

REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Charlene Thompson, City Attorney's Office

FROM: Robert J. Duncanson P.E., Engineering Manager II
Right-of-Way Services

DATE: December 11, 2015

ROW #: 2015-Dedication-0000110 **SCHEDULE #:** 0629210031000

TITLE: This request is to dedicate City owned land as E. Evans Ave.
Located near the intersection of E. Evans Ave. and S. Jasmine 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. Evans Ave.

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 existing City owned land for public right-of-way purposes as Public Alley. The land is described as follows:

INSERT PARCEL DESCRIPTION ROW (2015-Dedication-0000110-001) HERE.

A map of the area to be dedicated is attached.

RD/BLV

c: Asset Management, Steve Wirth
City Councilperson & Aides, Paul Kashman District # 6
Council Aide Val Kerns
Council Aide Brent Fahrberger
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, John Lautenschlager
Public Works Survey, Paul Rogalla

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: December 11, 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 City owned land as E. Evans Ave.
Located near the intersection of E. Evans Ave. and S. Jasmine 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 E. Evans Ave.

****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. Evans and S. Jasmine St.
- d. Affected Council District: Dist. 6 Paul Kashman
- 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: 2015-Dedication-0000110, E. Evans Ave. and S. Jasmine St.

Description of Proposed Project: This request is to dedicate a City owned land as Public Alley. Located near the intersection of E. Evans Ave. and S. Jasmine St.

Explanation of why the public right-of-way must be utilized to accomplish the proposed project: Dedicating City owned land to Public Right of Way, from the vacant parcel program approved through City Council.

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.

PW Legal Description No. 2015-Dedication-0000110-001

A parcel of land conveyed by Warranty Deed to the City & County of Denver, recorded on the 13th of August 2014, by Reception Number 2014097874, in the City & County of Denver Clerk & Recorder's Office.

A 12.00 FOOT WIDE STRIP OF LAND BEING THE SOUTH 12.00 FEET OF LOT 5, WOODWARD SUBDIVISION, LOCATED IN THE NORTHWEST ¼ OF SECTION 29, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY & COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: THE WEST LINE OF LOT 5, WOODWARD SUBDIVISION, CITY & COUNTY OF DENVER, STATE OF COLORADO IS ASSUMED TO BEAR N 00°00'00" E, MONUMENTED ON THE NORTH END BY A FOUND #4 REBAR WITH FADED CAP, PLS ILLLEGIBLE AND ON THE SOUTH END BY A MAG NAIL AND 1.5" ALUMINUM WASHER STAMPED PLS 37601, ON WHICH ALL BEARINGS HERON ARE BASED.

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST ¼ OF THE NORTHWEST ¼ OF SAID SECTION 29; THENCE N 89°59'09" E, A DISTANCE OF 979.28 FEET; THENCE N 00°00'00" E, A DISTANCE OF 30.20 FEET TO SOUTHWEST CORNER OF SAID LOT 5 AND TO THE POINT OF BEGINNING;

THENCE ON THE WEST LINE OF SAID LOT 5, N 00°00'00" E, A DISTANCE OF 12.00 FEET; THENCE ON A LINE 12.00 FEET NORTH OF, AND PARRALLEL TO THE SOUTH LINE OF SAID LOT 5, S 89°50'09" E, A DISTANCE OF 151.83 FEET; THENCE ON THE EAST LINE OF SAID LOT 5, S 00°03'47" W, A DISTANCE OF 12.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 5; THENCE ON THE SOUTH LINE OF SAID LOT 5, N 89°50'09" W, A DISTANCE OF 151.81 FEET TO THE POINT OF BEGINNING.

CONTAING 1,822 SQUARE FEET OR 0.04 ACRE, MORE OR LESS

Evans and Jasmine



83 0 41.5 83 Feet

1: 650

Map Generated 12/11/2015

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.

WGS_1984_Web_Mercator_Auxiliary_Sphere
© City and County of Denver



Legend

- Active Addresses
 - Associated
 - Land
 - Structure
 - Utility
- Streams
- Irrigation Ditches Reconstruct (Gardeners)
- Irrigation Ditches
- Buildings
- Streets
- Alleys
- Railroads
 - + Main
 - + Yard
 - + Spur
 - + Sliding
 - + Interchange track
 - + Other
- Bridges
- Rail Transit Stations
 - Existing
 - Planned
- Park-N-Ride Locations
- Lakes
- County Boundary
- Parcels
- Parks
 - Mountain Parks
 - All Other Parks

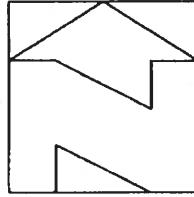
2013-0491-05-001

EXHIBIT A

SHEET 2 OF 2

N1/4 CORNER SECTION 29
FOUND #8 REBAR IN RANGE BOX

NW CORNER OF LOT 5,
FOUND #4 REBAR WITH
FADED CAP (ILLEGIBLE)



SCALE: 1" = 50' US SURVEY FEET



50' 0 25' 50'

LOT 4
WOODWARD
SUBDIVISION

LOT 5
WOODWARD
SUBDIVISION

LOT 6
WOODWARD
SUBDIVISION

BASIS OF BEARINGS - WEST LINE OF
LOT 5 WOODWARD SUB - N00°00'00"E

POINT OF COMMENCEMENT
SW CORNER NW1/4 OF THE
NW1/4 OF SECTION (1/16TH
CORNER), FOUND 2.5" ALLOY
OR BRASS CAP IN RANGE
BOX, STAMPING ILLEGIBLE

"THEORETICAL 1/16TH CORNER"
(NO RECORD OF BEING
PREVIOUSLY FOUND OR SET) PER
MONUMENT RECORD BY PLS 23519
WHO CALCULATED POSITION AT
MID-POINT OF THE EAST LINE OF
NW1/4 SECTION 29

RM 37

N00°00'00"E
12.00'

SW CORNER OF LOT 5,
FOUND MAG NAIL WITH
1/5" ALUMINUM WASHER,
STAMPED PLS 37601

ROW DEDICATION

1,822 SF±
0.04 AC±

S00°03'47"W
12.00'

S89°50'09"E 151.83'

N89°50'09"W 151.81'

SE CORNER OF LOT 5

1316.26' N00°02'28"W
278.85'
278.9' (R)

P.O.B.

979.28'

N89°59'09"E

N00°00'00"E
30.20'

2641.66'

CENTER 1/4 CORNER SECTION 29
FOUND 3.25" ALUM CAP (STAMPING
ILLEGIBLE) IN RANGE BOX

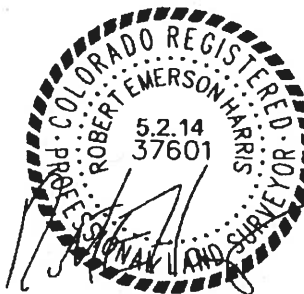
1316.26'

THIS IS NOT A BOUNDARY SURVEY, LAND SURVEY PLAT OR
IMPROVEMENT LOCATION CERTIFICATE. IT IS INTENDED ONLY TO
GRAPHICALLY REPRESENT THE ATTACHED LAND DESCRIPTION.

Gillians

GILLIANS LAND CONSULTANTS
P.O. BOX 746358
ARVADA, CO 80006-6358
303-972-6640 www.gillianslc.com

JOB NO.: 13069
DRAWN: ALB
ISSUE DATE: 5/2/14
FILE: 13069ROW-12'



ROBERT EMERSON HARRIS
P.L.S. NO. 37601
FOR AND BEHALF OF
GILLIANS LAND
CONSULTANTS

2013-0491-05-001

EXHIBIT A

SHEET 1 OF 2

LAND DESCRIPTION

A 12.00 FOOT WIDE STRIP OF LAND BEING THE SOUTH 12.00 FEET OF LOT 5, WOODWARD SUBDIVISION, LOCATED IN THE NORTHWEST 1/4 OF SECTION 29, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY & COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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THENCE ON THE WEST LINE OF SAID LOT 5, N00°00'00"E, A DISTANCE OF 12.00 FEET; THENCE ON A LINE 12.00 FEET NORTH OF, AND PARALLEL TO THE SOUTH LINE OF SAID LOT 5, S89°50'09"E, A DISTANCE OF 151.83 FEET; THENCE ON THE EAST LINE OF SAID LOT 5, S00°03'47"W, A DISTANCE OF 12.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 5; THENCE ON THE SOUTH LINE OF SAID LOT 5, N89°50'09"W, A DISTANCE OF 151.81 FEET TO THE POINT OF BEGINNING,

CONTAINING 1,822 SQUARE FEET OR 0.04 ACRES, MORE OR LESS.

THE LAND DESCRIPTION WAS PREPARED BY AMY BACHER ON 5/2/14 UNDER THE DIRECT SUPERVISION OF ROBERT E. HARRIS, COLORADO PLS 37601, FOR AND ON BEHALF OF GILLIANS LAND CONSULTANTS.

Gillians

GILLIANS LAND CONSULTANTS
P.O. BOX 746358
ARVADA, CO 80006-6358
303-972-6640 www.gillianslc.com

JOB NO.: 13069
DRAWN: ALB
ISSUE DATE: 5/2/14
FILE: 13069ROW-12'

ROBERT EMERSON HARRIS
P.L.S. NO. 37601
FOR AND BEHALF OF
GILLIANS LAND
CONSULTANTS





08/13/2014 10:01 AM
City & County of Denver

R \$0.00

WD

2014097874

Page: 1 of 3

D \$0.00

WARRANTY DEED

THIS DEED, dated July 29th, 2014, is between SouthEast Denver 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 encasing 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.

SouthEast Denver Plaza, LLC

By: [Signature]

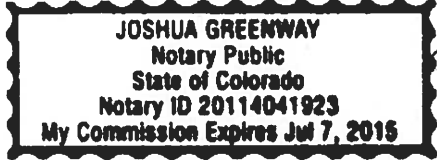
Title: CEO

STATE OF Colorado
COUNTY OF Denver

The foregoing instrument was acknowledged before me this day 29th of July, 2014 by Omid Shekarchian, President/CEO of SouthEast Denver Plaza, LLC.

Witness my hand and official seal.
My commission expires:

[Signature]
Notary Public



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

14-114
Asset Management

Asset Management
Date: 8-13-14
Approver: [Signature]

Project Description:
5295 E. [Signature]