



DENVER
THE MILE HIGH CITY

Department of Public Works
Capital Projects Management
Permit Operations and Right of Way Enforcement
Infrastructure Planning & Programming
Traffic Engineering Services
201 W. Colfax Avenue
Denver, CO 80202
www.denvergov.org

REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Esther Vargas, City Attorney's Office
FROM: Robert J. Duncanson, P.E., Engineering Manager II
Right-of-Way Services

DATE: September 19, 2011

ROW #: 2009-0532-05 **SCHEDULE #:** 0214300149000

TITLE: This request is to dedicate a parcel of land as Public Right of Way as Washington St. Located at the intersection of Washington St. and 50th 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 Washington 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, Project Angel Heart.

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 Washington St. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW (# 2009-0532-05) HERE.

A map of the area to be dedicated is attached.

RD/JL/GG

- cc:** Asset Management, Steve Wirth
City Councilperson, Judy Montero, District #9
City Council Staff, Gretchen Williams
Environmental Services, David Erickson
Mayor's Office, City Council Liaison, R. D. Sewald
Public Works, Manager's Office, Christine Downs
Public Works, Manager's Office, Stacie Loucks
Public Works, Right-of-Way Engineering Services, Rob Duncanson
Department of Law, Karen Aviles
Department of Law, Esther Vargas
Department of Law, Arlene Dykstra
Public Works Survey, John Lautenschlager
Public Works Survey, Paul Rogalla
Agent: n/a
Owner: City and County of Denver
Project file folder 2009-0532-05



for City Services
Denver gets it done!

ORDINANCE/RESOLUTION REQUEST

Please email requests to Daelene Mix at
daelene.mix@denvergov.org by **NOON 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: September 19, 2011

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, amendment, municipal code change, supplemental request, etc.)*

This request is to dedicate a parcel of land as Public Right of Way as Washington St. Located at the intersection of Washington St. and 50th Ave.

3. Requesting Agency: PW Right of Way Engineering Services

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

- Name: Greg Grant
- Phone: 720-865-3108
- Email: Greg.Grant@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: Stacie Loucks
- Phone: 720-865-8720
- Email: Stacie.Loucks@denvergov.org

6. General description 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 Washington St. These parcel(s) of land are being dedicated to the City and County of Denver for Public Right-of-Way, as part of the development project, Project Angel Heart.

****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.)**

- a. Contract Control Number: N/A
- b. Duration: Permanent
- c. Location: Washington St. and 50th Ave.
- d. Affected Council District: District #9, Judy Montero
- e. Benefits: N/A
- f. Costs: N/A

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:2009-0532-05, Dedication, Project Angel Heart

Description of Proposed Project: This request is to dedicate a parcel of land as Public Right of Way as Washington St. Located at the intersection of 50th Avenue and Washington St.

Explanation of why the public right-of-way must be utilized to accomplish the proposed project:This is private property being dedicated 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

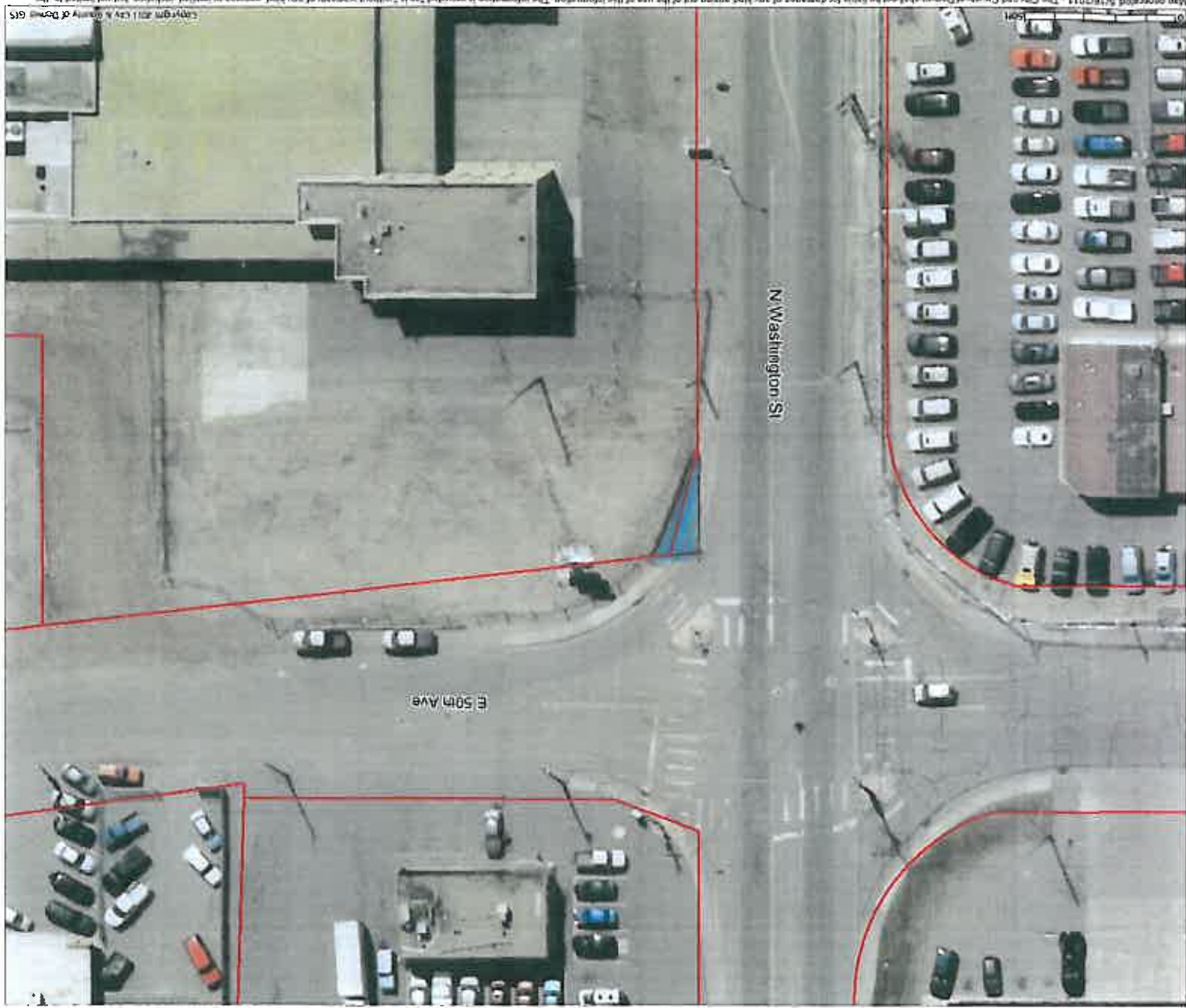
Will land be dedicated to the City if the vacation goes through:N/A

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, Project Angel Heart.

Washington St.



- Street Centerline
- Denver County (Boundary)
- Parcels
- 2008 Denver
- Denver County (Shaded)
- Denver County
- Adams County
- Arapahoe County
- Jefferson County

Map generated 5/18/2011 - The City and County of Denver shall not be liable for damages of any kind arising out of the use of this information. The information is provided "as is" without warranty of any kind, express or implied, including, but not limited to, the fitness for a particular use. This is not a legal document.
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Two parcels of land located in the Southwest 1/4 of Section 14, Township 3 South, Range 68 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado.

A parcel of land conveyed by Warranty Deed to the City & County of Denver, recorded on the 10th of June 1971 in Book 334 Page 171 in the City and County of Denver Clerk & Recorders Office being more particularly described as follows:

That part of the NW1/4 of SW1/4 of Section 14, Township 3 South, Range 68 West, located within boundaries described as follows:

Commencing at the Northwest corner of said NW1/4 of SW1/4 of SW1/4; thence Southerly along the West line of said NW1/4 of SW1/4 a distance of 60.5 feet to the true point of beginning; thence North 82°35' East, a distance of 8 feet; thence Southwesterly to a point on the said West line and 89.5 feet South of the said Northwest corner; thence Northerly along said west line, a distance of 29 feet, to the point of beginning.

A parcel of land conveyed by Special Warranty Deed to the City & County of Denver, recorded on the 11th of May, 2011 by Reception Number 2011052222 in the City and County of Denver Clerk & Recorders Office being more particularly described as follows:

A parcel of land located in the Southwest One Quarter of Section 14, Township 3, South, Range 68 West of the 6th Principal Meridian, City and County of Denver, State of Colorado; more particularly described as follows; Commencing at the Northwest corner of the Southwest One-Quarter of the Southwest One-Quarter of said Section 14; thence S 00°03'54" W, a distance of 89.50; feet to the Point of Beginning; thence continuing S 00°03'54" W, a distance of 14.19 feet to a point of curve tangent to Washington Street; thence Northeasterly along said circular curve to the right an arc distance of 48.29 feet, said curve having a radius of 76.00 feet, a delta angle of 36°24'15", a chord which bears N 18°16'02" E a distance of 47.48 feet; thence S 82°36'31"W, a distance of 6.93 feet; thence S 14°55'56" W, a distance of 31.06 feet to the Point of Beginning.

Contains 84 square feet more or less

Basis of Bearing is the West line of the Southwest One Quarter of the Southwest One Quarter of said Section 14, Being S 00°03'54" W.

Exhibit A
Legal Description

**LEGAL DESCRIPTION FOR R.O.W. DEDICATION
SW 1/4, SECTION 14, T3S, R68W, 6TH P.M.
CITY AND COUNTY OF DENVER, STATE OF COLORADO**

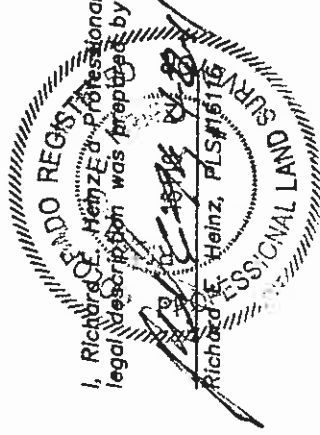
LEGAL DESCRIPTION:

A parcel of land located in the Southwest One Quarter of Section 14, Township 3 South, Range 68 West of the 6th Principal Meridian, City and County of Denver, State of Colorado; more particularly described as follows:

Commencing at the Northwest corner of the Southwest One-Quarter of the Southwest One-Quarter of said Section 14; thence S00°03'54"W, a distance of 89.50; feet to the Point of Beginning; thence continuing S00°03'54"W, a distance of 14.19 feet to a point of curve tangent to Washington Street; thence Northeasterly along said circular curve to the right an arc distance of 48.29 feet, said curve having a radius of 76.00 feet, a delta angle of 36°24'15", a chord which bears N18°16'02"E a distance of 47.48 feet, a thence S82°36'31"W, a distance of 6.93 feet; thence S14°55'56"W, a distance of 31.06 feet to the Point of Beginning.

Contains 84 square feet more or less.

Basis of Bearings is the West line of the Southwest One Quarter of the Southwest One Quarter of said Section 14, being S00°03'54"W.

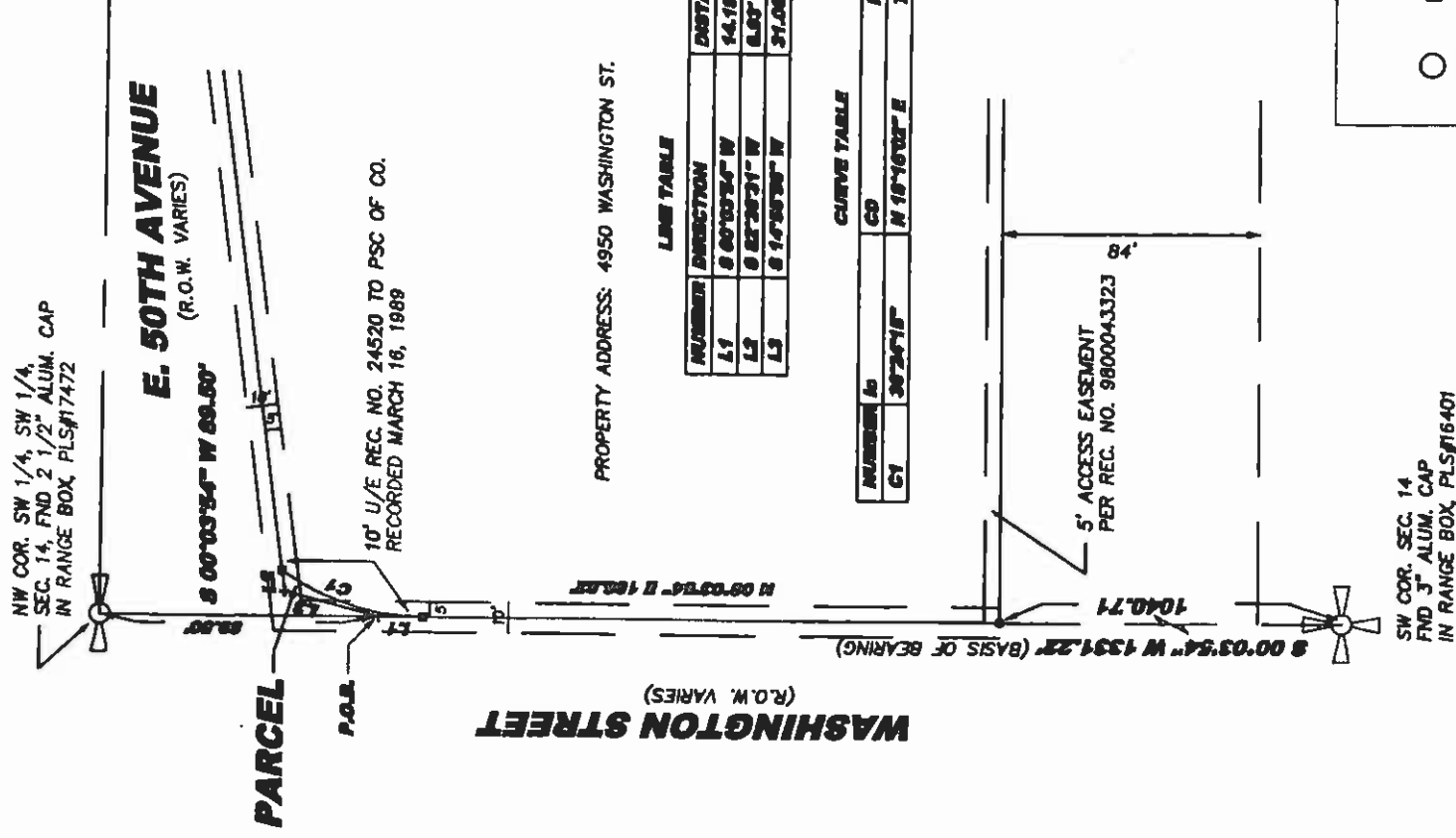


FOR R.O.W. DEDICATION

JOB PROJECT NO. 2011

SW 1/4, SECTION 14, T3S, R68W, 6TH P.M. DES PARCEL NO. 2011

CITY AND COUNTY OF DENVER, STATE OF COLORADO



LINE TABLE

NUMBER	DIRECTION	DISTANCE
L1	S 00°03'54" W	14.18'
L2	S 82°28'31" W	6.93'
L3	S 1°48'36" W	31.05'

CURVE TABLE

NUMBER	CD	R'	L'	LC'
C1	30724718'	N 18°10'02" E	70.00	48.29 47.48

LEGEND:

- NO. 5 REBAR/CAP PLS#18475
- NO. 5 REBAR/CAP PLS#16116
- + FOUND CROSS

THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED SURVEY. IT IS INTENDED ONLY TO DEPICT THE ABOVE R.O.W. DEDICATION.

AAA SURVEYING SERVICES, LLC
 P.O. BOX 2055 ARVADA, CO 80001-2055
 303-519-7015/FAX 303-940-4927

JOB NO. 11-0540
 DATE: 04/22/2011
 DRAWN: RH
 SCALE 1"=50'

PAGE 2 OF 2

76944

Recorded at _____
Reception No. _____

076944

50th JWSH

THIS DEED, made this 3rd day of June in the year of our Lord one thousand nine hundred and seventy-one between
LANDERS PACKING COMPANY
a corporation duly organized and existing under and by virtue of the laws of the State of Colorado of the first part, and
CITY AND COUNTY OF DENVER, a MUNICIPAL
a corporation duly organized and existing under and by virtue of the laws of the State of Colorado of the second part;

RECORDERS STAMP
STATE OF COLORADO
CITY AND COUNTY OF DENVER
FILED IN U.S. DEPT. OF COM.
JUN 10 1 09 PM '71
RECORDED 334 171
CLERK OF RECORDS

WITNESSETH, That the said party of the first part, for and in consideration of the sum of **ONE HUNDRED FORTY and no/100** DOLLARS to the said party of the first part in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, hath granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey, and confirm, unto the said party of the second part, its successors and assigns forever, all the following described or parcel described and being in the City and County of Denver and State of Colorado, to-wit:

That part of the NW of SW of Section 14, Township 3 South, Range 68 West, located within boundaries described as follows:
Commencing at the Northwest corner of said NW of SW;
thence Southerly along the West line of said NW of SW of SW, a distance of 60.5 feet to the true point of beginning; thence North 82° 15' East, a distance of 8 feet; thence Southwesterly to a point on the said West line and 89.5 feet South of the said Northwest corner; thence Northerly along said West line, a distance of 29 feet, to the point of beginning.

TOGETHER, with all and singular the hereinafter and appertinences thereto belonging, or in anywise appertaining, and the reversion and reversion, remainder and remainder, rents, issues and profits thereof; and all the estate, right, title, interest, claim and demand whatsoever of the said party of the first part, either in law or equity, of, in and to the above bargained premises, with the hereinafter and appertinences.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appertinences unto the said party of the second part, its successors and assigns forever. And the said

LANDERS PACKING COMPANY

party of the first part, for itself, its successors and assigns, doth covenant, grant, bargain and agree to and with the said party of the second part, its successors and assigns, that at the time of the executing and delivery of these presents it is well advised of the premises above conveyed, is of good, pure, perfect, absolute and indisputable estate of full and entire force and effect, in law, in fact, in fee simple, and hath good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, leases, tenements and incumbrances of whatever kind or nature aforesaid;

and the above bargained premises, in the quiet and peaceable possession of the said party of the second part, its successors and assigns against all and every person or persons lawfully claiming or to claim the whole or any part thereof, the said party of the first part shall and will WARRANT AND FOREVER DEFEND.

IN WITNESS WHEREOF, The said party of the first part hath caused its corporate name to be hereunto subscribed by its president, and its corporate seal to be hereunto affixed, attested by its Secretary, this 3rd day of June 1971.

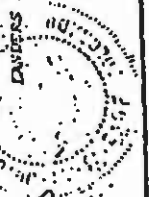
Samuel Packard
By *Samuel Packard*
President

STATE OF COLORADO,
City and County of Denver.
The foregoing instrument was acknowledged before me this 3rd day of June 1971, by *Samuel Packard*, its president, and *Samuel Packard*, its Secretary.

President and Secretary of a corporation.

DAVIDS PACKING COMPANY, a Colorado
My notarial commission expires **September 25, 1973**.

Witness my hand and official seal



Samuel Packard
FILED IN U.S. DEPT. OF COM.

INDEXED

APPROVED FOR RECORDING
LAND OFFICE

Act Form

SPECIAL WARRANTY DEED
(4950 Washington Street)

THIS DEED, is dated May 2, 2011, and is made between **Project Angel Heart**, a Colorado non-profit corporation, whose legal address is 4190 Garfield Street, Unit 5, Denver, Colorado 80216 the "Grantor", and **CITY & COUNTY OF DENVER**, a Colorado municipal corporation and home rule city (whether one, or more than one), the "Grantee", whose legal address is 1437 Bannock St., Denver, Colorado 80202, of the City and County of Denver and State of Colorado.

WITNESS, that the Grantor, for and in consideration of the sum of **TEN DOLLARS** and other good and valuable consideration, (\$10.00), the receipt and sufficiency of which is hereby acknowledged, hereby grants, bargains, sells, conveys and confirms unto the Grantee and the Grantee's heirs and assigns forever, all the real property, together with any improvements thereon, located in the City and County of Denver and State of Colorado, described as follows:

FOR LEGAL DESCRIPTION SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART OF THIS SPECIAL WARRANTY DEED.

also known by street address as: **VACANT LAND** and assessor's schedule or parcel number: No Assessor Schedule or Parcel Number Assigned

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in any wise appertaining, the reversions, 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 above bargained premises, with the hereditaments and appurtenances:

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the Grantee and the Grantee's heirs and assigns forever. The Grantor, for itself and its successors and assigns, does covenant and agree that the Grantor shall and will **WARRANT THE TITLE AND DEFEND** the above described premises, *but not any adjoining vacated street or alley*, if any, in the quiet and peaceable possession of the Grantee and the heirs and assigns of the Grantee, against all and every person whatsoever claiming the whole or any part thereof, by, through or under the **CITY AND COUNTY OF DENVER** State of Colorado does hereby certify this document to be a full, true and correct copy of the original document recorded in my office.

This conveyance is made subject to all instruments affecting the public real estate records of Denver County, Colorado, which are recorded in the public real estate records of Denver County, Colorado.



Clerk and Recorder
Deputy County Clerk
Date May 11, 2011



201105111122

Page: 1 of 5
05/11/2011 02:38P

(00281397.DOC2)

City & County of Denver MD R0 00 00.00

Bridget M. Svalberg

2009-0532

11-034
Asset Mgmt. #:

Approved
Asset Management
Date: 5-11-11

Project Description:
Sola Washington

IN WITNESS WHEREOF, the Grantor has caused its corporate name to be hereunto subscribed by its president, vice-president, or other officer on the date set forth above.

GRANTOR:
Project Angel Heart,
a Colorado non-profit corporation

By: [Signature]
Name: ERIN PULLING
Its: Executive Director

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

The foregoing instrument was acknowledged before me this 4th day of
May 2011 by ERIN PULLING as exec. director of Project Angel Heart, a
Colorado not-for-profit corporation.

Witness my hand and official seal.

My Commission Expires 06/01/2012

My commission expires: _____
[Signature]
Notary Public

Legal Description prepared by Rich Heinz, PLS, AAA Surveying Services, LLC., P.O. Box
2055, Arvada, Colorado 80001, 303-519-7017.

