



REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Carol Martin, City Attorney's Office

FROM: Matthew R. Bryner P.E., Director Right-of-Way Services

DATE: December 3, 2018

ROW #: 2017-DEDICATION-0000035 **SCHEDULE #:** 0234529043000, 0234529047000 and
0234529049000

TITLE: This request is to dedicate a parcel of City owned property as Public Right-of-Way as part of a Public Alley. Located in 162, East Denver, bounded by California St, Welton St, 15th St and 16th 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 Public Alley. This parcel(s) of land is owned by the City as described in Special Warranty Deeds recorded at Rec. No. 2018050345, Rec. No. 2018050346 and Rec. No. 2018044795.

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 an alley. The land is described as follows:

INSERT PARCEL DESCRIPTION ROW # (2017-DEDICATION-0000035) HERE.

A map of the area to be dedicated is attached.

MB/vw

cc: Asset Management
City Councilperson & Aides, Dist 9 Brooks
Environmental Services, David Erickson
Public Works, Manager's Office – Alba Castro
Public Works, Legislative Services – Jason Gallardo
Public Works, Right-of-Way Engineering Services, Matthew R. Bryner
Department of Law, Brad Beck
Department of Law – Deanne Durfee
Department of Law – Brent Eisen
Public Works Survey, Jon Spirk
Public Works Survey, Paul Rogalla
Owner: City and County of Denver
Project file folder: 2017-DEDICATION-0000035

ORDINANCE/RESOLUTION REQUEST

Please email requests to the Angela Casias

at angela.casias@DenverGov.org by **12:00pm on Monday**. Contact the her with questions

Date of Request: December 3, 2018

Please mark one: Bill Request or Resolution Request

1. Type of Request:

- Contract/Grant Agreement Intergovernmental Agreement (IGA) Rezoning/Text Amendment
- Dedication/Vacation Appropriation/Supplemental DRMC Change
- Other:

2. Title: (Start with *approves, amends, dedicates*, etc., include name of company or contractor and indicate 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 an alley
Located between California St, Welton St, 15th St and 16th St.

3. Requesting Agency: Public Works – Right-of-Way Services / Survey

4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution	Contact person to present item at Mayor-Council and Council
Name: Vanessa West	Name: Jason Gallardo
Email: Vanessa.west@denvergov.org	Email: Jason.gallardo@denvergov.org

5. General description or background of proposed request. Attach executive summary if more space needed:

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 project development project (**Block 162**).

6. City Attorney assigned to this request (if applicable): Brad Beck

7. City Council District: Dist 9 Brooks

8. **For all contracts, fill out and submit accompanying Key Contract Terms worksheet**

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____

Key Contract Terms

Type of Contract: (e.g. Professional Services > \$500K; IGA/Grant Agreement, Sale or Lease of Real Property):

Vendor/Contractor Name:

Contract control number:

Location:

Is this a new contract? Yes No Is this an Amendment? Yes No If yes, how many? _____

Contract Term/Duration (for amended contracts, include existing term dates and amended dates):

Contract Amount (indicate existing amount, amended amount and new contract total):

<i>Current Contract Amount</i> (A)	<i>Additional Funds</i> (B)	<i>Total Contract Amount</i> (A+B)
<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>

Scope of work:

Was this contractor selected by competitive process?

If not, why not?

Has this contractor provided these services to the City before? Yes No

Source of funds:

Is this contract subject to: W/MBE DBE SBE XO101 ACDBE N/A

WBE/MBE/DBE commitments (construction, design, Airport concession contracts):

Who are the subcontractors to this contract?

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____



DENVER
THE MILE HIGH CITY

EXECUTIVE SUMMARY

Project Title:2017-DEDICATION-0000035

Description of Proposed Project:Dedicate a parcel for 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: The land was deeded ot the City and County of Denver for the purpose to dedicate it as Public Alley for Public Right-of-Way, as part of a development project called Block 162.

Being those parcels of land conveyed by Special Warranty Deed to the City and County of Denver, recorded at Reception No. 2018050345, Reception No. 2018050346 and Reception No. 2018044795, in the City and County of Denver Clerk and Recorder's Office, State of Colorado, being more particularly described as follows:

Parcel 1 (Reception No. 2018050345)

A PARCEL OF LAND BEING A PORTION OF THE 16 FOOT WIDE ALLEY LOCATED IN BLOCK 162, EAST DENVER, AS VACATED AT CITY AND COUNTY OF DENVER ORDINANCE 20161198, SERIES OF 2016, AS FILED IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE AT RECEPTION NO. 2016179729; SAID PARCEL BEING SITUATED IN THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS N44°46'27"W ALONG THE NORTHEAST LINE OF LOT 32 IN SAID BLOCK 162. SAID BEARING IS ASSUMED.

BEGINNING AT THE EAST CORNER OF LOT 1 IN SAID BLOCK 162; THENCE S44°46'27"E, ALONG THE SOUTHWEST RIGHT OF WAY LINE OF 16TH STREET, A DISTANCE OF 8.00 FEET TO THE CENTERLINE OF SAID VACATED 16 FOOT WIDE ALLEY; THENCE S45°15'26"W, ALONG THE CENTERLINE OF SAID VACATED 16 FOOT WIDE ALLEY, A DISTANCE OF 100.08 FEET; THENCE N44°46'45"W A DISTANCE OF 8.00 FEET TO THE SOUTH CORNER OF LOT 4 IN SAID BLOCK 162; THENCE N45°15'26"E, ALONG THE SOUTHEAST LINE OF LOTS 1 THROUGH 4, INCLUSIVE, IN SAID BLOCK 162, A DISTANCE OF 100.08 FEET TO THE POINT OF BEGINNING;

SAID PARCEL CONTAINS 801 SQUARE FEET, 0.0184 ACRES, MORE OR LESS.

Parcel 2 (Reception No. 2018050346)

A PARCEL OF LAND BEING A PORTION OF LOT 28, A PORTION OF LOT 27, AND A PORTION OF THE 16 FOOT WIDE ALLEY LOCATED IN BLOCK 162, EAST DENVER, AS VACATED AT CITY AND COUNTY OF DENVER ORDINANCE 20161198, SERIES OF 2016, AS FILED IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE AT RECEPTION NO. 2016179729; SAID PARCEL BEING SITUATED IN THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS N44°46'27"W ALONG THE NORTHEAST LINE OF LOT 32 IN SAID BLOCK 162. SAID BEARING IS ASSUMED.

COMMENCING AT THE EAST CORNER OF LOT 1 IN SAID BLOCK 162; THENCE S45°15'26"W, ALONG THE NORTHWEST LINE OF SAID VACATED 16 FOOT ALLEY, A DISTANCE OF 100.08 FEET TO THE EAST CORNER OF LOT 5 IN SAID BLOCK 162; SAID POINT BEING THE POINT OF BEGINNING; THENCE S44°46'45"E, ALONG THE NORTHEAST LINE OF SAID LOT 28 AND THE NORTHWESTERLY PROLONGATION THEREOF, A DISTANCE OF 141.05 FEET TO THE EAST CORNER OF SAID LOT 28; THENCE S45°13'15"W, ALONG THE

SOUTHEAST LINE OF SAID LOT 28, A DISTANCE OF 20.00 FEET; THENCE N44°46'45"W A DISTANCE OF 55.07 FEET; THENCE N69°32'53"W A DISTANCE OF 28.64 FEET; THENCE N44°46'45"W A DISTANCE OF 60.00 FEET TO A POINT ON THE NORTHWEST LINE OF SAID VACATED 16 FOOT ALLEY; THENCE N45°15'26"E, ALONG THE NORTHWEST LINE OF SAID VACATED 16 FOOT ALLEY, A DISTANCE OF 32.00 FEET TO THE POINT OF BEGINNING;

SAID PARCEL CONTAINS 3,697 SQUARE FEET, 0.085 ACRES, MORE OR LESS.

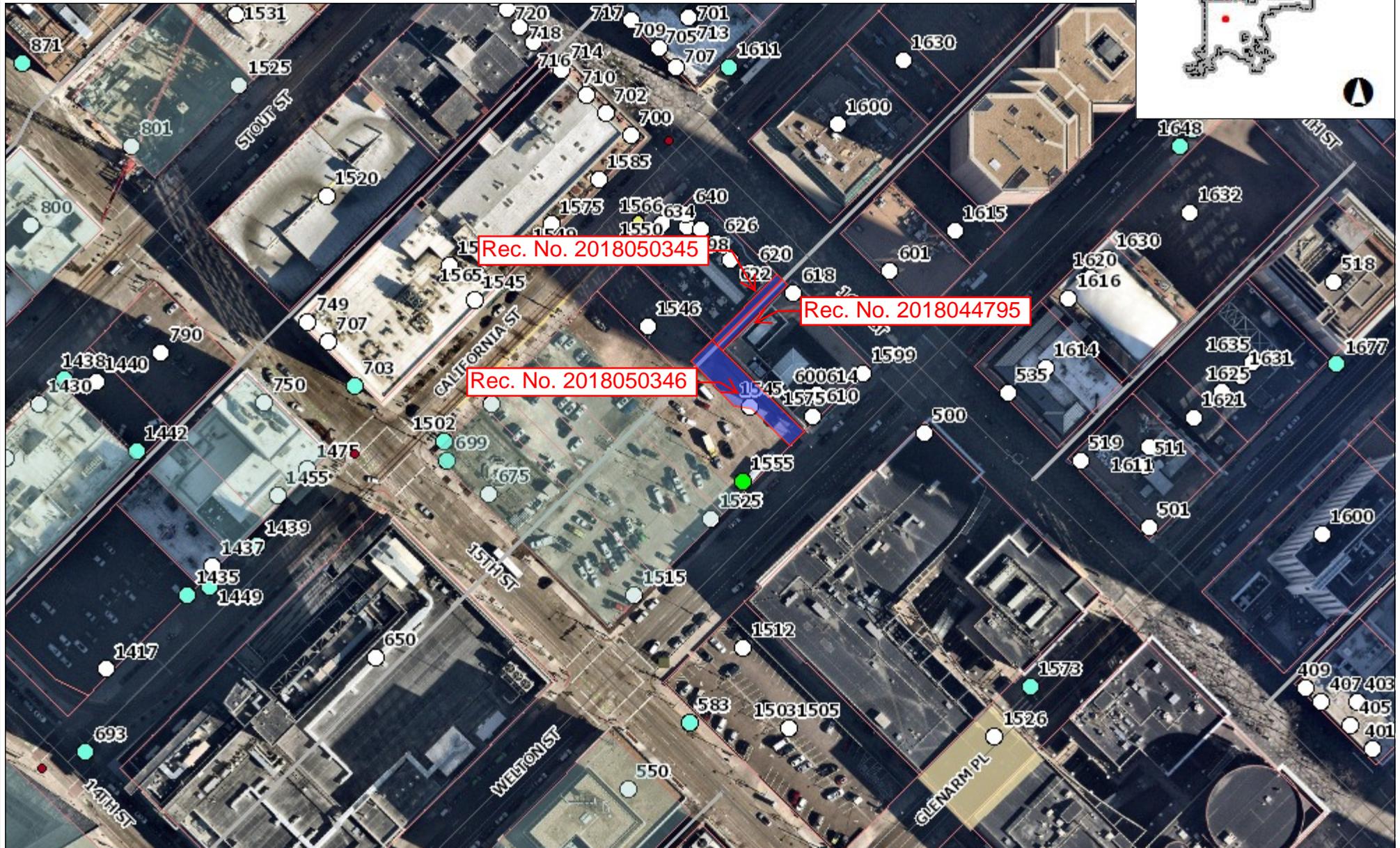
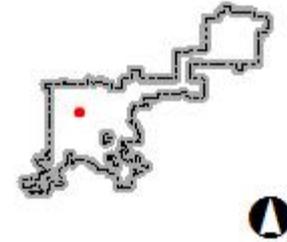
Parcel 3 (Reception No. 2018044795)

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SAID PARCEL CONTAINS 801 SQUARE FEET, 0.0184 ACRES, MORE OR LESS.



WGS_1984_Web_Mercator_Auxiliary_Sphere

© City and County of Denver

1:2,257

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Map Generated: 12/3/2018

The City and County of Denver shall not be liable for damages of any kind arising out of the use of this information. The information is provided "as is" without warranty of any kind, express or implied, including, but not limited to the fitness for a particular use.

THIS IS NOT A LEGAL DOCUMENT.



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 9th day of April, 2018, by TDG Cook Company, Ltd., a Colorado limited liability limited partnership, whose address is P.O. Box 9392, Denver, CO 80209 (“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 (\$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 (“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.

EXHIBIT A

A PARCEL OF LAND BEING A PORTION OF THE 16 FOOT WIDE ALLEY LOCATED IN BLOCK 162, EAST DENVER, AS VACATED AT CITY AND COUNTY OF DENVER ORDINANCE 20161198, SERIES OF 2016, AS FILED IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE AT RECEPTION NO. 2016179729; SAID PARCEL BEING SITUATED IN THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

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SAID PARCEL CONTAINS 801 SQUARE FEET, 0.0184 ACRES, MORE OR LESS.

THIS LEGAL DESCRIPTION WAS PREPARED BY:

DON LAMBERT, PLS 30830
FOR AND ON BEHALF OF Esi land surveying, llc
3531 S. Logan Street, Unit D-324
Englewood, CO 80113

SHEET 1 OF 2

*Esi land
surveying, llc*

*3531 S Logan St
Unit D-324
Englewood, CO 80113
Ph: 303-340-0113*

EXHIBIT A



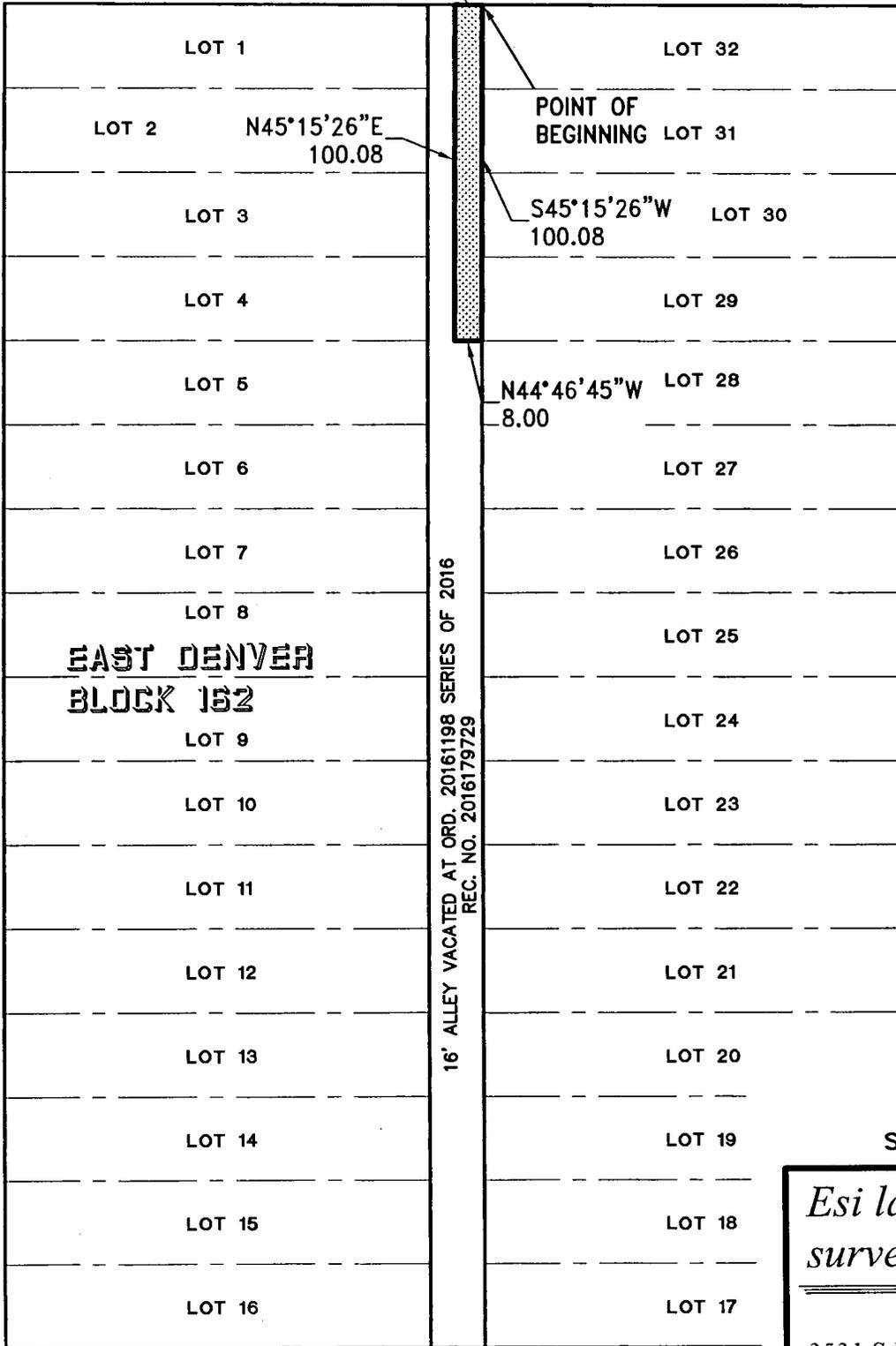
16th STREET

80' RIGHT OF WAY

S44°46'27"E
8.00

CALIFORNIA STREET

80' RIGHT OF WAY



WELTON STREET

80' RIGHT OF WAY

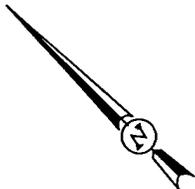
SHEET 2 OF 2

*Esi land
surveying, llc*

3531 S Logan St
Unit D-324
Englewood, CO 80113
Ph: 303-340-0113

15th STREET

80' RIGHT OF WAY




04/11/2018 12:04 PM R \$28.00
City & County of Denver WD

~~201804794~~
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

*RE-RECORD

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED ("Deed"), made as of this 16 day of MARCH, 2018, by Ephraim, LLC, a Colorado limited liability company, whose address is 1400 Glenarm Pl., Suite 100, Denver, CO 80202 ("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 (\$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 ("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;

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


04/30/2018 02:22 PM R \$0.00
City & County of Denver WD

2018050345
Page: 1 of 4
D \$0.00

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

EPHRAIM, LLC, a Colorado limited liability company

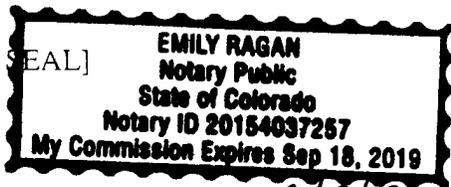
By: [Signature]
Evan Makovsky, Manager

STATE OF COLORADO)
) ss.
CITY AND COUNTY OF DENVER)

The foregoing instrument was acknowledged before me this 16th day of March 2018 by Evan Makovsky as Manager of Ephraim, LLC, a Colorado limited liability company.

Witness my hand and official seal:

[NOTARY SEAL]



My commission expires: 9/18/19

[Signature]
Notary Public

EXHIBIT A

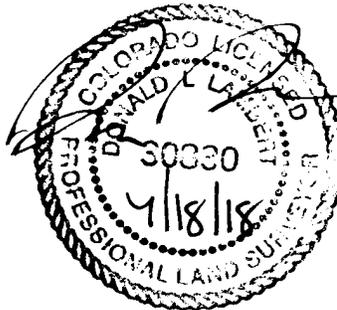
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THIS LEGAL DESCRIPTION WAS PREPARED BY:

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FOR AND ON BEHALF OF Esi land surveying, llc
3531 S. Logan Street, Unit D-324
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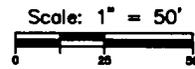


SHEET 1 OF 2

*Esi land
surveying, llc*

*3531 S Logan St
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Englewood, CO 80113
Ph: 303-340-0113*

EXHIBIT A



16th STREET

80' RIGHT OF WAY

S44°46'27"E
8.00

LOT 1

POINT OF BEGINNING

LOT 32

LOT 2

N45°15'26"E
100.08

LOT 31

LOT 3

S45°15'26"W
100.08

LOT 30

LOT 4

LOT 29

LOT 5

N44°46'45"W
8.00

LOT 28

LOT 6

LOT 27

LOT 7

LOT 26

LOT 8

**EAST DENVER
BLOCK 162**

LOT 25

LOT 9

LOT 24

LOT 10

LOT 23

LOT 11

LOT 22

LOT 12

LOT 21

LOT 13

LOT 20

LOT 14

LOT 19

LOT 15

LOT 18

LOT 16

LOT 17

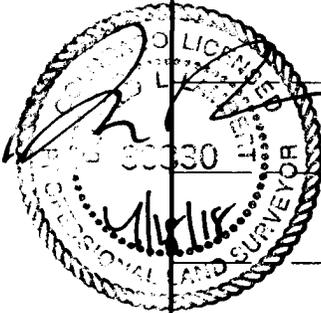
16' ALLEY VACATED AT ORD. 20161198 SERIES OF 2016
REC. NO. 2016179729

CALIFORNIA STREET

80' RIGHT OF WAY

WELTON STREET

80' RIGHT OF WAY



SHEET 2 OF 2

*Esri land
surveying, llc*

3531 S Logan St
Unit D-324
Englewood, CO 80113
Ph: 303-340-0113

15th STREET

80' RIGHT OF WAY

~~2018050346~~
04/17/2018 12:04 PM R \$28.00 WD
City & County of Denver

2018050346
Page: 1 of 4
D \$0.00

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Denver, Colorado 80202

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(PARTIAL DEDICATION)**

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WITNESSETH, that Grantor, for and in consideration of the sum of Ten Dollars (\$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 as the real property from an elevation that is four (4) feet below the bottom surface of the pavement as it exists from time to time up to an elevation that is twenty three (23) feet above the top surface of the pavement as it exists from time to time of the property described on Exhibit A attached 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;

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04/30/2018 02:22 PM R \$0.00 WD
City & County of Denver

2018050346
Page: 1 of 4
D \$0.00

EXHIBIT A

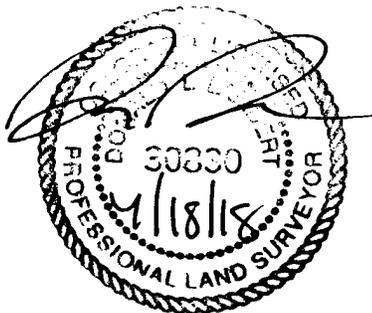
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3531 S. Logan Street, Unit D-324
Englewood, CO 80113

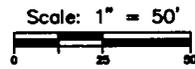


SHEET 1 OF 2

*Esi land
surveying, llc*

3531 S Logan St
Unit D-324
Englewood, CO 80113
Ph: 303-340-0113

EXHIBIT A



16th STREET

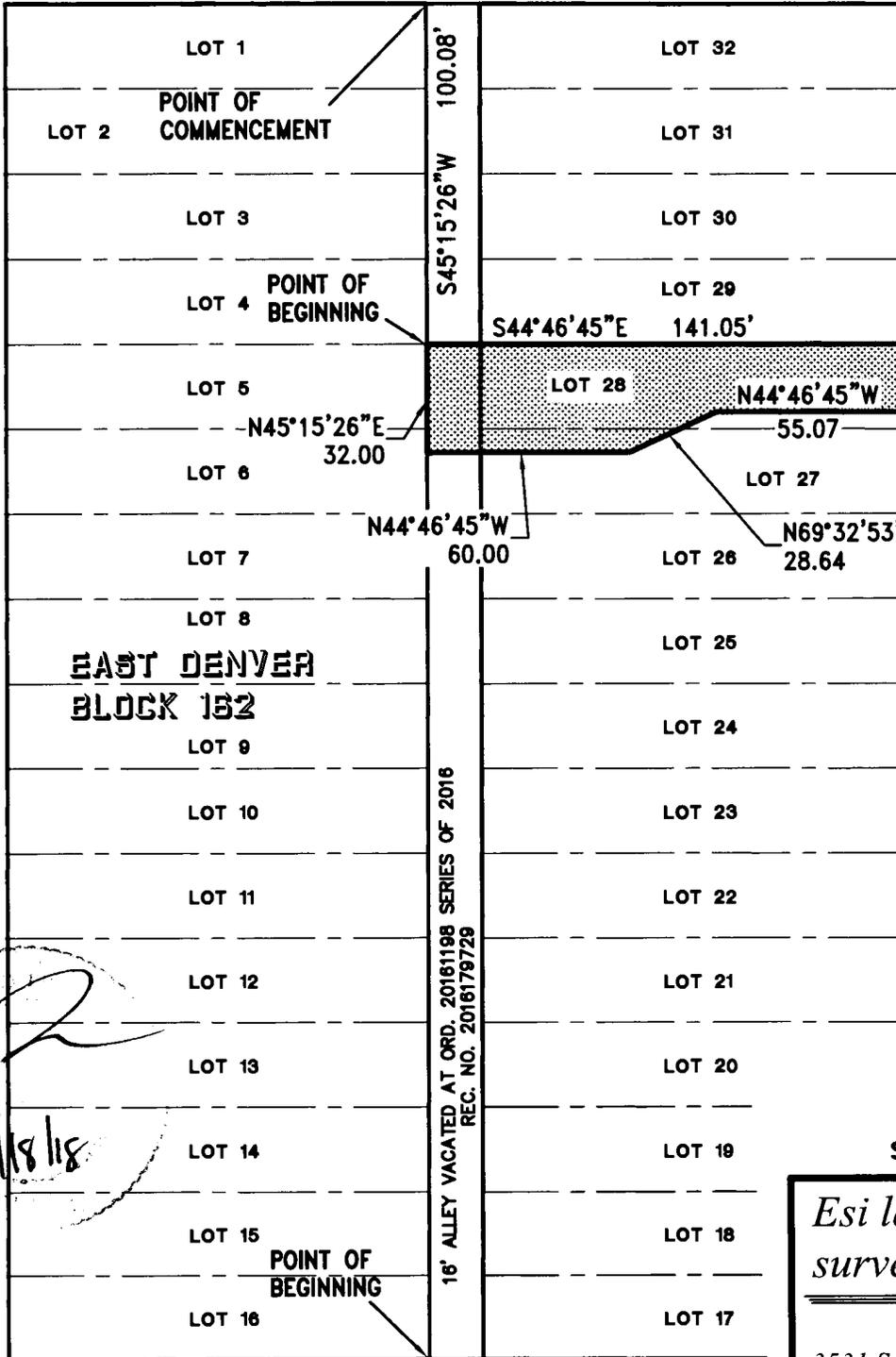
80' RIGHT OF WAY

CALIFORNIA STREET

80' RIGHT OF WAY

WELTON STREET

80' RIGHT OF WAY



[Handwritten signature]
4/18/18

SHEET 2 OF 2

Esi land surveying, llc

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15th STREET

80' RIGHT OF WAY