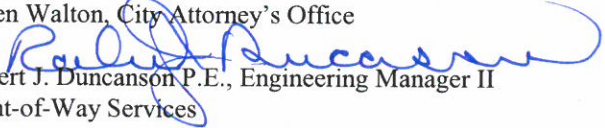




**Department of Public Works**  
Capital Projects Management  
Permit Operations and Right of Way Enforcement  
Infrastructure Planning & Programming  
Traffic Engineering Services  
201 W. Colfax Avenue  
Denver, CO 80202  
www.denvergov.org

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

**TO:** Karen Walton, City Attorney's Office

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

**DATE:** December 13, 2013

**ROW #:** 2011-0385-04      **SCHEDULE #:** Part of 0632307046000

**TITLE:** This request is to dedicate a parcel of land as Public Right of Way as S Locust St Located north of the intersection of S Locust St and Hampden 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 S Locust 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 Highpoint Assisted Living.


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 S Locust St. The land is described as follows.

**INSERT PARCEL DESCRIPTION ROW # (Parcel #-2011-0385-04-001) HERE.**

A map of the area to be dedicated is attached.

RD/jl/cp

cc: Asset Management, Steve Wirth  
City Councilperson & Aides, Peggy Lehman District # 4  
City Council Staff, Gretchen Williams  
Environmental Services, David Erickson  
Public Works, Manager's Office, Alba Castro  
Public Works, Manager's Office, Nancy Kuhn  
Public Works, Right-of-Way Engineering Services, Rob Duncanson  
Department of Law, Karen Aviles  
Department of Law, Brent Eisen  
Department of Law, Karen Walton  
Department of Law, Arlene Dykstra  
Public Works Survey, John Lautenschlager   
Public Works Survey, Paul Rogalla  
Owner: City and County of Denver  
Project file folder 2011-0385-04



for City Services

Denver gets it done!

REQUEST3.doc

0s\2011\2011-0385\PWPRS\DEDICATION\2011-0385-04 DEDICATION

Highpoint Assisted Living\RESOLUTION

**ORDINANCE/RESOLUTION REQUEST**

Please email requests to Stacy Loucks at  
Nancy.kuhn@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: December 13, 2013**

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 S Locust St. Located north of the intersection of S Locust St and Hampden Ave.

3. **Requesting Agency:** PW Right of Way Engineering Services

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

- **Name:** Christine Pacheco
- **Phone:** 720-865-3115
- **Email:** [christine.pacheco@denvergov.org](mailto:christine.pacheco@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:** Nancy Kuhn
- **Phone:** 720-865-8720
- **Email:** [Nancy.kuhn@denvergov.org](mailto:Nancy.kuhn@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 S Locust 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 (Highpoint Assisted Living.)

*\*\*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:** Located north of the intersection of S Locust St and Hampden Ave.
- d. **Affected Council District:** Peggy Lehmann, Dist. 4
- 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: \_\_\_\_\_



## EXECUTIVE SUMMARY

**DENVER**  
THE MILE HIGH CITY

**Project Title: 2011-0385-04 Dedication, Highpoint Assisted Living**

**Description of Proposed Project: This request is to dedicate a parcel of land as Public Right of Way as S Locust St. Located north of the intersection of S Locust St and Hampden Ave .**

**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: No**

**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, (Highpoint Assisted Living).**

2011-0385\_S\_Locust



PROPERTY DESCRIPTION

A parcel of land conveyed by Warranty Deed to the City & County of Denver, recorded on the 26<sup>th</sup> of September 2012, by Reception No. 2012131677, in the City & County of Denver Clerk & Recorder's Office, State of Colorado, being more particularly described as follows:

That certain portion of Tract D and Lot 33, Gaiser Holly Ridge, in the City and County of Denver, State of Colorado as per plat recorded June 20, 1960 in plat Book 15, Pages 24-26, in the Office of the Clerk and Recorder of Arapahoe County, lying within the Southwest Quarter of Section 32, Township 4 South, Range 67 West, Sixth Principle Meridian, said City, County, and State, being more particularly described as follows:

Commencing at the Southeast corner of said Tract D, said point being the intersection of the Northerly Right-of-Way of Hampden Avenue and the Westerly Right-of-Way line of South Locust Street; Thence along the Easterly line of said Tract D and the Westerly Right of Way of said South Locust Street, North  $00^{\circ}13'14''$  West, 340.01 feet to a point that is distant 160.00 feet Southerly, measured along said Easterly line, from the Southeasterly corner of Lot 33, Block 1, said Gaiser Holly Ridge, and the Point of Beginning; Thence departing said Westerly Right-of-Way, parallel with the Southerly line of Lots 25 through 31, Block 1, said Gaiser Holly Ridge, South  $89^{\circ}46'46''$  West, 7.50 feet; Thence parallel with said Westerly Right of Way, North  $00^{\circ}13'14''$  West, 283.09 feet to an intersection with said Westerly Right of Way, being the beginning of a non-tangent curve concave Westerly having a radius of 100.00 feet, the radius point of said curve bears South  $67^{\circ}26'52''$  West; Thence Southerly along said curve and said Westerly Right of Way through a central angle of  $22^{\circ}19'54''$ , an arc length of 38.98 feet; Thence continuing along said Westerly Right of Way and tangent to said curve, South  $00^{\circ}13'14''$  East, 245.09 feet to the Point of Beginning.

Said parcel contains an area of 2,030 square feet or 0.047 acres, more or less.

WARRANTY DEED

THIS DEED, is dated Sept. 26, 2012, and is made between S-K HIGHPOINTE, LLC, A COLORADO LIMITED LIABILITY COMPANY

(whether one, or more than one), the "Grantor," of the \* CITY & County of DENVER and State of COLORADO and THE 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, CO 80202

of the CITY & County of DENVER and State of COLORADO

WITNESS, that the Grantor, for and in consideration of the sum of TEN DOLLARS & OTHER GOOD & VALUABLE CONSIDERATION ( \$ 10.00 ) ////////// DOLLARS, 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 & County of DENVER and State of Colorado, described as follows:

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

*No Doc Fee Necessary*

also known by street address as: VACANT LAND and assessor's schedule or parcel number:

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise 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 the Grantor and the Grantor's heirs and assigns, does covenant, grant, bargain, and agree to and with the Grantee, and the Grantee's heirs and assigns: that at the time of the sealing and delivery of these presents, the Grantor is well seized of the premises above described; has good, sure, perfect, absolute and indefeasible estate of inheritance, in law and in fee simple; and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid; and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, except and subject to  none; or  the following matters:

And the Grantor shall and will WARRANT AND FOREVER 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 or persons claiming the whole or any part thereof.

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

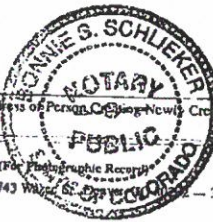
\_\_\_\_\_  
S-K HIGHPOINTE, LLC  
BY: [Signature]  
TITLE: Manager

STATE OF COLORADO }  
City & County of Denver } ss.

The foregoing instrument was acknowledged before me this 26th day of September, 2012, by John M. Sevo, manager of S-K Highpointe, LLC.

Witness my hand and official seal.  
My commission expires:

11-13-2014  
\*Insert "City and" if applicable.



Bonnie S. Schlieker  
Notary Public

Name and Address of Person Creating New or Corrected Legal Description (838-35-106.5, C.R.S.) 49a 939-2

EXHIBIT "A"

### PROPERTY DESCRIPTION

THAT CERTAIN PORTION OF TRACT D AND LOT 33, GAISER HOLLY RIDGE, IN THE CITY AND COUNTY OF DENVER, STATE OF COLORADO AS PER PLAT RECORDED JUNE 20, 1960 IN PLAT BOOK 15, PAGES 24-26, IN THE OFFICE OF THE CLERK AND RECORDER OF ARAPAHOE COUNTY, LYING WITHIN THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 4 SOUTH, RANGE 67 WEST, SIXTH PRINCIPLE MERIDIAN, SAID CITY, COUNTY AND STATE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID TRACT D, SAID POINT BEING THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY OF HAMPDEN AVENUE AND THE WESTERLY RIGHT-OF-WAY LINE OF SOUTH LOCUST STREET;

THENCE ALONG THE EASTERLY LINE OF SAID TRACT D AND THE WESTERLY RIGHT OF WAY OF SAID SOUTH LOCUST STREET, NORTH 00°13'14" WEST, 340.01 FEET TO A POINT THAT IS DISTANT 160.00 FEET SOUTHERLY, MEASURED ALONG SAID EASTERLY LINE, FROM THE SOUTHEASTERLY CORNER OF LOT 33, BLOCK 1, SAID GAISER HOLLY RIDGE, AND THE POINT OF BEGINNING;

THENCE DEPARTING SAID WESTERLY RIGHT-OF-WAY, PARALLEL WITH THE SOUTHERLY LINE OF LOTS 25 THROUGH 31, BLOCK 1, SAID GAISER HOLLY RIDGE, SOUTH 89°48'46" WEST, 7.50 FEET;

THENCE PARALLEL WITH SAID WESTERLY RIGHT OF WAY, NORTH 00°13'14" WEST, 283.09 FEET TO AN INTERSECTION WITH SAID WESTERLY RIGHT OF WAY, BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 100.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 67°26'52" WEST;

THENCE SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY RIGHT OF WAY THROUGH A CENTRAL ANGLE OF 22°19'54", AN ARC LENGTH OF 38.98 FEET;

THENCE CONTINUING ALONG SAID WESTERLY RIGHT OF WAY AND TANGENT TO SAID CURVE, SOUTH 00°13'14" EAST, 245.09 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS AN AREA OF 2,030 SQUARE FEET OR 0.047 ACRES, MORE OR LESS.

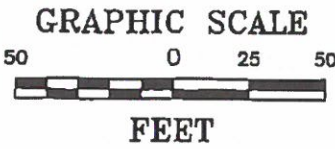
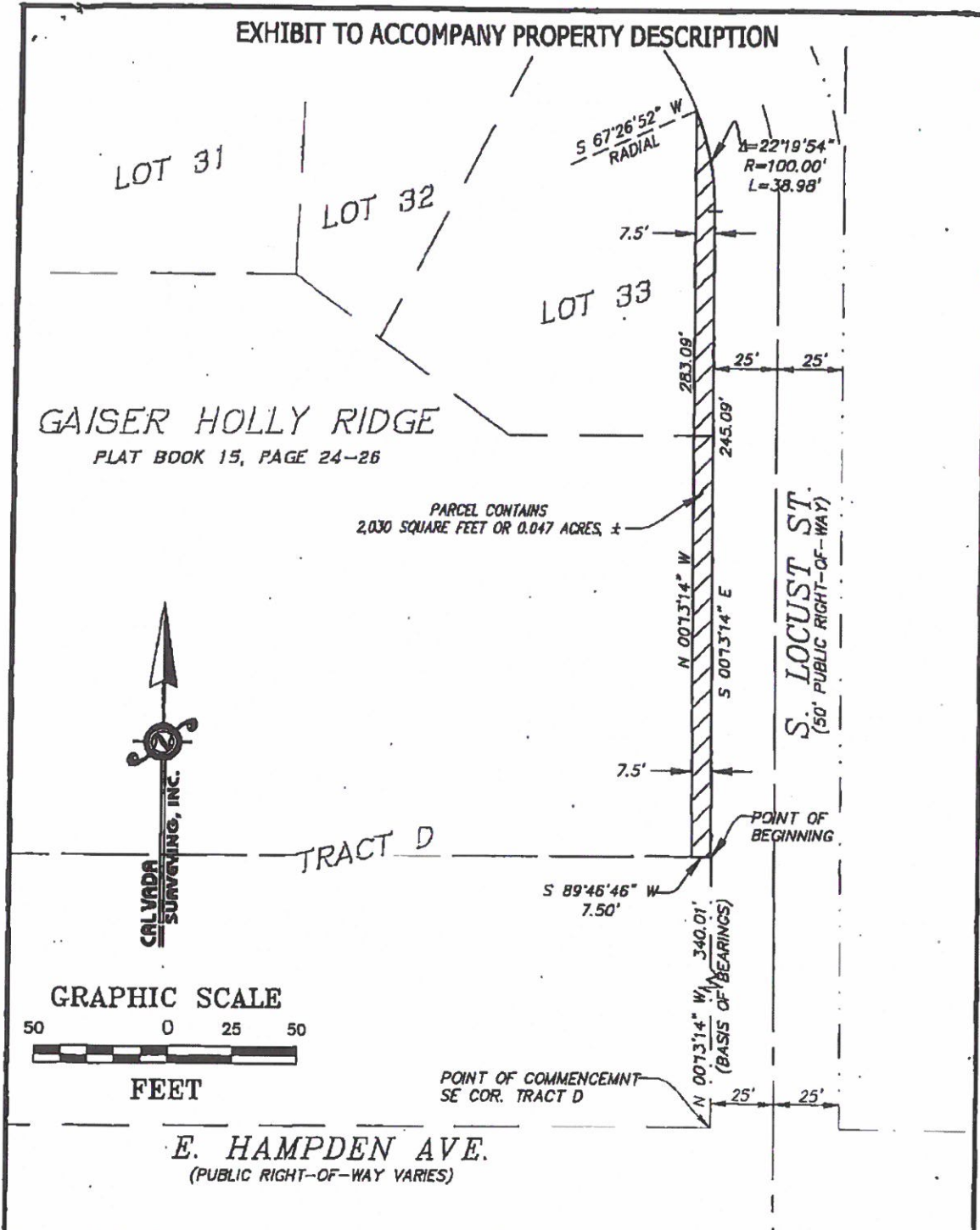
AS SHOWN ON THE ATTACHED EXHIBIT TO ACCOMPANY PROPERTY DESCRIPTION.



ROBERT D. SNODGRASS, PLS 36580  
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR  
FOR AND BEHALF OF CALVADA SURVEYING, INC.  
6551 S. REVERE PARKWAY, SUITE 165  
CENTENNIAL, CO 80111

A handwritten signature or scribble, possibly in black ink, located at the bottom right of the page.

EXHIBIT TO ACCOMPANY PROPERTY DESCRIPTION



**CALVADA**  
**SURVEYING, INC.**

SHEET 2 OF 2

JOB NO. 11149  
DATE: 3/26/12  
SCALE: 1" = 50'