

REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Caroline Martin, City Attorney's Office

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

DATE: October 9th, 2020

ROW #: 2020-DEDICATION-0000030 **SCHEDULE #:** Adjacent to 0527415028000 & 0527415027000

TITLE: This request is to dedicate three City-owned parcels of land as Public Right-of-Way as 1) S. Delaware St., located at the intersection of W. Vassar Ave. and S. Delaware St., 2) W. Vassar Ave., located at the intersection of W. Vassar Ave. and S. Delaware St., and 3) Public Alley, bounded by W. Vassar Ave., S. Delaware St., W. Harvard Ave., and S. Cherokee 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 1) S. Delaware St., 2) W. Vassar Ave., and 3) Public Alley. This parcel(s) of land is being dedicated by the City and County of Denver for Public Right-of-Way, as part of the development project, "Delaware Townhomes."

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 Right-of-Way (2) and Public Alley. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2020-DEDICATION-0000030-001-002-003) HERE.

A map of the area to be dedicated is attached.

MB/RE/RL

cc: Dept. of Real Estate, Katherine Rinehart
City Councilperson, Jolon Clark District # 7
Councilperson Aide, Tate Carpenter
Councilperson Aide, Maggie Thompson
Councilperson Aide, Anita Banuelos
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, Caroline Martin
Department of Law, Rachonda Dixon
DOTI Survey, Ron Ellis
DOTI Ordinance
Owner: City and County of Denver
Project file folder 2020-DEDICATION-0000030

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 9th, 2020

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 Public Right-of-Way as 1) S. Delaware St., located at the intersection of W. Vassar Ave. and S. Delaware St., 2) W. Vassar Ave., located at the intersection of W. Vassar Ave. and S. Delaware St., and 3) Public Alley, bounded by W. Vassar Ave., S. Delaware St., W. Harvard Ave., and S. Cherokee St.

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

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

- **Name:** Rebecca Long
- **Phone:** 720-913-4518
- **Email:** Rebecca.Long@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: 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. Delaware St., 2) W. Vassar Ave., and 3) Public Alley. This parcel(s) of land is being dedicated by the City and County of Denver for Public Right-of-Way, as part of the development project, "Delaware Townhomes."

****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:** Located at the intersection of W. Vassar Ave. and S. Delaware St. (two right-of-way parcels), and bounded by W. Vassar Ave., S. Delaware St., W. Harvard Ave., and S. Cherokee St (one Public Alley parcel).
- 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: 2020-DEDICATION-0000030

Description of Proposed Project: Dedication of three parcels of land as Public Right-of-Way as 1) S. Delaware St., 2) W. Vassar Ave., and 3) 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 Public Right-of-Way (2) and Public Alley (1).

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

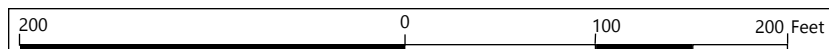
Will an easement be placed over a vacated area, and if so explain: N/A

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 Public Right-of-Way (2) and Public Alley (1), as part of a development project called, "Delaware Townhomes."



- ### 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. 2020-DEDICATION-0000030-001:

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 8TH DAY OF SEPTEMBER 2020, AT RECEPTION NUMBER 2020143239 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

LAND DESCRIPTION - STREET PARCEL NO. 1

A PORTION OF LOTS 17 THROUGH 24 INCLUSIVE OF BLOCK 4 OF FISK'S BROADWAY ADDITION, LYING WITHIN THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 27, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY & COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 17;
THENCE ALONG THE NORTH LINE OF SAID LOT 17, NORTH 89°46'44" EAST, 4.00 FEET TO A POINT;
THENCE LEAVING SAID NORTH LINE, PARALLEL WITH THE WEST LINE OF SAID BLOCK 4, SOUTH 00°13'36" EAST, 199.98 FEET TO THE SOUTH LINE OF SAID BLOCK 4;
THENCE ALONG THE BOUNDARY OF SAID BLOCK 4 THE FOLLOWING TWO COURSES:

1. SOUTH 89°46'52" WEST, 4.00 FEET TO THE SOUTHWEST CORNER THEREOF,
2. NORTH 00°13'36" WEST, 199.98 FEET TO THE POINT OF BEGINNING.

CONTAINING 800 SQUARE FEET OR 0.018 ACRES OF LAND, MORE OR LESS.

BASIS OF BEARINGS:

NORTH 00°13'36" WEST, BEING THE BEARING OF THE WEST LINE OF BLOCK 4 OF FISK'S BROADWAY ADDITION, AS DEFINED AND MEASURED BETWEEN A FOUND #5 REBAR WITHOUT CAP AT THE SOUTHWEST CORNER OF LOT 24 OF SAID BLOCK 4 AND A FOUND 1-1/4" DIAMETER YELLOW PLASTIC CAP, PLS 37929 AT THE NORTHWEST CORNER OF LOT 17 OF SAID BLOCK 4.

PARCEL DESCRIPTION ROW NO. 2020-DEDICATION-0000030-002:

- A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 8TH DAY OF SEPTEMBER 2020, AT RECEPTION NUMBER 2020143239 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE,
- STATE OF COLORADO, THEREIN AS:

LAND DESCRIPTION - STREET PARCEL NO. 2

A PORTION OF LOT 24 OF BLOCK 4 OF FISK'S BROADWAY ADDITION, LYING WITHIN THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 27, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY & COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 24;
THENCE ALONG SAID SOUTH LINE, NORTH 89°46'52" EAST, 4.00 FEET TO A THE POINT OF BEGINNING;

THENCE LEAVING SAID SOUTH LINE, PARALLEL WITH THE WEST LINE OF SAID LOT 24, NORTH 00°13'36" WEST, 4.00 FEET TO A POINT 4.00 FEET DISTANT FROM SAID SOUTH LINE;
THENCE PARALLEL WITH SAID SOUTH LINE, NORTH 89°46'52" EAST, 121.13 FEET TO THE EAST LINE OF SAID LOT 24;
THENCE ALONG THE BOUNDARY OF SAID LOT 24 THE FOLLOWING TWO (2) COURSES:

1. SOUTH 00°14'06" EAST, 4.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 24;
2. SOUTH 89°46'52" WEST, 121.13 FEET TO THE POINT OF BEGINNING.

CONTAINING 484 SQUARE FEET OR 0.011 ACRES OF LAND, MORE OR LESS.

BASIS OF BEARINGS:

NORTH 00°13'36" WEST, BEING THE BEARING OF THE WEST LINE OF BLOCK 4 OF FISK'S BROADWAY ADDITION, AS DEFINED AND MEASURED BETWEEN A FOUND #5 REBAR WITHOUT CAP AT THE SOUTHWEST CORNER OF LOT 24 OF SAID BLOCK 4 AND A FOUND 1-1/4" DIAMETER YELLOW PLASTIC CAP, PLS 37929 AT THE NORTHWEST CORNER OF LOT 17 OF SAID BLOCK 4.

2019-PROJMSTR-0000032-ROW-003

PARCEL DESCRIPTION ROW NO. 2020-DEDICATION-0000030-003:

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 8TH DAY OF SEPTEMBER 2020, AT RECEPTION NUMBER 2020143239 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

LAND DESCRIPTION - ALLEY PARCEL NO 3

A PORTION OF LOTS 17 THROUGH 24 INCLUSIVE OF BLOCK 4 OF FISK'S BROADWAY ADDITION, LYING WITHIN THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 27, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY & COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 17;
THENCE ALONG THE NORTH LINE OF SAID LOT 17, NORTH 89°46'44" EAST, 125.10 FEET TO THE NORTHEAST CORNER OF SAID LOT 17, SAID POINT ALSO BEING ON THE WEST LINE OF A 16' WIDE PUBLIC ALLEY, AND BEING THE POINT OF BEGINNING;

THENCE ALONG SAID WEST LINE, SOUTH 00°14'06" EAST, 195.98 FEET TO A POINT 4.00 FEET DISTANT FROM THE BOUNDARY OF SAID BLOCK 4;
THENCE LEAVING SAID WEST LINE, PARALLEL WITH SAID BOUNDARY OF SAID BLOCK 4, SOUTH 89°46'52" WEST, 2.00 FEET TO A POINT;
THENCE PARALLEL WITH THE AFOREMENTIONED WEST LINE OF SAID PUBLIC ALLEY, NORTH 00°14'06" WEST, 195.98 FEET TO THE NORTH LINE OF SAID LOT 17;
THENCE ALONG SAID NORTH LINE, NORTH 89°46'44" EAST, 2.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 392 SQUARE FEET OR 0.009 ACRES OF LAND, MORE OR LESS.

BASIS OF BEARINGS:

NORTH 00°13'36" WEST, BEING THE BEARING OF THE WEST LINE OF BLOCK 4 OF FISK'S BROADWAY ADDITION, AS DEFINED AND MEASURED BETWEEN A FOUND #5 REBAR WITHOUT CAP AT THE SOUTHWEST CORNER OF LOT 24 OF SAID BLOCK 4 AND A FOUND 1-1/4" DIAMETER YELLOW PLASTIC CAP, PLS 37929 AT THE NORTHWEST CORNER OF LOT 17 OF SAID BLOCK 4.



09/08/2020 11:02 AM
City & County of Denver
Electronically Recorded

R \$48.00

WD

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: 2020-Dedication-0000030
Asset Mgmt No.: 20-118

CONVENIENCE DEED ONLY
NO STATE DOC FEE REQUIRED

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED (“Deed”), made as of this 4th day of SEPTEMBER, 2020, by **PANDO HOLDINGS, LLC**, a Colorado limited liability company, whose address is 205 Detroit Street, Ste. 200, Denver, CO 80206, 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:

PANDO HOLDINGS, LLC, a Colorado Limited Liability Company

By: [Signature]

Name: CHRISTOPHER K. WILSON

Its: MANAGER

STATE OF Colorado)
)
COUNTY OF Denver) ss.

The foregoing instrument was acknowledged before me this 4 day of September, 2020
by Christopher K. Wilson, as Manager of **PANDO HOLDINGS, LLC**, a
Colorado Limited Liability Company.

Witness my hand and official seal.

My commission expires: 03.18.2024

[Signature]
Notary Public

MELINDA L. HUMPHREY
Notary Public
State of Colorado
Notary ID # 20204011005
My Commission Expires 03-18-2024

EXHIBIT A Land Description

A PORTION OF LOTS 17 THROUGH 24 INCLUSIVE OF BLOCK 4 OF FISK'S BROADWAY ADDITION, LYING WITHIN THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 27, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY & COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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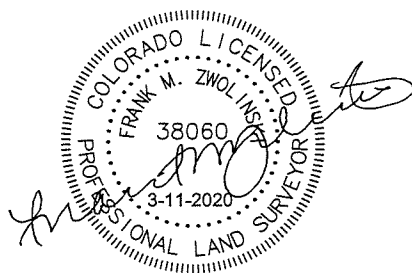
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Containing 800 Square Feet or 0.018 Acres of Land, more or less.

Basis of Bearings:

North 00°13'36" West, being the bearing of the west line of Block 4 of Fisk's Broadway Addition, as defined and measured between a found #5 rebar without cap at the southwest corner of Lot 24 of said Block 4 and a found 1-1/4" diameter yellow plastic cap, PLS 37929 at the northwest corner of Lot 17 of said Block 4.

End of Legal Description.



Frank M. Zwolinski, P.L.S.
Colorado License #38060
For and on behalf of Power Surveying Company, Inc.
303-702-1617



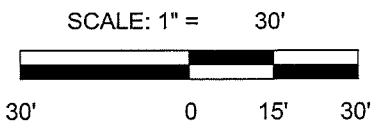
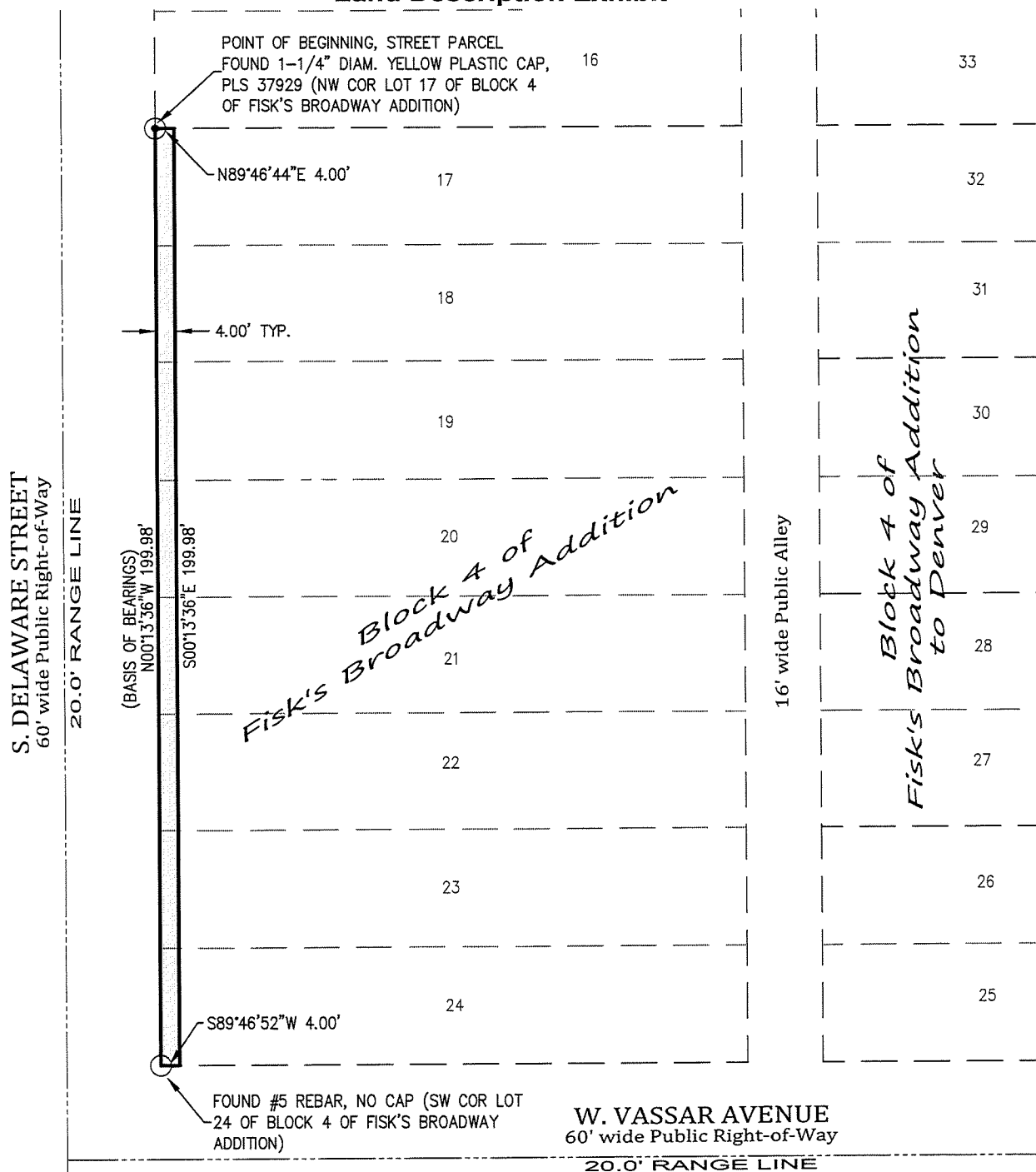
720 W. 84TH AVENUE, UNIT 240
THORNTON, COLORADO 80260


PH: 303-702-1617
FAX: 303-702-1488
www.powersurveying.com

DRAWING BY: FMZ
PROJECT NO.

DATE: 3-11-2020
501-19-008(B)

EXHIBIT A Land Description Exhibit





POWERTM
Surveying Company, Inc.

Established 1948

720 W. 84TH AVENUE, UNIT 240
THORNTON, COLORADO 80260

PH. 303-702-1817
FAX. 303-702-1488
www.powersurveying.com

DRAWING BY: FMZ DATE: 3-11-2020
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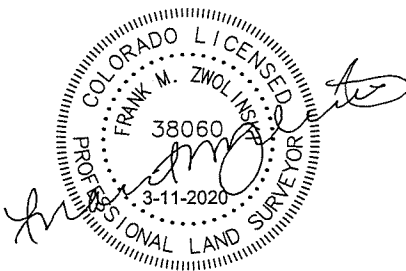
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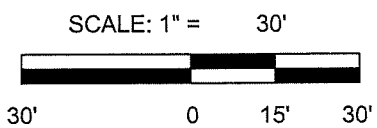
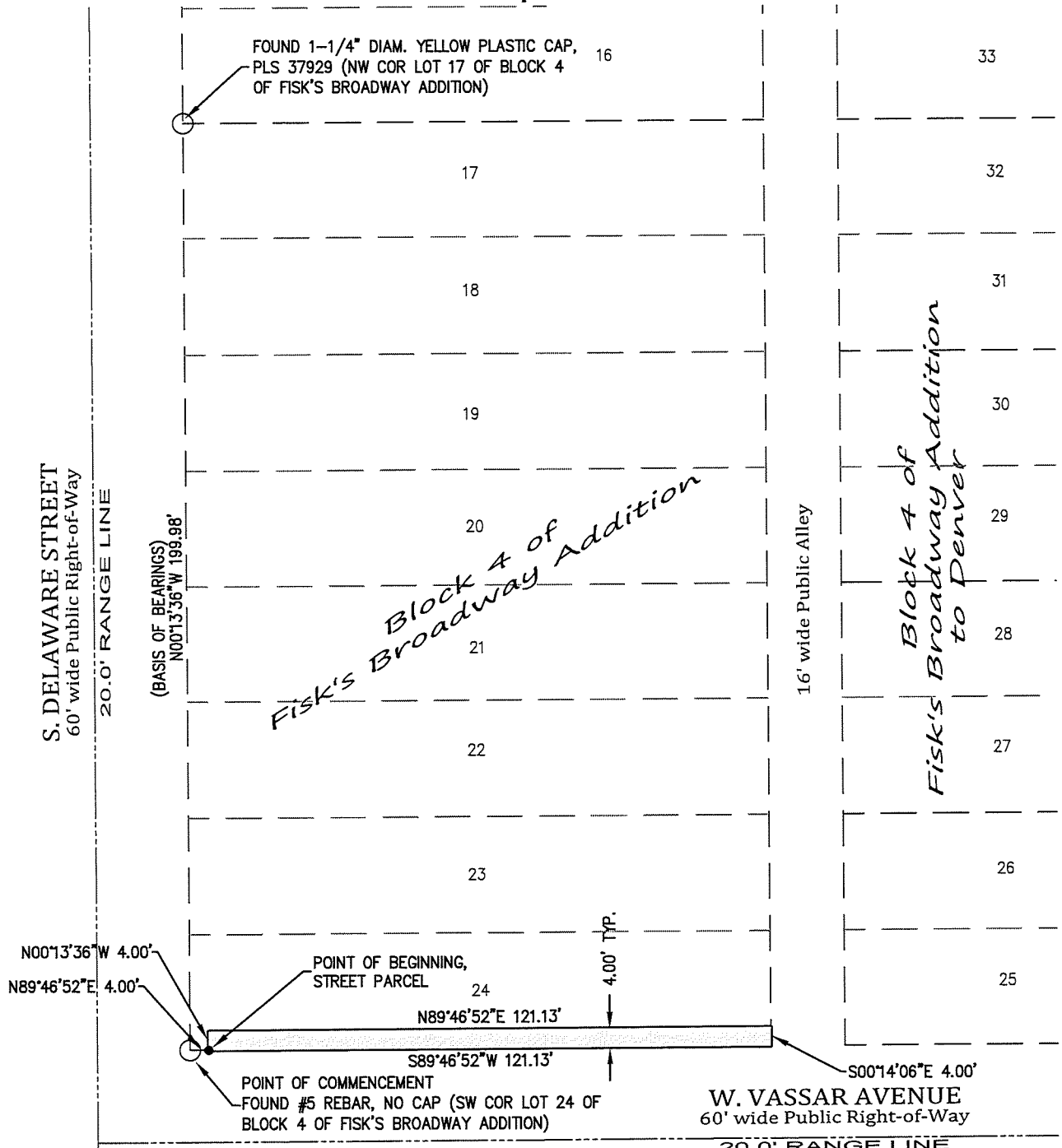


Frank M. Zwolinski, P.L.S.
Colorado License #38060
For and on behalf of Power Surveying Company, Inc.
303-702-1617



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PROJECT NO.	501-19-008(B)

EXHIBIT A Land Description Exhibit



POWERTM
Surveying Company, Inc.
Established 1948
PH. 303-702-1617
FAX. 303-702-1488
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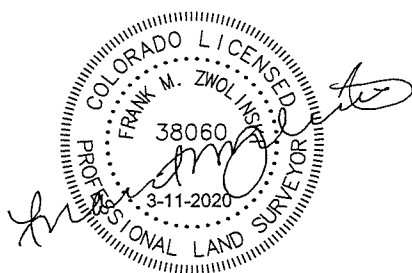
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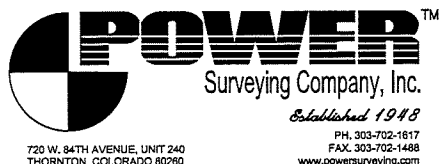
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End of Legal Description.

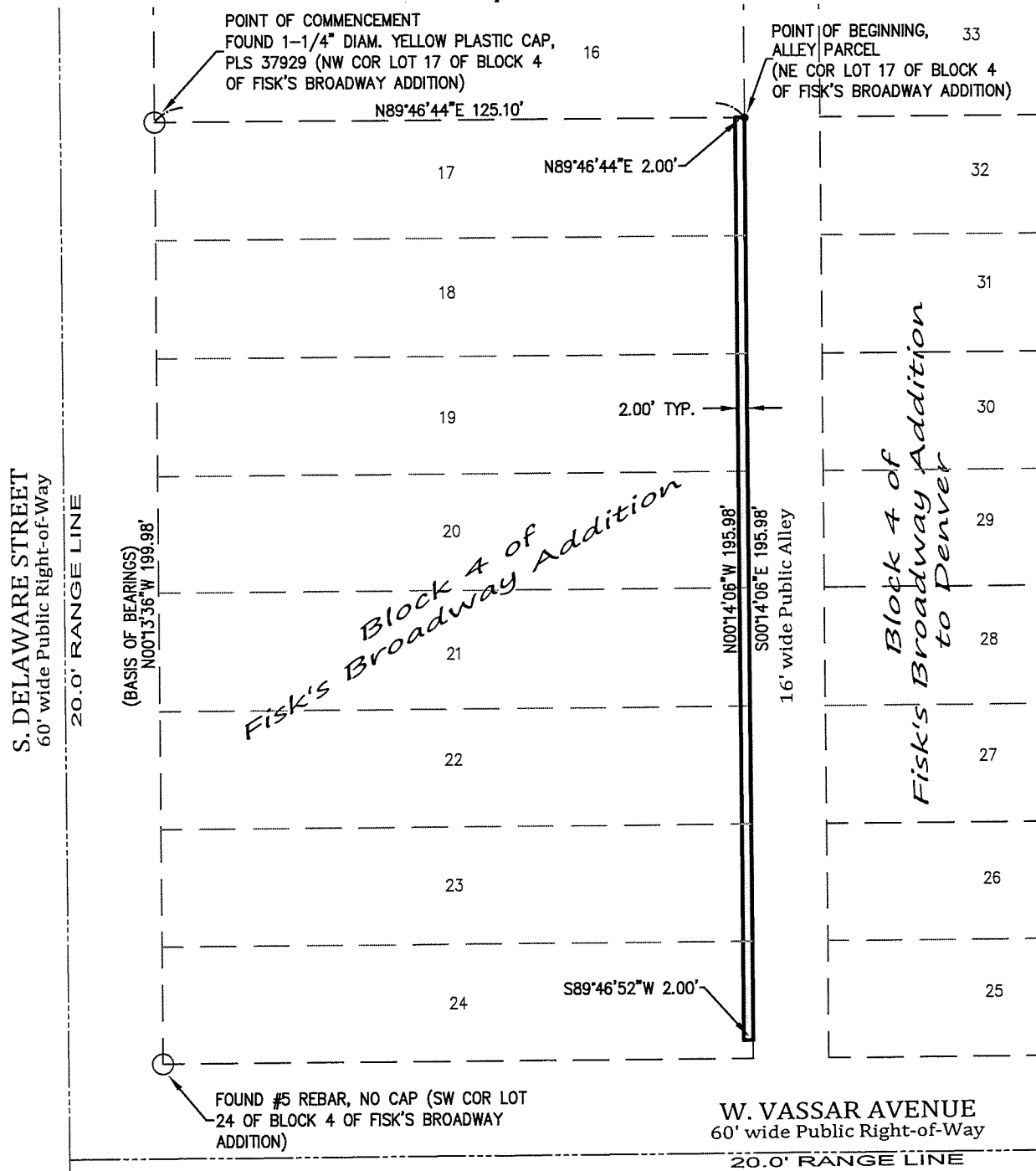


Frank M. Zwolinski, P.L.S.
Colorado License #38060
For and on behalf of Power Surveying Company, Inc.
303-702-1617



DRAWING BY: FMZ DATE: 3-11-2020
PROJECT NO. 501-19-008(B)

EXHIBIT A Land Description Exhibit



SCALE: 1" = 30'



30' 0 15' 30'

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