



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 8, 2018

ROW #: 2018-Dedication-0000102 **SCHEDULE #:** 0232107024000

TITLE: This request is to dedicate a parcel of land as Public Right of Way as Public Alley.
Located at the intersection alley bounded by W. 25th Ave., N. Federal Blvd., W. 26th Ave. and N. Eliot 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 **(26th Ave. Ten Towns)**

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 # (2018-Dedication-0000102-001) HERE.

A map of the area to be dedicated is attached.

MB/JS /bv

cc: Asset Management, Curtis Anthony
City Councilperson & Aides, Rafael Espinoza District # 1
Council Aide Amanda Sandoval
Council Aide Gina Volpe
City Council Staff, Zach Rothmier
Environmental Services, David Erickson
Public Works, Manager's Office, Alba Castro
Public Works, Manager's Office, Sarah Stanek
Public Works, Right-of-Way Engineering Services, Matt Bryner
Department of Law, Brad Beck
Department of Law, Blanca Hernandez
Department of Law, Brent Eisen
Department of Law, Deanne Durfee
Department of Law, Caroline Martin
Department of Law, Stan Lechman
Public Works Survey, Jon Spirk
Public Works Survey, Paul Rogalla
Owner: City and County of Denver
Project file folder 2018-Dedication-0000102

ORDINANCE/RESOLUTION REQUEST

Please email requests to Sarah Stanek
at sarah.stanek@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 8, 2018

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 alley bounded by W. 25th Ave., N. Federal Blvd., W. 26th Ave. and N. Eliot 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:** Sarah Stanek
- **Phone:** 720-865-8713
- **Email:** Sarah.stanek@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 (**26th Ave. Ten Towns**)

****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 W. 25th Ave., N. Federal Blvd., W. 26th Ave. and N. Eliot St.
- d. **Affected Council District:** Rafael Espinoza Dist. #1
- 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: 2018-Dedication-0000102, 26th Ave. Ten Towns

Description of Proposed Project: Dedicate a parcel of land as 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 of dedicating it as Public Right-of-Way, as a part of a development project called 26th Ave. Ten Towns.

Being that parcel of land conveyed by Special Warranty Deed to the City and County of Denver, recorded on the 9th day of August 2018, at Reception No. 2018100167 in the City and County of Denver Clerk and Recorder's Office, State of Colorado, being more particularly described as follows:

2018-DEDICATION-0000102-001

A parcel of land located in the Northeast ¼ of Section 32, Township 3 South, Range 68 West of the 6th Principal Meridian, City and County of Denver, State of Colorado:

The South 2.00 feet of Lots 31-33. Resubdivision By C.H. Walker of Block 32, more particularly described as follows:

Commencing at a found chiseled x on stone in range box in the intersection of West 26th AVE. and Eliot St.

Thence S21°59'41"W, a distance of 197.43 feet to the southeast corner of Lot 31, also being the Point of Beginning;

Thence S00°14'23"E, a distance of 2.00 feet;

Thence S89°43'32"W, a distance of 75.06 feet;

Thence N00°14'23"W, a distance of 2.00 feet;

Thence N89°43'32"E, a distance of 75.06 feet; back to the Point of Beginning.

Containing 150.1 Square Feet (0.0345 ± Acres) More or Less.

BASIS OF BEARINGS: BEARINGS ARE BASED ON THE WEST 26TH AVENUE RANGE LINE MONUMENTED BY A FOUND CHISELED X ON STONE IN RANGE BOX AT THE INTERSECTION ON FEDERAL BOULEVARD AND WEST 26TH AVENUE AND A FOUND CHISELED X ON STONE IN RANGE BOX AT THE INTERSECTION OF ELIOT STREET AND WEST 26TH AVENUE ASSUMED TO BEAR N89°47'18"E



2018100167

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 5 day of August, 2018, by **26th AVE PARTNERS LLC**, a Colorado limited liability company, whose address is 2899 N. Speer Blvd., #102 Denver, CO 80211, 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.

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

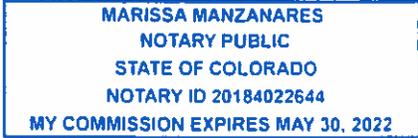
ATTEST:

26th AVE PARTNERS LLC, a Colorado Limited Liability Company

By: [Signature]

Name: David L. Berton

Its: Manager



STATE OF Colorado)
) ss.
COUNTY OF Denver)

The foregoing instrument was acknowledged before me this 5th day of August, 2018 by David L. Berton, as Manager of 26th AVE PARTNERS LLC, a Colorado Limited Liability Company.

Witness my hand and official seal.

My commission expires: MAY 30, 2022

[Signature]
Notary Public

EXHIBIT A
PAGE 1 OF 2

Land Description:

A parcel of land located in the Northeast $\frac{1}{4}$ of Section 32, Township 3 South, Range 68 West of the 6th Principal Meridian, City and County of Denver, State of Colorado:

The South 2.00 feet of Lots 31-33. Resubdivision By C.H. Walker of Block 32, more particularly described as follows:

Commencing at a found chiseled x on stone in range box in the intersection of West 26th AVE. and Eliot St.

Thence S21°59'41"W, a distance of 197.43 feet to the southeast corner of Lot 31, also being the Point of Beginning;

Thence S00°14'23"E, a distance of 2.00 feet;

Thence S89°43'32"W, a distance of 75.06 feet;

Thence N00°14'23"W, a distance of 2.00 feet;

Thence N89°43'32"E, a distance of 75.06 feet; back to the Point of Beginning.

Containing 150.1 Square Feet (0.0345 ± Acres) More or Less.

BASIS OF BEARINGS: BEARINGS ARE BASED ON THE WEST 26TH AVENUE RANGE LINE MONUMENTED BY A FOUND CHISELED X ON STONE IN RANGE BOX AT THE INTERSECTION ON FEDERAL BOULEVARD AND WEST 26TH AVENUE AND A FOUND CHISELED X ON STONE IN RANGE BOX AT THE INTERSECTION OF ELIOT STREET AND WEST 26TH AVENUE ASSUMED TO BEAR N89°47'18"E



3461 Ringsby Court, Suite 125
Denver, CO 80216

2727 N Cascade Ave, Suite 160
Colorado Springs, CO 80907

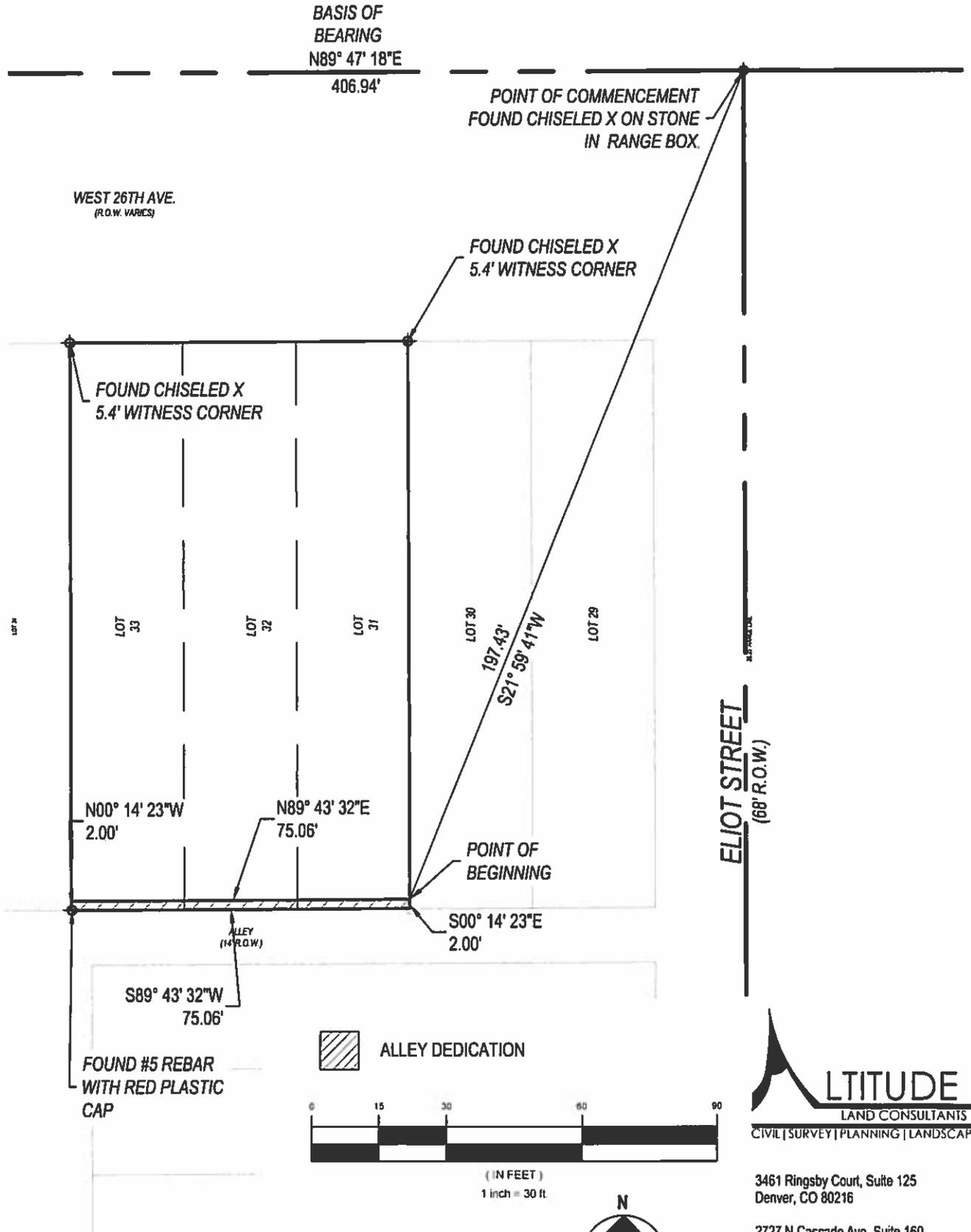
720.594.9494
Info@AltitudeLandCo.com
www.AltitudeLandCo.com



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

Date: 6/18/18
Job No. 17-253

EXHIBIT A
PAGE 2 OF 2



3461 Ringsby Court, Suite 125
Denver, CO 80216

2727 N Cascade Ave, Suite 160
Colorado Springs, CO 80907

720.594.9494
Info@AltitudeLandCo.com
www.AltitudeLandCo.com

Date: 6/18/18
Job No. 17-253