



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: August 1, 2017

ROW #: 2016-Dedication-0000211 **SCHEDULE #:** 0232119018000 and 0232119063000

TITLE: This request is to dedicate a parcel of land as Public Right of Way as Public Alley.
Located at the intersection of W. 24th "Ave. and 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 **(2840 W 24th Avenue Townhomes)**

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 # (2016-Dedication-0000211-001) HERE.

A map of the area to be dedicated is attached.

MB/JS/BV

cc: Asset Management, Robert Koehler
City Councilperson & Aides, Rafael Espinoza District # 1
Council Aide Gina Volpe
Council Aide Amanda Sandoval
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, Matt Bryner
Department of Law, Brent Eisen
Department of Law, Shaun Sullivan
Department of Law, Caroline Martin
Department of Law, Stan Lechman
Department of Law, Cynthia Devereaux
Public Works Survey, Jon Spirk
Public Works Survey, Paul Rogalla
Owner: City and County of Denver
Project file folder 2016-Dedication-0000211

ORDINANCE/RESOLUTION REQUEST

Please email requests to Angela Casias
at 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: August 1, 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 a parcel of land as Public Right of Way as Public Alley.
Located at the intersection of W. 24th Ave. and 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:** 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:

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 **(2840 W 24th Avenue Townhomes)**

****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 near intersection of W. 24th Ave. and 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: 2016-Dedication-0000211, 2840 W. 24th Avenue Townhomes

Description of Proposed Project: Dedicate a parcel of 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 to dedicate it as Public Right-of-Way, as a part of a development project called, 2840 W 24th Avenue Townhomes



Area to be Dedicated

Legend

- Streams
- Irrigation Ditches Reconstruct (Gardeners)
- Irrigation Ditches
- Buildings 2014
- 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



A parcel of land conveyed by Special Warranty Deed to the City and County of Denver, recorded on the 27th day of February, 2017, at Reception No. 2017027093 in the City and County of Denver Clerk and Recorder's Office, State of Colorado, being more particularly described as follows:

A PORTION OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY & COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

RIGHT-OF-WAY #1

BEGINNING AT THE SOUTHEAST CORNER OF LOT 33 OF BLOCK 23 OF C.H. WALKER'S SUBDIVISION OF THE TOWN OF HIGHLAND;

THENCE ALONG THE SOUTH LINE OF SAID LOT 33, SOUTH 89°51'03" WEST, 50.06 FEET TO THE SOUTHWEST CORNER OF LOT 34 OF SAID BLOCK 23;
THENCE ALONG THE WEST LINE OF SAID LOT 34, NORTH 00°07'56" WEST, 3.00 FEET TO A POINT;
THENCE LEAVING SAID WEST LINE, PARALLEL WITH SAID SOUTH LINE OF SAID LOTS 33 AND 34, NORTH 89°51'03" EAST, 50.06 FEET TO THE EAST LINE OF SAID LOT 33;
THENCE ALONG SAID EAST LINE, SOUTH 00°07'48" EAST, 3.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 150 SQUARE FEET OR 0.003 ACRES, MORE OR LESS.

RIGHT-OF-WAY #2

BEGINNING AT THE SOUTHEAST CORNER OF LOT 35 OF BLOCK 23 OF C.H. WALKER'S SUBDIVISION OF THE TOWN OF HIGHLAND;

THENCE ALONG THE SOUTH LINE OF SAID LOT 35, SOUTH 89°51'03" WEST, 37.54 FEET TO THE WEST LINE OF THE EAST HALF (E 1/2) OF LOT 36 OF SAID BLOCK 23;
THENCE ALONG SAID WEST LINE OF SAID EAST HALF (E 1/2) OF SAID LOT 36, NORTH 00°08'03" WEST, 3.00 FEET TO A POINT;
THENCE LEAVING SAID WEST LINE, PARALLEL WITH SAID SOUTH LINE OF SAID LOTS 35 AND 36, NORTH 89°51'03" EAST, 37.54 FEET TO THE EAST LINE OF SAID LOT 35;
THENCE ALONG SAID EAST LINE, SOUTH 00°07'56" EAST, 3.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 113 SQUARE FEET OR 0.002 ACRES, MORE OR LESS.

End of Legal Description.

16-247

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 22ND day of FEBRUARY, 2017, by West 24th Ave., LLC, a Colorado limited liability company, whose address is 724 West 6th Ave, Denver, CO 80204 ("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 ("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.

Approved: R/K
 Asset Management
 Date: 02-27-2017

Subject Description:
 SW D
 West 24th Ave., LLC

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

ATTEST:

West 24th Ave., LLC

By: Jon Moseley
a Colorado Limited Liability Company

STATE OF Colorado)

) ss.

COUNTY OF Denver)

The foregoing instrument was acknowledged before me this 22 day of February, 2017
by Jon Moseley, as Manager of West 24th Ave., LLC.

Witness my hand and official seal.

My commission expires: 10/14/2019

**JEREMIAH LEE GOLDSMITH
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20154040489
MY COMMISSION EXPIRES 10/14/2019**

Jeremiah Lee Goldsmith
Notary Public

EXHIBIT A
Legal Description of 3' wide Right-of-Way dedication

A PORTION OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY & COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

RIGHT-OF-WAY #1

BEGINNING AT THE SOUTHEAST CORNER OF LOT 33 OF BLOCK 23 OF C.H. WALKER'S SUBDIVISION OF THE TOWN OF HIGHLAND;

THENCE ALONG THE SOUTH LINE OF SAID LOT 33, SOUTH 89°51'03" WEST, 50.06 FEET TO THE SOUTHWEST CORNER OF LOT 34 OF SAID BLOCK 23;
THENCE ALONG THE WEST LINE OF SAID LOT 34, NORTH 00°07'56" WEST, 3.00 FEET TO A POINT;
THENCE LEAVING SAID WEST LINE, PARALLEL WITH SAID SOUTH LINE OF SAID LOTS 33 AND 34, NORTH 89°51'03" EAST, 50.06 FEET TO THE EAST LINE OF SAID LOT 33;
THENCE ALONG SAID EAST LINE, SOUTH 00°07'48" EAST, 3.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 150 SQUARE FEET OR 0.003 ACRES, MORE OR LESS.

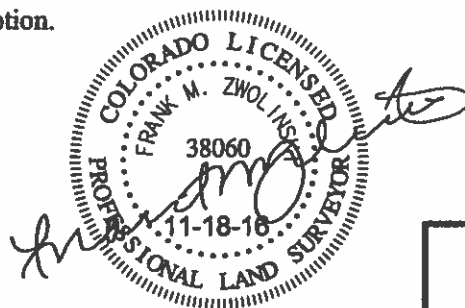
RIGHT-OF-WAY #2

BEGINNING AT THE SOUTHEAST CORNER OF LOT 35 OF BLOCK 23 OF C.H. WALKER'S SUBDIVISION OF THE TOWN OF HIGHLAND;

THENCE ALONG THE SOUTH LINE OF SAID LOT 35, SOUTH 89°51'03" WEST, 37.54 FEET TO THE WEST LINE OF THE EAST HALF (E 1/2) OF LOT 36 OF SAID BLOCK 23;
THENCE ALONG SAID WEST LINE OF SAID EAST HALF (E 1/2) OF SAID LOT 36, NORTH 00°08'03" WEST, 3.00 FEET TO A POINT;
THENCE LEAVING SAID WEST LINE, PARALLEL WITH SAID SOUTH LINE OF SAID LOTS 35 AND 36, NORTH 89°51'03" EAST, 37.54 FEET TO THE EAST LINE OF SAID LOT 35;
THENCE ALONG SAID EAST LINE, SOUTH 00°07'56" EAST, 3.00 FEET TO THE POINT OF BEGINNING.

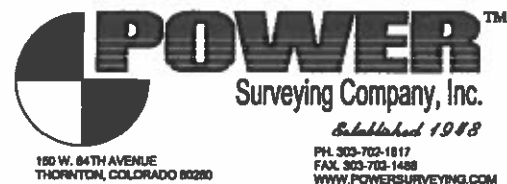
CONTAINING 113 SQUARE FEET OR 0.002 ACRES, MORE OR LESS.

End of Legal Description.



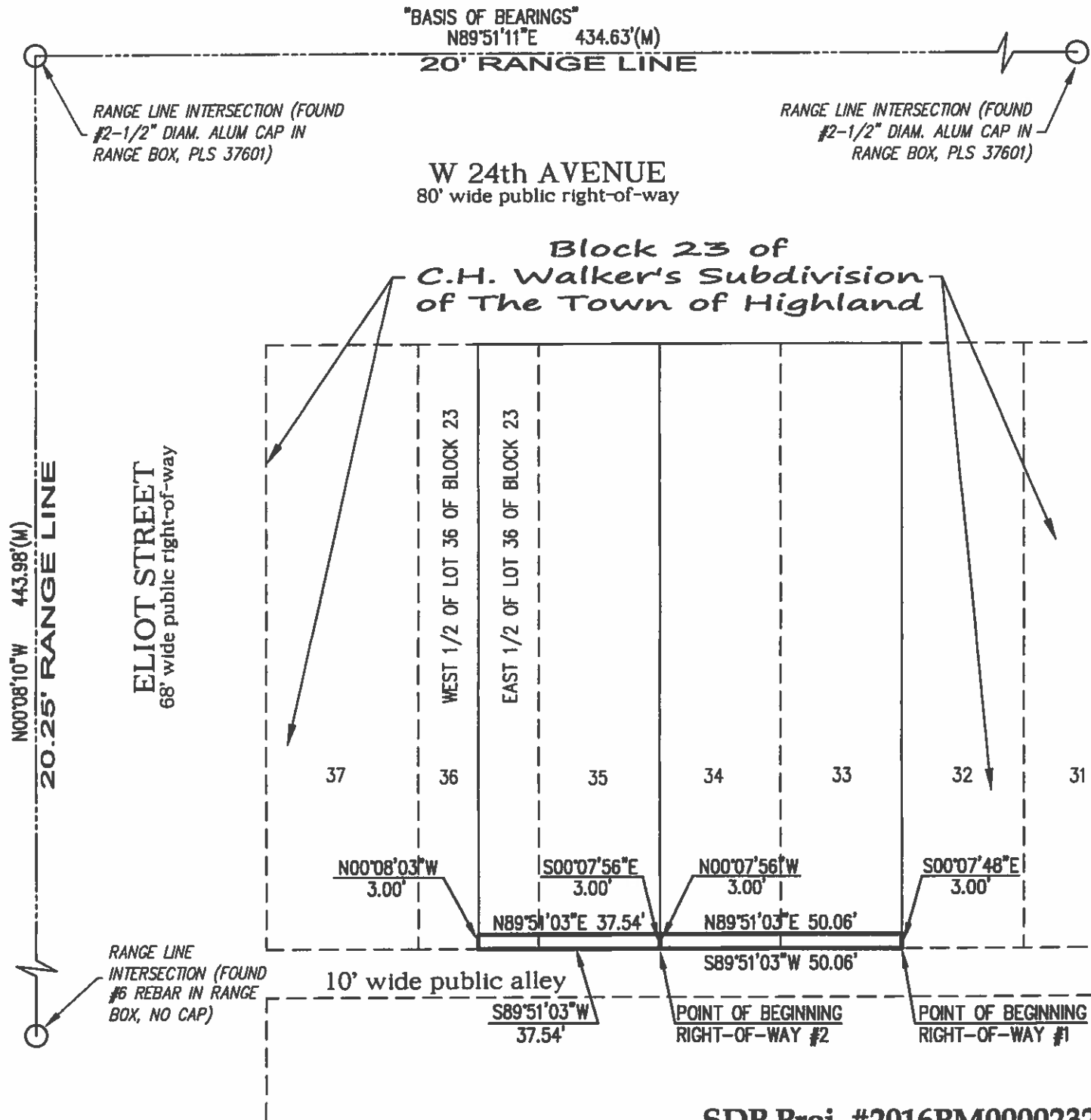
Frank M. Zwolinski, P.L.S.
Colorado License #38060
For and on behalf of Power Surveying Company, Inc.
303-702-1617

SDP Proj. #2016PM0000232

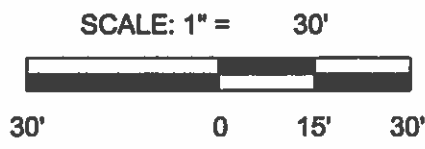


DRAWING BY: FMZ DATE: 11-18-2016
PROJECT NO. 501-16-113

EXHIBIT A
Exhibit



SDP Proj. #2016PM0000232



POWERTM
Surveying Company, Inc.
Established 1948

180 W. 84TH AVENUE
THORNTON, COLORADO 80260

PH. 303-702-1817
FAX. 303-702-1488
WWW.POWERSURVEYING.COM

DRAWING BY: FMZ DATE: 11-18-2016
PROJECT NO. 501-16-113