




## 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 

**DATE:** April 10, 2017

**ROW #:** 2016-Dedication-0000266      **SCHEDULE #:** 0511406030000, 0511406029000 &  
0511406028000

**TITLE:** This request is to dedicate a parcel of land as Public Right of Way as Public Alley.  
Located at the intersection of S. Ogden St. and E. Ellsworth Ave.

**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 (**Ogden 3 Townhomes**)

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 # (2016-Dedication-0000266-001) HERE.**

A map of the area to be dedicated is attached.

TC/KL/bv

cc: Asset Management, Robert Koehler  
City Councilperson & Aides, Jolon Clark District # 7  
Council Aide Maggie Thompson  
Council Aide Anita Banuelos  
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, Keith Luttrell  
Public Works Survey, Paul Rogalla  
Owner: City and County of Denver  
Project file folder 2016-Dedication-0000266

**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: April 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 Public Alley.  
Located at the intersection of S. Ogden St. and E. Ellsworth Ave.

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 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 (**Ogden 3 Townhomes**)

**\*\*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: Near S. Ogden St. and E. Ellsworth Ave.
- d. Affected Council District: Dist. 7 Jolon Clark
- 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: \_\_\_\_\_



## EXECUTIVE SUMMARY

**DENVER**  
THE MILE HIGH CITY

**Project Title: 2016-Dedication-0000266, Ogden 3 Townhomes**

**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, Ogden 3 Townhomes.**

PARCEL DESCRIPTION

THAT PARCEL OF LAND CONVEYED BY WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 7 OF APRIL, 2017, BY RECEPTION NO. 2017046984, IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDERS OFFICE, STATE OF COLORADO.

LEGAL DESCRIPTION:

A PARCEL OF LAND 1 FOOT IN WIDTH BEING THE EAST 1 FOOT OF THE WEST 8 FEET OF THE NORTH 24.4 FEET OF LOT 43, LOTS 44 THROUGH 46, AND THE SOUTH ½ OF LOT 47, BLOCK 7, BROADWAY VIEW, LOCATED IN THE SOUTHWEST 1/4. OF SECTION 11, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

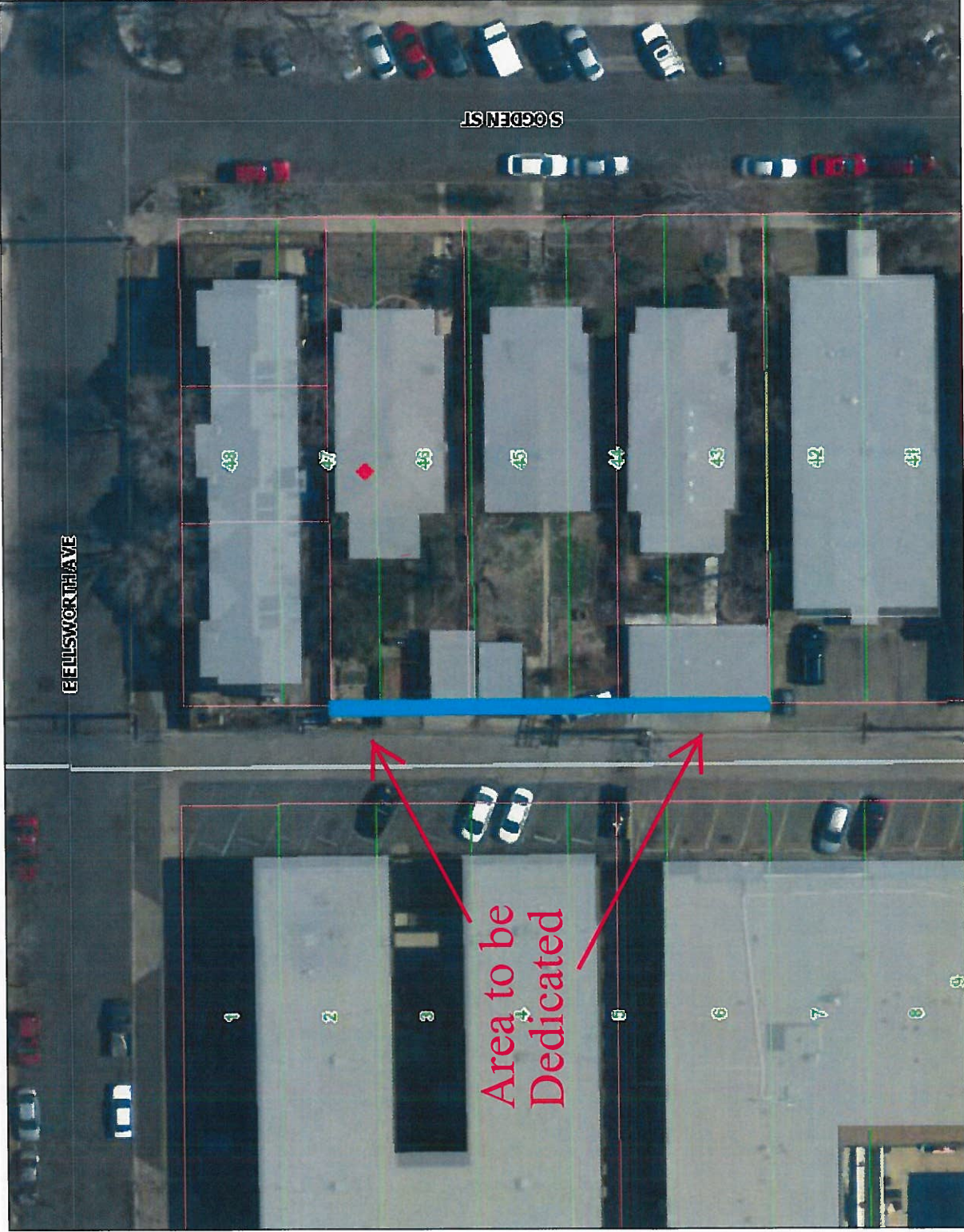
BEGINNING AT THE NORTHWEST CORNER OF THE SOUTH ½ OF SAID LOT 47; THENCE S89°59'43"E ALONG THE NORTH LINE OF THE SAID SOUTH ½ OF LOT 47, 1.00 FEET; THENCE S00°01'30"E ALONG A LINE 1.0 FEET EAST OF AND PARALLEL TO THE WEST LINE OF SAID LOT 47 AND SAID LINE EXTENDED, 111.74 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 24.4 FEET OF SAID LOT 43; THENCE N89°58'57"W ALONG THE SOUTH LINE OF THE SAID NORTH 24.4 FEET OF SAID LOT 43, 1.00 FEET TO A POINT ON THE WEST LINE OF THE SAID NORTH 24.4 FEET OF SAID LOT 43; THENCE N00°01'30"W ALONG THE SAID WEST LINE OF THE SAID NORTH 24.4 FEET OF SAID LOT 43 AND SAID LINE EXTENDED, 111.74 FEET TO THE POINT OF BEGINNING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

THE ABOVE DESCRIBED PARCEL CONTAINS 112 SQUARE FEET OR 0.0026 ACRES, MORE OR LESS.

BASIS OF BEARINGS: AN ASSUMED BEARING OF S89°59' 43"E BEING A 4.0 FOOT OFFSET LINE SOUTH OF AND PARALLEL TO THE SOUTH LINE OF BLOCK 7 BETWEEN TWO FOUND MONUMENTS 335.85 FEET APART; ONE MONUMENT BEING A 4' X 4' OFFSET ALLOY DISK STAMPED LS 30092 AT THE INTERSECTION OF SOUTH EMERSON STREET AND BAYAUD AVENUE AND THE OTHER MONUMENT BEING A 4' X 15' OFFSET ALLOY DISK STAMPED LS 3009 2 AT THE INTERSECTION OF SOUTH OGDEN STREET AND BAYAUD AVENUE.

DAMIEN CAIN PLS 38284 FOR AND ON BEHALF OF  
39 NORTH ENGINEERING AND SURVEYING LLC 4495 HALE PARKWAY  
SUITE 305  
DENVER, CO 80220

PREPARED BY:  
39 NORTH ENGINEERING AND SURVEYING LLC 4495 HALE PARKWAY  
SUITE 305  
DENVER, CO 80220  
PH: 303-325-5071  
EMAIL: damien.cain@39north.net



**Area to be Dedicated**

BELLSWORTH AVE

S OGDEN ST

**Legend**

- Streams
- Irrigation Ditches (Reconstruct)
- Gardens
- 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



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.

16-218  
Asset Mgmt. #:



2017046984

Page: 1 of 4

04/07/2017 01:57 PM

R \$0.00

D \$0.00

City & County of Denver

WD

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 31<sup>st</sup> day of MARCH, 2017, by OGDEN 3, LLC, a Colorado limited liability company, whose address is 999 S. LOGAN ST. #300, DENVER, CO 80209 ("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.

Approved: [Signature]  
Asset Management:  
Date: 5-7-17

Project Description:  
SWD  
Ogden 3, LLC

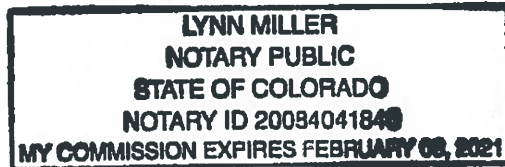
IN WITNESS WHEREOF, Grantor has executed this Deed on the date set forth above.

ATTEST:

*Seth Eiken*

By: OGDEN 3, LLC

a Colorado Limited Liability Company



STATE OF CO )  
 ) ss.  
COUNTY OF DENVER )

The foregoing instrument was acknowledged before me this 31st day of MARCH, 2017  
by Seth Eiken, as Managing Member of OGDEN 3, LLC, a Colorado  
Limited Liability Company.

Witness my hand and official seal.

My commission expires: 2/6/2021

*Lynn Miller*  
Notary Public

EXHIBIT A  
SHEET 1 OF 2

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FOR AND ON BEHALF OF  
39 NORTH ENGINEERING AND SURVEYING LLC  
4495 HALE PARKWAY  
SUITE 305  
DENVER, CO 80220

PREPARED BY:  
39 NORTH ENGINEERING AND SURVEYING LLC  
4495 HALE PARKWAY  
SUITE 305  
DENVER, CO 80220  
PH: 303-325-5071  
EMAIL: damien.cain@39north.net







EXHIBIT A  
SHEET 2 OF 2

