




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

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

**FROM:** Ted Christianson P.E., Engineering Manager II  
Right-of-Way Services 

**DATE:** March 8, 2017

**ROW #:** 2017-Dedication-0000044      **SCHEDULE #:** 0608400056000

**TITLE:** This request is to dedicate City owned land as Public Right of Way as N. Oneida Ct., E. 1<sup>st</sup> Ave. and N. Pontiac St. Located near the intersection of E. 1<sup>st</sup> Ave. and N. Pontiac 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 Right of Way.

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 existing City owned land for public right-of-way purposes as Public Alley. The land is described as follows:

**INSERT PARCEL DESCRIPTION ROW (2017-Dedication-0000044-001) HERE.**

A map of the area to be dedicated is attached.

RD/BLV

c: Asset Management, Robert Koehler  
City Councilperson & Aides, Mary Beth Susman District # 5  
Council Aide Genny Kline  
Council Aide Luke Palmisano  
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, Ted Christianson  
Department of Law, Brent Eisen  
Department of Law, Shaun Sullivan  
Department of Law, Caroline Martin  
Department of Law, Cindy Cooley  
Public Works Survey, Ali Gulaid  
Public Works Survey, Paul Rogalla

**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: March 8, 2017

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 City owned land as Public Right of Way as N. Oneida Ct., E. 1st Ave. and N. Pontiac St. Located near the intersection of E. 1st Ave. and N. Pontiac 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:** 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:**

[Insert general description here. If there is not enough available space, please attach an Executive Summary]

**\*\*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:** E. 1<sup>st</sup> Ave. and N. Pontiac St.
- d. **Affected Council District:** Mary Beth Susman Dist. 5
- 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: 2017-Dedication-0000044, N. Oneida Ct., E. 1<sup>st</sup> Ave., and N. Pontiac St.**

**Description of Proposed Project: This request is to dedicate a City owned land as Public Right of Way as N. Oneida Ct., E. 1<sup>st</sup> Ave. and N Pontiac St.**

**Explanation of why the public right-of-way must be utilized to accomplish the proposed project: Dedicating City owned land to 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**

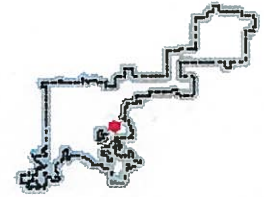
**Additional information: This land was deeded to the City and County of Denver for the purpose of dedicating it as Public Right-of-Way.**

LAND DESCRIPTION:

A PARCEL OF LAND LOCATED IN THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO CONVEYED BY A SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, AND RECORDED ON THE 10<sup>TH</sup> DAY OF JANUARY 2017, AT RECEPTION NUMBER 2017002988 IN CITY AND COUNTY OF DENVER CLERK & RECORDER'S OFFICE, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF TRACT AE (PROPOSED PONTIAC ST.); ALL OF TRACT AG (PROPOSED ONEIDA CT.); AND THAT PART OF TRACT AF (PROPOSED 1ST AVE.) THAT LIES WEST OF THE NORTHERLY EXTENSION OF THE EASTERLY LINE OF SAID TRACT AE (PROPOSED PONTIAC ST.), BOULEVARD ONE FILING NO.1 AS RECORDED AT RECEPTION NUMBER 2014105351 IN THE CLERK AND RECORDERS OFFICE OF THE CITY AND COUNTY OF DENVER, STATE OF COLORADO.

# Tracts AE, AF and AG



### Legend

- Sanitary Manhole**
  - DIW Manhole
  - Drain Manhole
  - Drop Manhole
  - High Point Manhole
  - Meter
  - Sanitary Manhole
  - Split Flow Manhole
  - Tap Manhole
- Sanitary Easements**
  - Sanitary Easements
- Sanitary Mains**
  - Metro
  - Public
  - Private
  - Unknown
- Fire Hydrants**
  - Fire Hydrants
- Easement Locations**
  - Other or Unknown
  - AGRE
  - BLDO
  - COVE
  - DEED
  - EASE
  - EIAx
  - PNEE
  - PUBS
  - RCOV
  - SANe
  - STMe
  - TERM
- Vacating Ordinances**
  - Vacating Ordinances

417 0 208.5 417 Feet



16-224  
16-224

### SPECIAL WARRANTY DEED

This Special Warranty Deed (this "Deed") is made and given this      day of     , 2016, by **LOWRY ECONOMIC REDEVELOPMENT AUTHORITY**, a separate legal entity established pursuant to an Intergovernmental Agreement between the City and County of Denver, Colorado, and the City of Aurora, Colorado, pursuant to the provisions of C.R.S. 29-1-203(4), whose street address is 7290 East 1<sup>st</sup> Avenue, Denver, Colorado 80230 ("Grantor") to **CITY AND COUNTY OF DENVER** a municipal corporation of the State of Colorado, ("Grantee"), whose street address is City and County of Denver, 1437 Bannock Street, Room 350, Denver, Colorado, 80202.

WITNESSETH, that the Grantor, for and in consideration of the sum of \$10.00 and other consideration (the "Purchase Price"), the receipt whereof is hereby acknowledged by the Grantor, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto Grantee, its successors and assigns forever, all of that certain real property situate, lying and being in the City and County of Denver, State of Colorado, more particularly described as follows (the "Property"):

See attached legal descriptions set forth in Exhibit A attached hereto and incorporated herein by this reference.

TOGETHER WITH all and singular the hereditaments and appurtenances thereunto belonging, or in any ways appertaining, and 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 Property;

SUBJECT TO the "Permitted Exceptions," which shall mean the matters listed on Exhibit B attached hereto;

TO HAVE AND TO HOLD the Property, with all appurtenances thereunto belonging, unto Grantee, its successors and assigns forever;

AND THE GRANTOR, for itself, its successors and assigns, covenants and agrees to and with Grantee, its successors and assigns, to warrant and defend the quiet and peaceable possession of the Property by Grantee, its successors and assigns, against every person

Asset Management  
Date: 01-10-17

Approved  
1/10/17

Asset Description:  
SWD  
Lowry Economic Dev Agreement Acknowledg.

who lawfully claims the Property or any part thereof by, through or under the Grantor, subject to the Permitted Exceptions;

AND THE GRANTOR hereby warrants to the Grantee that during the time it has been in possession of the Property, it has not stored hazardous substances, petroleum products or their derivatives on the Property;

AND THE GRANTOR, for itself, its successors and assigns, hereby assigns sets over and transfers to Grantee, all of its right, title and interest in and to the Air Force warranties and covenants set forth in the Deed referenced in paragraph 1 of Exhibit B.

IN WITNESS WHEREOF, the Grantor has executed this Special Warranty Deed as of the day and year first above written.

LOWRY ECONOMIC REDEVELOPMENT AUTHORITY

By: Montgomery C. Force  
Montgomery Force, Executive Director

STATE OF COLORADO )  
 )ss.  
CITY AND COUNTY OF DENVER )

The foregoing instrument was acknowledged before me this 15th day of November 2016 by Montgomery Force as Executive Director of LOWRY ECONOMIC REDEVELOPMENT AUTHORITY.

Witness my hand and official seal.

My commission expires: 11/15/2017

ORENA J LINDHOLM  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID: 19974018818 E  
MY COMMISSION EXPIRES OCTOBER 15, 2017

Orena J. Lindholm  
Notary Public

A L )

EXHIBIT A  
TO  
SPECIAL WARRANTY DEED

Property description

ALL OF TRACT AE (PROPOSED PONTIAC ST.); ALL OF TRACT AG (PROPOSED ONEIDA CT.); AND THAT PART OF TRACT AF (PROPOSED 1ST AVE.) THAT LIES WEST OF THE NORTHERLY EXTENSION OF THE EASTERLY LINE OF SAID TRACT AE (PROPOSED PONTIAC ST.), BOULEVARD ONE FILING NO. 1 AS RECORDED AT RECEPTION NUMBER 2014105351 IN THE CLERK AND RECORDERS OFFICE OF THE CITY AND COUNTY OF DENVER, LOCATED IN A PART OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

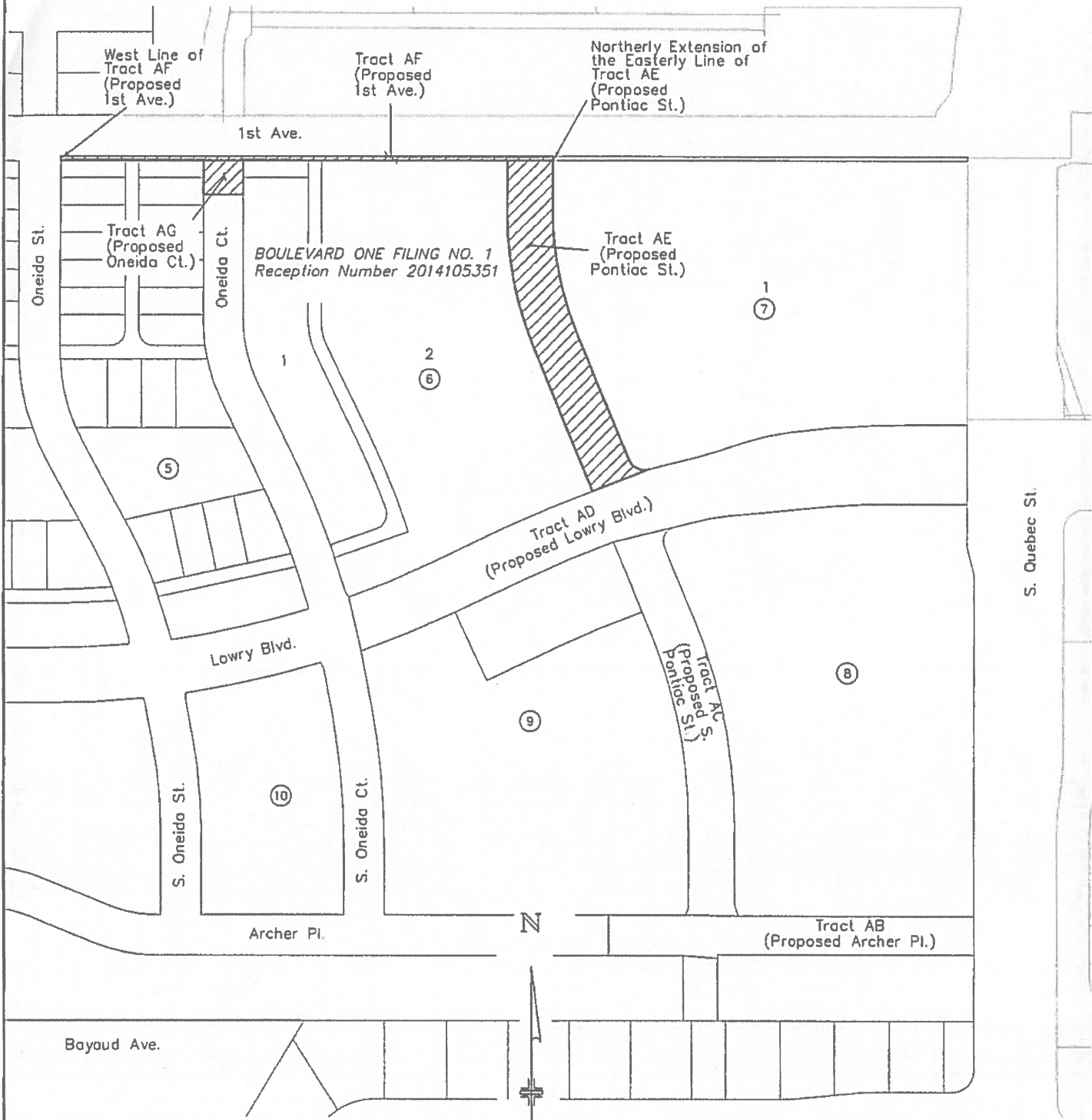
NOTE: SAID LEGAL DESCRIBED PREPARED BY:  
A. DAVID JOHNSON, P.L.S. 20683  
FOR AND ON BEHALF OF AECOM  
6200 SOUTH QUEBEC ST.  
GREENWOOD VILLAGE, CO 80111



EXHIBIT B  
TO  
SPECIAL WARRANTY DEED  
Permitted Exceptions

1. COVENANTS, CONDITIONS AND EASEMENTS AS SET FORTH AND RESERVED IN QUITCLAIM DEED BY AND BETWEEN THE UNITED STATES OF AMERICA AND LOWRY ECONOMIC REDEVELOPMENT AUTHORITY, A SEPARATE LEGAL ENTITY ESTABLISHED PURSUANT TO AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY AND COUNTY OF DENVER, COLORADO AND THE CITY OF AURORA, COLORADO PURSUANT TO THE PROVISIONS OF C.R.S. 29-1-203(4) RECORDED JUNE 4, 2012 UNDER RECEPTION NO 2012071995.
2. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF BOULEVARD ONE FILING NO 1 RECORDED AUGUST 28, 2014 UNDER RECEPTION NO 2014105351.

# EXHIBIT A



**LEGEND**

 AREA DEPICTED IN ATTACHED LEGAL DESCRIPTION



SCALE 1"=200'

*This exhibit does not represent a monumented survey. It is intended only to depict the attached legal description.*



6200 S. Quebec St.  
Greenwood Village,  
CO 80111  
Tel: 303-740-2600  
dave.johnson@aecom.com

**EXHIBIT ACCOMPANYING DESCRIPTION**

All of Tract AE (Proposed Pontiac St.); all of Tract AG (Proposed Oneida Ct.); and that part of Tract AF (Proposed 1st Ave.) that lies west of the northerly extension of the easterly line of said Tract AE (Proposed Pontiac St.), Boulevard One Filing No. 1 DENVER COLORADO

Scale:	Drawn by: EBV	Sheet No. 2	Drawing Name:
1"=200'	Checked by: ADJ	of 2 Sheet(s)	EX ROW Dedication BOPN 1 10-5-2016