder's Office, State of Colorado, being more particularly described as follows:

Parcel 1 West side of Alley

A portion of Block 7, Sherman Subdivision, recorded in Plat BK 3, PG. 4 with the Arapahoe County Clerk & Recorder; as it exists in the NE1/4 of Section 22, Township 4 South, Range 68 West of the 6th P.M., City and County of Denver, State of Colorado, further described as:

For purposes of this description, bearings are based on the north line of said Block 7 as monumented on both ends by a rebar with a yellow plastic cap, LS24968 and assumed to bear North 89°54'07" East;

Commencing at the northwest corner of said Block 7, thence South 00°05'31" East , along the west line of said Block 7, a distance of 276.56 feet to the True Point of Beginning; thence North 89°54'07" East, a distance of 125.13 feet to the east line of Lot 12 also being the westerly alley line of said Block 7; thence South 00°06'05" East along said westerly alley line, a distance of 173.50 feet to the southeast corner of Lot 18; thence South 89°54'07" West along said southerly lot line, a distance of 2.00 feet; thence North 00°06'05" West, a distance of 137.50 feet; thence North 45°05'59" West, a distance of 28.29 feet; thence South 89°54'07" West, a distance of 103.13 feet to the west line of said Block 7; Thence North 00°05'31" West along said westerly line, a distance of 16.00 feet to the True Point of Beginning. Containing 2,517 SF, (0.057 acres) more or less

PW Legal Description No. 2013-Dedication-0013105-002

Parcel 2 East Side of Alley

A portion of Block 7, Sherman Subdivision, recorded in Plat BK 3, PG 4. with the Arapahoe County Clerk & Recorder; as it exists in the NE1/4 of Section 22, Township 4 South, Range 68 West of the 6th P.M., City and County of Denver, State of Colorado, further described as:

For purposes of this description, bearings are based on the north line of said Block 7 as monumented on both ends by a rebar with a yellow plastic cap, LS24968 and assumed to bear North 89°54'07" East;

Commencing at the northwest corner of said Block 7, thence South 00°05'31" East , along the west line of said Block 7, a distance of 276.56 feet; thence North 89°54'07" East, a distance of 139.13 feet to the west line of Lot 37 also being the easterly alley line of said Block 7 and the True Point of Beginning; thence North 89°54'07" East, a distance of 2.00 feet: thence South 00°06'05" East, a distance of 106.82 feet to the south line of the North 8 feet 4 inches of Lot 33; thence South 89°54'07" West, along said southerly line a distance of 2.00 feet to said the easterly alley line; thence North 00°06'05" West along said easterly alley line, a distance of 106.82 feet to the True Point of Beginning. Containing 214 SF, (0.005 acres) more or less

BLOCK 7
PARCELS 1 AND 2
2013-DEDICATION -
00139105-001

After Recording Return to:
Division of Real Estate
Department #1010
201 W. Colfax Avenue
Denver, Colorado 80202
Attn: Steve Wirth

SPECIAL WARRANTY DEED
(Mississippi S. Grant Alley Strip and Alley "L"; Miss/S.Sherman Alley Strip)

THIS SPECIAL WARRANTY DEED, is made this 30th day of May, 2013, by Platt Park North, LLC, a Colorado limited liability company ("Grantor"), and the City and County of Denver, a home rule city and municipal corporation of the State of Colorado, whose address is 1437 Bannock Street, Denver, Colorado 80202 ("Grantee").

WITNESSETH, that Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$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 Grantee, all of the real property, together with improvements, if any, situate, lying and being in the City and County of Denver, State of Colorado, described as follows:

SEE EXHIBIT A, attached hereto and incorporated herein

TOGETHER with all and singular hereditaments and appurtenances thereto belonging, or in any way 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 premises, with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the said premises above bargained and described with the appurtenances, unto Grantee. Grantor does covenant and agree that it shall and will warrant and forever defend the above bargained premises in the quiet and peaceable possession of Grantee against all and every person or persons claiming the whole or any part thereof by, through or under Grantor, subject to only those matters of record set forth in EXHIBIT B, attached hereto and incorporated herein.

Exhibit A
to
Special Warranty Deed

(Legal Description)

[SEE ATTACHED]

EXHIBIT A

Part of NE1/4, Section 22, T 4 S, R 68 W, of the 6th P.M.
CITY and COUNTY OF DENVER, STATE OF COLORADO

SHEET 1 of 2

LEGAL DESCRIPTION :

A PORTION OF BLOCK 5, SHERMAN SUBDIVISION, RECORDED IN PLAT BK 3, PG. 4 WITH THE ARAPAHOE COUNTY CLERK & RECORDER; AS IT EXISTS IN THE NE1/4 of SECTION 22, TOWNSHIP 4 SOUTH, RANGE 68 WEST of the 6th P.M., CITY and COUNTY OF DENVER, STATE OF COLORADO, FURTHER DESCRIBED AS:

FOR PURPOSES OF THIS DESCRIPTION, BEARINGS ARE BASED ON THE NORTH LINE OF SAID BLOCK 5 AS MONUMENTED ON BOTH ENDS BY A REBAR WITH YELLOW PLASTIC CAP (OR NAIL & TAG), LS24968 AND ASSUMED TO BEAR NORTH 89°54'07" EAST;

COMMENCING AT THE NORTHWEST CORNER OF SAID BLOCK 5, THENCE NORTH 89°54'07" EAST, FOR 125.09 FEET TO THE NE CORNER OF LOT 1 IN SAID BLOCK 5;

THENCE SOUTH 00°05'59" EAST, FOR 60.71 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 00°05'59" EAST, FOR 189.32 FEET TO THE SOUTHEAST CORNER OF SAID LOT 10;

THENCE SOUTH 89°54'07" WEST ALONG THE SOUTH LINE OF SAID LOT 10, FOR 2.00 FEET;

THENCE NORTH 00°05'59" WEST, FOR 189.32 FEET;

THENCE NORTH 89°54'07" EAST, FOR 2.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 379 SF, (0.009 ACRES) MORE OR LESS



PREPARED BY **WLR SERVICES**
13609 COUNTY RD. 94
ELBERT, COLORADO 80108
(303) 648-9755
FAX (303) 648-9757



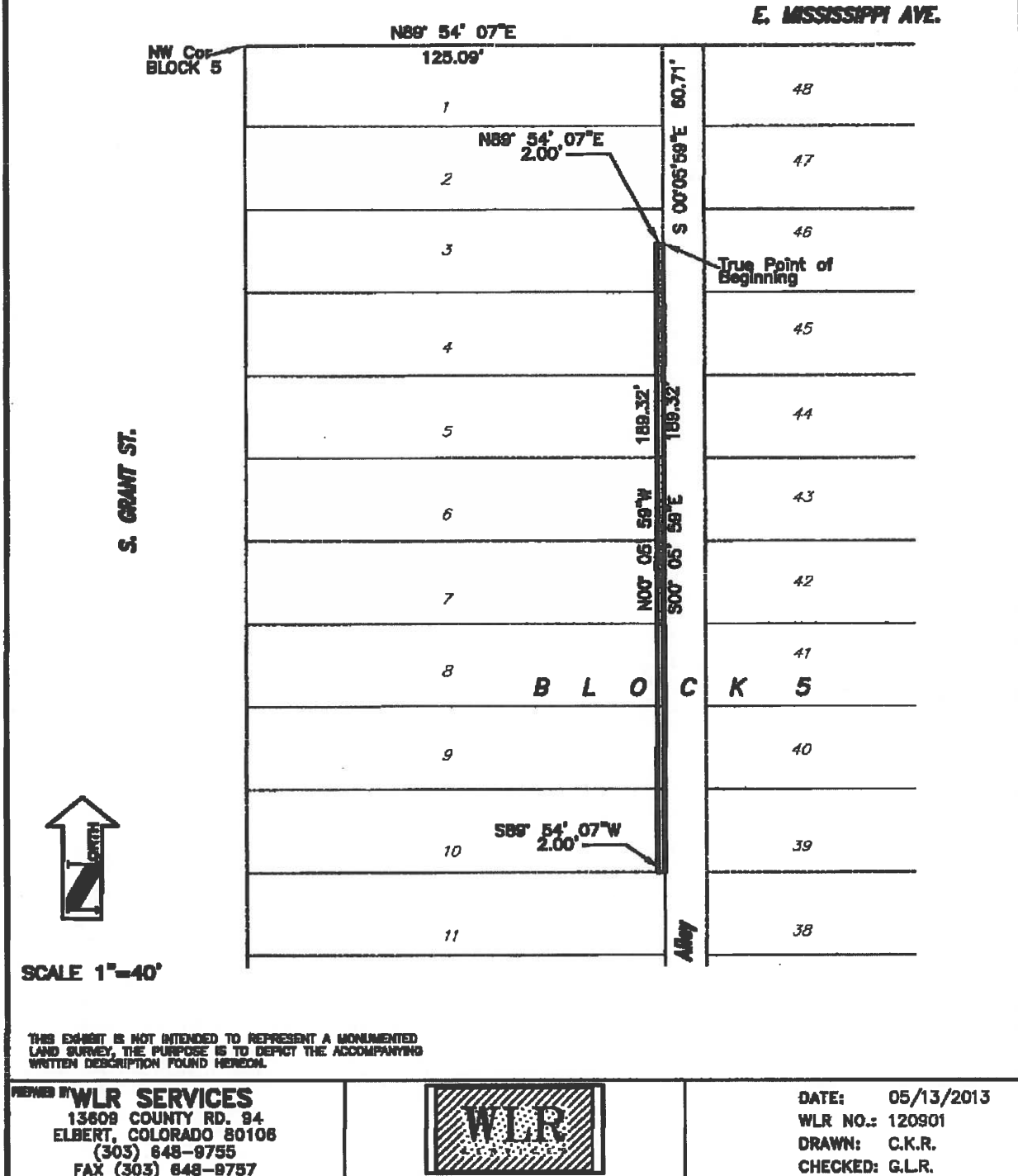
DATE: 05/13/2013
WLR NO.: 120901
DRAWN: C.K.R.
CHECKED: G.L.R.

2013-0131-05-005

EXHIBIT A

Part of NE1/4, Section 22, T 4 S, R 68 W, of the 6th P.M.
 CITY and COUNTY of DENVER, STATE OF COLORADO

SHEET 2 of 2



PARCEL 1
WEST SIDE
ALLEY

2013-0131-05-004

EXHIBIT A

Part of NE1/4, Section 22, T 4 S, R 68 W, of the 6th P.M.
CITY and COUNTY OF DENVER, STATE OF COLORADO

SHEET 1 of 2

LEGAL DESCRIPTION :

A PORTION OF BLOCK 7, SHERMAN SUBDIVISION, RECORDED IN PLAT BK 3, PG. 4 WITH THE ARAPAHOE COUNTY CLERK & RECORDER; AS IT EXISTS IN THE NE1/4 of SECTION 22, TOWNSHIP 4 SOUTH, RANGE 68 WEST of the 6th P.M., CITY and COUNTY OF DENVER, STATE OF COLORADO, FURTHER DESCRIBED AS:

FOR PURPOSES OF THIS DESCRIPTION, BEARINGS ARE BASED ON THE NORTH LINE OF SAID BLOCK 7 AS MONUMENTED ON BOTH ENDS BY A REBAR WITH YELLOW PLASTIC CAP, LS24988 AND ASSUMED TO BEAR NORTH 89°54'07" EAST;

COMMENCING AT THE NORTHWEST CORNER OF SAID BLOCK 7, THENCE SOUTH 00°05'31" EAST, ALONG THE WEST LINE OF SAID BLOCK 7, FOR 278.56 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 89°54'07" EAST, FOR 125.13 FEET; THENCE SOUTH 00°06'05" EAST, FOR 173.50 FEET TO THE SE CORNER OF LOT 18; THENCE SOUTH 89°54'07" WEST, FOR 2.00 FEET; THENCE NORTH 00°06'05" WEST, FOR 137.50 FEET THENCE NORTH 45°05'59" WEST, FOR 28.29 FEET THENCE SOUTH 89°54'07" WEST, FOR 103.13 FEET TO THE WEST LINE OF SAID BLOCK 7; THENCE NORTH 00°05'31" WEST, FOR 16.00 FEET TO THE TRUE POINT OF BEGINNING CONTAINING 2,517 SF. (0.057 ACRES MORE OR LESS)



PREPARED BY **WLR SERVICES**
13809 COUNTY RD. 94
ELBERT, COLORADO 80106
(303) 848-9755
FAX (303) 848-9757



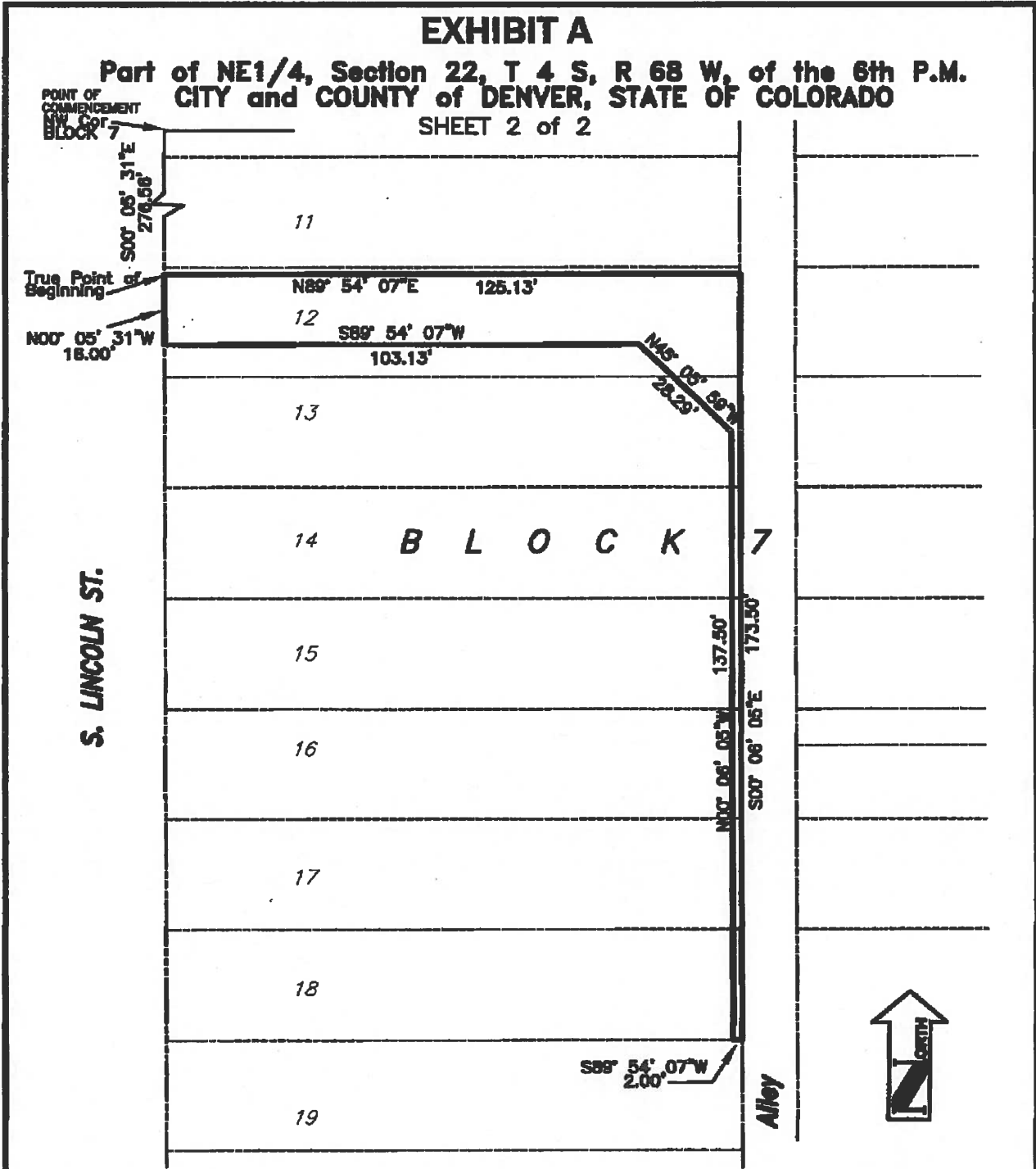
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2013-0131-05-004

EXHIBIT A

Part of NE1/4, Section 22, T 4 S, R 68 W, of the 6th P.M.
 CITY and COUNTY of DENVER, STATE OF COLORADO

SHEET 2 of 2



SCALE 1"=30'

THIS EXHIBIT IS NOT INTENDED TO REPRESENT A MONUMENTED
 LAND SURVEY, THE PURPOSE IS TO DEPICT THE ACCOMPANYING
 WRITTEN DESCRIPTION FOUND HEREON.

PREPARED BY **WLR SERVICES**
 13609 COUNTY RD. 94
 ELBERT, COLORADO 80106
 (303) 648-9755
 FAX (303) 648-9757



DATE: 05/13/2013
 WLR NO.: 120901
 DRAWN: C.K.R.
 CHECKED: G.L.R.

PARCEL 2
EAST SIDE
ALLEY

2013-0131-05-003

EXHIBIT A

Part of NE1/4, Section 22, T 4 S, R 68 W, of the 6th P.M.
CITY and COUNTY OF DENVER, STATE OF COLORADO

SHEET 1 of 2

LEGAL DESCRIPTION :

A PORTION OF BLOCK 7, SHERMAN SUBDIVISION, RECORDED IN PLAT BK 3, PG. 4 WITH THE ARAPAHOE COUNTY CLERK & RECORDER; AS IT EXISTS IN THE NE1/4 of SECTION 22, TOWNSHIP 4 SOUTH, RANGE 68 WEST of the 6th P.M., CITY and COUNTY OF DENVER, STATE OF COLORADO, FURTHER DESCRIBED AS:

FOR PURPOSES OF THIS DESCRIPTION, BEARINGS ARE BASED ON THE NORTH LINE OF SAID BLOCK 7 AS MONUMENTED ON BOTH ENDS BY A REBAR WITH YELLOW PLASTIC CAP, LS24968 AND ASSUMED TO BEAR NORTH 89°54'07" EAST;

COMMENCING AT THE NORTHWEST CORNER OF SAID BLOCK 7, THENCE SOUTH 00°05'31" EAST, ALONG THE WEST LINE OF SAID BLOCK 7, FOR 276.56 FEET;
THENCE NORTH 89°54'07" EAST, FOR 139.13 FEET TO THE WEST LINE OF LOT 37 IN BLOCK 7 AND THE TRUE POINT OF BEGINNING;
THENCE NORTH 89°54'07" EAST, FOR 2.00 FEET
THENCE SOUTH 00°06'05" EAST, FOR 106.82 FEET TO THE SOUTH LINE OF THE NORTH 8 FEET 4 INCHES OF LOT 33; THENCE SOUTH 89°54'07" WEST, ALONG SAID LINE FOR 2.00 FEET;
THENCE NORTH 00°06'05" WEST, FOR 106.82 FEET TO THE TRUE POINT OF BEGINNING.
CONTAINING 214 SF, (0.005 ACRES MORE OR LESS)



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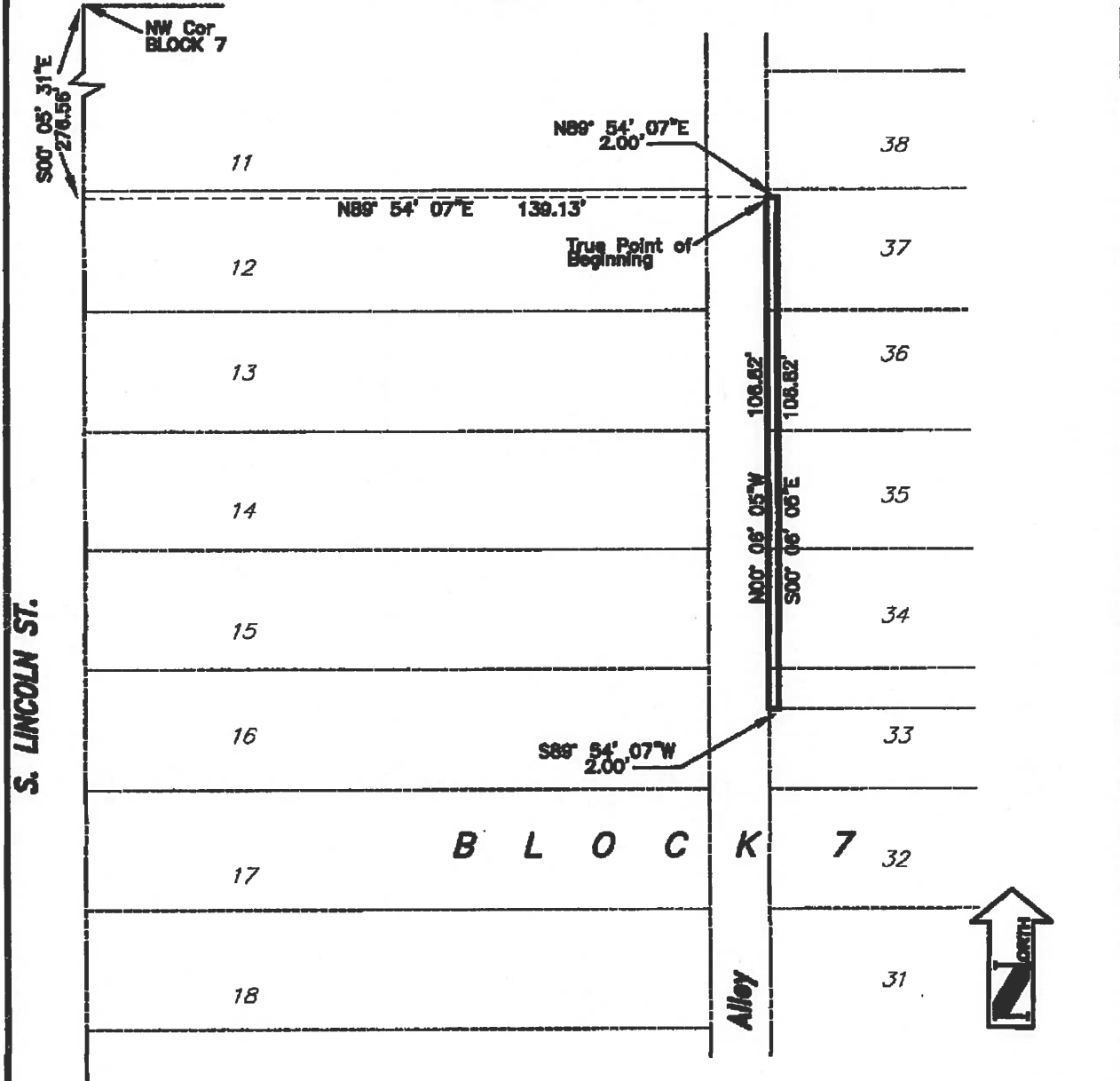
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DRAWN: C.K.R.
CHECKED: G.L.R.

2013-0131-05-003

EXHIBIT A

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 CITY and COUNTY of DENVER, STATE OF COLORADO

SHEET 2 of 2



SCALE 1"=30'

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 LAND SURVEY, THE PURPOSE IS TO DEPICT THE ACCOMPANYING
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 FAX (303) 648-9757



DATE: 05/13/2013
 WLR NO.: 120901
 DRAWN: C.K.R.
 CHECKED: G.L.R.

2013-0131-05-002

EXHIBIT A

Part of NE1/4, Section 22, T 4 S, R 68 W, of the 6th P.M.
CITY and COUNTY OF DENVER, STATE OF COLORADO

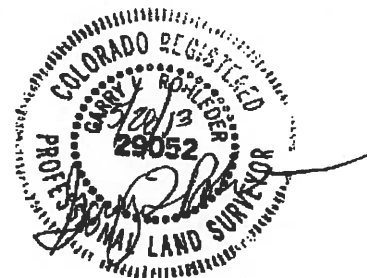
SHEET 1 of 2

LEGAL DESCRIPTION :

A PORTION OF BLOCK 6, SHERMAN SUBDIVISION, RECORDED IN PLAT BK 3, PG. 4 WITH THE ARAPAHOE COUNTY CLERK & RECORDER; AS IT EXISTS IN THE NE1/4 of SECTION 22, TOWNSHIP 4 SOUTH, RANGE 68 WEST of the 6th P.M., CITY and COUNTY OF DENVER, STATE OF COLORADO, FURTHER DESCRIBED AS:

FOR PURPOSES OF THIS DESCRIPTION, BEARINGS ARE BASED ON THE NORTH LINE OF SAID BLOCK 7 AS MONUMENTED ON BOTH ENDS BY A REBAR WITH YELLOW PLASTIC CAP, LS24968 AND ASSUMED TO BEAR NORTH 89°54'07" EAST;

COMMENCING AT THE NORTHWEST CORNER OF SAID BLOCK 6, THENCE NORTH 89°54'07" EAST, FOR 121.04 FEET TO THE NE CORNER OF LOT 1 IN SAID BLOCK 6;
THENCE SOUTH 00°05'47" EAST, FOR 60.71 FEET TO THE TRUE POINT OF BEGINNING;
THENCE SOUTH 00°05'47" EAST, FOR 189.32 FEET TO THE SE CORNER OF LOT 10;
THENCE SOUTH 89°54'07" WEST, ALONG THE SOUTH LINE OF SAID LOT 10, FOR 2.00 FEET;
THENCE NORTH 00°05'47" WEST, FOR 189.32 FEET
THENCE NORTH 89°54'07" EAST, FOR 2.00 FEET TO THE TRUE POINT OF BEGINNING
CONTAINING 379 SF, (0.009 ACRES MORE OR LESS)



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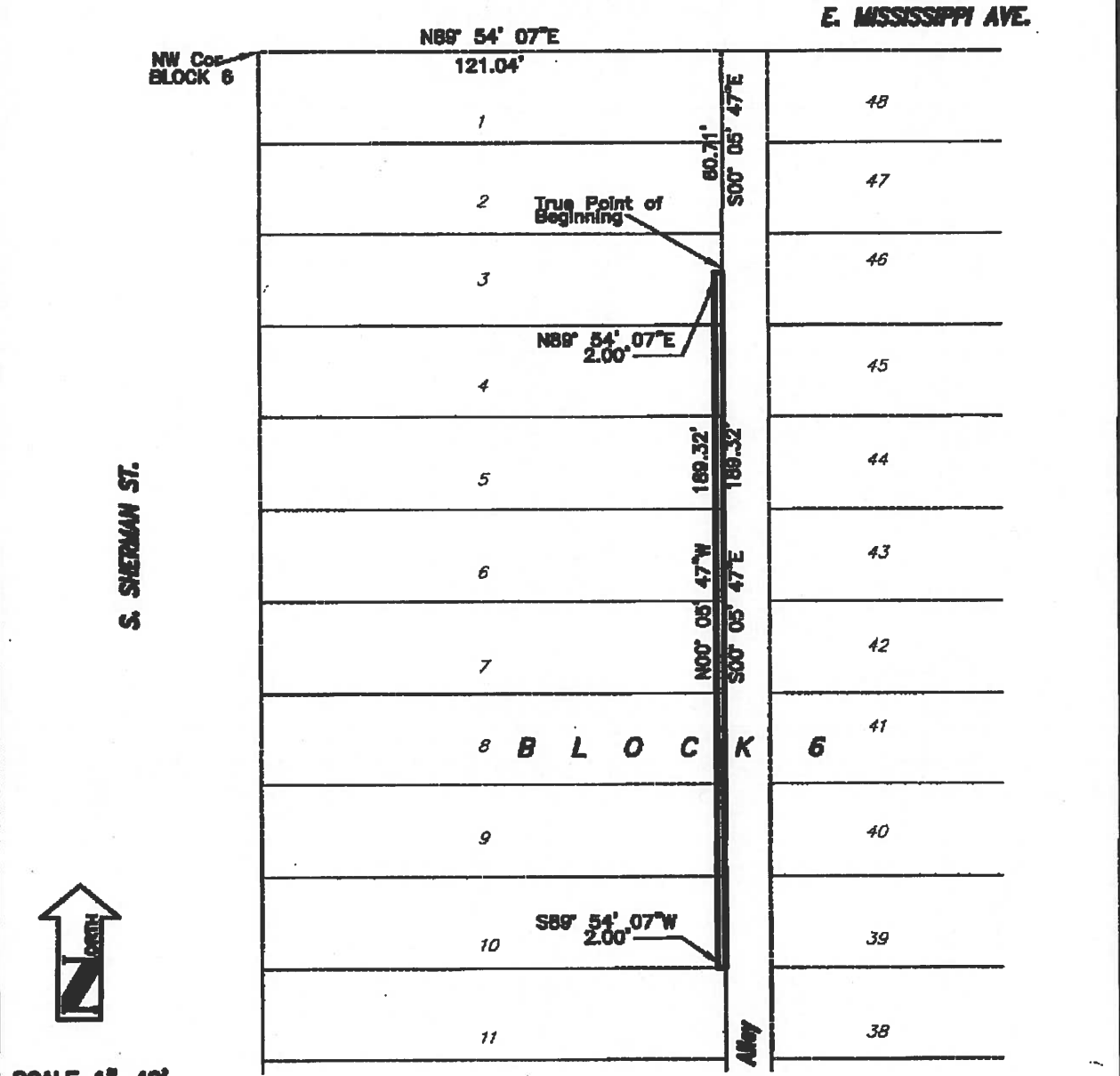
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DRAWN: C.K.R.
CHECKED: G.L.R.

2013-0131-05-002

EXHIBIT A

Part of NE1/4, Section 22, T 4 S, R 68 W, of the 6th P.M.
 CITY and COUNTY of DENVER, STATE OF COLORADO

SHEET 2 of 2



SCALE 1"=40'

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PREPARED BY **WLR SERVICES**
 13809 COUNTY RD. 94
 ELBERT, COLORADO 80106
 (303) 648-9755
 FAX (303) 648-9757



DATE: 05/13/2013
 WLR NO.: 120901
 DRAWN: C.K.R.
 CHECKED: G.L.R.

Exhibit B
to
Special Warranty Deed

(Permitted Exceptions)

1. TAXES AND ASSESSMENTS FOR 2013 AND SUBSEQUENT YEARS, A LIEN NOT YET DUE AND PAYABLE
2. RESERVATION OF USE OF AND CONSENT TO USE OF GROUND WATER BY THE GATES RUBBER COMPANY RECORDED SEPTEMBER 3, 1985 UNDER RECEPTION NO. 959781 AND AMENDMENT THERETO RECORDED OCTOBER 17, 1985 UNDER RECEPTION NO. 1080101.
3. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN ZONING ORDINANCES RECORDED JANUARY 7, 2005 UNDER RECEPTION NO. 2005004013, NOVEMBER 17, 2005 UNDER RECEPTION NO. 2005197022, 2005197023 AND 2005197024.
4. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN GATES EAST GDP RECORDED MAY 03, 2007 UNDER RECEPTION NO. 2007070827.