



REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Charlene Thompson, City Attorney's Office

FROM: Robert J. Duncanson P.E., Engineering Manager II
Right-of-Way Services

DATE: July 5, 2016

ROW #: 2016-Dedication-0000078 **SCHEDULE #:** 0512232036000

TITLE: This request is to dedicate a parcel of land as Public Right of Way as Public Alley.
Located at the intersection of E. 2nd Ave. and Steele 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 **(155 Steele Condominiums)**

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-0000078-001) HERE.

A map of the area to be dedicated is attached.

RD/JC/BLV

cc: Asset Management, Steve Wirth
City Councilperson & Aides, Wayne New District # 10
City Council Staff, Shelley Smith
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, Rob Duncanson
Department of Law, Brent Eisen
Department of Law, Stan Lechman
Department of Law, Adam Hernandez
Department of Law, Cynthia Devereaux
Public Works Survey, John Clarke
Public Works Survey, Paul Rogalla
Owner: City and County of Denver
Project file folder 2016-Dedication-0000078

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: July 5, 2016

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 E. 2nd Ave. and Steele St.

3. **Requesting Agency:** Public Works – Right-of-Way Services / 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 (155 Steele Condominiums)

****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. 2nd Ave. and Steele St.
- d. **Affected Council District:** Wayne New Dist. 10
- e. **Benefits:** N/A
- f. **Contract Amount (indicate amended amount and new contract total):** 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: _____



EXECUTIVE SUMMARY

DENVER
THE MILE HIGH CITY

Project Title: 2016-Dedication-0000078, 155 Steele Condominiums

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

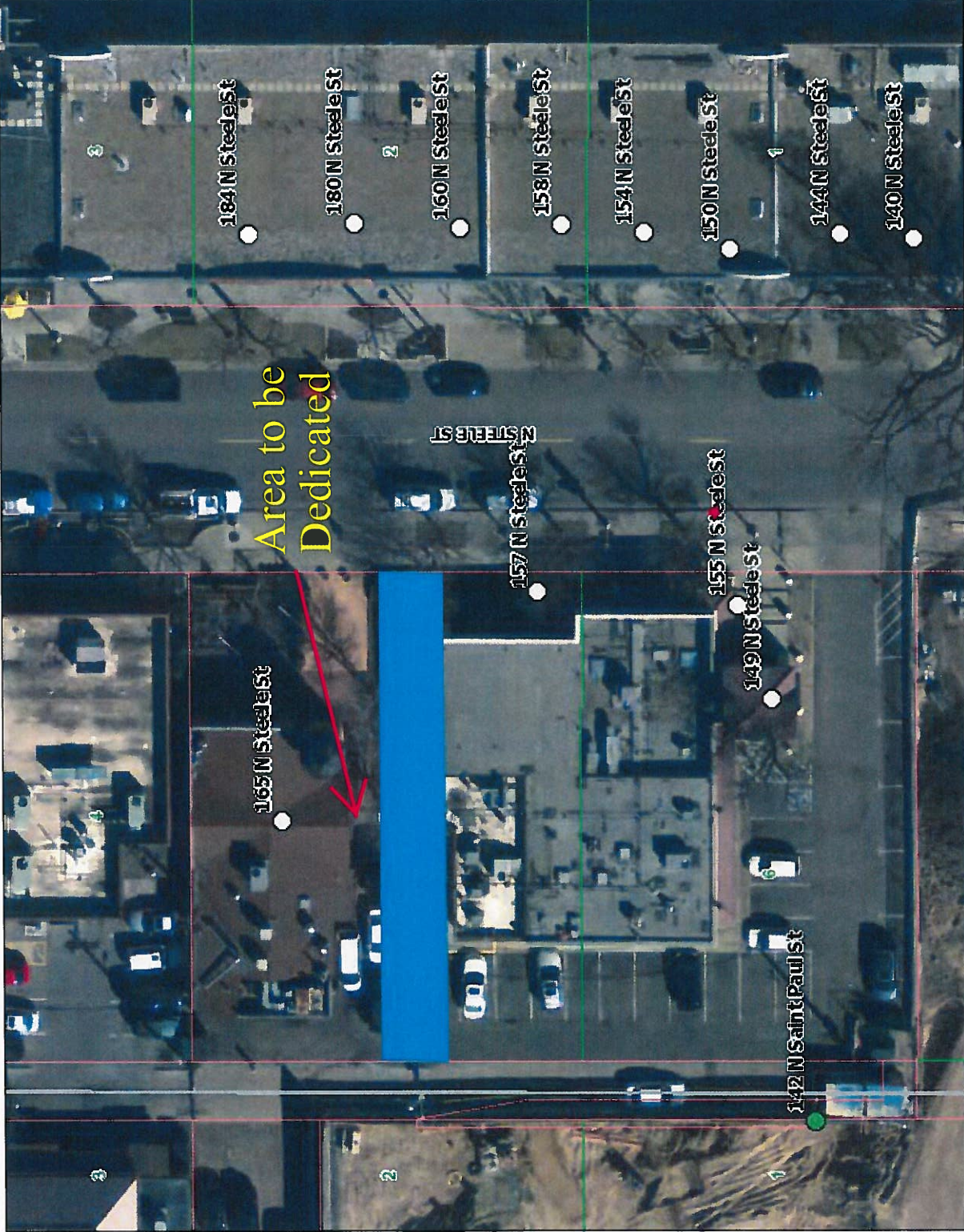
Will land be dedicated to the City if the vacation goes through: N/A

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, 155 Steele Condominiums

2nd and Steele St



Legend

- Active Addresses
 - Associated
 - Land
 - Structure
 - Utility
- Streams
- Irrigation Ditches Reconstructure (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
 - Mountain Parks
 - All Other Parks

PW Legal Description No. 2016-Dedication-0000078-001

TWO (2) PARCELS OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 29ND DAY OF JUNE, 2016, AT RECEPTION NUMBER 2016084990 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

2 PARCELS OF LAND BEING A PORTION OF PLOT 5, BLOCK 72, HARMANS SUBDIVISION, IN THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, PER PLAT RECORDED IN BOOK 1, PAGE 98 OF PLATS, RECORDS OF ARAPAHOE COUNTY COLORADO, TOGETHER WITH A PORTION OF THE ALLEY VACATED BY ORDINANCE NO. 244, SERIES OF 2011, RECORDED MAY 6, 2011 AT RECEPTION NO. 2011050220, IN THE OFFICE OF THE CLERK AND RECORDER OF SAID CITY AND COUNTY OF DENVER, LYING WITHIN THE NORTH HALF OF SECTION 12, TOWNSHIP 4 SOUTH, RANGE 68 WEST, 6TH PRINCIPAL MERIDIAN, SAID CITY, COUNTY AND STATE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1

COMMENCING AT THE NORTHEASTERLY CORNER OF PLOT 4, BLOCK 72, SAID HARMANS SUBDIVISION;
THENCE ALONG THE EASTERLY LINE OF SAID BLOCK 72 AND THE WESTERLY RIGHT-OF-WAY OF STEELE STREET, SOUTH 00°01'33" WEST, 149.85 FEET TO THE NORTHEASTERLY CORNER OF THE SOUTH 1/2 OF SAID PLOT 5, AND THE **POINT OF BEGINNING**;
THENCE CONTINUING ALONG SAID EASTERLY LINE AND SAID WESTERLY RIGHT-OF-WAY, SOUTH 00°01'33" WEST, 16.00 FEET;
THENCE DEPARTING SAID EASTERLY LINE AND SAID WESTERLY RIGHT-OF-WAY, NORTH 89°57'48" WEST, 125.06 FEET TO THE WESTERLY LINE OF SAID PLOT 5 AND THE EASTERLY RIGHT-OF-WAY OF THE 15.00 FOOT WIDE ALLEY AS SHOWN ON SAID HARMANS SUBDIVISION, AND A POINT HEREINAFTER REFERRED TO AS POINT "A";
THENCE ALONG SAID WESTERLY LINE AND SAID EASTERLY RIGHT-OF-WAY, NORTH 00°01'53" EAST, 16.00 FEET;
THENCE DEPARTING SAID WESTERLY LINE AND SAID EASTERLY RIGHT-OF-WAY AND ALONG THE NORTHERLY LINE OF SAID SOUTH 1/2 OF PLOT 5, SOUTH 89°57'48" EAST, 125.06 FEET TO THE **POINT OF BEGINNING**.

PARCEL CONTAINS 2,001 SQUARE FEET OR 0.046 ACRES.

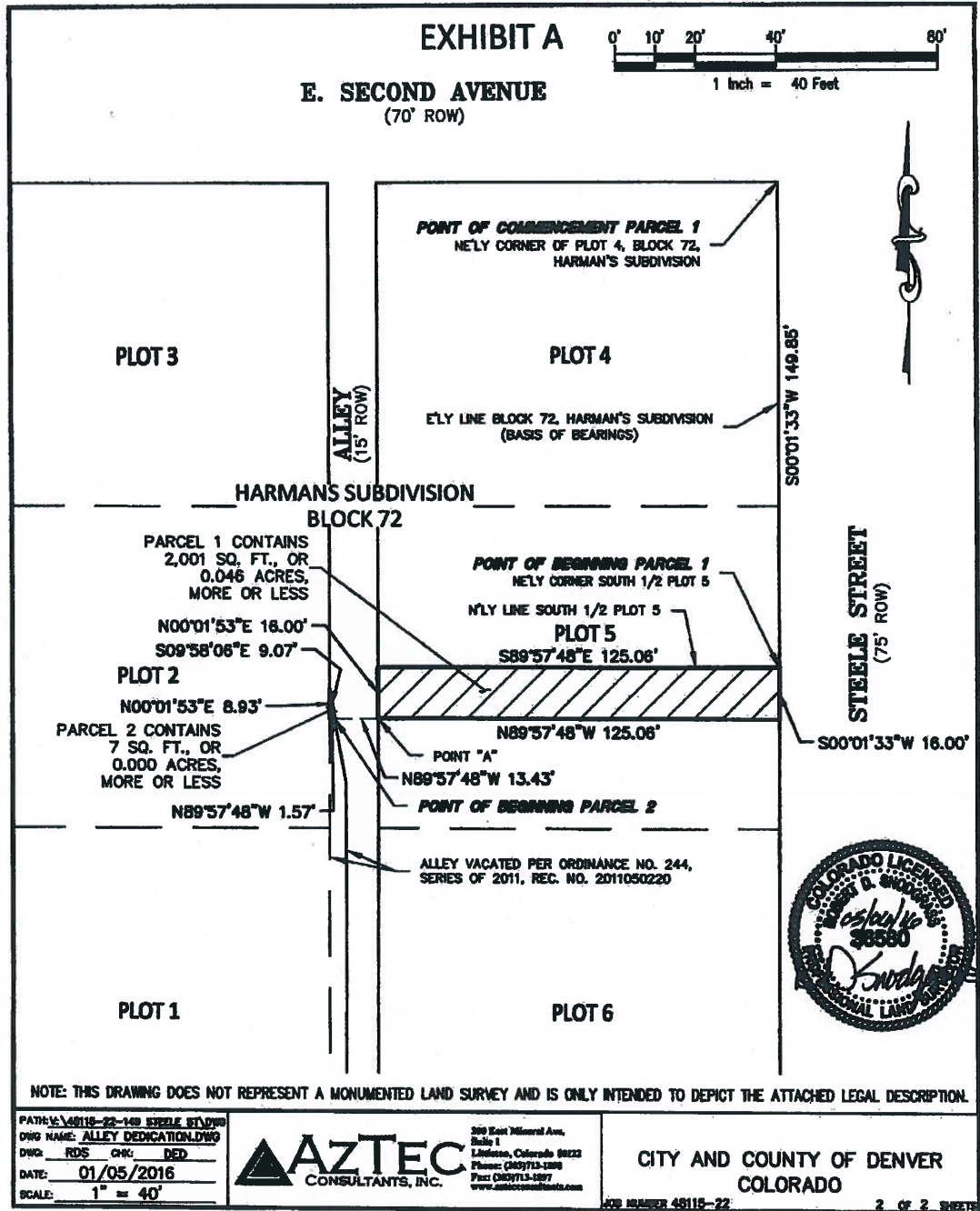
PARCEL 2

COMMENCING AT THE HEREINABOVE DESCRIBED POINT "A";
THENCE NORTH 89°57'48" WEST, 13.43 FEET TO THE EASTERLY LINE OF THE ALLEY VACATED BY SAID ORDINANCE NO. 244, SERIES OF 2011 AND THE **POINT OF BEGINNING**;
THENCE DEPARTING SAID EASTERLY LINE AND CONTINUING NORTH 89°57'48" WEST, 1.57 FEET TO THE EASTERLY LINE OF PLOT 2, BLOCK 72, SAID HARMANS SUBDIVISION AND THE WESTERLY RIGHT-OF-WAY OF SAID 15.00 FOOT WIDE ALLEY AS SHOWN ON HARMANS SUBDIVISION;
THENCE ALONG SAID EASTERLY LINE AND SAID WESTERLY RIGHT-OF-WAY, NORTH 00°01'53" EAST, 8.93 FEET TO THE MOST NORTHERLY CORNER OF THE PARCEL DESCRIBED IN SAID ORDINANCE NO. 244, SERIES OF 2011;
THENCE ALONG THE EASTERLY LINE OF SAID VACATED ALLEY, SOUTH 09°58'06" EAST, 9.07 FEET TO **POINT OF BEGINNING**.

PARCEL CONTAINS 7 SQUARE FEET OR 0.0002 ACRES.

2016-PROJMSTR-0000258-ROW

ILLUSTRATION TO ACCOMPANY LEGAL DESCRIPTION





06/29/2016 11:32 AM
City & County of Denver
Electronically Recorded

R \$21.00

D \$0.00

WD

SPECIAL WARRANTY DEED

THIS DEED, dated June 27, 2016 is between Cherry Creek Res, LLC a Delaware limited liability company ("Grantor"), and the City and County of Denver, a home rule city and municipal corporation of the State of Colorado ("Grantee"), whose address is 1437 Bannock Street., Denver, CO 80202.

WITNESS, that the 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, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee, its successors and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the City and County of Denver and State of Colorado, described as follows:

EXHIBIT "A" attached hereto and incorporated herein

Assessor's schedule or parcel number: Vacant Land
Address: Vacant Land

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, 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 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, its successors and assigns forever. The Grantor covenants and agrees that Grantor shall WARRANT AND FOREVER DEFEND the above bargained premises in the quiet and peaceable possession of the Grantee, its successors and assigns, against all and every person or persons lawfully claiming the whole or any part thereof, by, through or under Grantor, except taxes and assessments for the current year, payable in 2017, and all matters of record.

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

CHERRY CREEK RES, LLC
a Delaware limited liability company

By: [Signature]

Title: Authorized Signatory

STATE OF Colorado

COUNTY OF Denver

The foregoing instrument was acknowledged before me this day 27th of June, 2016 by Mike Serra III as Authorized Signatory of Cherry Creek Res, LLC, a Delaware limited liability company.

Witness my hand and official seal.
My commission expires: 07/14/2019

[Signature]
Notary Public

**REBECCA TALADAY
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20034020980
MY COMMISSION EXPIRES 07/14/2019**

Name and Address of Person Creating Newly Created Legal Description (§38-35-106.5, C.R.S.)

2016-PROJMSTR-0000258-ROW

EXHIBIT A

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AS SHOWN ON THE ILLUSTRATION TO ACCOMPANY LEGAL DESCRIPTION ATTACHED HERETO.

ROBERT D. SNODGRASS, PLS 36580
 COLORADO LICENSED PROFESSIONAL LAND SURVEYOR
 FOR AND BEHALF OF AZTEC CONSULTANTS, INC.
 300 E. MINERAL AVENUE, LITTLETON, CO 80122



SHEET 1 OF 2 SHEETS

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