



## 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:** July 25, 2017

**ROW #:** 2016-Dedication-0000264      **SCHEDULE #:** 0503407041000

**TITLE:** This request is to dedicate a parcel of land as Public Right of Way as Public Alley.  
Located at the intersection of W. 13<sup>th</sup> and Elati 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 (**Element Hotel**)

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-0000264-001) HERE.**

A map of the area to be dedicated is attached.

MB/JS/BV

cc: Asset Management, Robert Koehler  
City Councilperson & Aides, Wayne New District # 10  
Council Aide Melissa Horn  
Council Aide Molly Williams  
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 2016-Dedication-0000264

## 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: July 25, 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 W. 13<sup>th</sup> and Elati 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 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 (**Element Hotel**)

**\*\*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. 13<sup>th</sup> and Elati St.
- d. **Affected Council District:** Wayne New Dist. #10
- 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: 2016-Dedication-0000264, Element Hotel**

**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**

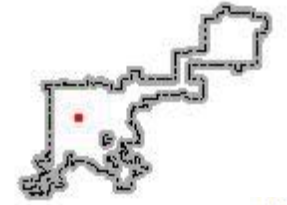
**What is the known duration of an MEP: N/A**

**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, Element Hotel**



### Legend

- Streams
- Irrigation Ditches Reconstructe  
Gardeners)
- Irrigation Ditches
- Streets
- Alleys
- Railroads
  - + Main
  - + Yard
  - + Spur
  - + Siding
  - + Interchange track
  - + Other
- Bridges
- Rail Transit Stations
  - Existing
  - Planned
- ▲ Park-N-Ride Locations
- Lakes
- County Boundary
- Parcels
- Parks
  - All Other Parks; Linear
  - Mountain Parks

128 0 64 128 Feet



A parcel of land conveyed by Warranty Deed to the City and County of Denver, recorded on the 22nd day of February, 2017, at Reception No. 2017025211 in the City and County of Denver Clerk and Recorder's Office, State of Colorado, being more particularly described as follows:

THAT PART OF LOTS 10 TO 18, EVANS SUBDIVISION OF PART OF BLOCK 20, WITTER'S FIRST ADDITION TO DENVER, SITUATE IN THE NE 1/4 OF SECTION 4, T.4.S., R.68.W. OF THE SIXTH P.M., CITY & COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT THE NORTHEASTERLY CORNER OF SAID LOT 10; THENCE S00°06'20"W, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF THE ALLEY, A DISTANCE OF 224.94 FEET TO THE SOUTHEASTERLY CORNER OF LOT 18; THENCE N89°52'10"W, ALONG THE SOUTHERLY LINE OF SAID LOT, A DISTANCE OF 2.00 FEET; THENCE N00°06'20"E, ALONG A LINE 2.00 FEET WESTERLY OF & PARALLEL TO THE WESTERLY RIGHT-OF-WAY LINE OF THE ALLEY, A DISTANCE OF 206.94 FEET; THENCE N44°52'55"W, A DISTANCE OF 22.63 FEET TO A POINT 2.00 FEET SOUTHERLY OF THE SOUTHERLY RIGHT-OF-WAY LINE OF THE ALLEY; THENCE N89°52'10"W, ALONG A LINE 2.00 FEET SOUTHERLY OF & PARALLEL TO SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 107.09 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF ELATI STREET; THENCE N00°06'00"E, ALONG SAID LINE, A DISTANCE OF 2.00 FEET TO THE NORTHWESTERLY CORNER OF LOT 10; THENCE S89°52'10"E, ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF THE ALLEY, A DISTANCE OF 125.08 FEET TO THE POINT OF BEGINNING, CONTAINING AN AREA OF 824 SQ. FT., +/-.

NOTES:

BASIS OF BEARINGS: AN ASSUMED BEARING OF N89°52'10"W FOR THE RANGE LINE 21.25 FEET SOUTHERLY OF THE NORTHERLY RIGHT-OF-WAY LINE OF W 13TH AVENUE.

SURVEYOR'S STATEMENT:

I, BRADLEY D. PETERSON, A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF COLORADO, DO HEREBY STATE THAT THIS "DESCRIPTION" AND THE 27 APRIL 2016 "ALTA/NSPS LAND TITLE SURVEY" ON WHICH IT IS BASED WERE GENERATED BY ME AND ARE CORRECT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, BELIEF AND OPINION.

---

BRADLEY D. PETERSON, P.L.S. NO. 28660  
FOR & ON BEHALF OF TRISTATE SURVEYING, INC.

---

DATE



WARRANTY DEED

THIS DEED, dated 2/14, 2017 is between Elati Hotel, 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 ensealing 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.

Elati Hotel, LLC  
By: [Signature]  
Title: Manager

STATE OF Michigan  
COUNTY OF Washtenaw

The foregoing instrument was acknowledged before me this day 14 of February, 2017 by John Bogdanovic as Manager of Elati Hotel, LLC

Witness my hand and official seal.  
My commission expires:

[Signature]  
Notary Public

RACHEL MEADOWS  
Notary Public, State of Michigan  
County of Washtenaw  
My Commission Expires 11-20-2020  
Acting in the County of Washtenaw

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

16-247  
Asset Management  
Date: 02/25/17

Approved  
Date: 02/25/17

Project Description:  
WD  
Elati Hotel, LLC

**"DESCRIPTION"**  
**RIGHT-OF-WAY ACQUISITION**  
**OF**  
**A PORTION**  
**OF**  
**LOTS 10 TO 18,**  
**EVANS SUBDIVISION OF PART OF BLOCK 20,**  
**WITTER'S FIRST ADDITION TO DENVER**  
**SITUATE**  
**IN THE NE 1/4 OF SECTION 4, T.4.S., R.68.W. OF THE SIXTH P.M.**  
**CITY & COUNTY OF DENVER, STATE OF COLORADO**

**PROPERTY DESCRIPTION:**

THAT PART OF LOTS 10 TO 18, EVANS SUBDIVISION OF PART OF BLOCK 20, WITTER'S FIRST ADDITION TO DENVER, SITUATE IN THE NE 1/4 OF SECTION 4, T.4.S., R.68.W. OF THE SIXTH P.M., CITY & COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
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**NOTES:**

**RECORD INFORMATION:** THE FIRE STATED DESCRIPTION IS BASED UPON A 27 APRIL 2016 "ALTA/NSPS LAND TITLE SURVEY" OF THE SUBJECT PROPERTY BY TRISTATE SURVEYING, INC.

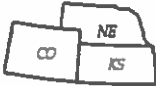
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**SURVEYOR'S STATEMENT:**

I, BRADLEY D. PETERSON, A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF COLORADO, DO HEREBY STATE THAT THIS DESCRIPTION AND THE SURVEY OF RECORD ON WHICH IT IS BASED WERE GENERATED BY ME AND ARE CORRECT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, BELIEF AND OPINION.

*Bradley D. Peterson*  
 BRADLEY D. PETERSON, P.L.S. NO. 28660  
 FOR & ON BEHALF OF TRISTATE SURVEYING, INC.  
 10 Jan 17 28660  
 DATE

NOTICE 12-20-105(3)(a) ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

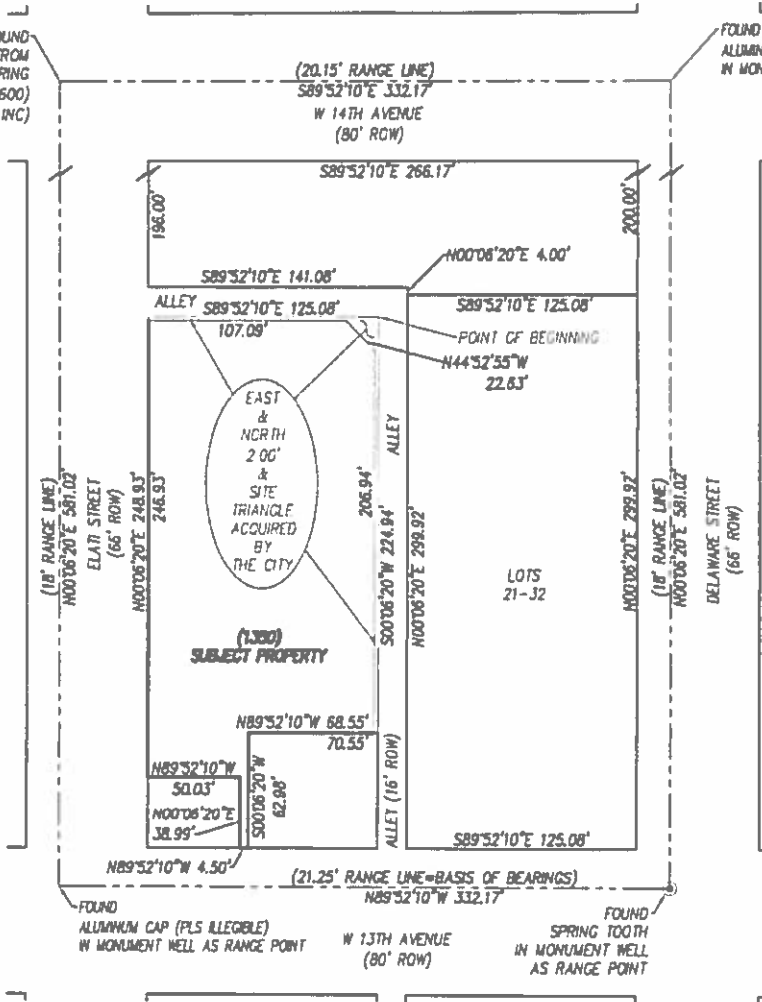
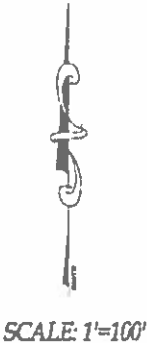
<b>TRISTATE SURVEYING, INC.</b> Bradley D. Peterson, PLS	
	
7371 S. DELAWARE STREET LITTLETON, CO 80120 brad@tristatesurveying.com	
PH: 303-995-9072 FX: 303-703-3830	
DRAWN BY: BDP	DATE: 10 JAN 17
CHECKED BY: JLT	201614_DESC DRAWING NO.:
JOB NO.: 201614	SHEET 2 OF 2

**"EXHIBIT"**  
**RIGHT-OF-WAY ACQUISITION**  
**OF A PORTION OF**  
**LOTS 10 TO 18, EVANS SUBDIVISION OF PART OF BLOCK 20,**  
**WITTER'S FIRST ADDITION TO DENVER**  
**SITUATE**

**IN THE NE 1/4 OF SECTION 4, T.4.S., R.68.W. OF THE SIXTH P.M.**  
**CITY & COUNTY OF DENVER, STATE OF COLORADO**

ACTUAL RANGE POINT NOT FOUND  
 BUT ACCEPTED POSITION FROM  
 DAVID E EVANS RENDERING  
 DES/2006-0204 (PLS 26600)  
 (TO BE ESTABLISHED BY CBM SURVEYS, INC)

FOUND  
 ALUMINUM CAP (PLS ILLEGIBLE)  
 IN MONUMENT WELL AS RANGE POINT



**NOTES:**

**RECORD INFORMATION:** THE EXHIBIT AS SHOWN HEREON IS BASED UPON A 27 APRIL 2016 "ALTA/NSPS LAND TITLE SURVEY" OF THE SUBJECT PROPERTY BY TRISTATE SURVEYING, INC.

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*Bradley D. Peterson*  
 BRADLEY D. PETERSON, P.L.S. NO. 28660  
 FOR & ON BEHALF OF TRISTATE SURVEYING, INC. 28660  
 10 Jan '17  
 DATE

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**TRISTATE SURVEYING, INC.**  
 Bradley D. Peterson, PLS

7371 S. DELAWARE STREET PH: 303-955-9072  
 LITTLETON, CO 80120 FX: 303-703-3830  
 brad@tristatesurveying.com

DRAWN BY: BDP	DATE: 10 JAN 17
CHECKED BY: JLT	201614_EXH DRAWING NO.
JOB NO.: 201614	SHEET 1 OF 2