



REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Caroline Martin, City Attorney's Office

FROM: Matt Bryner, Director Engineer-Architect
Right-of-Way Services

DATE: August 15, 2019

ROW #: 2018-Dedication-0000131 **SCHEDULE #:** 0709222052000

TITLE: This request is to dedicate a parcel of land as Public Right of Way as S. Syracuse St. Located near the intersection of S. Syracuse St. and I-225.

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 S. Syracuse St. 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 (**4400 South Syracuse St.**)

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 S. Syracuse St. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2018-Dedication-0000131-001) HERE.

A map of the area to be dedicated is attached.

MB/RP/bv

cc: Dept. of Real Estate, Katherine Rinehart
City Councilperson & Aides, Kendra Black District # 4
City Council Staff, Zach Rothmier
Environmental Services, David Erickson
Public Works, Manager's Office, Alba Castro
Public Works, Manager's Office, Jason Gallardo
Public Works, Right-of-Way Engineering Services, Matt Bryner
Department of Law, Maureen McGuire
Department of Law, Martin Plate
Department of Law, Deanne Durfee
Department of Law, Caroline Martin
Department of Law, Stan Lechman
Public Works Survey, Ron Post
Public Works Survey, Paul Rogalla
Public Works Ordinance
Owner: City and County of Denver
Project file folder 2018-Dedication-0000131

ORDINANCE/RESOLUTION REQUEST

Please email requests to Jason Gallardo
at jason.gallardo@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 15, 2019

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 S. Syracuse St.
Located near the intersection of S. Syracuse St. and I-225.

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:** Jason Gallardo
- **Phone:** 720-865-8713
- **Email:** Jason.gallardo@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 S. Syracuse St. 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 (**4400 Syracuse**)

****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:** S. Syracuse St. and I-225
- d. **Affected Council District:** Kendra Black Dist. #4
- 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-0000131

Description of Proposed Project: Dedicate a parcel of land as public right of way as S. Syracuse 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

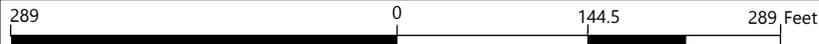
Additional information: This land was deeded to the City and County of Denver for the purpose of dedicating it as Public Right-of-Way, as a part of a development project called 4400 South Syracuse Street.



Area to be Dedicated

Legend

- ▲ Well Restrictions
- Barrier Restrictions
- Area Restrictions
 - Liner
 - Sheet Pile Wall Area
- Active Addresses
 - Associated
 - Land
 - Structure
 - Utility
- Streams
- Buildings
- 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



A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 15TH DAY OF FEBRUARY 2019, AT RECEPTION NUMBER 2019018679 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 5 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 9, THENCE ALONG SAID NORTHERLY LINE, S89°44'06"W, 1301.91 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SOUTH SYRACUSE STREET EXTENDED, THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, S00°11'16"E, 978.06 FEET TO A POINT 4.01 FEET NORTHERLY OF THE MOST NORTHERLY POINT OF PARCEL 1, AS DESCRIBED IN ORDINANCE NO. 515, SERIES 1978, AND THE POINT OF BEGINNING.

THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE ALONG A LINE 2.00 FEET NORTHEASTERLY AND PARALLEL WITH SAID EASTERLY RIGHT-OF-WAY LINE, S30°05'22"E A DISTANCE OF 40.12 FEET;

THENCE S00°11'16"E A DISTANCE OF 4.01 FEET TO A POINT ON SAID EASTERLY RIGHT-OF-WAY LINE AND AN ANGLE POINT OF SAID PARCEL 1;

THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE AND THE WESTERLY LINE OF SAID PARCEL 1, N30°05'22"W A DISTANCE OF 40.12 FEET TO SAID MOST NORTHERLY POINT OF PARCEL 1;

THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, N00°11'16"W A DISTANCE OF 4.01 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 0.002 ACRES OR 80 SQUARE FEET MORE OR LESS.

BASIS OF BEARINGS

BEARINGS ARE BASED ON THE EASTERLY LINE OF THE NORTHWEST QUARTER OF SECTION 9 ASSUMED TO BEAR N00°06'13"W AND BEING MONUMENTED BY A FOUND 3-1/4" ALUMINUM CAP PLS #22103 AT THE CENTER QUARTER CORNER AND A FOUND 3-1/4" DWDBRASS CAP IN RANGE BOX PLS #16398 AT THE NORTH QUARTER CORNER.



02/15/2019 02:04 PM
City & County of Denver

R \$0.00

WD

2019018679
Page: 1 of 6
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 15 day of February 2019, by **4400 SYRACUSE, LLC**, a Delaware limited liability company, whose address is 7700 E. Arapahoe Road, Suite 220, Centennial, CO 80112 (“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 (the “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, subject to all matters listed on **Exhibit B**, attached hereto and incorporated herein.

No separate bill of sale with respect to improvements on the Property will be executed.

[Signature Page Follows]

Assess. Roll # 19-27

Project Description: 4400 S. Syracuse St.
2018-Dedication-000031

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of San Francisco)

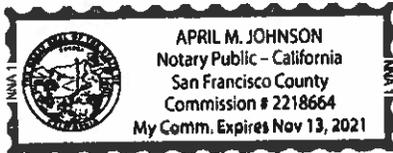
On January 24, 2019 before me, April M. Johnson, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Michelle Gottlieb
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Signature]
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Special Warranty Deed
Document Date: _____ Number of Pages: _____
Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

Signer's Name: _____
 Corporate Officer — Title(s): _____
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 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

**Exhibit A
To Special Warranty Deed
The Property**

2017-PROJMSTR-0000634-ROW

EXHIBIT A
SHEET 1 OF 2

LEGAL DESCRIPTION:

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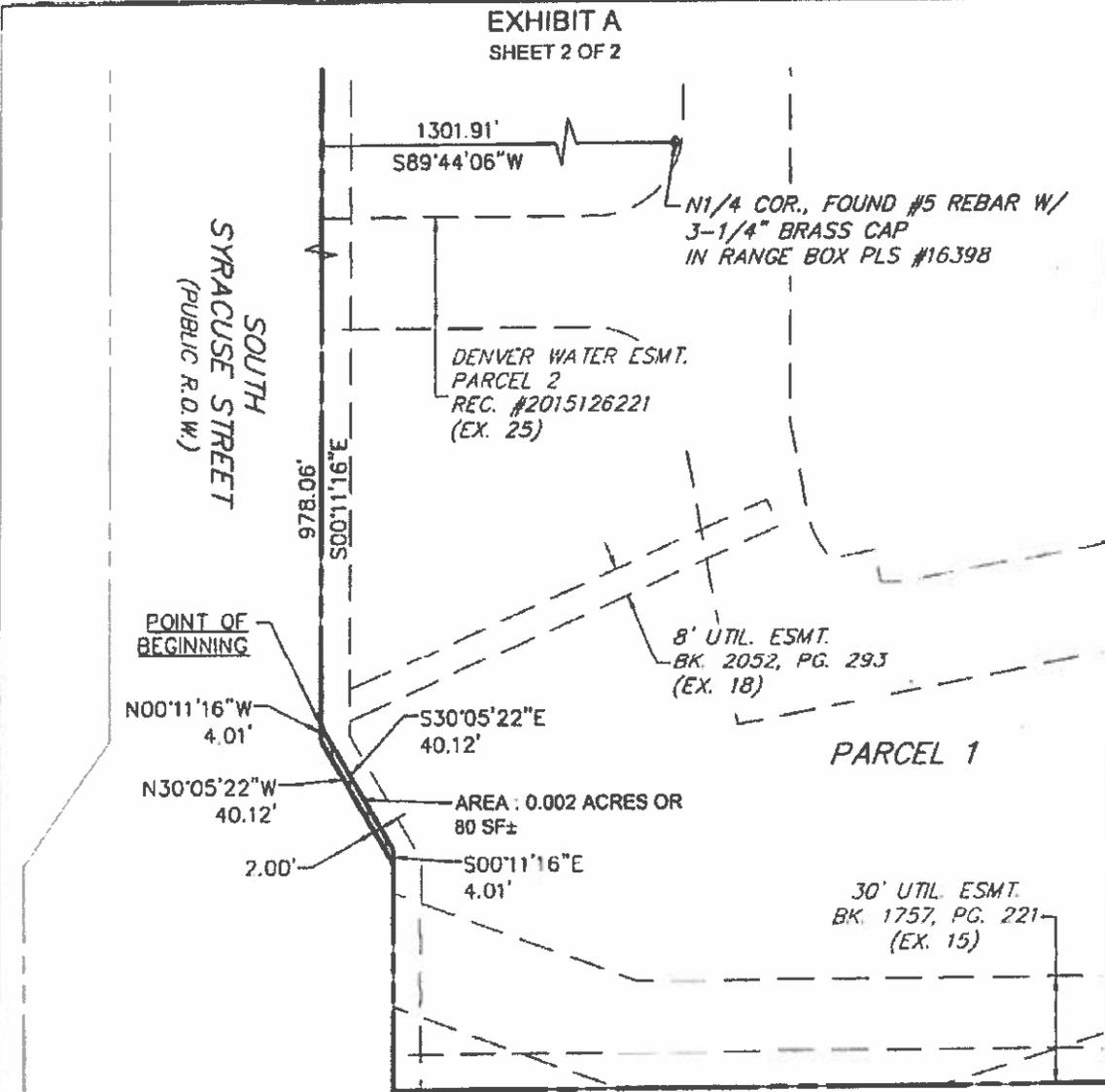
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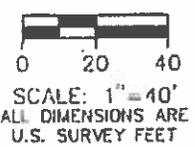
PREPARED BY NEIL LUCKINBILL
REVIEWED BY RICK NOBBE, PLS
FOR AND ON BEHALF OF MARTIN/MARTIN, INC.
12499 WEST COLFAX AVENUE
LAKEWOOD, COLORADO 80215
AUGUST 9, 2018
REV. AUGUST 30, 2018



EXHIBIT A
SHEET 2 OF 2



SOURCE: LOCAL SURV. & SURVEYING CO. INC. - LICENSED SURV. & SURVEYING PROFESSIONAL ENGINEER, RICHARD A. MURPHY, P.E., R.L.S.



REV. AUGUST 30, 2018
AUGUST 09, 2018

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.

Exhibit B

(Exceptions listed on Title Commitment effective November 23, 2018)

1. Any facts, rights, interests or claims which are not shown by the Public Records, but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
2. Easements, or claims of easements, not shown by the Public Records.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, and any facts which a correct land survey and inspection of the Land would disclose, and which are not shown by the Public Records.
4. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown in the Public Records.
5. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I-Requirements are met.

Note: Exception number 5 will be removed from the policy provided the Company conducts the closing and settlement service for the transaction identified in the commitment.

6. Any and all unpaid taxes, assessments and unredeemed tax sales.
7. Any water rights, claims of title to water, in, on or under the Land.

