



## REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

**TO:** Stan Lechman, City Attorney's Office  
**FROM:** Robert J. Duncanson P.E., Engineering Manager II  
Right-of-Way Services  
**DATE:** November 2, 2015  
**ROW #:** 2014-Dedication-0007303      **SCHEDULE #:** 0228134028000  
**TITLE:** This request is to dedicate a parcel of land as Public Right of Way as Public Alley.  
Located at the intersection of W. 32<sup>nd</sup> Ave. and Pecos 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 being dedicated to the City and County of Denver for Public Right-of-Way, as part of the development project (**Avanti Plaza**)

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 # (2014-Dedication-0007303-001) HERE.**

A map of the area to be dedicated is attached.

RD/AG/BLV

cc: Asset Management, Steve Wirth  
City Councilperson & Aides, Rafael Espinoza District # 1  
Council Aide Rita Contreras  
Council Aide Amanda Sandoval  
City Council Staff, Shelley Smith  
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, Rob Duncanson  
Department of Law, Brent Eisen  
Department of Law, Charlene Thompson  
Department of Law, Adam Hernandez  
Department of Law, Angela Garcia  
Public Works Survey, Ali Gulaid  
Public Works Survey, Paul Rogalla  
Owner: City and County of Denver  
Project file folder 2014-Dedication-0007303

**ORDINANCE/RESOLUTION REQUEST**

Please email requests to Angela Casias  
at [angela.casias@DenverGov.org](mailto: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 2, 2015

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 Public Alley.  
Located at the intersection of W. 32<sup>nd</sup> Ave. and Pecos St.

3. Requesting Agency: Public Works – Right-of-Way Services / 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 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 (Avanti Plaza)

**\*\*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. 32<sup>nd</sup> Ave. and Pecos St.
- d. Affected Council District: Rafael Espinoza Dist. 1
- e. Benefits: N/A
- f. Contract Amount (indicate amended amount and new contract total): N/A

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: \_\_\_\_\_



## EXECUTIVE SUMMARY

**DENVER**  
THE MILE HIGH CITY

**Project Title: 2014-Dedication-0007303, Avanti Plaza**

**Description of Proposed Project: Dedicate a parcel of 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 to dedicate it as Public Right-of-Way, as a part of a development project called, Avanti Plaza**



# 32nd and Osage



128 0 64 128 Feet

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
© City and County of Denver

1: 1,000

Map Generated 10/29/2015

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.**

**Legend**

- Streams
- Irrigation Ditches Reconstruct (Gardeners)
- Irrigation Ditches
- 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



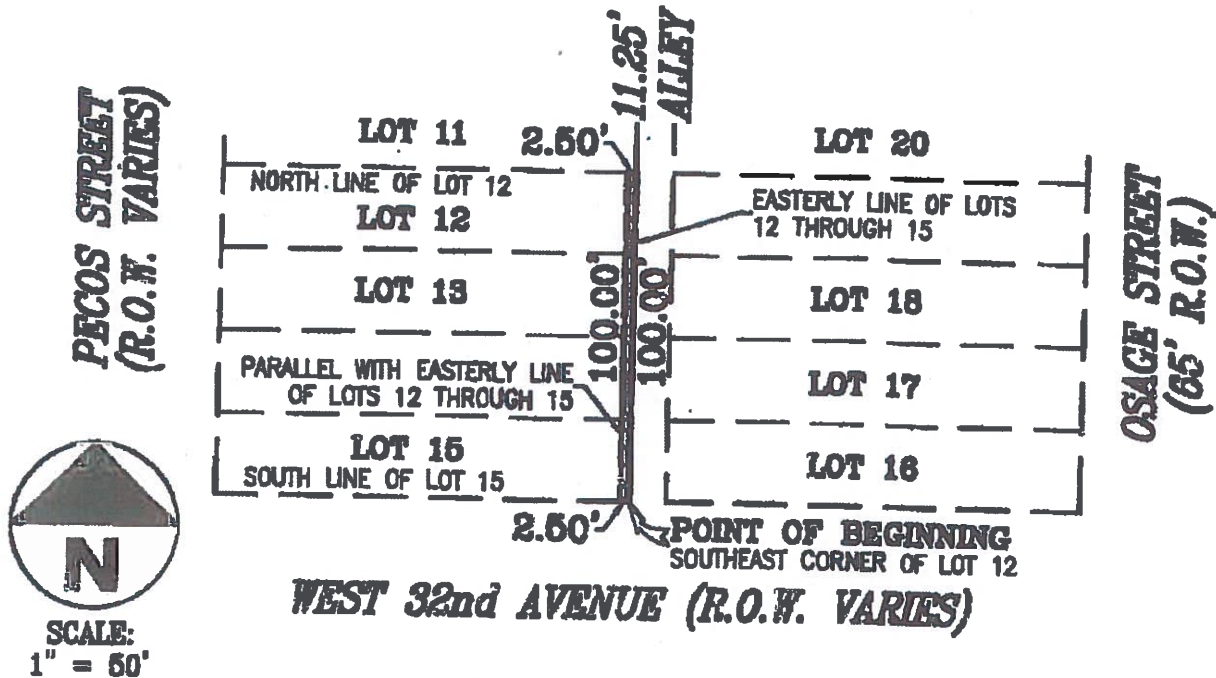
EXHIBIT "A"

ROW Project No. 2014-0073

ROW Parcel Legal Description No. 2014-0073-03-001

# EXHIBIT

A PART OF THE NE-1/4 OF SECTION 28,  
T. 3 S., R. 68 W. OF THE 6th P.M.,  
CITY AND COUNTY OF DENVER, STATE OF COLORADO



### PROPERTY DESCRIPTION

A parcel of land being a part of Lots 12 to 16, inclusive, Block 12, CENTRAL SUBDIVISION AS AN ADDITION TO THE TOWN OF HIGHLANDS, City and County of DENVER, State of COLORADO, located in the Northeast quarter of Section 28, Township 3 South, Range 68 West of the 6th P.M., and being more particularly described as follows:

BEGINNING at the Southeast corner of said Lot 16; thence Westerly, along the South line of said Lot 15, a distance of 2.50 feet; thence Northerly, parallel with and 2.50 feet West of the East line said Lots 15 to 12, a distance of 100.00 feet to a point on the North line of said Lot 12; thence Easterly, along said North line of said Lot 12, a distance of 2.50 feet to the Northeast corner of said Lot 12; thence Southerly, along the East line of said Lots 12 to 15, a distance of 100.00 feet to the Southeast corner of said Lot 15, said point also being the POINT OF BEGINNING.

Containing 250.0 square feet or 0.006 acres, more or less,

City and County of DENVER, State of COLORADO.

NOTICE: According to Colorado law you must commence any legal action based upon any defect in this exhibit within 3 years after you first discover such defect. In no event, may any action based upon any defect in this exhibit be commenced more than ten years from the date of the signature shown herein.

Prepared by *[Signature]* E. Haller, P.E.S. No. 25643  
for and on behalf of Metropolitan Surveyors, LLC.  
May 28, 2014



JOB NO. PEC - 3200 E

REVISED		<b>EXHIBIT</b>		<b>Metropolitan Surveyors, LLC.</b> 2824 South Lincoln Street Englewood, Colorado 80122 Phone (303) 701-8807 Fax (303) 701-8168
1		DRAWN BY	J.F.B. DATE 5/28/14	
2		CHECKED BY	G.G.H. DATE 5/28/14	
3		APPROVED BY	DATE	
4				
5				

**LAND DESCRIPTION FOR ALLEY R.O. W. DEDICATION:**

A PARCEL OF LAND BEING A PART OF LOTS 12 TO 15, INCLUSIVE, BLOCK 12, CENTRAL SUBDIVISION AS AN ADDITION TO THE TOWN OF HIGHLANDS, CITY AND COUNTY OF DENVER, STATE OF COLORADO, LOCATED IN THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., AND CONVEYED BY A WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 24<sup>TH</sup> DAY OF JULY 2014, AT RECEPTION NUMBER 2014088445 IN CITY AND COUNTY OF DENVER CLERK & RECORDER'S OFFICE, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 15; THENCE WESTERLY, ALONG THE SOUTH LINE OF SAID LOT 15, A DISTANCE OF 2.50 FEET; THENCE NORTHERLY, PARALLEL WITH AND 2.50 FEET WEST OF THE EAST LINE SAID LOTS 15 TO 12, A DISTANCE OF 100.00 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 12; THENCE EASTERLY, ALONG SAID NORTH LINE OF SAID LOT 12, A DISTANCE OF 2.50 FEET TO THE NORTHEAST CORNER OF SAID LOT 12; THENCE SOUTHERLY, ALONG THE EAST LINE OF SAID LOTS 12 TO 15, A DISTANCE OF 100 TO THE SOUTHEAST CORNER OF SAID LOT 15, SAID POINT ALSO BEING THE POINT OF BEGINNING,

CONTAINING 250.0 SQUARE FEET OR 0.006 ACRES, MORE OR LESS,

WARRANTY DEED



2014088445  
Page: 1 of 2  
D \$0.00

THIS DEED, dated 7/18, 2014 is between Avanti Plaza, LLC, a Colorado limited liability company ("Grantor"), and the City and County of Denver, a home rule city and municipal corporation of the State of Colorado ("Grantee"), 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

Assessor's schedule or parcel number: Vacant Land  
Address: 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 covenants, grants, bargains, and agrees to and with the Grantee, its successors and assigns, that at the time of the ensembling and delivery of these presents, it is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature whatsoever, except for all matters of record.

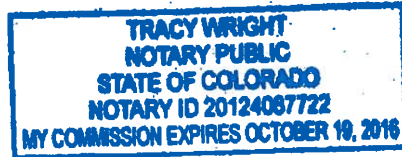
The grantor shall and will WARRANT AND FOREVER DEFEND the above bargained premises in the quiet and peaceable possession of the grantee, its successors and assigns, against all and every person or persons lawfully claiming the whole or any part thereof, except for all matters of record.

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

Avanti Plaza, LLC

By: [Signature]

Title: Manager



STATE OF Colorado

COUNTY OF Denver

The foregoing instrument was acknowledged before me this day 18 of July, 2014 by Robert Hahn as manager of Avanti Plaza, LLC.

Witness my hand and official seal.

My commission expires 10-19-2016 [Signature]

Asset Mgmt. A-111  
Asset Management  
Date: 7-24-14  
Approved: [Signature]  
Project Description: 300 Peds St