




## 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 8th, 2021

**ROW #:** 2019-DEDICATION-0000110    **SCHEDULE #:** 0227118070000

**TITLE:** This request is to dedicate a City-owned parcel of land as Public Right-of-Way as Public Alley, bounded by 34<sup>th</sup> St., Walnut St., 35<sup>th</sup> St., Larimer 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 by the City and County of Denver for Public Right-of-Way, as part of the development project, "3400 Walnut 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 # ( 2019-DEDICATION-0000110-001 ) HERE.**

A map of the area to be dedicated is attached.

MB/JS/RL

cc: Dept. of Real Estate, Katherine Rinehart  
City Councilperson, Candi CdeBaca District # 9  
Councilperson Aide, Lisa Calderon  
Councilperson Aide, Liz Stalnaker  
City Council Staff, Zach Rothmier  
Environmental Services, Andrew Ross  
DOTI, Manager's Office, Alba Castro  
DOTI, Manager's Office, Jason Gallardo  
DOTI, Director, 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, Rachonda Dixon  
DOTI Survey, Jon Spirk  
DOTI Ordinance  
Owner: City and County of Denver  
Project file folder 2019-DEDICATION-0000110

City and County of Denver Department of Transportation & Infrastructure  
Right-of-Way Services  
201 W. Colfax Ave. | Denver, CO 80215  
[www.denvergov.org/doti](http://www.denvergov.org/doti)  
Phone: 720-913-1311

## ORDINANCE/RESOLUTION REQUEST

Please email requests to Jason Gallardo  
at [Jason.Gallardo@DenverGov.org](mailto: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 8th, 2021

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 City-owned parcel of land as Public Right-of-Way as Public Alley, bounded by 34th St., Walnut St., 35th St., Larimer St.

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:** 720-547-5344
- **Email:** [Rebecca.Long@denvergov.org](mailto: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](mailto: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, "3400 Walnut 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 34th St., Walnut St., 35th St., Larimer St.
- d. **Affected Council District:** Candi CdeBaca, District # 9
- e. **Benefits:** N/A
- f. **Contract Amount (indicate amended amount and new contract total):** N/A

7. **Is there any controversy surrounding this resolution?** (Groups or individuals who may have concerns about it?) **Please explain.**

None.

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To be completed by Mayor's Legislative Team:

SIRE Tracking Number: \_\_\_\_\_

Date Entered: \_\_\_\_\_

## EXECUTIVE SUMMARY

**Project Title:** 2019-DEDICATION-0000110

**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

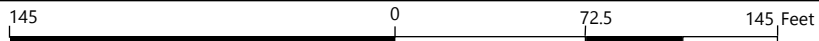
**Additional information:** This land was deeded to the City and County of Denver for the purpose of dedicating it as Public Alley., as part of a development project called, "3400 Walnut St."



Public Alley parcel  
to be dedicated

### Legend

- ▲ Well Restrictions
- Barrier Restrictions
- Area Restrictions
  - Liner
  - Sheet Pile Wall Area
- Streams
- Irrigation Ditches Reconstruct (Gardeners)
- 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
- Lots/Blocks
- Parks
  - All Other Parks; Linear
  - Mountain Parks



**PARCEL DESCRIPTION ROW NO. 2019-DEDICATION-0000110-001:**

**LAND DESCRIPTION – ALLEY PARCEL:**

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 22ND DAY OF JANUARY, 2020, AT RECEPTION NUMBER 2020008749 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

THE SOUTHEASTERLY 2.00 FEET OF LOTS 7 THROUGH 16, INCLUSIVE, BLOCK 8, H. WITTER'S ADDITION TO DENVER COLORADO, LOCATED IN THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 3 SOUTH, RANGE 68 WEST, SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE SOUTH CORNER OF SAID LOT 16;  
THENCE ALONG THE SOUTHWESTERLY LINE THEREOF, NORTH 45°01'50" WEST, A DISTANCE OF 2.00 FEET;  
THENCE NORTH 44°58'13" EAST, A DISTANCE OF 250.00 FEET TO A POINT ON THE NORTHEASTERLY LINE OF SAID LOT 7;  
THENCE ALONG SAID NORTHEASTERLY LINE, SOUTH 45°01'52" EAST, A DISTANCE OF 2.00 FEET TO THE EAST CORNER OF SAID LOT 7, SAME BEING A POINT ON THE NORTHWESTERLY LINE OF THE EXISTING 16.00-FOOT WIDE PUBLIC ALLEY AS SHOWN AND DEDICATED PER SAID PLAT;  
THENCE ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE, SOUTH 44°58'13" WEST, A DISTANCE OF 250.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING: 500 SQUARE FEET OR 0.011 ACRE OF LAND, MORE OR LESS.

BASIS OF BEARINGS: BEARINGS ARE BASED ON THE 20.0' RANGE LINE IN WALNUT STREET, BETWEEN 34TH AND 35TH STREETS, AS MONUMENTED AT THE SOUTH END BY AN ALUMINUM CAP IN ASPHALT AND IS MONUMENTED AT THE NORTH END BY AN ALUMINUM CAP IN ASPHALT.  
SAID LINE BEARS NORTH 44°58'11" EAST.



01/22/2020 08:40 AM  
City & County of Denver

R \$0.00

WD

2020008749

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 17<sup>th</sup> day of JANUARY, 2020, by **JP WALNUT STREET LLC**, a Colorado limited liability company, whose address is 1601 Blake Street #600, Denver, CO 80202, 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.

20-011  
2014-Verification-0000110  
3400 Walnut

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

ATTEST:

JP WALNUT STREET LLC, a Colorado Limited Liability Company

By: [Signature]

Name: Jay Perlmutter

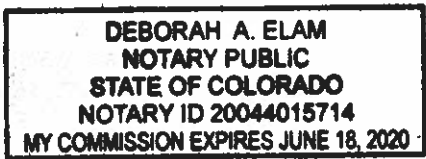
Its: MANAGER

STATE OF Colorado )  
 ) ss.  
COUNTY OF Denver )

The foregoing instrument was acknowledged before me this 17 day of January, 2020 by Jay Perlmutter, as Manager of JP WALNUT STREET LLC, a Colorado Limited Liability Company.

Witness my hand and official seal.

My commission expires: June 18, 2020



[Signature]  
Notary Public

**EXHIBIT A**

2019-PROJ.MSTR-0000058-ROW

**LAND DESCRIPTION  
SHEET 1 OF 2**

THE SOUTHEASTERLY 2.00 FEET OF LOTS 7 THROUGH 16, INCLUSIVE, BLOCK 8, H. WITTER'S ADDITION TO DENVER COLORADO, LOCATED IN THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 3 SOUTH, RANGE 68 WEST, SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH CORNER OF SAID LOT 16;  
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THENCE NORTH 44°58'13" EAST, A DISTANCE OF 250.00 FEET TO A POINT ON THE NORTHEASTERLY LINE OF SAID LOT 7;  
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CONTAINING: 500 SQUARE FEET OR 0.011 ACRE OF LAND.

BASIS OF BEARINGS: BEARINGS ARE BASED ON THE 20.0' RANGE LINE IN WALNUT STREET, BETWEEN 34TH AND 35TH STREETS, AS MONUMENTED AT THE SOUTH END BY AN ALUMINUM CAP IN ASPHALT AND IS MONUMENTED AT THE NORTH END BY AN ALUMINUM CAP IN ASPHALT. SAID LINE BEARS NORTH 44°58'11" EAST.



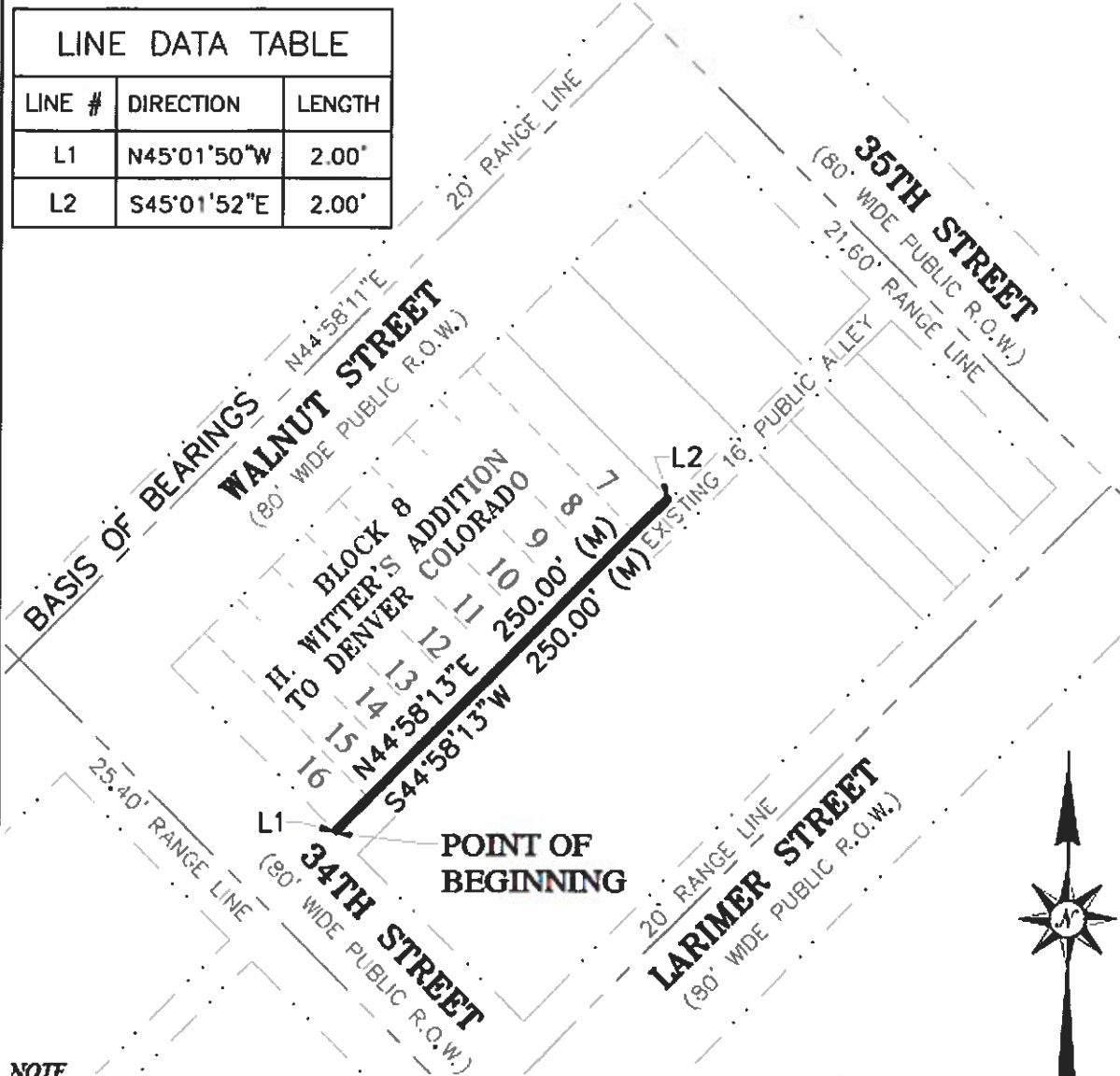
STACY LYNN JACOBS, PLS  
COLORADO REG. NO. 38495  
FOR, AND ON BEHALF OF:  
R&R ENGINEERS-SURVEYORS, INC.  
1635 W. 13<sup>TH</sup> AVENUE, SUITE 310  
DENVER, COLORADO 80204  
303-753-6730  
PROJ. NO. JP19003



## EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION

A PORTION OF LOTS 7 TO 16, INCLUSIVE, BLOCK 8, H. WITTER'S ADDITION TO DENVER  
 LOCATED IN THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 3 SOUTH, RANGE 88 WEST OF THE 6TH P.M.  
 CITY AND COUNTY OF DENVER, STATE OF COLORADO

LINE DATA TABLE		
LINE #	DIRECTION	LENGTH
L1	N45°01'50"W	2.00'
L2	S45°01'52"E	2.00'



**NOTE**  
 THIS DRAWING IS MEANT TO DEPICT THE ATTACHED LEGAL DESCRIPTION AND IS FOR INFORMATIONAL PURPOSES ONLY. IT DOES NOT REPRESENT A MONUMENTED LAND SURVEY.

SCALE: 1"=80'

PARCEL CONTAINS 500 SQ. FT. OR 0.011 ACRE

RIGHT-OF-WAY DEDICATION	
	Sheet
Date: 08/28/2019	2
Drawn: SLB	of
Checked: AWS	2
Job No.: JP19003	



**R&R ENGINEERS-SURVEYORS, INC.**  
 710 WEST COLFAX AVENUE  
 DENVER, COLORADO 80204  
 PH: 303-733-8730 - FAX: 303-733-8568  
 WWW.RRENINEERS.COM