



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: October 12, 2017

ROW #: 2017-Dedication-0000169 **SCHEDULE #:** 0232315005000 and 0232315004000

TITLE: This request is to dedicate a parcel of land as Public Right of Way as Public Alley.
Located at the intersection of W. 17th Ave. and N. Irving 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 (**Osina Row**)

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 # (2017-Dedication-0000169-001) 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-0000169

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: October 12, 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. 17th Ave. and N. Irving 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 (Osina Row)

****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. 17th and N. Irving 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-0000169, Osina Row

Description of Proposed Project: Dedicate a parcel of public right of way as Monroe St.

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, Osina Row.



187 0 93.5 187 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

© City and County of Denver

1: 1,458

0.0

Map Generated: 10/9/2017

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.

PW Legal Description No. 2017-Dedication-0000169-001

A parcel of land conveyed by Special Warranty Deed to the City and County of Denver, recorded on the 28th day of September 2017, at Reception No. 2017126668 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 LOCATED IN A PORTION OF THE SOUTHWEST 1/4 OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

THE EAST 2.00 FEET OF LOTS 21-24, BLOCK 15, CHELTENHAM HEIGHTS SUBDIVISION, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND 2 INCH ALUMINUM CAP INSIDE A RANGE BOX (L.S. 24966) AT THE INTERSECTION OF IRVING STREET AND 18TH AVENUE, ALSO BEING THE NORTHWEST CORNER OF BLOCK 15, CHELTENHAM HEIGHTS SUBDIVISION;

THENCE S43°07'40"E, A DISTANCE OF 294.59 FEET TO A POINT ON THE NORTH LOT LINE OF LOT 24, BLOCK 15, CHELTENHAM HEIGHTS SUBDIVISION ALSO BEING **THE POINT OF BEGINNING**;

THENCE S89°54'01"E, A DISTANCE OF 2.00 FEET TO A POINT ON THE EAST LOT LINE OF LOT 24 MONUMENTED BY A SET MAG NAIL & BRASS TAG (L.S. 37969);

THENCE S00°01'44"W, A DISTANCE OF 99.88 FEET ALONG THE EAST LOT LINE OF LOTS 21-24 TO A POINT ON THE SOUTH LOT LINE OF LOT 21 MONUMENTED BY A FOUND BENT NO. 5 REBAR NO CAP .08' EAST OF PROPERTY RANGE LINE;

THENCE N89°41'43"W, A DISTANCE OF 2.00 FEET ALONG THE SOUTH LOT LINE OF LOT 21;

THENCE N00°01'44"E, A DISTANCE OF 99.87 FEET MORE OR LESS TO **THE POINT OF BEGINNING**;

CONTAINING 200 SQUARE FEET (0.005 ACRES) MORE OR LESS.

BASIS OF BEARINGS: BEARINGS ARE BASED OF THE NORTHERLY RANGE LINE OF BLOCK 15 OF CHELTENHAM HEIGHTS SUBDIVISION BETWEEN THE FOUND 2" ALUMINUM CAP INSIDE A RANGE BOX (L.S. 24966) AT THE INTERSECTION OF IRVING STREET AND 18TH AVENUE AND THE FOUND 3" BRASS CAP INSIDE A RANGE BOX (L.S. 37929) AT THE INTERSECTION OF HOOKER STREET AND 18TH AVENUE. ASSUMED TO BEAR S89°53'35"E.

Asset Mgmt. #: 17-74



2017126668
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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 25TH day of SEPTEMBER, 2017, by **Aspen Row LLC**, a Colorado limited liability company, whose address is 6007 S. St. Paul Way, Centennial, CO 80121, United States ("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 the attached Exhibit(s) 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] Date: 09-26-17
Asset Management:

Project Description: SWD Aspen Row LLC

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

ATTEST: [Signature]

By: Aspen Row LLC, a Colorado Limited Liability Company

Name: SCOTT SPEIL

Its: MANAGER

STATE OF Colorado)
) ss.
COUNTY OF Larimer)

The foregoing instrument was acknowledged before me this 25 day of September, 2017
by SCOTT SPEIL, as Manager of Aspen Row LLC, a Colorado
Limited Liability Company.

Witness my hand and official seal.

My commission expires: 4/24/18

[Signature]
Notary Public

DAVID HUB HALL
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20144017367
MY COMMISSION EXPIRES 4/24/2018

2' ALLEY DEDICATION

LOCATED IN THE SOUTHWEST $\frac{1}{4}$ OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M.
CHELTENHAM HEIGHTS SUBDIVISION, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

EXHIBIT A
PAGE 1 OF 2

DEDICATION DESCRIPTION:

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Prepared By:
Altitude Land Consultants, Inc
Karl W. Franklin, PE-PLS-EXW
Colorado PLS 37969

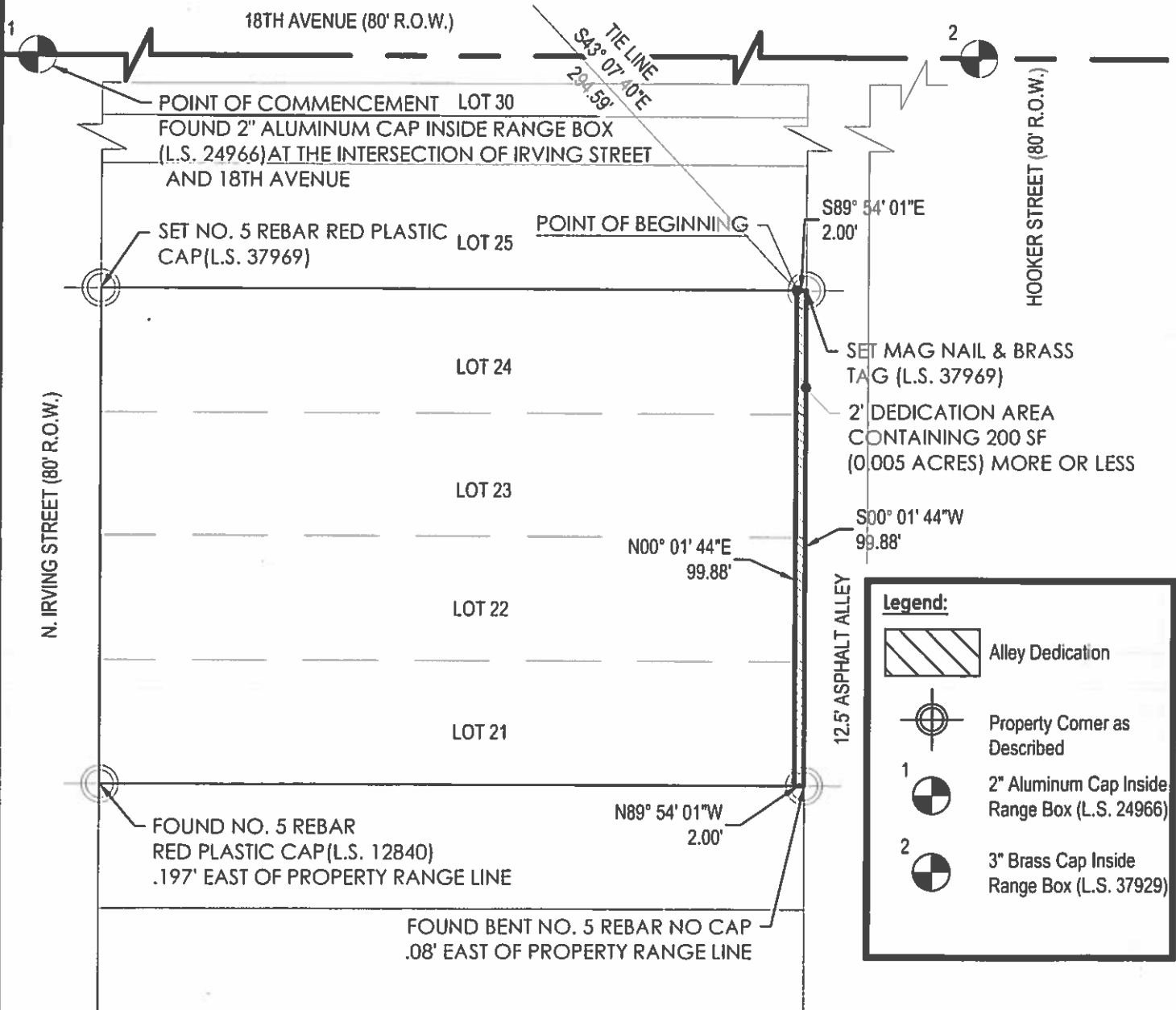
Date: 09/22/17
Job No. 17-013



2' ALLEY DEDICATION

LOCATED IN THE SOUTHWEST ¼ OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M.
CHELTENHAM HEIGHTS SUBDIVISION, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

EXHIBIT A
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(IN FEET)
1 inch = 30 ft.

Date: 09/22/17
Job No. 17-013

ALTITUDE
LAND CONSULTANTS

CIVIL | SURVEY | PLANNING | LANDSCAPE
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AltitudeLandCo.com