



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 7, 2019

ROW #: 2018-Dedication-0000006 **SCHEDULE #:** 0510217019000

TITLE: This request is to dedicate a parcel of land as Public Right of Way as Public Alley.
Located in the alley bounded by N. Broadway, W. 3rd Ave., N. Acoma St. and W. 4th 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 (**Acoma Residential 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 Public Alley. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2018-Dedication-0000006-001) 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 2018-Dedication-0000006

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 7, 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 N. Broadway, W. 3rd Ave., N. Acoma St. and W. 4th 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 (**Acoma Residential 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:** Alley bounded by N. Broadway, W. 3rd Ave., N. Acoma St. and W. 4th 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: 2018-Dedication-0000006

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

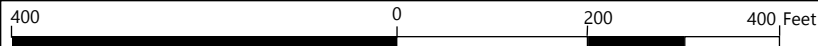
Will an easement relinquishment be submitted at a later date: N/A

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 Acoma Residential Apartments.



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



2018-Dedication-0000006-001

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON 6/29/2018 AT RECEPTION NUMBER 2018080195 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EASTERLY 1.50 FEET OF LOTS 1 THROUGH 5 AND THE NORTHERLY 3 FEET OF LOT 6, BLOCK 12, BROADWAY TERRACE SUBDIVISION, LOCATED IN THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

SAID PARCEL CONTAINS 0.009 ACRES, 380 SQUARE FEET, MORE OR LESS.



08/29/2018 09:09 AM
City & County of Denver

R \$0.00

WD

2018080195

Page: 1 of 5

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 8th day of June, 2018, by **VCME 360, LLC**, a Colorado limited liability company, whose address is 2029 Century Park East, Suite 2920 Los Angeles, CA 90067 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:

VCMRE 360, LLC, a Colorado Limited Liability Company

By: P. E. SLYE

Name: PAUL E. SLYE

Its: MANAGER

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ___ day of _____, 2018
by _____, as _____ of VCMRE 360, LLC, a Colorado
Limited Liability Company.

Witness my hand and official seal.

My commission expires: _____

Notary Public

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Los Angeles)

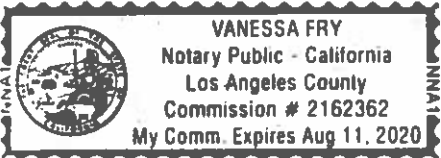
On 10/11/2018 before me, Vanessa Fry, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Paul E. Sigel
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature V.F.
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Special Warranty Deed Document Date: 10/11/18
Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

EXHIBIT A
SHEET 1 OF 2

LAND DESCRIPTION

THE EASTERLY 1.50 FEET OF LOTS 1 THROUGH 5 AND THE NORTHERLY 3 FEET OF LOT 6, BLOCK 12, BROADWAY TERRACE SUBDIVISION, LOCATED IN THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

SAID PARCEL CONTAINS 0.009 ACRES, 380 SQUARE FEET, MORE OR LESS.

PREPARED BY ERIN MACCARTHY
REVIEWED BY RICHARD A. NOBBE, PLS #23899
FOR AND ON BEHALF OF
MARTIN/MARTIN, INC.
12499 WEST COLFAX AVENUE
LAKEWOOD, CO 80215
303-431-6100
FEBRUARY 21, 2018



EXHIBIT A
SHEET 2 OF 2

WEST 4TH AVENUE
(80' R.O.W.)

N89°33'18"E 184.06'

LOT 1

LOT 2

BLOCK 12
BROADWAY TERRACE
SUBDIVISION

LOT 3

LOT 4

LOT 5

S89°33'03"W 182.48'

LOT 6

ACOMA STREET
(80' R.O.W.)

N00°24'18"W 253.30'

S00°23'13"E 253.29'

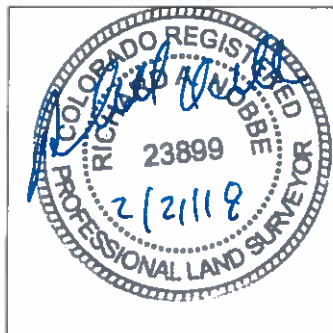
1.50'

17.00'

3.00'



SCALE: 1"=50'
ALL DIMENSIONS ARE
U.S. SURVEY FEET



FEBRUARY 21, 2018
JANUARY 8, 2018

MARTIN/MARTIN
CONSULTING ENGINEERS

12499 WEST COLFAX AVENUE, LAKEWOOD, COLORADO 80215
303.431.6100 MARTINMARTIN.COM

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