



REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Caroline Martin, City Attorney's Office
FROM: Ted Christianson P.E., Engineering Manager II
Right-of-Way Services

MATR. BRYNOL, SRENER MGR
[Signature]

DATE: May 10, 2017

ROW #: 2017-Dedication-0000091 **SCHEDULE #:** 0511309006000

TITLE: This request is to dedicate a parcel of land as Public Right of Way as E. 6th Ave.
Located at the intersection of E. 6th Ave. and N. Sherman 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. 6th 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 (**Speer Blvd 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. 6th Ave. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2017-Dedication-0000091-001) HERE.

A map of the area to be dedicated is attached.

RD/JL/BLV

cc: Asset Management, Robert Koehler
City Councilperson & Aides, Wayne New District # 10
Council Aide Melissa Horn
Council Aide Molly Williams
City Council Staff, Zach Rothmier
Environmental Services, David Erickson
Public Works, Manager's Office, Alba Castro
Public Works, Manager's Office, Angela Casias
Public Works, Right-of-Way Engineering Services, Ted Christianson
Department of Law, Brent Eisen
Department of Law, Shaun Sullivan
Department of Law, Caroline Martin
Department of Law, Cindy Cooley
Public Works Survey, John Lautenschlager
Public Works Survey, Paul Rogalla
Owner: City and County of Denver
Project file folder 2017-Dedication-0000091

ORDINANCE/RESOLUTION REQUEST

Please email requests to Angela Casias
at angela.casias@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 10, 2017

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. 6th Ave.
Located at the intersection of E. 6th Ave. and N. Sherman 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: Angela Casias
- Phone: 720-913-8529
- Email: Angela.Casias@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. 6th 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 (**Speer Blvd 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. 6th Ave. and Sherman St.
- d. Affected Council District: Wayne New Dist. 10
- 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-0000091, Speer Blvd. Apartments

Description of Proposed Project: Dedicate a parcel of public right of way as E. 6th 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

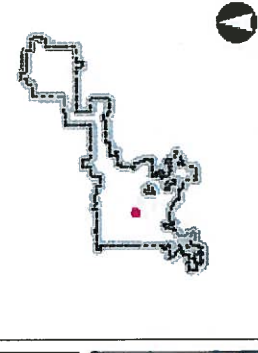
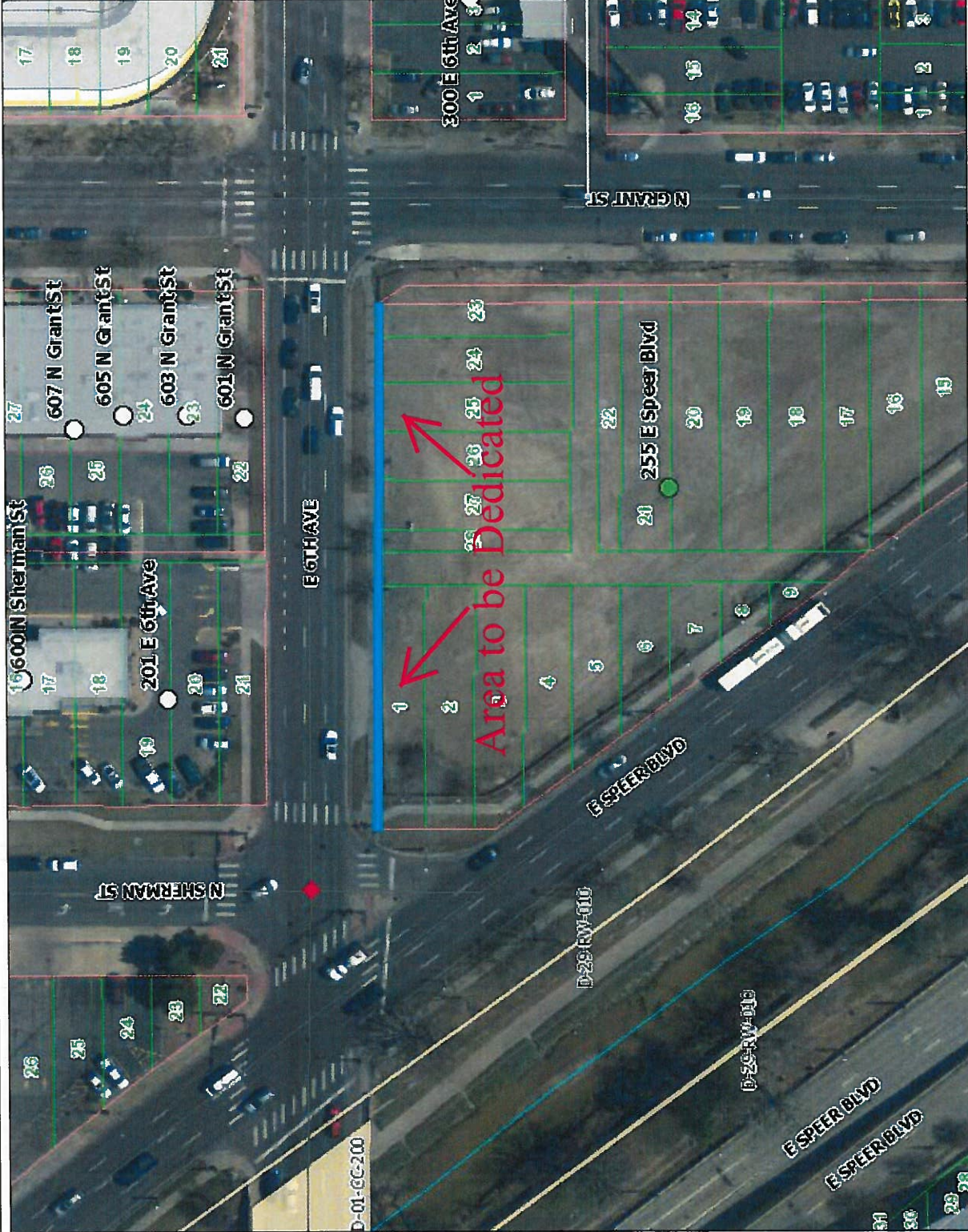
Additional information: This land was deeded to the City and County of Denver for the purpose to dedicate it as Public Right-of-Way, as a part of a development project called, Speer Blvd. Apartments

PW Legal Description 2017-DEDICATION-0000091-001

A parcel of land conveyed to the City & County of Denver, described as Parcel 1 (6th Ave) in that Special Warranty Deed, recorded on the 7th of August 2014 by Reception Number 2014095292, in the City and County of Denver, Clerk & Recorder's Office.

A parcel of land being part of Block 2, East Broadway Terrace Second Filing, situated in the Northeast Quarter of Section 10, Township 4 South, Range 68 West, of the 6th Principal Meridian, City & County of Denver, State of Colorado and more particularly described as follows:

Beginning at the Northwest corner of said Block 2, said point lying on the South right-of-way of 6th Avenue; thence North 89°56'33" East, along said South right-of-way line, a distance of 271.10 feet to the Northwesterly corner of that parcel of land described in the document recorded at Reception No. R930072776 (Exhibit A-2) of the City and County of Denver Clerk and Recorder's Office; thence South 30°15'45" East, along the Southwesterly line of said parcel, a distance of 2.83 feet; thence South 89°58'33" West, parallel with and 2.45 feet South of, when measured perpendicular to, said South right-of-way line, a distance of 272.53 feet to the west line of said Block 2; thence North 00°01'03" East, along said West line, a distance of 2.45 feet to the Point of Beginning. Parcel 1 contains 666 sq. Ft. (0.015 ac) more or less.



Legend

- Active Addresses
 - Associated
 - Land
 - Structure
 - Utility
- Streams
- Irrigation Ditches Reconstruct
- Irrigation Ditches (Gardeners)
- Irrigation Ditches
- Buildings 2014
- 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



08/07/2014 02:36 PM
City & County of Denver
Electronically Recorded

R \$31.00

WD

D \$0.00

When Recorded, Return to:

First American Title Insurance Company
National Commercial Services
Attention: Elvira Fuentes
601 Travis, Suite 1875
Houston, Texas 77002
NCS 570718 (Speer)

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED, dated August 7th, 2014, is made by LG SPEER BOULEVARD LLC, a Delaware limited liability company ("Grantor") to the CITY AND COUNTY OF DENVER, a Home Rule City and municipal corporation of the State of Colorado ("Grantee" or the "City") whose address is 1437 Bannock Street, Denver, CO 80202.

WITNESS, that the 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 is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee, its successors and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the City and County of Denver and State of Colorado, described as follows:

EXHIBIT A attached hereto and incorporated herein

Such property being a **portion** of the property commonly known as:

Assessor's schedule or parcel number: 05113-09-004-000 (now vacant land)
Address: 295 E Speer Blvd, Denver, CO (now vacant land)

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the Grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the Grantee, its successors and assigns forever. The Grantor, for itself and its successors, agrees that it shall and will **WARRANT AND FOREVER DEFEND** the above bargained premises in the quiet and peaceable possession of the Grantee, its successors and assigns, against all and every person or persons lawfully claiming the whole or any part thereof by, through or under Grantor, except for all matters of record.


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

GRANTOR:

LG SPEER BOULEVARD LLC,
a Delaware limited liability company

By: Lion Gables Realty Limited Partnership,
a Delaware limited partnership,
its Manager

By: Gables GP, Inc.,
a Texas corporation,
its general partner

By: 
Name: Ben Ryan
Title: Regional VP of Construction

STATE OF Texas)
COUNTY OF Harris) ss.

The foregoing instrument was acknowledged before me this 30 day of July, 2014, by Bob Ryan, the Regional VP of Construction of Gables GP, Inc., the general partner of Lion Gables Realty Limited Partnership, the Manager of LG SPEER BOULEVARD LLC, a Delaware limited liability company, on behalf of said company.

Witness my hand and official seal.

Jennifer Hawkes
Notary Public



Seal

My commission expires: 3 22 2017

**EXHIBIT A
LEGAL DESCRIPTION**

Name and Address of Person Creating Newly Created Legal Description (§38-35-106.5, C.R.S.)

(a portion of 295 E Speer Blvd, Denver, CO)

EXHIBIT "A"

DESCRIPTION

2013-0124-04-001

RIGHT-OF-WAY DEDICATIONS (6th Ave AND GRANT St.)

SITUATED IN THE NORTHEAST 1/4 OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO.

PARCEL 1 (6th Ave.)

A PARCEL OF LAND BEING A PART OF BLOCK 2, EAST BROADWAY TERRACE SECOND FILING, SITUATED IN THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6th PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID BLOCK 2, SAID POINT LYING ON THE SOUTH RIGHT-OF-WAY LINE OF 6th AVENUE;

THENCE NORTH 89°58'33" EAST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 271.10 FEET TO THE NORTHWESTERLY CORNER OF THAT PARCEL OF LAND AS DESCRIBED IN THE DOCUMENT RECORDED AT RECEPTION No. R930072776 (EXHIBIT A-2) OF THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE;

THENCE SOUTH 30°15'45" EAST, ALONG THE SOUTHWESTERLY LINE OF SAID PARCEL, A DISTANCE OF 2.83 FEET;

THENCE SOUTH 89°58'33" WEST, PARALLEL WITH AND 2.45 FEET SOUTH OF, WHEN MEASURED PERPENDICULAR TO, SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 272.53 FEET TO THE WEST LINE OF SAID BLOCK 2;

THENCE NORTH 00°01'03" EAST, ALONG SAID WEST LINE, A DISTANCE OF 2.45 FEET TO THE POINT OF BEGINNING.

PARCEL 1 CONTAINS 666 SQ. FT. (0.015 AC.) MORE OR LESS.

PARCEL 2 (GRANT St.)

A PARCEL OF LAND BEING A PART OF BLOCK 2, EAST BROADWAY TERRACE SECOND FILING, SITUATED IN THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6th PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF THAT PARCEL OF LAND AS DESCRIBED IN THE DOCUMENT RECORDED AT RECEPTION No. R930072776 (EXHIBIT A-2) OF THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, SAID POINT LYING ON THE EAST LINE OF SAID BLOCK 2 AND THE WEST RIGHT-OF-WAY LINE OF GRANT St.;

THENCE SOUTH 00°00'00" EAST, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 413.84 FEET TO THE NORTH CORNER OF A PARCEL OF LAND AS DESCRIBED IN SAID DOCUMENT RECORDED AT RECEPTION No. R930072776 (EXHIBIT A-1);

THENCE SOUTH 48°29'18" WEST, ALONG THE NORTHWESTERLY LINE OF SAID PARCEL, A DISTANCE OF 3.72 FEET TO THE SOUTHWESTERLY LINE OF SAID BLOCK 2, SAID POINT LYING ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SPEER Blvd., AND A POINT OF NON-TANGENT CURVE;

THENCE ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE AND ALONG SAID NON-TANGENT CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 00°10'13", A RADIUS OF 2747.27 FEET AND AN ARC LENGTH OF 8.43 FEET (CHORD BEARS NORTH 38°09'43" WEST, A DISTANCE OF 8.43 FEET);

THENCE NORTH 00°00'00" WEST, PARALLEL WITH AND 8.00 FEET WEST OF, WHEN MEASURED PERPENDICULAR TO, SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 419.23 FEET;

THENCE NORTH 89°58'33" EAST, PARALLEL WITH AND 2.45 FEET SOUTH OF, WHEN MEASURED PERPENDICULAR TO, THE SOUTH RIGHT-OF-WAY LINE OF 6th AVENUE, A DISTANCE OF 2.43 FEET TO THE SOUTHWESTERLY LINE OF SAID PARCEL OF LAND AS DESCRIBED IN THE DOCUMENT RECORDED AT RECEPTION No. R930072776 (EXHIBIT A-2);

THENCE SOUTH 30°15'45" EAST, ALONG SAID SOUTHWESTERLY LINE, A DISTANCE OF 11.06 FEET TO THE POINT OF BEGINNING.

PARCEL 2 CONTAINS 3359 SQ. FT. (0.077 AC.) MORE OR LESS.

BASIS OF BEARINGS: BEARINGS ARE BASED ON THE NORTH LINE OF BLOCK 2, EAST BROADWAY TERRACE SECOND FILING ASSUMED TO BEAR NORTH 89°58'33" EAST.

PREPARED BY:
AARON MURPHY, PLS
PLS No. 38162

FOR AND ON BEHALF OF:
HARRIS KOCHER SMITH
1120 LINCOLN STREET, SUITE 1000
DENVER, CO 80203
303.623.6300
WWW.HARRISKOCHERSMITH.COM



NO CHANGES TO BE MADE TO THIS DOCUMENT WITHOUT WRITTEN PERMISSION OF HARRIS KOCHER SMITH.

DATE: 11/04/2013

NO.	REVISION COMMENTS

255 SPEER, INC

6th Ave AND GRANT St.
RIGHT-OF-WAY
DEDICATIONS

HKS HARRIS KOCHER SMITH
1120 Lincoln Street, Suite 1000
Denver, Colorado 80203
P: 303-623-6300 F: 303-623-6311
HarrisKocher@smith.com

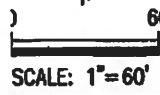
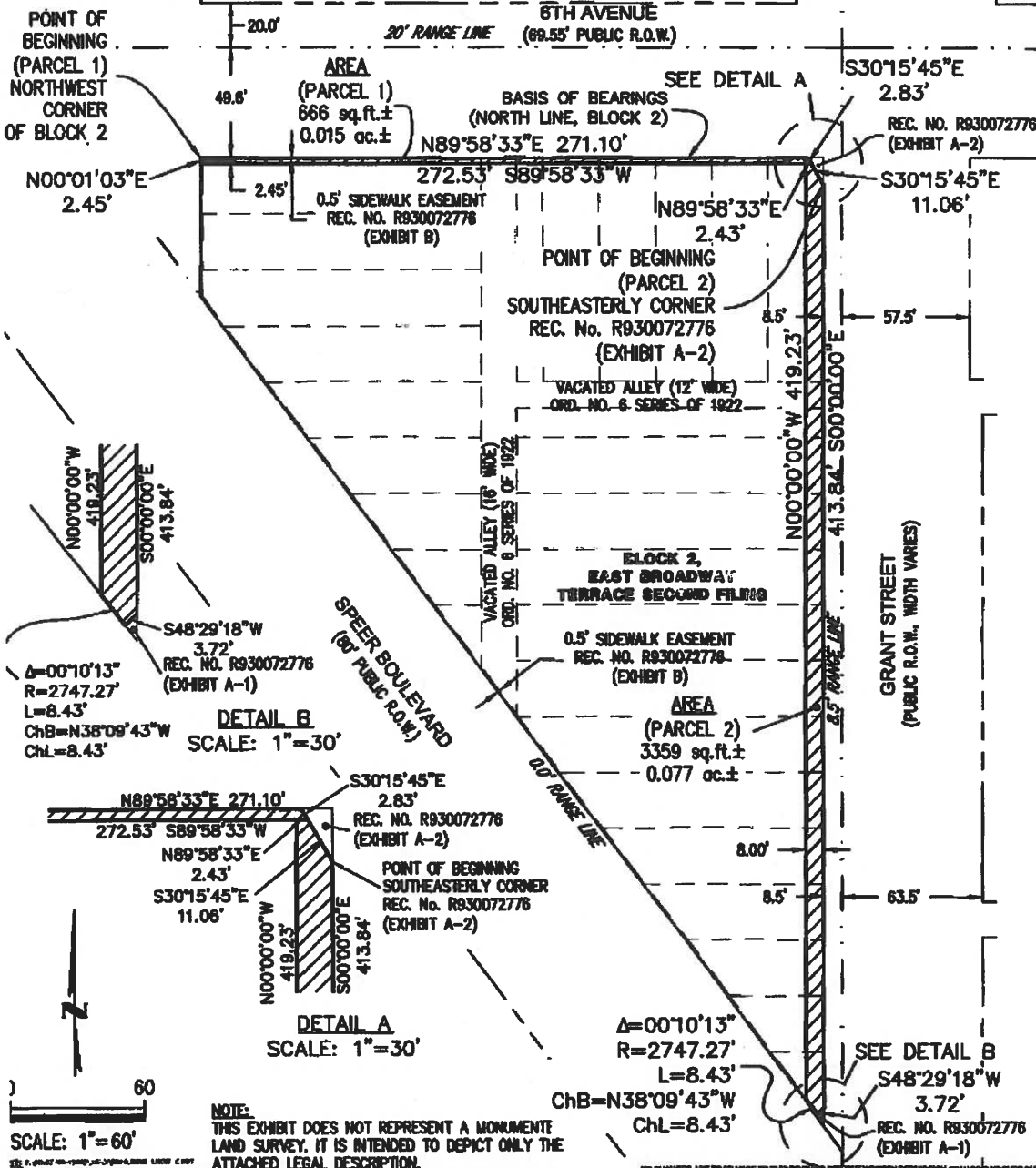
CHECK BY: ANM
DRAWN BY: BAE
JOB FILE: 121003

EXHIBIT

2013-0124-04-001

RIGHT-OF-WAY DEDICATIONS (6th Ave AND GRANT St.)

SITUATED IN THE NORTHEAST 1/4 OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO.



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

RECORDED AND TO BE MADE TO BE CORRECTED WITHOUT WRITTEN PERMISSION OF HARRIS KOCHER SMITH.

DATE: 11.04.2013	REVISION COMMENTS

255 SPEER, INC

6th Ave AND GRANT ST.
RIGHT-OF-WAY
DEDICATIONS

HKS HARRIS KOCHER SMITH
 1125 Lincoln Street, Suite 9000
 Denver, Colorado 80202
 P: 303-429-8500 F: 303-429-8511
 HarrisKocherSmith.com

CHKD BY: ANM
 DRAWN BY: RJE
 JOB NO: 121003
 2
 1 of 2