

REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Caroline Martin, City Attorney's Office

FROM: Matt R. Bryner, P.E., Director, Right-of-Way Services

DATE: June 29th, 2020

ROW #: 2020-DEDICATION-0000037 **SCHEDULE #:** 0522121043000

TITLE: This request is to dedicate a parcel of land as Public Right-of-Way as Public Alley, located at the intersection of S. Logan St. and E. Louisiana 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 by the City and County of Denver for Public Right-of-Way, as part of the development project, "1329 & 1331 S LOGAN 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 Public Alley. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2020-DEDICATION-0000037-001) HERE.

A map of the area to be dedicated is attached.

MB/AL/RL

cc: Dept. of Real Estate, Katherine Rinehart
City Councilperson, Jolon Clark District # 7
Councilperson Aide, Tate Carpenter
Councilperson Aide, Maggie Thompson
Councilperson Aide, Anita Banuelos
City Council Staff, Zach Rothmier
Environmental Services, David Erickson
DOTI, Manager's Office, Alba Castro
DOTI, Manager's Office, Jason Gallardo
DOTI, Director, Right-of-Way 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, Rachonda Dixon
DOTI Survey, Alan Lemke
DOTI Survey, Paul Rogalla
DOTI Ordinance
Owner: City and County of Denver
Project file folder 2020-DEDICATION-0000037

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: June 29th, 2020

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:** This request is to dedicate a parcel of land as Public Right-of-Way as Public Alley, located at the intersection of S. Logan St. and E. Louisiana Ave.

3. **Requesting Agency:** DOTI, Right-of-Way Services
Agency Section: Survey

4. **Contact Person:** (With actual knowledge of proposed ordinance/resolution.)

- **Name:** Rebecca Long
- **Phone:** 720-913-4518
- **Email:** Rebecca.Long@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:** 720-865-8723
- **Email:** Jason.gallardo@denvergov.org

6. **General description/background of proposed resolution 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 by the City and County of Denver for Public Right-of-Way, as part of the development project, "1329 & 1331 S LOGAN ST."

****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:** Bounded by E. Arkansas Ave, S. Grant St., E. Louisiana Ave., and S. Logan St.
- d. **Affected Council District:** Jolon Clark District # 7
- e. **Benefits:** N/A
- f. **Contract Amount (indicate amended amount and new contract total):**

7. **Is there any controversy surrounding this resolution?** (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

Project Title: 2020-DEDICATION-0000037

Description of Proposed Project: Dedication of 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 be dedicated as Public Alley.

Has a Temp MEP been issued, and if so, what work is underway: N/A

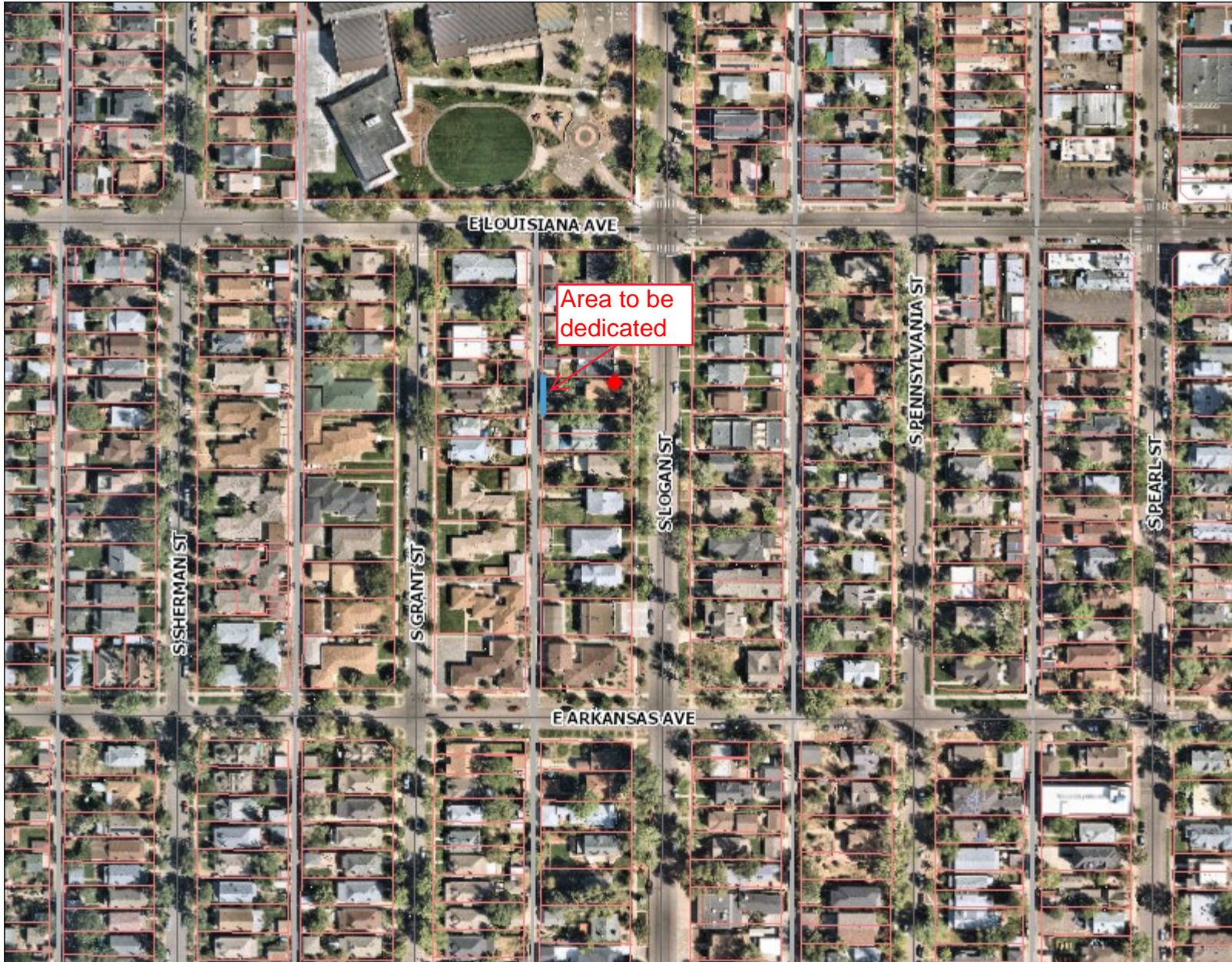
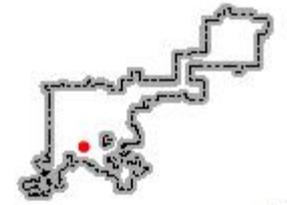
What is the known duration of a MEP: N/A

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 Alley, as part of a development project called, "1329 & 1331 S LOGAN ST."



Legend

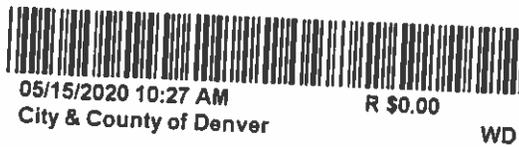
-  Streams
-  Irrigation Ditches Reconstruct (Gardeners)
-  Irrigation Ditches
-  Streets
-  Alleys
- Railroads
 -  Main
 -  Yard
 -  Spur
 -  Siding
 -  Interchange track
 -  Other
-  Bridges
-  Lakes
-  County Boundary
-  Parcels
-  Lots/Blocks
- Parks
 -  All Other Parks; Linear
 -  Mountain Parks



LAND DESCRIPTION:

A parcel of land conveyed by Special Warranty Deed to the City and County of Denver, recorded on the 15th day of May, 2020, at Reception Number 2020066029 in the City and County of Denver Clerk and Recorder's Office, State of Colorado, therein as:

THE WEST 2 FEET OF LOTS 40 AND 41, BLOCK 21, SHERMAN SUBDIVISION, BEING IN THE NORTHEAST 1/4 OF SECTION 22, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CONTAINING 100 SQUARE FEET OR 0.002 ACRES MORE OR LESS, CITY AND COUNTY OF DENVER, STATE OF COLORADO.



After recording, return to:
Division of Real Estate
City and County of Denver
201 West Colfax Avenue, Dept. 1010
Denver, Colorado 80202
Project Description: 2020-Dedication-0000037
Asset Mgmt No.: 20-054

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED (“Deed”), made as of this 8th day of May, 2020, by **ELEVATION HOMES, LLC**, a Colorado limited liability company, whose address is 8883 Shipman Ln. Colorado Springs, CO 80908, 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 A 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:

ELEVATION HOMES, LLC, a Colorado Limited Liability Company

By: Tim Toussaint and Chandra Toussaint

Name: [Signatures]

Its: Members

STATE OF CO)
) ss.
COUNTY OF El Paso)

The foregoing instrument was acknowledged before me this 8th day of May, 2020
by Tim & Chandra Toussaint, as Members of ELEVATION HOMES, LLC, a
Colorado Limited Liability Company.

Witness my hand and official seal.

My commission expires: 01-26-2022

[Signature]
Notary Public

JENNIFER DAVIS
Notary Public
State of Colorado
Notary ID # 20184004563
My Commission Expires 01-26-2022

EXHIBIT A

LAND DESCRIPTION:

THE WEST 2 FEET OF LOTS 40 AND 41, BLOCK 21, SHERMAN SUBDIVISION, BEING IN THE NORTHEAST 1/4 OF SECTION 22, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CONTAINING 100 SQUARE FEET OR 0.002 ACRES MORE OR LESS, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

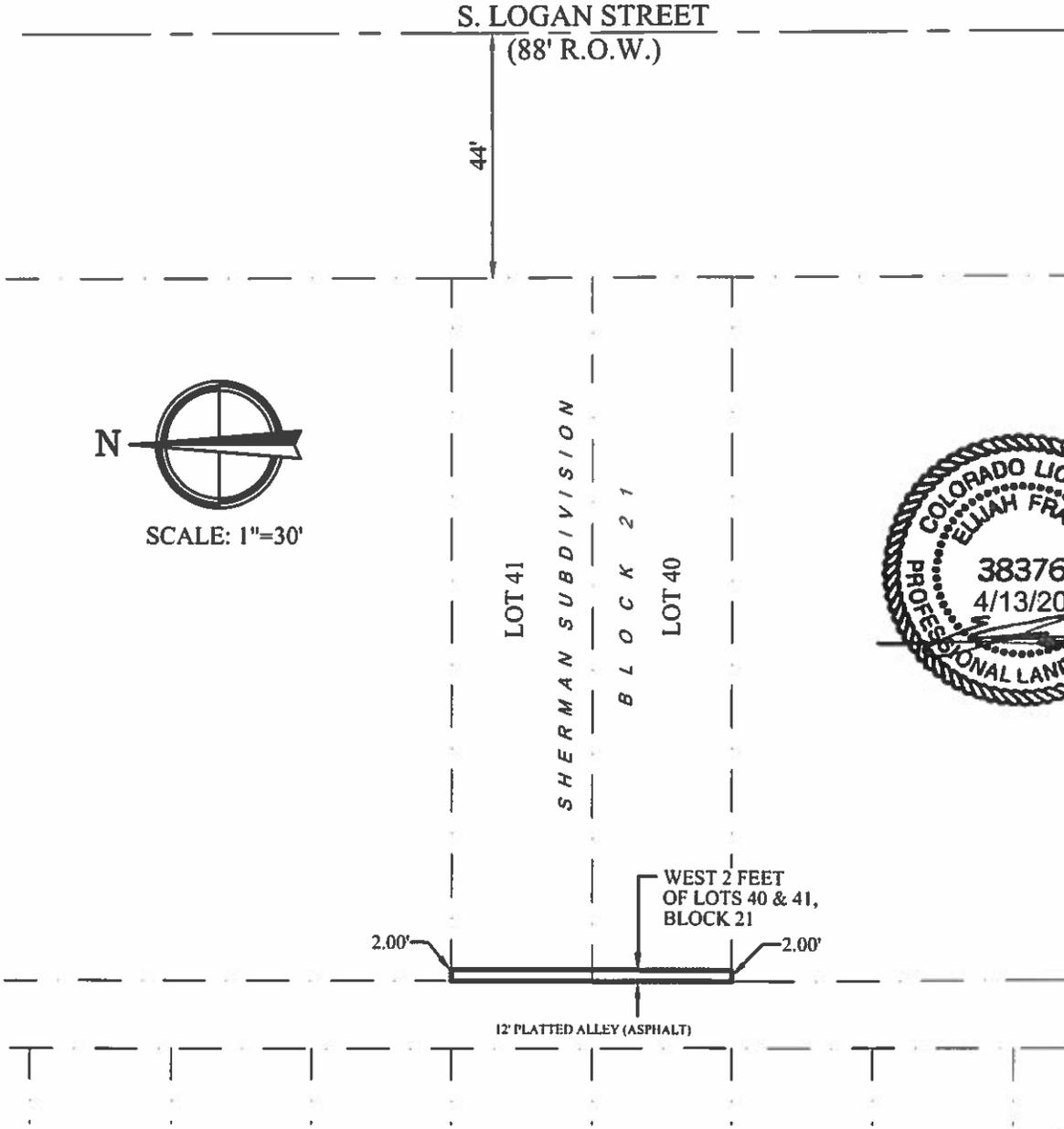


Physical Address: 268 Main St. Bldg B
Mail to: Box 2372, Elizabeth, CO 80107
Ph. 303-243-0037
www.franesurveying.com



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|------------|--------------------------------|
| Reference: | Revision Date: 4/07/2020 |
| | Date: 3/31/2020 ERF |
| | Client: ELEVATION HOMES |
| | SHEET 1 OF 2 Job #20-008-ALLEY |

EXHIBIT A



NOTE: THIS EXHIBIT IS ONLY INTENDED TO DEPICT SUBJECT LEGAL DESCRIPTION AND DOES NOT REPRESENT A LAND SURVEY PLAT.

Physical Address: 268 Main St. Bldg B
Mail to: Box 2372, Elizabeth, CO 80107
Ph. 303-243-0037
www.franesurveying.com



FRANE SURVEYING INC.

| | | |
|------------|--------------------------|--------------------|
| Reference: | Revision Date: 4/07/2020 | |
| | Date: 3/31/2020 | ERF |
| | Client: ELEVATION HOMES | |
| | SHEET 2 OF 2 | Job # 20-008-ALLEY |