



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: February 6, 2019

ROW #: 2018-Dedication-0000162 **SCHEDULE #:** 0232218027000

TITLE: This request is to dedicate a parcel of land as Public Right of Way as Public Alley.
Located in the alley bounded by W. 23rd Ave., N. King St., W. 24th Ave. and N. Lowell Blvd.

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 **(23 King)**

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-0000162-001) HERE.

A map of the area to be dedicated is attached.

MB/JS/bv

cc: Dept. of Real Estate, Katherine Rinehart
City Councilperson & Aides, Rafael Espinoza District # 1
Council Aide Amanda Sandoval
Council Aide Gina Volpe
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, Jon Spirk
Public Works Survey, Paul Rogalla
Owner: City and County of Denver
Project file folder 2018-Dedication-0000162

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: February 6, 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.**)

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Located in the alley bounded by W. 23rd Ave., N. King St., W. 24th Ave. and N. Lowell Blvd.

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 **(23 King)**

****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 W. 23rd Ave., N. King St., W. 24th Ave. and N. Lowell Blvd.
- d. **Affected Council District:** Rafael Espinoza Dist. #1
- 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: 2018-Dedication-0000162

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

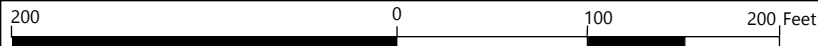
Will an easement relinquishment be submitted at a later date: N/A

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 23 King.



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
-  Lots/Blocks
- Parks
 -  All Other Parks; Linear
 -  Mountain Parks



PW Legal Description No. 2018-Dedication-0000162-001

Being that parcel of land conveyed by Special Warranty Deed to the City and County of Denver, recorded on the 17th day of October 2018, at Reception No. 2018134852 in the City and County of Denver Clerk and Recorder's Office, State of Colorado, being more particularly described as follows:

THE NORTH 3.00 FEET OF LOTS 10, 11, 12 AND 13, BLOCK 34, WITTER AND COFIELD'S SUBDIVISION OF THE TOWN OF HIGHLANDS, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

CONTAINS 302 SQ. FT OR 0.007 ACRES



2018134852
Page: 1 of 4
D \$0.00

After recording, return to:
David J. Edwards
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 16TH day of OCTOBER, 2018, by **3501 West 23rd Avenue, LLC**, a Colorado limited liability company, whose address is 1944 S. Routt Ct., Lakewood, CO 80227, 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 201 West Colfax Avenue, 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.

Asset Mgmt. # 18-157

Project Description: 2018-Dedication - 0000102

Approved: [Signature] Asset Management Date: 10/11/18

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

ATTEST:

3501 West 23rd Avenue, LLC, a Colorado Limited Liability Company

By: [Signature]

Name: ERIC R BENDORFER

Its: MANAGER

STATE OF Colorado)

COUNTY OF Jefferson) ss.

The foregoing instrument was acknowledged before me this 16 day of October, 2018 by Eric R Bendorfer as Manager of 3501 West 23rd Avenue ,LLC a Colorado Limited Liability Company.

Witness my hand and official seal.

My commission expires: Nov 23, 21

[Signature]
Notary Public

**JUDY CARLSON-MATTEDI
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19954000778
MY COMMISSION EXPIRES MARCH 23, 2021**

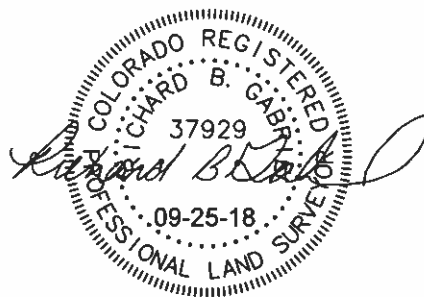
EXHIBIT A
LAND DESCRIPTION
SHEET 1 OF 2

LAND DESCRIPTION:

THE NORTH 3.00 FEET OF LOTS 10, 11, 12 AND 13, BLOCK 34, WITTER AND COFIELDS
SUBDIVISION OF THE TOWN OF HIGHLANDS, CITY AND COUNTY OF DENVER, STATE OF
COLORADO.

CONTAINS ±302 SQ. FT. OR ±0.007 ACRES.

RICHARD B. GABRIEL, P.L.S.
Colorado License No. 37929
For and on behalf of
Power Surveying Company, Inc.

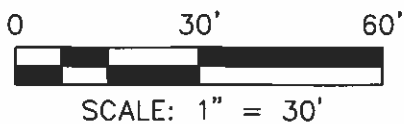
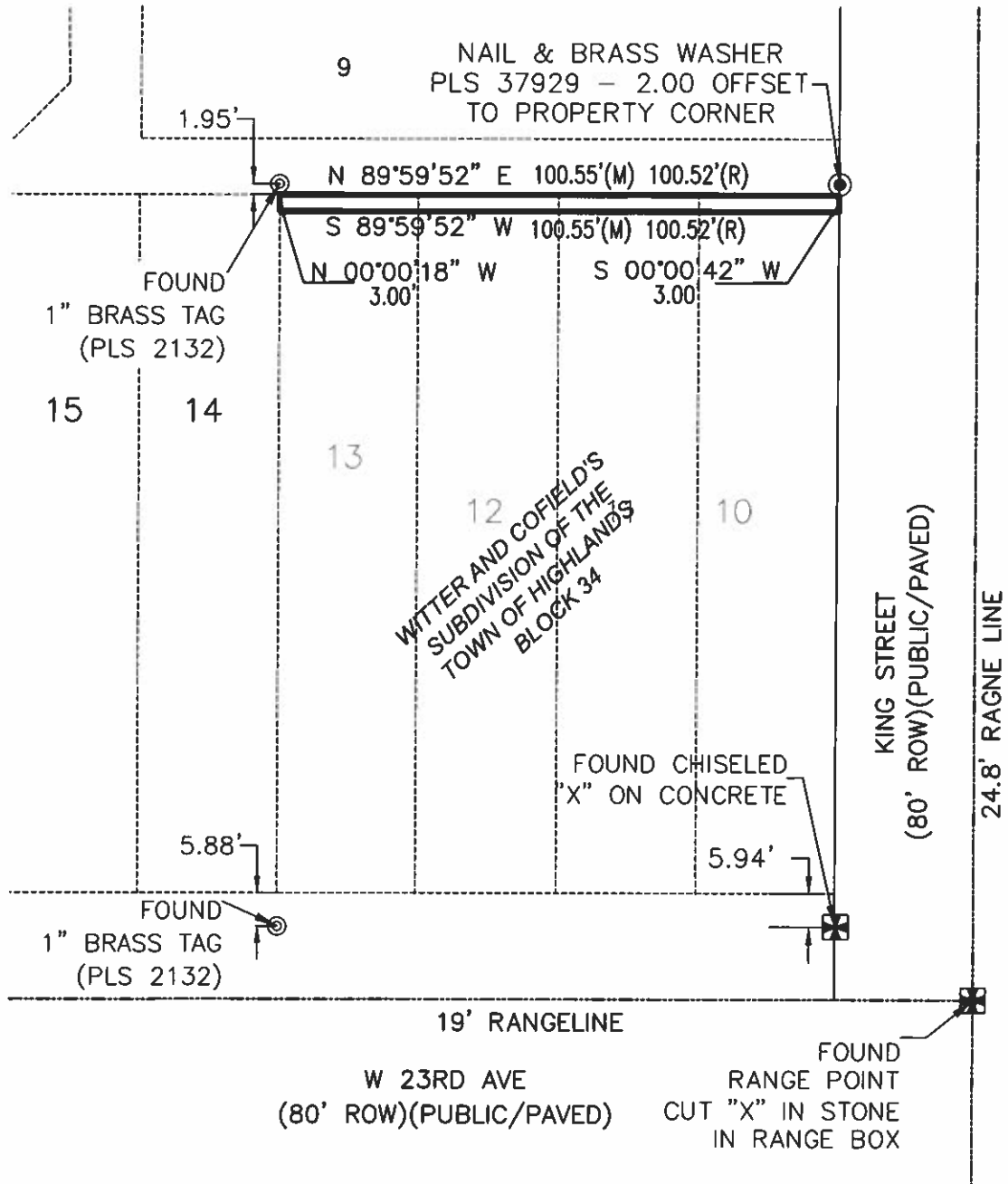


150 W. 84TH AVENUE
THORNTON, COLORADO 80260

PH. 303-702-1617
FAX 303-702-1488
WWW.POWERSURVEYING.COM

DRAWING BY: RBG DATE: 10-11-18
PROJECT NO. 501-17-283

EXHIBIT A
EXHIBIT OF LAND DESCRIPTION
SHEET 2 OF 2



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DRAWING BY: RBG DATE: 10-11-18
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