



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: September 13, 2017

ROW #: 2017-Dedication-0000006 **SCHEDULE #:** 0606312026000

TITLE: This request is to dedicate a parcel of land as Public Right of Way as both E. 8th Ave. and also Public Alley. Located at the intersection of E. 8th Ave. and N Bellaire 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 both E. 8th Ave. and also 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 **(4300 E. 8th Ave 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 E. 8th Ave. and also Public Alley. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2017-Dedication-0000006-001) HERE.

A map of the area to be dedicated is attached.

MB/JC/BV

cc: 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, 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, John Clarke
Public Works Survey, Paul Rogalla
Owner: City and County of Denver
Project file folder 2017-Dedication-0000006

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: September 13, 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 both E. 8th Ave. and also Public Alley.
Located at the intersection of E. 8th Ave. and N Bellaire 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 both E. 8th Ave. and also 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 **(4300 E. 8th Ave 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:** E. 8th Ave. and Bellaire 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: _____



EXECUTIVE SUMMARY

DENVER
THE MILE HIGH CITY

Project Title: 2017-Dedication-0000006, 4300 E. 8th Townhomes

Description of Proposed Project: Dedicate a parcel of public right of way as both E. 8th Ave. and also 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, 4300 E. 8th Townhomes

8th Ave. portion to be Dedicated

6.33 ft - PARCEL A

4300 E 8TH AVE

2.50 ft - PARCEL B

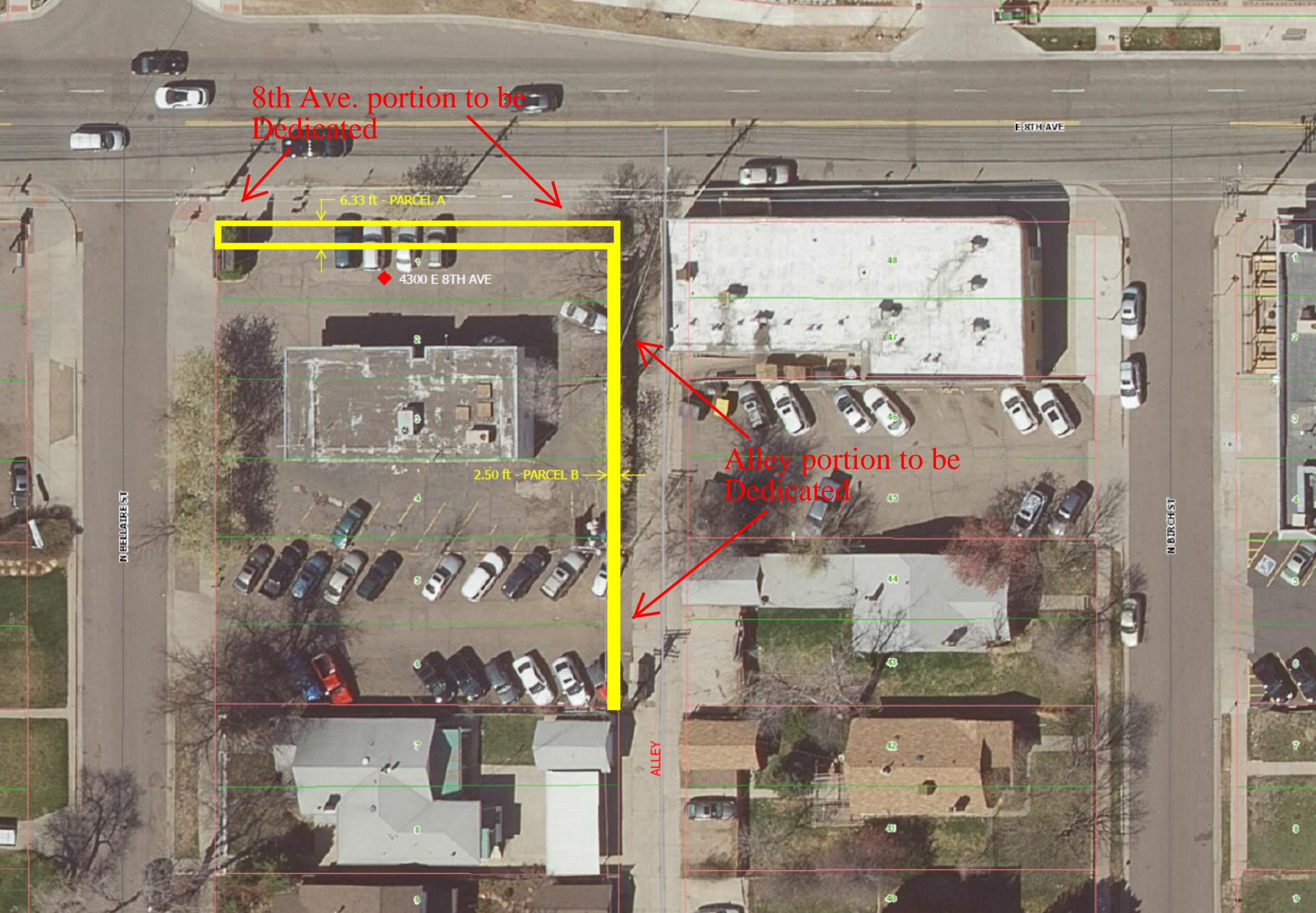
Alley portion to be Dedicated

E 8TH AVE

N BELLAIRE ST

N BIRCH ST

ALLEY



TWO (2) PARCELS OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 11TH DAY OF AUGUST 2017, AT RECEPTION NUMBER 2017105914 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, LYING IN THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, THEREIN AS:

PARCEL A

THE NORTHERLY 6.33 FEET OF LOT 1, BLOCK 4, SKINNER BROTHERS ADDITION, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

CONTAINING 792 SQUARE FEET (0.018 ACRES), MORE OR LESS.

TOGETHER WITH:

PARCEL B

THE EASTERLY 2.50 FEET OF LOTS 1 THROUGH 6, BLOCK 4, SKINNER BROTHERS ADDITION, CITY AND COUNTY OF DENVER, STATE OF COLORADO, EXCEPT THE NORTHERLY 6.33 FEET OF SAID LOT 1.

CONTAINING 359 SQUARE FEET (0.008 ACRES), MORE OR LESS.



08/11/2017 02:08 PM
City & County of Denver

R \$0.00

WD

2017105914

Page: 1 of 7

D \$0.00

Asset Mgmt. 17-346

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 21st day of July, 2017, by **8th AND BELLAIRE PROPERTIES**, a Colorado limited liability company, whose address is 975 Lincoln St. #204, Denver, CO 80203-2782 ("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.

Re-recording to correct first page

Asset Management
Date: 9/8/17

Project Description:
SWD
8th & Bellaire Properties

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

17-346
THIS SPECIAL WARRANTY DEED ("Deed"), made as of this 21st day of July, 2017, by **8th AND BELLAIRE PROPERTIES**, a Colorado limited liability company, whose address is 975 Lincoln St. #204, Denver, CO 80203-2782 ("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.

Asset Management
Date: 07/21/17
KTK

Project Description:
SAD
8th & Bellaire Properties

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

ATTEST:

8th AND BELLAIRE PROPERTIES, a Colorado Limited Liability Company.

By: [Signature]

Name: Aaron Lapedis

Its: Manager

STATE OF Colorado)
) ss.
COUNTY OF Denver)

The foregoing instrument was acknowledged before me this 21 day of July, 2017 by Aaron Lapedis, as Manager of 8th and Bellaire Properties, a Colorado Limited Liability Company.

Witness my hand and official seal.

My commission expires: 6/28/20

[Signature]
Notary Public

KAREN WALKER
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20044022423
MY COMMISSION EXPIRES JUNE 28, 2020

CBM Surveys, Inc.

EXHIBIT A

1418 South Addison Court
Aurora, Colorado 80018
Tel (720) 373-8376
cbmsurveys@comcast.net

PROPERTY DESCRIPTION

(4300 East 8th Avenue)

The northerly 6.33 feet of Lot 1, Block 4, Skinner Brothers Addition,
City and County of Denver, State of Colorado.

Containing 792 square feet (0.018 acres), more or less.

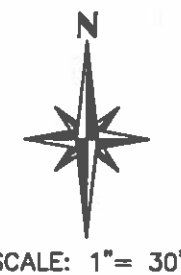
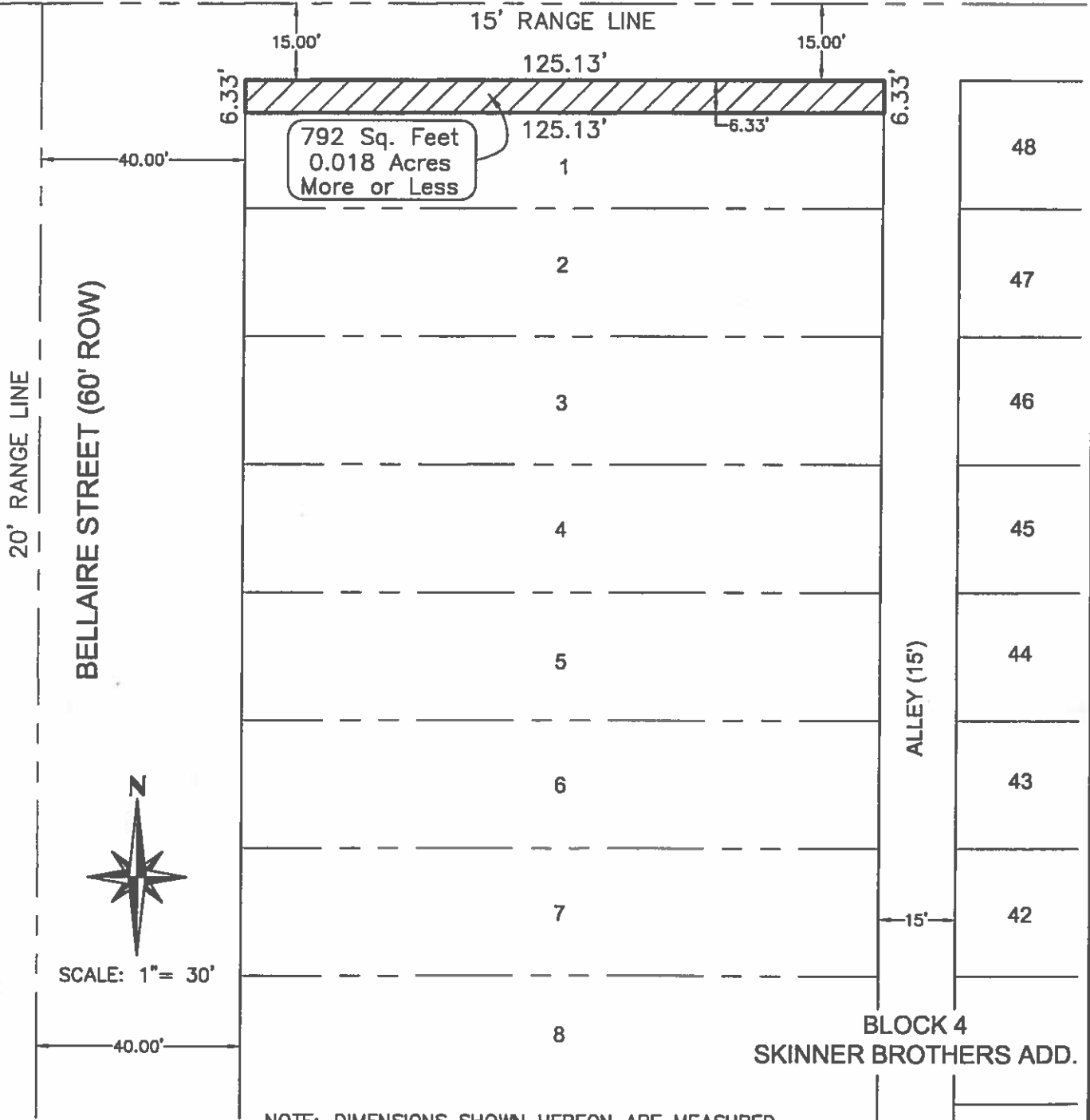
Randy Fortuin, PLS 27263
Date: November 23, 2016
Job No.: 2258
For and on Behalf of
CBM Surveys, Inc.

CBM SURVEYS, INC.
LAND SURVEYING SERVICES

1418 S. Addison Ct.
Aurora, CO 80018
720-373-8376
cbmsurveys@comcast.net

EXHIBIT - A
SHEET 2 OF 2

EAST 8TH AVENUE (ROW VARIES)



NOTE: DIMENSIONS SHOWN HEREON ARE MEASURED.

BLOCK 4
SKINNER BROTHERS ADD.



SHEET 2 OF 2

November 23, 2016

Randy Fortuin, PLS 27263
For and on Behalf of CBM Surveys, Inc.

PROPERTY DESCRIPTION:

Northerly 6.33' of Lot 1,
Block 4,
Skinner Brothers Addition
City and County of Denver
State of Colorado.

S.W. 1/4 6-T4S-R67W

ADDRESS:

4300
East 8th Ave.
Denver, Colorado

DATE: Nov.. 23, 2016

DWG: 2258-DED-AVE

CBM Surveys, Inc.

EXHIBIT B

1418 South Addison Court
Aurora, Colorado 80018
Tel (720) 373-8376
cbmsurveys@comcast.net

PROPERTY DESCRIPTION

(4300 East 8th Avenue)

The easterly 2.50 feet of Lots 1 through 6, Block 4, Skinner Brothers Addition,
City and County of Denver, State of Colorado.
EXCEPT the northerly 6.33 feet of said Lot 1.

Containing 359 square feet (0.008 acres), more or less.

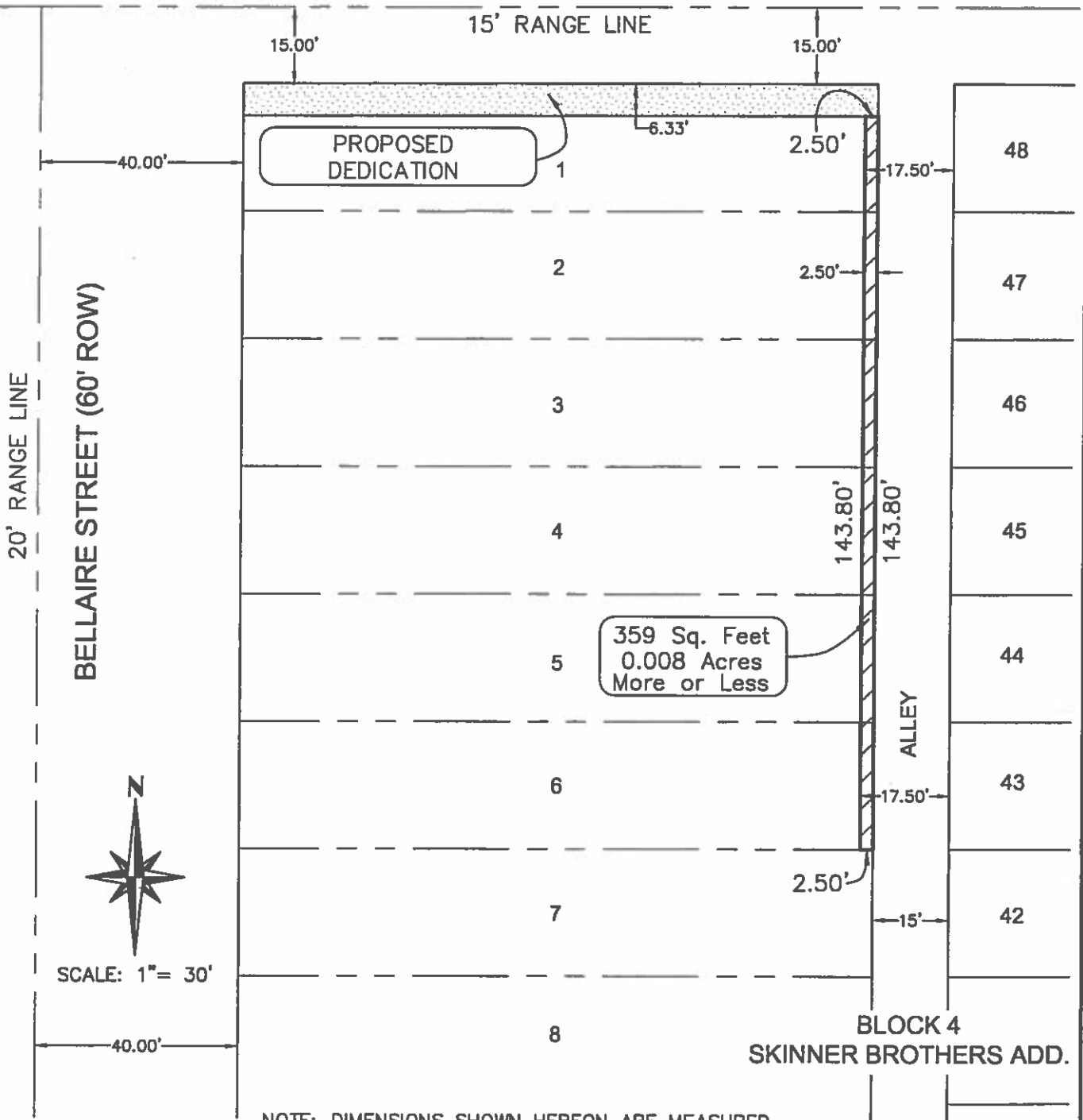
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1418 S. Addison Ct.
Aurora, CO 80018
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EXHIBIT - B
SHEET 2 OF 2

EAST 8TH AVENUE (ROW VARIES)



NOTE: DIMENSIONS SHOWN HEREON ARE MEASURED.

CBM



SURVEYS

SHEET 2 OF 2

November 23, 2016

Randy Fortuin, PLS 27263
For and on Behalf of CBM Surveys, Inc.

PROPERTY DESCRIPTION:

Easterly 2.5' of Lots 1-6, Block 4,
Skinner Brothers Addition
EXCEPT the Nthly 6.33' of said Lot 1,
City and County of Denver
State of Colorado.

S.W. 1/4 6-T4S-R67W

ADDRESS:

4300
East 8th Ave.
Denver, Colorado

DATE: Nov. 23, 2016

DWG: 2258-DED-ALLEY