



REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Caroline Martin, City Attorney's Office

FROM: Matt Bryner, P.E. Senior Engineering Manager
Right-of-Way Services

DATE: November 7, 2017

ROW #: 2017-Dedication-0000072 **SCHEDULE #:** 0504217015000 & 004217017000

TITLE: This request is to dedicate a parcel of land as Public Right of Way as W. 13th Ave.
Located at the intersection of W. 13th Ave. and N. Rio 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 W. 13th 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 (**All Copy**)

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 W. 13th Ave. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2017-Dedication-0000072-001) HERE.

A map of the area to be dedicated is attached.

MB/JS/BV

cc: Asset Management, Robert Koehler
City Councilperson & Aides, Paul Lopez District # 3
Council Aide Adriana Lara
Council Aide Jesus Orrantia
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, Matt Bryner
Department of Law, Brent Eisen
Department of Law, Shaun Sullivan
Department of Law, Caroline Martin
Department of Law, Stan Lechman
Department of Law, Cynthia Devereaux
Public Works Survey, Jon Spirk
Public Works Survey, Paul Rogalla
Owner: City and County of Denver
Project file folder 2017-Dedication-0000072

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: November 7, 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 W. 13th Ave.
Located at the intersection of W. 13th Ave. and N. Rio 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 W. 13th 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 (**All Copy**)

****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:** W. 13th Ave. at N. Rio St.
- d. **Affected Council District:** Paul Lopez Dist. #3
- 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-0000072, All Copy

Description of Proposed Project: Dedicate a parcel of public right of way as W. 13th 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

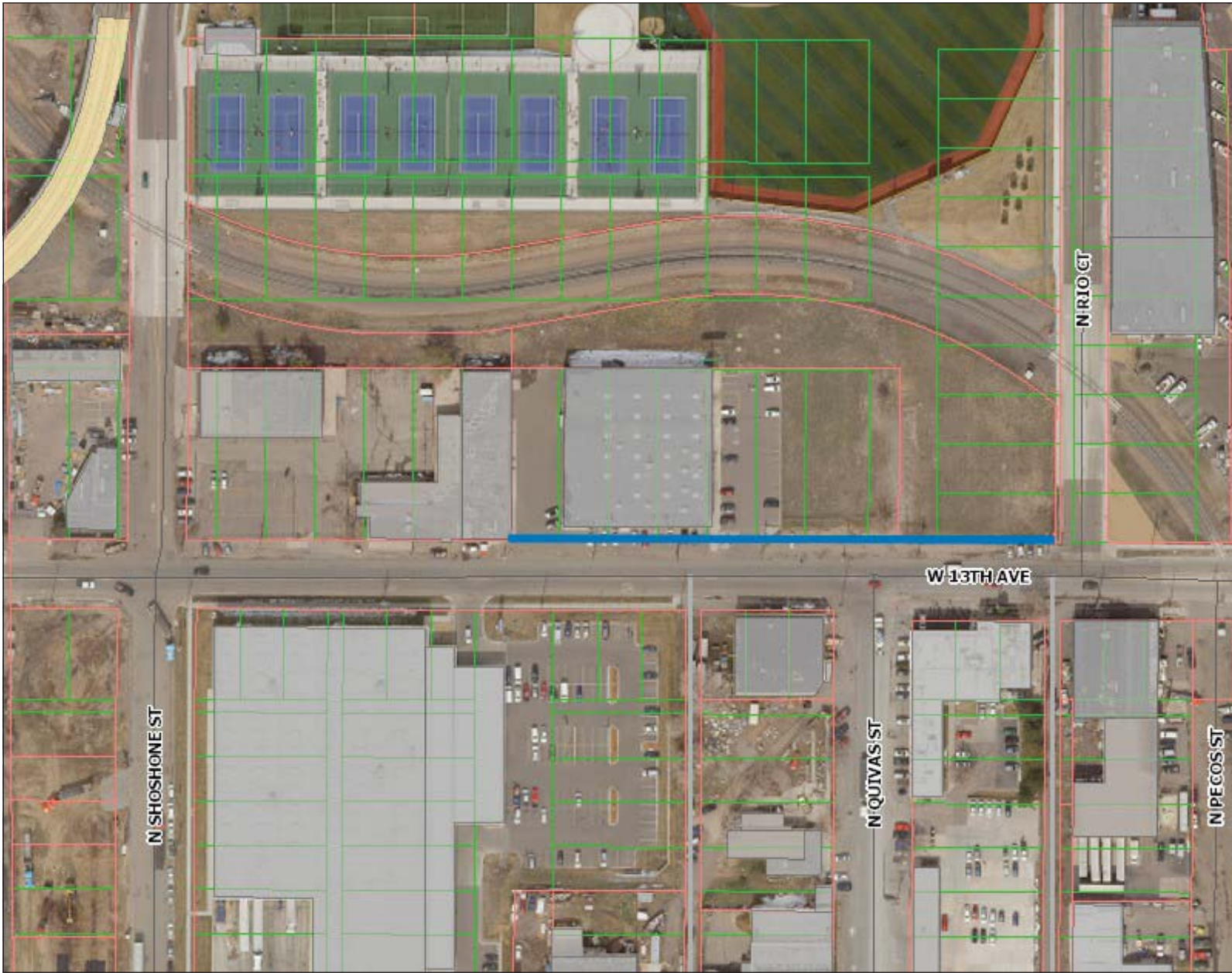
What is the known duration of an MEP: N/A

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, All Copy



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



A parcel of land conveyed by Warranty Deed to the City and County of Denver, recorded on the 16th day of October, 2017, at Reception No. 2017135867 in the City and County of Denver Clerk and Recorder's Office, State of Colorado, being more particularly described as follows:

A PARCEL OF LAND BEING A PORTION OF BLOCKS 9 AND 10, BAKER'S SUBDIVISION, TOGETHER WITH A PORTION OF VACATED QUIVAS STREET, VACATED BY ORDINANCE 98, SERIES OF 1948, RECORDED AT RECEPTION NO. 2004117961, ALL LOCATED IN THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO, AND DESCRIBED AS FOLLOWS:

THE SOUTH THREE (3) FEET OF THE PREVIOUSLY PLATTED LOT 10, BLOCK 9 AND LOTS 1 THROUGH 7, BLOCK 10 OF SAID BAKER'S SUBDIVISION, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND RANGE POINT BEING A 2" ALUMINUM CAN IN RANGE BOX STAMPED LS14108;

THENCE N 89°59'40" E, ALONG A 20.00 FOOT RANGE LINE 379.96 FEET;

THENCE DEPARTING SAID RANGE LINE N 00°00'20" W, 20.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 7, BLOCK 10, BAKER'S SUBDIVISION, AND **POINT OF BEGINNING**;

THENCE N 00°00'01" E, ALONG THE WEST LINE OF SAID LOT 7, A DISTANCE OF 3.00 FEET;

THENCE N 89°59'40" E, A DISTANCE OF 554.55 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF RIO COURT;

THENCE S 00°00'22" W, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 3.00 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF WEST 13TH AVENUE;

THENCE S 89°59'40" W, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 554.55 FEET TO THE **POINT OF BEGINNING**.

SAID PARCEL CONTAINS 1,664 SQUARE FEET, OR 0.038 ACRES.

BASIS OF BEARINGS: BEARINGS CONTAINED HEREIN ARE BASED ON THE 20 FOOT RANGE LINE IN W. 13TH AVENUE, BETWEEN SHOSHONE STREET AND QUIVAS STREET. SAID LINE IS ASSUMED TO BEAR N 89°59'40" E, AND IS MONUMENTED ON THE WEST BY A 2" ALUMINUM CAP, L.S.#14108, AND ON THE EAST BY A 1" REBAR.



10/16/2017 10:47 AM
City & County of Denver

R \$0.00

WD

2017135867

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 10th day of October, 2017, by 1535 W. 13th LLC, a Colorado limited liability company, as to Parcel A, and 1635 W. 13th LLC, a Colorado limited liability company, as to Parcel B, a Colorado limited liability company ("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 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.

Asset Mgmt. #: 17-87

Asset Management:
Date: 10/16/17
Approved: [Signature]

Project Description:
5611
1535 W. 13th LLC - Parcel A
1635 W. 13th LLC - Parcel B

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

ATTEST:

1535 W. 13th LLC, a Colorado limited liability company, as to Parcel A, and 1635 W. 13th LLC, a Colorado limited liability company, as to Parcel B, a Colorado limited liability company

By: BJ K

Name: Brad Knepper

Its: President

STATE OF Colorado)
) ss.
COUNTY OF Denver)

The foregoing instrument was acknowledged before me this 10th day of October, 2017 by Brad Knepper, as President of 1535 W. 13th LLC, a Colorado limited liability company, as to Parcel A, and 1635 W. 13th LLC, a Colorado limited liability company, as to Parcel B, a Colorado limited liability company

Witness my hand and official seal.

My commission expires: 7/18/2021

Scott D. Dewar
Notary Public

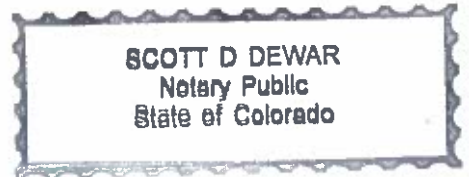


EXHIBIT A
Right-of-way Dedication Area
Land Description

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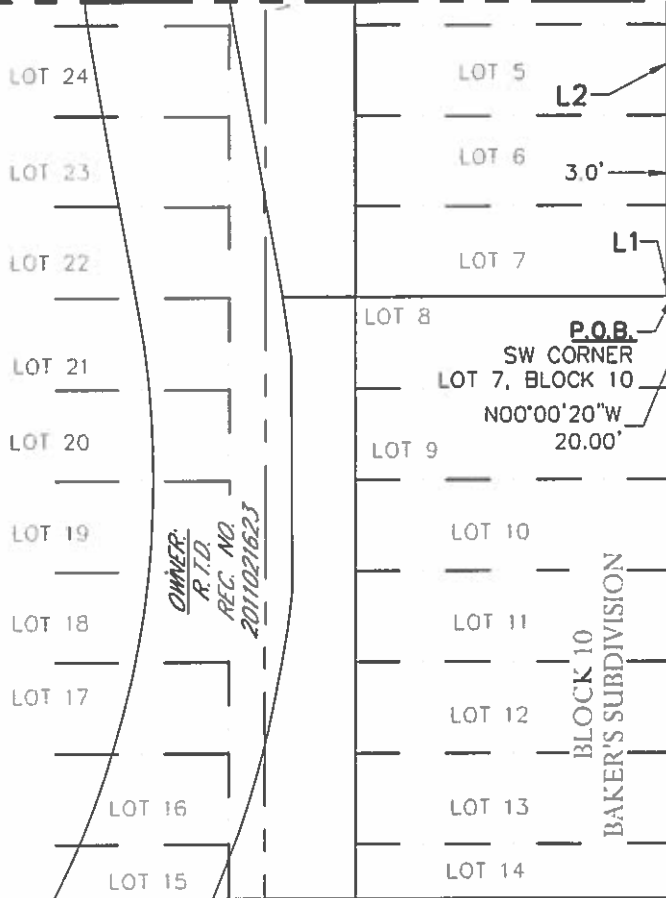
PREPARED BY: ANTONIO W. SMITH, PLS #38320
FOR AND ON BEHALF OF R&R ENGINEERS-SURVEYORS, INC.
710 WEST COLFAX AVE.
DENVER, COLORADO 80204
March 6, 2017

EXHIBIT A
RIGHT-OF-WAY DEDICATION AREA
 A PART OF THE S1/2, NE1/4, NW1/4 OF SECTION 4, T.4S, R.68W, 6TH P.M.,
 CITY AND COUNTY OF DENVER, STATE OF COLORADO

MATCH LINE - SHEET 4

Line Table		
Line #	Direction	Length
L1	N0°00'01"E	3.00
L2	N89°59'40"E	554.55
L3	S0°00'22"W	3.00
L4	S89°59'40"W	554.55

LOT 24
 LOT 23
 LOT 22
 LOT 21
 LOT 20
 LOT 19
 LOT 18
 LOT 17
 LOT 16
 LOT 15



BLOCK 22
 BAKER'S SUBDIVISION

20' RANGE LINE
 FND. PLASTIC CAP "ILLEGIBLE"

50°00'29"E 580.21'
 P.O.C. FND. ALUM. CAP "LS 14108"

LEGEND
 P.O.C. - POINT OF COMMENCEMENT
 P.O.B. - POINT OF BEGINNING



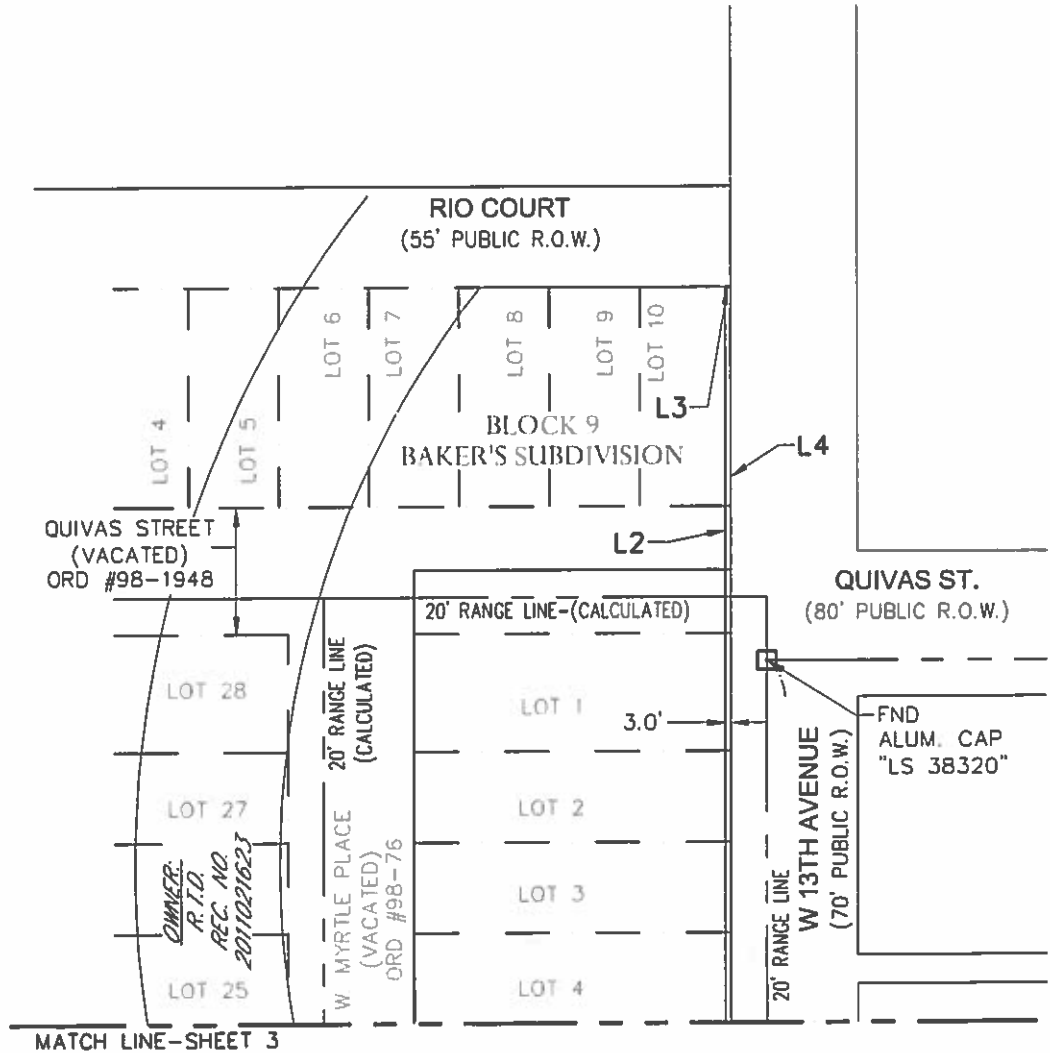
SCALE: 1" = 100'

PARCEL CONTAINS 1,664 SQ. FT. OR 0.038 ACRES

NOTE
 THIS DRAWING IS MEANT TO DEPICT THE ATTACHED LEGAL DESCRIPTION AND IS FOR INFORMATIONAL PURPOSES ONLY. IT DOES NOT REPRESENT A MONUMENTED LAND SURVEY.

RIGHT-OF-WAY DEDICATION AREA		Sheet 2 of 3		R&R ENGINEERS-SURVEYORS, INC. 710 WEST COLFAX AVENUE DENVER, COLORADO 80204 PH: 303-753-6730 - FAX: 303-753-6568 WWW.RRENINEERS.COM
Date: 06/23/2017				
Drawn: SLP				
Checked: DRF				
Job No.: AC15119				

EXHIBIT A
RIGHT-OF-WAY DEDICATION AREA
 A PART OF THE S1/2, NE1/4, NW1/4 OF SECTION 4, T.4S, R.68W, 6TH P.M.,
 CITY AND COUNTY OF DENVER, STATE OF COLORADO



LEGEND

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RIGHT-OF-WAY DEDICATION AREA

Date: 06/23/2017	Sheet
Drawn: SLP	3
Checked: DRF	of
Job No.: AC15119	3



R&R ENGINEERS-SURVEYORS, INC.
 710 WEST COLFAX AVENUE
 DENVER, COLORADO 80204
 PH: 303-753-6730 - FAX: 303-753-6568
 WWW.RRENINEERS.COM