



## REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

**TO:** Caroline Martin, City Attorney's Office

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

**DATE:** October 13, 2016

**ROW #:** 2016-Dedication-0000204      **SCHEDULE #:** 051221805000 & 0512218054000

**TITLE:** This request is to dedicate a parcel of land as Public Right of Way as Public Alley.  
Located at the intersection of E 3<sup>rd</sup> Ave. and St. Paul 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 (3<sup>rd</sup> and St. Paul)

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-0000204-001) HERE.**

A map of the area to be dedicated is attached.

RD/JC/BLV

cc: Asset Management, Steve Wirth  
City Councilperson & Aides, Wayne New District # 10  
Council Aide Melissa Horn  
Council Aide Molly Williams  
Council Aide Moll  
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, Rob Duncanson  
Department of Law, Brent Eisen  
Department of Law, Stan Lechman  
Department of Law, Adam Hernandez  
Department of Law, Caroline Martin  
Department of Law, Cynthia Devereaux  
Public Works Survey, John Clarke  
Public Works Survey, Paul Rogalla  
Owner: City and County of Denver  
Project file folder 2016-Dedication-0000204

**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: October 13, 2016

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 E 3<sup>rd</sup> Ave. and St. Paul 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 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 (3<sup>rd</sup> and St. Paul)

**\*\*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: Alley bounded by E. 2<sup>nd</sup> Ave., Milwaukee St., E. 3<sup>rd</sup> Ave. & St Paul St
- d. Affected Council District: Dist. 10 Wayne New
- 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: \_\_\_\_\_



**DENVER**  
THE MILE HIGH CITY

## EXECUTIVE SUMMARY

**Project Title: 2016-Dedication-0000204, 3<sup>rd</sup> & St Paul**

**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, 3<sup>rd</sup> & St Paul**

# 3rd & St Paul



- Legend**
- Streams
  - Irrigation Ditches (Reconstruct)
  - Irrigation Ditches (Gardener's)
  - 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



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.**

PARCELS A AND B DESCRIBED IN WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 9TH DAY OF SEPTEMBER, 2016, AT RECEPTION NUMBER 2016134391 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

PARCEL A

A PARCEL OF LAND BEING A PORTION OF LOTS 4, 7, AND THE VACATED ALLEY AS DESCRIBED IN ORDINANCE 1979-0005, AT THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, IN BLOCK 58 HARMAN'S SUBDIVISION LOCATED IN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID BLOCK 58, HARMAN'S SUBDIVISION; THENCE ALONG THE EASTERLY RIGHT-OF-WAY LINE OF MILWAUKEE STREET  $S00^{\circ}21'46''E$  A DISTANCE OF 110.13 FEET; THENCE  $N89^{\circ}41'32''E$  A DISTANCE OF 122.44 FEET TO THE POINT OF BEGINNING; THENCE  $N89^{\circ}41'32''E$  A DISTANCE OF 20.00 FEET; THENCE  $S00^{\circ}21'42''E$  A DISTANCE OF 1.93 FEET; THENCE  $S89^{\circ}42'18''W$  A DISTANCE OF 17.50 FEET TO A POINT ON THE EASTERLY LINE OF SAID LOT 4; THENCE ALONG SAID EASTERLY LINE OF LOT 4,  $S00^{\circ}21'42''E$  A DISTANCE OF 38.07 FEET; THENCE  $S89^{\circ}41'17''W$  A DISTANCE OF 2.50 FEET; THENCE  $N00^{\circ}21'42''W$  A DISTANCE OF 39.99 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 0.003 ACRES OR 134 SQUARE FEET MORE OR LESS.

TOGETHER WITH:

PARCEL B

A PARCEL OF LAND BEING A PORTION OF LOTS 7, 8 AND 9, BLOCK 58 HARMAN'S SUBDIVISION LOCATED IN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID BLOCK 58, HARMAN'S SUBDIVISION THENCE ALONG THE EASTERLY RIGHT-OF-WAY LINE OF MILWAUKEE STREET  $S00^{\circ}21'18''E$  A DISTANCE OF 155.67 FEET, THENCE  $N89^{\circ}38'42''$  A DISTANCE OF 139.96 FEET TO A POINT ON THE WESTERLY LINE OF SAID LOT 7, SAID POINT BEING THE SOUTHWESTERLY CORNER OF THAT ALLEY DEDICATION AS DESCRIBED IN ORDINANCE 1995-0396, AND THE POINT OF BEGINNING; THENCE THE FOLLOWING 2 (TWO) COURSES ALONG THE SOUTHERLY AND SOUTHEASTERLY LINES OF SAID ALLEY DEDICATION:

- 1)  $N89^{\circ}38'18''E$  A DISTANCE OF 1.50 FEET;
- 2) THENCE 8.18 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF  $14^{\circ}02'24''$ , A RADIUS OF 33.38 FEET AND A CHORD WHICH BEARS  $N06^{\circ}40'42''E$  A DISTANCE OF 8.18 FEET;

THENCE ALONG A LINE 2.50 FEET EASTERLY OF AND PARALLEL TO THE SAID WESTERLY LINE OF LOTS 7, 8 AND 9,  $S00^{\circ}21'42''E$  A DISTANCE OF 202.76 FEET TO THE NORTHEAST CORNER OF THAT PARCEL DESCRIBED IN RECEPTION NUMBER 2013045269, CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE;

THENCE  $S89^{\circ}40'33''W$  ALONG THE NORTHERLY LINE OF SAID PARCEL DESCRIBED IN RECEPTION NUMBER 2013045269, 2.50 FEET TO A POINT ON THE WESTERLY LINE OF SAID LOT 9;

THENCE ALONG THE SAID WESTERLY LINE OF LOTS 7, 8 AND 9, N00°21'42"W A DISTANCE OF 194.66 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 0.011 ACRES OR 492 SQUARE FEET MORE OR LESS.

BASIS OF BEARINGS

BEARINGS ARE BASED ON THE 20' RANGE LINE IN EAST 2ND AVENUE ASSUMED TO BEAR N89°43'18"E AND BEING MONUMENTED BY A FOUND 2" BRASS DISK PLS #28283 AT THE INTERSECTION OF EAST 2ND AVENUE AND MILWAUKEE STREET AND A FOUND 2-1/2" BRASS CAP IN RANGE BOX PLS #10945 AT THE INTERSECTION OF EAST 2ND AVENUE AND SAINT PAUL STREET.

WARRANTY DEED

Asset Mgmt. # 16-126

THIS DEED, dated August 8<sup>th</sup>, 2016, is between 3rd & St. Paul 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

Asses: [unclear]  
Date: 9-29-16

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 ensembling 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.

Row  
3000 E. 3RD AVE.

3rd & St. Paul LLC  
By: [Signature]  
Title: MANAGER

STATE OF COLORADO  
COUNTY OF DENVER

The foregoing instrument was acknowledged before me this day 8 of August, 2016 by MATTHEW JESLOWSKI as MANAGER of 3rd & St. Paul LLC.

Witness my hand and official seal,  
My commission expires: 1/27/2018 Notary Public



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

2015-PROJMSTR-0000682-ROW

EXHIBIT A  
SHEET 1 OF 3

LAND DESCRIPTION PARCEL A

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SHEET 2 OF 3

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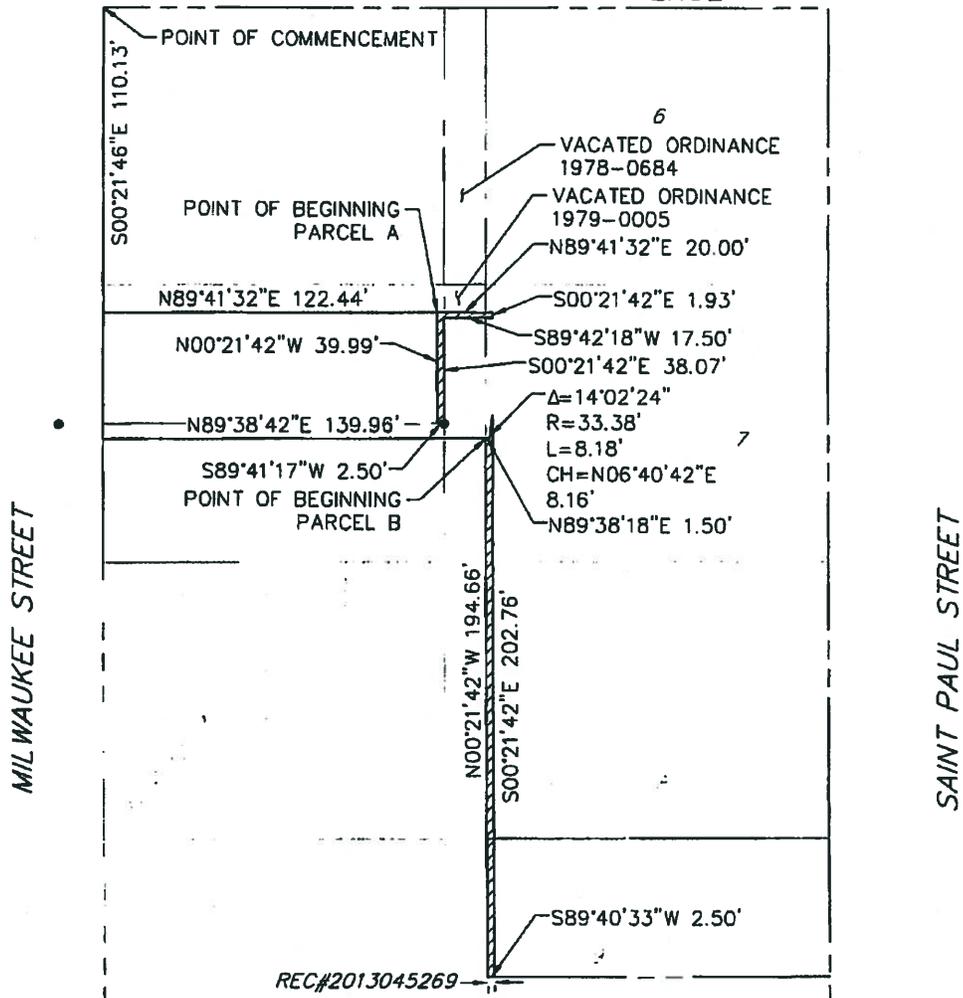
PREPARED BY BRIAN ZOOK, EIT  
REVIEWED BY RICHARD A. NOBBE, PLS #23899  
FOR AND ON BEHALF OF  
MARTIN/MARTIN, INC.  
12499 WEST COLFAX AVENUE,  
LAKEWOOD, CO, 80215  
JANUARY 12, 2016  
REV. FEBRUARY 4, 2016  
REV. JUNE 7, 2016  
REV. JUNE 9, 2016



2015-PROJMSTR-0000682-ROW

EXHIBIT A  
SHEET 3 OF 3

3RD AVENUE



DRAWING LOCATION: G:\SCHLACKER\15\_0000\_3rd and St. Paul\PLANS EXHIBITS ROW DEDICATION ALL Exhibits



SCALE: 1" = 50'  
ALL DIMENSIONS ARE  
U.S. SURVEY FEET



REV. JUNE 9, 2016  
REV. JUNE 7, 2016  
MAY 10, 2016

**MARTIN/MARTIN**  
CONSULTING ENGINEERS

12499 WEST COLFAX AVENUE, LAKEWOOD, COLORADO 80215  
MAIN 303.431.6100 MARTINMARTIN.COM

THIS EXHIBIT DOES NOT REPRESENT A  
MONUMENTED LAND SURVEY. IT IS ONLY  
TO DEPICT THE ATTACHED DESCRIPTION.