



## 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:** August 21, 2017

**ROW #:** 2017-Dedication-0000118      **SCHEDULE #:** 0522305016000

**TITLE:** This request is to dedicate a parcel of land as Public Right of Way as Public Alley.  
Located near the intersection of S. Cherokee W. Arizona 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 (**Motor Works Car Storage**)

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-0000118-001) HERE.**

A map of the area to be dedicated is attached.

MB/RE/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, 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, Ron Ellis  
Public Works Survey, Paul Rogalla  
Owner: City and County of Denver  
Project file folder 2017-Dedication-0000118

## 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: August 21, 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 near the intersection of S. Cherokee W. Arizona 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 (**Motor Works Car Storage**)

**\*\*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:** 1233 S. Cherokee St.
- d. **Affected Council District:** Jolon Clark Dist. #7
- 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: 2017-Dedication-0000118, Motor Works Car Storage**

**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, Motor Works Car Storage.**



**Legend**

- Streams
- Irrigation Ditches Reconstruct (Gardeners)
- 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

199 0 99.5 199 Feet

## EXHIBIT A

A STRIP OF LAND BEING THE EASTERLY 2.50 FEET OF LOTS 12 THROUGH 16, BLOCK 7 OF WEST BROADWAY ADDITION TO THE CITY OF DENVER, SITUATED WITHIN THE NORTHWEST QUARTER (NW 1/4) OF SECTION 22, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN CITY & COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: BEARINGS ARE BASED UPON A 20 FOOT RANGE LINE WITHIN SOUTH CHEROKEE STREET BETWEEN WEST ARIZONA AVENUE AND WEST LOUISIANA AVENUE, BEING MONUMENTED AT EACH END BY A NO. 6 REBAR 3.25 INCH ALUMINUM CAP IN A RANGE BOX STAMPED PLS 37929, SAID LINE BEARING SOUTH 00°29'05" WEST A DISTANCE OF 649.00 FEET WITH ALL BEARINGS HEREON BEING RELATIVE THERETO.

COMMENCING AT SAID RANGE POINT LOCATED AT THE INTERSECTION OF WEST ARIZONA AVENUE AND SOUTH CHEROKEE STREE  
THENCE SOUTH 00°29'05" WEST A DISTANCE OF 222.29 FEET TO A POINT LOCATED ON SAID 20 FOOT RANGE LINE;  
THENCE NORTH 89°30'55" WEST, A DISTANCE OF 20.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 16, BLOCK 7;  
THENCE SOUTH 89°39'56" WEST, ALONG THE NORTH LINE OF SAID LOT 16, A DISTANCE OF 122.42 FEET TO THE POINT OF BEGINNING;  
THENCE, SOUTH 00°27'49" WEST, A DISTANCE OF 125.01 FEET;  
THENCE, SOUTH 89°39'38" WEST, ALONG THE SOUTH LINE OF SAID LOT 12, A DISTANCE OF 2.50 FEET;  
THENCE, NORTH 00°27'49" EAST, ALONG THE WEST LINE OF SAID LOTS 12 THROUGH 16, A DISTANCE OF 125.01 FEET;  
THENCE, NORTH 89°39'56" EAST, ALONG THE NORTH LINE OF SAID LOT 12, A DISTANCE OF 2.50 FEET TO SAID POINT OF BEGINNING.

CONTAINING ±312 SQUARE FEET OR ±0.07 ACRES.

Asset Mgmt. # 17-32



08/16/2017 10:42 AM  
City & County of Denver

R \$0.00  
WD

2017107805

Page: 1 of 4

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 8th day of August, 2017, by **Black Mountain Properties, LLC**, a Colorado limited liability company, whose address is 1 2771 S Pearl St. Englewood, CO 80113 ("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.

Asset Management:  
Date: 08/16/17

Project Description:  
SWD  
Black Mountain Properties, LLC

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

ATTEST:

**Black Mountain Properties, LLC**, a Colorado Limited Liability Company

By: [Signature]

Name: John S. Whetzel

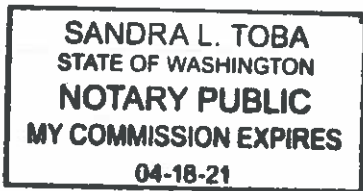
Its: Manager

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF KING )

The foregoing instrument was acknowledged before me this 8<sup>th</sup> day of August, 2017  
by John S. Whetzel, as Manager of **Black Mountain Properties, LLC**,  
a Colorado Limited Liability Company.

Witness my hand and official seal.

My commission expires: April 18, 2021



[Signature]  
Notary Public

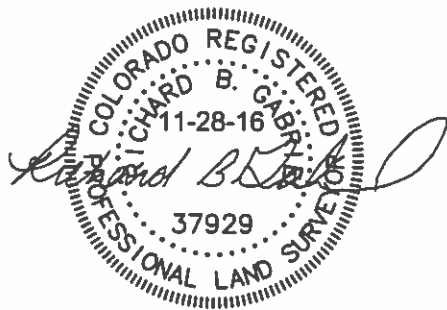
EXHIBIT A  
EASEMENT AREA  
SHEET 1 OF 2

A STRIP OF LAND BEING THE EASTERLY 2.50 FEET OF LOTS 12 THROUGH 16, BLOCK 7 OF WEST BROADWAY ADDITION TO THE CITY OF DENVER, SITUATED WITHIN THE NORTHWEST QUARTER (NW 1/4) OF SECTION 22, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN CITY & COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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RICHARD BRUCE GABRIEL  
COLORADO P.L.S. 37929

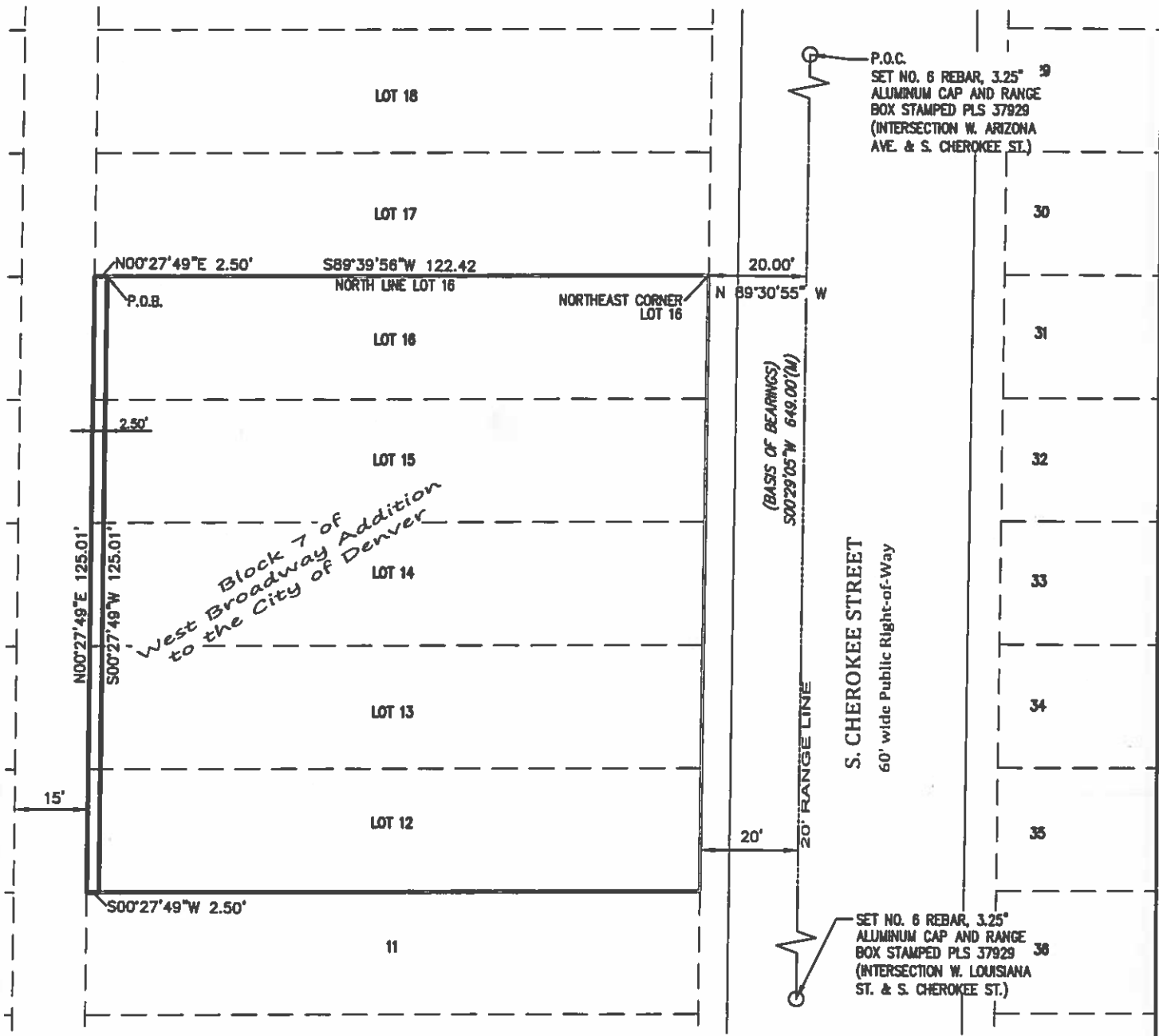


150 W. 84TH AVENUE  
THORNTON, COLORADO 80260

PH. 303-702-1817  
FAX. 303-702-1488  
WWW.POWERSURVEYING.COM



EXHIBIT A  
EASEMENT AREA  
SHEET 2 OF 2



*Block 7 of  
West Broadway Addition  
to the City of Denver*

P.O.C.  
SET NO. 6 REBAR, 3.25" <sup>39</sup>  
ALUMINUM CAP AND RANGE  
BOX STAMPED PLS 37929  
(INTERSECTION W. ARIZONA  
AVE. & S. CHEROKEE ST.)

S. CHEROKEE STREET  
60' wide Public Right-of-Way

SET NO. 6 REBAR, 3.25"  
ALUMINUM CAP AND RANGE  
BOX STAMPED PLS 37929 <sup>38</sup>  
(INTERSECTION W. LOUISIANA  
ST. & S. CHEROKEE ST.)



LEGEND:

- (M) MEASURED
- (R) RECORDED
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING

SHEET 2 OF 2

**POWER**<sup>TM</sup>  
Surveying Company, Inc.  
*Established 1948*  
150 W. BATH AVENUE  
THORNTON, COLORADO 80260  
PH. 303-702-1617  
FAX. 303-702-1488  
WWW.POWERSURVEYING.COM

DRAWING BY: JG      DATE: 11-28-16  
PROJECT NO. 501-16-130      DRAWING: 501-16-130 ROW