



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: April 1, 2019

ROW #: 2017-Dedication-0000229 **SCHEDULE #:** 0708400216000

TITLE: This request is to dedicate a parcel of land as Public Right of Way as E. Union Ave.
Located at the intersection of E. Union Ave and S. Niagara 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 E. Union 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 **(DTC-Union Apartments)**

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 E. Union Ave. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2017-Dedication-0000229-001) HERE.

A map of the area to be dedicated is attached.

MB/RP/bv

cc: Dept. of Real Estate, Katherine Rinehart
City Councilperson & Aides, Kendra Black District # 4
Council Aide Kathy Gile
Council Aide Tate Carpenter
Council Aide Elizabeth Zukowski
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, Ron Post
Public Works Survey, Paul Rogalla
Owner: City and County of Denver
Project file folder 2017-Dedication-0000229

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: April 1, 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 E. Union Ave.
Located at the intersection of E. Union Ave and S. Niagara St.

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 E. Union 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 (**DTC-Union Apartments**)

****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:** E. Union Ave. and S. Niagara St
- d. **Affected Council District:** Kendra Black Dist. #4
- 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: 2017-Dedication-0000229

Description of Proposed Project: Dedicate a parcel of land as public right of way as E. Union 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, DTC-Union Apartments.



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
- Parks
 -  All Other Parks; Linear
 -  Mountain Parks

Area to be Dedicated



A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 14TH DAY OF FEBRUARY 2019, AT RECEPTION NUMBER 2019017811 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 5 SOUTH RANGE 67 WEST OF THE SIXTH PRICIPAL CITY AND COUNTY OF DENVER, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF ZONE LOT 35, AS DESCRIBED IN THE DOCUMENT RECORDED UNDER RECEPTION NUMBER 2016104990 IN THE RECORDS OF THE CLERK AND RECORDER IN THE CITY AND COUNTY OF DENVER, SAID POINT ALSO BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF UNION AVENUE;

THENCE ALONG THE SAID RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES;

1. ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1235.10 FEET, A CENTRAL ANGLE OF 04°53'34", A CHORD WHICH BEARS NORTH 80°41'19" EAST, A DISTANCE OF 105.44 FEET, AND AN ARC LENGTH OF 105.47 FEET;
2. NORTH 78°14'32" EAST, A DISTANCE OF 55.61 FEET TO A POINT OF CURVATURE;

THENCE ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 90.00 FEET, A CENTRAL ANGLE OF 47°29'18", AND AN ARC LENGTH OF 74.59 FEET;

THENCE SOUTH 35°43'57" WEST, A DISTANCE OF 5.00 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 85.00 FEET, A CENTRAL ANGLE OF 47°29'18" A CHORD WHICH BEARS NORTH 78°00'42" WEST, A DISTANCE OF 68.45 FEET AND AN ARC LENGTH OF 70.45 FEET TO A POINT 5.00 FEET SOUTH

OF THE SAID UNION AVENUE RIGHT-OF-WAY;

THENCE SOUTH 78°14'32" WEST ALONG A LINE 5.00 FEET SOUTH OF AND PARALLEL WITH SAID RIGHT-OF-WAY, A DISTANCE OF 55.61 FEET TO A POINT OF CURVATURE;

THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, BEING 5.00 FEET SOUTH OF AND PARALLEL WITH SAID RIGHT-OF-WAY, HAVING A RADIUS OF 1240.10 FEET, A CENTRAL ANGLE OF 04°55'26", AND AN ARC LENGTH OF 106.57 FEET TO A POINT ON THE WEST LINE OF SAID ZONE LOT 35;

THENCE NORTH 00°47'02" EAST ALONG SAID WEST LINE, A DISTANCE OF 5.04 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,171 S.F. (0.027 ACRES) MORE OF LESS



02/14/2019 08:37 AM
City & County of Denver

R \$0.00

WD

2019017811

Page: 1 of 7

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

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED ("Deed"), made as of this 20th day of December 2018, by GPIF DTC MULTI LLC, a Delaware limited liability company, whose address is 777 Main St., Ft. TX 76922 ("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 **Exhibit A** attached hereto and incorporated herein (the "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, subject to all matters listed on **Exhibit B**, attached hereto and incorporated herein.

No separate bill of sale with respect to improvements on the Property will be executed.


[Signature Page Follows]

Asset Mgmt. # 19-22

Project Description: Union + Niagara St.
2017-Dedication-0000229

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

GPIF DTC MULTI LLC
a Delaware limited liability company

By: 
Conrad J. Suszynski
Co-Chief Executive Officer

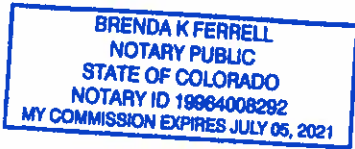
STATE OF COLORADO)
) ss.
COUNTY OF ARAPAHOE)

The foregoing instrument was acknowledged before me this 20th day of December, 2018,
by Conrad J. Suszynski as Co-Chief Executive Officer of GPIF DTC MULTI LLC, a Delaware
limited liability company.

Witness my hand and official seal.

My commission expires: 7-20-2021


Notary Public Brenda K. Ferrell



**Exhibit A
To Special Warranty Deed**

The Property

[See attached]



LAND DESCRIPTION:

A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 8 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL CITY AND COUNTY OF DENVER, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

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OF 04°55'26", AND AN ARC LENGTH OF 106.57 FEET TO A POINT ON THE WEST LINE OF SAID
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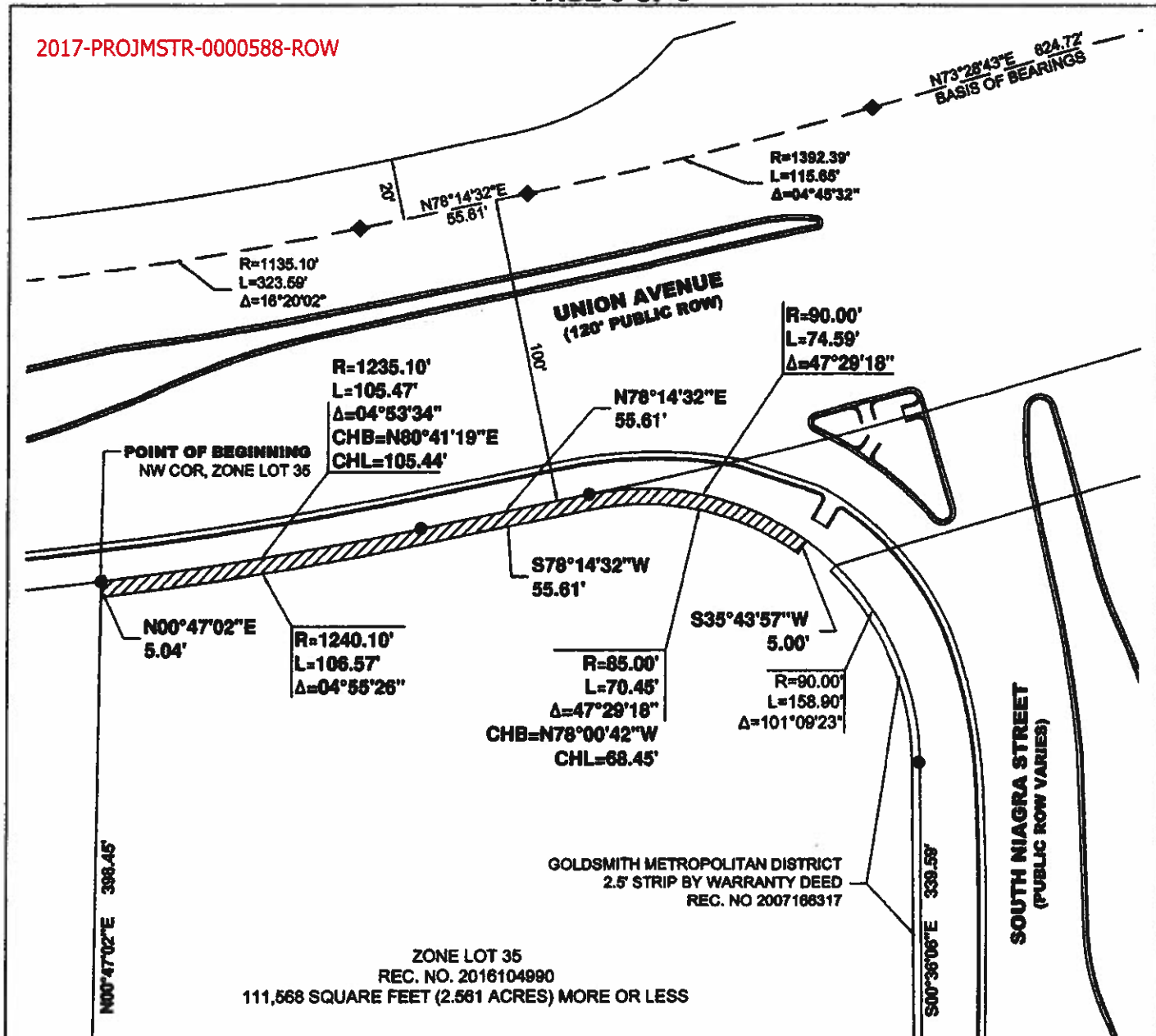
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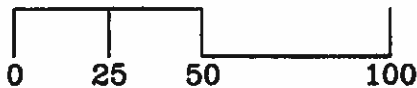
PREPARED BY:
ALAN H. BAILEY, PLS 38035
FOR AND ON BEHALF OF:
BAILEY PROFESSIONAL SOLUTIONS, LLC
5737 SOUTH KENTON STREET
ENGLEWOOD, CO 80111
303-587-1672



2017-PROJMSTR-0000588-ROW



THIS IS NOT A LAND SURVEY PLAT AND ONLY REPRESENTS THE ATTACHED PARCEL DESCRIPTION.



SCALE:	1"=50'
PROJECT:	ROTH-17-01
DRAWING FILE:	ROW EXHIBITS.DWG
DATE:	JAN 9, 2018
DRAWN:	AHB
CHECKED:	AHB

bps BAILEY PROFESSIONAL SOLUTIONS

BAILEY PROFESSIONAL SOLUTIONS, LLC
5737 SOUTH KENTON STREET ENGLEWOOD, CO 80111
303.587.1672 BAILEYPROFESSIONALSOLUTIONS.COM

Exhibit B

(Schedule B: Exceptions listed on Title Commitment effective November 16, 2018)

11. The effect of the inclusion of the subject property in the South Denver Metropolitan District, as disclosed by the instrument recorded March 27, 1985 at Reception No. 394648.

13. The effect of the inclusion of the subject property in the Denver Suburban Water District, as disclosed by the instrument recorded July 5, 1991 at Reception No. 91-0061455.

14. The effect of the inclusion of the subject property in the Goldsmith Metropolitan District, as disclosed by the instrument recorded July 5, 1991 at Reception No. 91-0061456.

18. The effect of Application to Amend the Boundaries of a Designated Zone Lot by the following instrument:

Recording Date: August 9, 2016

Recording No.: Reception No. 2016104990

21. Terms, conditions, provisions, agreements and obligations contained in the Ordinance No. ORD 15-0498, Series of 2015 as set forth below:

Recording Date: September 23, 2015

Recording No.: Reception No. 2015133646