



REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Ivone Avila-Ponce, City Attorney's Office

FROM: Matt R. Bryner, P.E., Director, Right-of-Way Services *Matt R. Bryner*
Matt R. Bryner (Oct 6, 2022 15:51 MDT)

DATE: October 6, 2022

ROW #: 2022-DEDICATION-0000037 **SCHEDULE #:** Adjacent to 0522737030000

TITLE: This request is to dedicate three City-owned parcels of land as 1) S. Pearl St., located at the intersection of S. Pearl St. and E. Colorado Ave., 2) S. Pearl St., located near the intersection of S. Pearl St. and E. Colorado Ave., and 3) Public Alley, bounded by S. Pearl St., E. Jewell Ave., S. Washington St., and E. Colorado 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 1) S. Pearl St., 2) S. Pearl St., and 3) Public Alley.

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 1) S. Pearl St., 2) S. Pearl St., and 3) Public Alley. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2022-DEDICATION-0000037-001, 002, 003) HERE.

A map of the area to be dedicated is attached.

MB/BP/LRA

cc: Dept. of Real Estate, RealEstate@denvergov.org
City Councilperson, Jolon Clark District # 7
Councilperson Aide, Tate Carpenter
Councilperson Aide, Iris Tan
Councilperson Aide, Maggie Thompson
City Council Staff, Zach Rothmier
Environmental Services, Andrew Ross
DOTI, Manager's Office, Alba Castro
DOTI, Manager's Office, Jason Gallardo
DOTI, Director, 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, Ivone Avila-Ponce
Department of Law, Uyen Tran
Department of Law, Stefanie Raph
DOTI Survey, Brian Pfohl
DOTI Ordinance
Owner: City and County of Denver
Project file folder 2022-DEDICATION-0000037

City and County of Denver Department of Transportation & Infrastructure
Right-of-Way Services
201 W. Colfax Ave. | Denver, CO 80215
www.denvergov.org/doti
Phone: 720-913-1311

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: October 6, 2022

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:** This request is to dedicate three City-owned parcels of land as 1) S. Pearl St., located at the intersection of S. Pearl St. and E. Colorado Ave., 2) S. Pearl St., located near the intersection of S. Pearl St. and E. Colorado Ave., and 3) Public Alley, bounded by S. Pearl St., E. Jewell Ave., S. Washington St., and E. Colorado Ave.

3. **Requesting Agency:** DOTI, Right-of-Way Services
Agency Section: Survey

4. **Contact Person:** (With actual knowledge of proposed ordinance/resolution.)

- **Name:** Lisa R. Ayala
- **Phone:** 720-865-3112
- **Email:** lisa.ayala@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:** 720-865-8723
- **Email:** Jason.Gallardo@denvergov.org

6. **General description/background of proposed resolution including contract scope of work if applicable:** The project is for a partial demolition at 1804 S. Pearl St. and build two new commercial buildings and a 3-unit residential building in the rear. The developer was asked to dedicate two parcels as S. Pearl St., and one parcel as public alley.

****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:** Near the intersection of S. Pearl St. and E. Colorado Ave.
- d. **Affected Council District:** Jolon Clark District # 7
- e. **Benefits:** N/A
- f. **Contract Amount (indicate amended amount and new contract total):** N/A

7. **Is there any controversy surrounding this resolution?** (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

Project Title: 2022-DEDICATION-0000037

Description of Proposed Project: The project is for a partial demolition at 1804 S. Pearl St. and build two new commercial buildings and a 3-unit residential building in the rear. The developer was asked to dedicate two parcels as S. Pearl St., and one parcel 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 be dedicated as 1) S. Pearl St., 2) S. Pearl St., and 3) Public Alley.

Has a Temp MEP been issued, and if so, what work is underway: N/A

What is the known duration of a 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

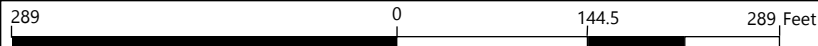
Will an easement relinquishment be submitted at a later date: N/A

Additional information: This land was deeded to the City and County of Denver for the purpose of dedicating it as 1) S. Pearl St., 2) S. Pearl St., and 3) Public Alley, as part of a development project called, "1804 S Pearl St."



Legend

-  Well Restrictions
-  Barrier Restrictions
- Area Restrictions
 -  Liner
 -  Sheet Pile Wall Area
-  Streams
-  Irrigation Ditches Reconstruct (Gardeners)
-  Irrigation Ditches
-  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



PARCEL DESCRIPTION ROW NO. 2022-DEDICATION-0000037-001:

LAND DESCRIPTION – STREET PARCEL 1

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 21ST DAY OF JULY, 2022, AT RECEPTION NUMBER 2022097717, AND THAT SURVEYOR'S AFFIDAVIT OF CORRECTION RECORDED ON THE 29TH DAY OF SEPTEMBER, 2022 AT RECEPTION NUMBER 2022126616 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

A PARCEL OF LAND BEING A PORTION OF LOTS 1 THROUGH 4, BLOCK 10, GRANT SUBDIVISION,

SITUATED IN THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE

6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY

DESCRIBED AS FOLLOWS:

THE WEST 2.0 FEET OF SAID LOT 1.

SAID PARCEL 1 CONTAINS 50 SQUARE FEET, OR 0.001 ACRES, MORE OR LESS.

PARCEL DESCRIPTION ROW NO. 2022-DEDICATION-0000037-002:

LAND DESCRIPTION – STREET PARCEL 2

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 21ST DAY OF JULY, 2022, AT RECEPTION NUMBER 2022097717, AND THAT SURVEYOR'S AFFIDAVIT OF CORRECTION RECORDED ON THE 29TH DAY OF SEPTEMBER, 2022 AT RECEPTION NUMBER 2022126616 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

A PARCEL OF LAND BEING A PORTION OF LOTS 1 THROUGH 4, BLOCK 10, GRANT SUBDIVISION,

SITUATED IN THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE

6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY

DESCRIBED AS FOLLOWS:

THE WEST 2.0 FEET OF SAID LOTS 3 AND 4.

SAID PARCEL 2 CONTAINS 100 SQUARE FEET, OR 0.002 ACRES, MORE OR LESS.

PARCEL DESCRIPTION ROW NO. 2022-DEDICATION-0000037-003:

LAND DESCRIPTION – ALLEY PARCEL 3

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 21ST DAY OF JULY, 2022, AT RECEPTION NUMBER 2022097717, AND THAT SURVEYOR'S AFFIDAVIT OF CORRECTION RECORDED ON THE 29TH DAY OF SEPTEMBER, 2022 AT RECEPTION NUMBER 2022126616 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

A PARCEL OF LAND BEING A PORTION OF LOTS 1 THROUGH 4, BLOCK 10, GRANT SUBDIVISION,

SITUATED IN THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE

6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY

DESCRIBED AS FOLLOWS:

THE EAST 2.0 FEET OF SAID LOTS 1 THROUGH 4.

SAID PARCEL 3 CONTAINS 200 SQUARE FEET, OR 0.004 ACRES, MORE OR LESS.



2022097717
Page: 1 of 4
D \$0.00

After recording, return to:
Division of Real Estate
City and County of Denver
201 West Colfax Avenue, Dept. 1010
Denver, Colorado 80202
Project Description: 202372-Dedication-0000037
Asset Mgmt No.: 22-137

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED (“Deed”), made as of this 22nd day of June, 2022, by **1804 S. PEARL ST. LLC** a Colorado limited liability company whose address is 1859 S Washington St., Denver, CO 80210, 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.

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

ATTEST:

1804 S. PEARL ST. LLC a Colorado limited liability company

By: 1804 S. Pearl St LLC
by Nora R Baldwin

STATE OF Colorado)
) ss.
COUNTY OF Denver)

The foregoing instrument was acknowledged before me this 22 day of June, 2022
by Nora Baldwin, as owner of 1804 S. Pearl St,
a Colorado limited liability company.

Witness my hand and official seal.

My commission expires: 06/01/2024

[Signature]

Notary Public

HANEEN ALKINANI
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20204018945
MY COMMISSION EXPIRES 06/01/2024

2021-PROJMSTR-0000091-001, 002 AND 003

EXHIBIT A
SHEET 1 OF 2
LAND DESCRIPTIONS

PARCEL 1

A PARCEL OF LAND BEING A PORTION OF LOTS 1 THROUGH 4, BLOCK 10, GRANT SUBDIVISION, SITUATED IN THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 2.0 FEET OF SAID LOT 1.

SAID PARCEL 1 CONTAINS 50 SQUARE FEET, OR 0.001 ACRES, MORE OR LESS.

PARCEL 2

A PARCEL OF LAND BEING A PORTION OF LOTS 1 THROUGH 4, BLOCK 10, GRANT SUBDIVISION, SITUATED IN THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 2.0 FEET OF SAID LOTS 3 AND 4.

SAID PARCEL 2 CONTAINS 200 SQUARE FEET, OR 0.005 ACRES, MORE OR LESS.

PARCEL 3

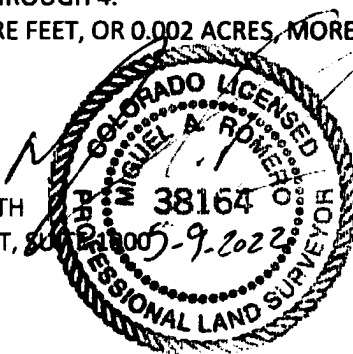
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THE EAST 2.0 FEET OF SAID LOTS 1 THROUGH 4.

SAID PARCEL 3 CONTAINS 100 SQUARE FEET, OR 0.002 ACRES, MORE OR LESS.

PREPARED BY: MIGUEL A. ROMERO
PLS 38164

ON BEHALF OF: HARRIS KOCHER SMITH
1120 LINCOLN STREET, SUITE 1005
DENVER, CO 80203
303.623.6300



Miguel
Romero

Digitally signed
by Miguel
Romero
Date: 2022.05.09
10:19:04 -06'00'

2021-PROJMSTR-0000091-001, 002 AND 003

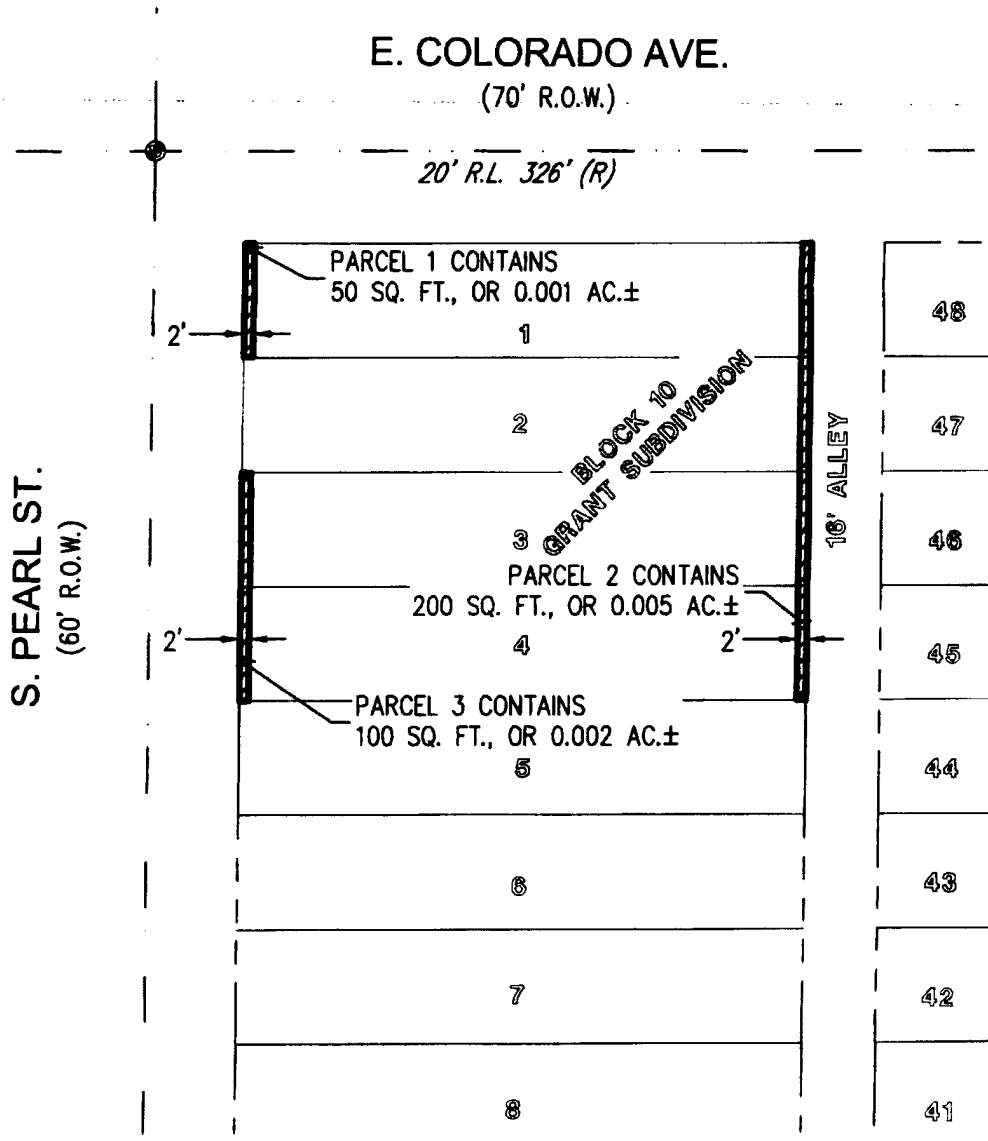
EXHIBIT A

SITUATED IN THE SOUTHEAST 1/4 OF SECTION 22, TOWNSHIP 4 SOUTH,
RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO

E. COLORADO AVE.

(70' R.O.W.)

20' R.L. 326' (R)



S. PEARL ST.
(60' R.O.W.)

10' ALLEY

PARCEL 1 CONTAINS
50 SQ. FT., OR 0.001 AC.±

1

48

2

47

3

46

PARCEL 2 CONTAINS
200 SQ. FT., OR 0.005 AC.±

4

45

PARCEL 3 CONTAINS
100 SQ. FT., OR 0.002 AC.±

5

44

6

43

7

42

8

41



SCALE: 1" = 40'

ISSUE DATE: 03-15-2022	PROJECT #: 220219
DATE	REVISION COMMENTS

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



EXHIBIT A

ILLUSTRATION

1804 S. PEARL ST.

PROJECT #: 220219
 CHECKED BY: MAR
 DRAWN BY: JAG
 SHEET NUMBER
2
 2 OF 2

Plotted: THU 03/17/22 8:53:39A By: Joseph Gutierrez Filepath: K:\220219\survey\1804 s pearl-esmt-dedication.dwg Layout: layout1



09/29/2022 01:48 PM
City & County of Denver

R \$28.00

AFF

2022126616

Page: 1 of 4

D \$0.00

State of Colorado)
) ss
City and County of Denver)

**Surveyor's
Affidavit of Correction
(Special Warranty Deed)**

On this 23rd day of September 2022, I Miguel A. Romero having no ownership interest in the after described lands, upon oath and under penalty of perjury, depose and say, as provided in CRS 38-51-111 as follows:

That I am a Licensed Professional Land Surveyor in the State of Colorado and prepared the Exhibit A in Special Warranty Deed granted to the City and County of Denver, conveying a portion of land in Lots 1 through 4, Block 10, Grant Subdivision, a tract of land situated in Section 22, Township 4 South, Range 68 West of the 6th Principal Meridian, said Special Warranty Deed having been recorded on the 21st day of July, 2022, at Reception Number 2022097717, at the City and County of Denver Clerk and Recorder's Office.

Affiant further states some square feet, acres and parcel numbers are incorrectly shown on Exhibit A, Sheets 1 and 2 of said Special Warranty Deed and it is necessary to make corrections, as further explained below:

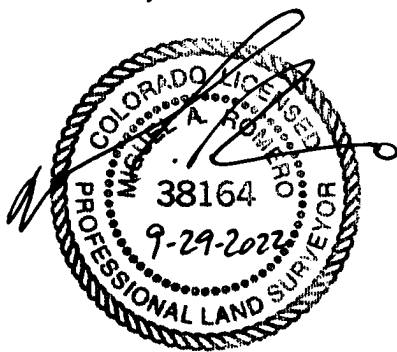
- On Sheet 1, parcel 2 incorrectly states 200 square feet and should state 100 square feet; and parcel 3 incorrectly states 100 square feet and should state 200 square feet,
- On Sheet 1, parcel 2 incorrectly states 0.005 acres and should state 0.002 acres; and parcel 3 incorrectly states 0.002 acres and should states 0.005 acres.
- On Sheet 2, the parcel labeled parcel 2 is incorrect and should be labeled parcel 3; and the parcel labeled parcel 3 is incorrect and should be labeled as parcel 2.

Affiant further states that a revised Exhibit A, Sheets 1 and 2, included with this Affidavit of Correction, correctly states all square feet, acres and parcel numbers shown on the original Exhibit A included with said Special Warranty Deed.

Affiant further states that the aforementioned Special Warranty Deed is hereby corrected to conform to the above-described descriptions in the same manner as if said descriptions had been recorded with the proper notations contained hereon.

This correction meets the requirements of CRS 38-51-111 (2)(a).

The undersigned herewith confirm, and in all other respects ratify the recorded Special Warranty Deed as corrected by this instrument.



Miguel A. Romero, P.L.S. 38164
 For and on behalf of Harris Kocher Smith
 1120 N Lincoln Street Suite 1000
 Denver, CO 80203
 Phone 303.623.6300
 mromero@hkseng.com

State of Colorado

City and County of Denver

The above and foregoing Affidavit of Correction was acknowledged before me on 9/29, 2022, A.D., by Miguel Romero, a Professional Land Surveyor Licensed in the State of Colorado.

Witness my hand and official seal:

My commission Expires: 3/27/25

Enid Elizabeth Lynn
 Notary Public

ENID ELIZABETH LYNN
 NOTARY PUBLIC
 STATE OF COLORADO
 NOTARY ID 20044021110
 MY COMMISSION EXPIRES 03/27/2025

EXHIBIT A
SHEET 1 OF 2
LAND DESCRIPTIONS

PARCEL 1

A PARCEL OF LAND BEING A PORTION OF LOTS 1 THROUGH 4, BLOCK 10, GRANT SUBDIVISION, SITUATED IN THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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PARCEL 2

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THE WEST 2.0 FEET OF SAID LOTS 3 AND 4.

SAID PARCEL 2 CONTAINS 100 SQUARE FEET, OR 0.002 ACRES, MORE OR LESS.

PARCEL 3

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THE EAST 2.0 FEET OF SAID LOTS 1 THROUGH 4.

SAID PARCEL 3 CONTAINS 200 SQUARE FEET, OR 0.004 ACRES, MORE OR LESS.

PREPARED BY: MIGUEL A. ROMERO
PLS 38164

ON BEHALF OF: HARRIS KOCHER SMITH
1120 LINCOLN STREET, SUITE 1000
DENVER, CO 80203
303.623.6300

**Miguel
Romero**

Digitally signed
by Miguel
Romero
Date: 2022.09.29
12:21:41 -06'00'

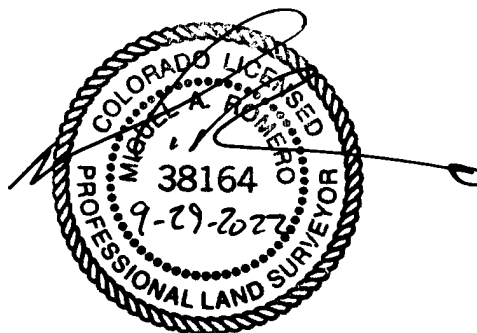


EXHIBIT A

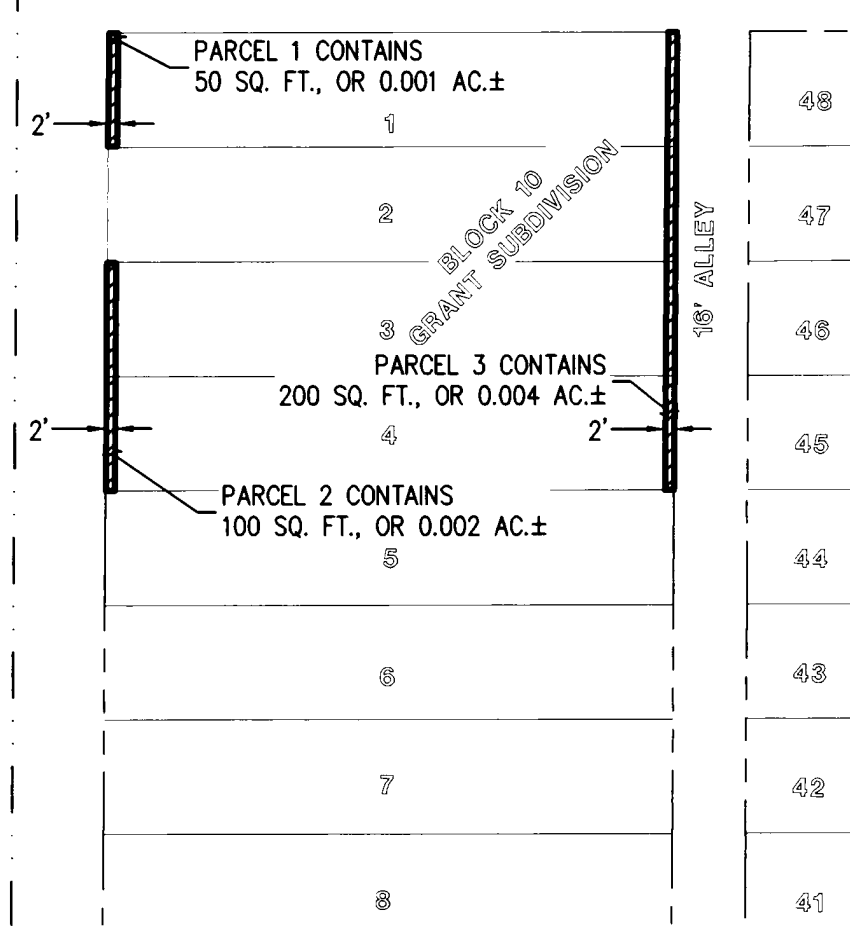
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RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO

E. COLORADO AVE.

(70' R.O.W.)

20' R.L. 326' (R)

S. PEARL ST.
(60' R.O.W.)



SCALE: 1" = 40'



NOTE:

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

ISSUE DATE: 03-15-2022	PROJECT #: 220219
DATE	REVISION COMMENTS
09-29-2022	REVISED PER CITY COMMENTS

HKS HARRIS KOCHER SMITH
1120 Lincoln Street, Suite 1000
Denver, Colorado 80202
P: 303.623.8300 F: 303.623.8111
Harris.kocher@hks.com

EXHIBIT A

ILLUSTRATION
1804 S. PEARL ST.

PROJECT #: 220219
CHECKED BY: MAR
DRAWN BY: JAG
SHEET NUMBER
2
2 OF 2

Plotted: THU 09/29/22 12:10:20P By: Mike Romero Filepath: k:\220219\survey\1804 s pearl-esmt-dedication.dwg Layout: layout1