Denver Public Works
Plan Review Services

201 W Colfax Ave, Dept. 507
Denver, CO 80202
p: 720.865.2782
e: Denver.ROW@denvergov.org
www.denvergov.org/PWPRS

DENVER
THE MILE HIGH CITY

REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Caroline Martin, City Attorney's Office

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

DATE: November 21, 2016

ROW #: 2016-Dedication-0000242 **SCHEDULE #:** 0503622042000

TITLE: This request is to dedicate a parcel of land as Public Right of Way as Broadway. Located at the intersection of W. 6th Ave. and Broadway.

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 Broadway. 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 **(601 Broadway)**

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 Broadway. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2016-Dedication-0000242) HERE.

A map of the area to be dedicated is attached.

RD/JL/BLV

cc: Asset Management, Steve Wirth
City Councilperson & Aides, Paul Lopez District # 3
Council Aide Adriana Magana
Council Aide Jesus Orrantia
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, Rob Duncanson
Department of Law, Brent Eisen
Department of Law, Shaun Sullivan
Department of Law, Caroline Martin
Department of Law, Cindy Cooley
Public Works Survey, John Lautenschlager
Public Works Survey, Paul Rogalla
Owner: City and County of Denver
Project file folder 2016-Dedication-0000242

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: November 21, 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 Broadway.
   Located at the intersection of W. 6th Ave. and Broadway

3. **Requesting Agency:** Public Works – Right-of-Way Services / Survey

4. **Contact Person:** (W*ith actual knowledge of proposed ordinance/resolution.)*
   - **Name:** Barbara Valdez
   - **Phone:** 720-865-3153
   - **Email:** Barbara.Valdez@denvergov.org

5. **Contact Person:** (W*ith 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 Broadway. 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 **(601 Broadway)**

***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:** Broadway at W. 6th Ave.
   d. **Affected Council District:** Paul Lopez Dist. 3
   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-0000242, 601 Broadway

Description of Proposed Project:Dedicate a parcel of public right of way as Broadway

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, 601 Broadway.

DENVER
THE MILE HIGH CITY

Broadway at W. 6th

Legend

- Active Addresses
  - Associated
  - Land
  - Structure
  - Utility
- Streams
- Irrigation Ditches Reconstructe 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

75 0 37.5 75 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

© City and County of Denver

1: 588

Map Generated 11/21/2016

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.

PW Legal Description No.2016-Dedication-0000242-001

The easterly 3.00 feet except the southerly 8.00 feet of that parcel of land conveyed by Special Warranty Deed to the City and County of Denver, recorded on the 12th of February 2015, by Reception Number 2015016983 in the City and County of Denver Clerk & Recorder's Office, State of Colorado, being described as follows:

A parcel of land being a part of Lots 16 through 27, inclusive, Block 17 in Whitsitt's Addition to Denver, and portions of the vacated alley contiguous with said Lots 21 and 22, all situated in Section 3, Township 4 South, Range 68 West of the 6th Principal Meridian, City and County of Denver, State of Colorado, being more particularly described as follows:

Beginning at the southwest corner of said Lot 22 and considering the south line of said Block 17, and assumed to bear North 89°46'10" West with all the bearings contained herein being related thereto; thence North 0°14'30" West along the west line of said Lot 22 through 27, inclusive, a distance of 149.11 feet to the northwest corner of said Lot 27; thence south 89°51'54" East along the north line of Said Lot 27, a distance of 2.00 feet to a point on a line being 2.00 feet east of and parallel with the west line of said Lots 22 through 27; thence South 0°14'30" East along said parallel line, a distance of 141.12 feet to a point being 8.00 feet north of and parallel with the south line of said Lot 21, the south line of said vacated alley, and the south line of said Lot 22; thence South 89°46'10" East along said parallel line, a distance of 307.13 feet to a point on a line being 3.00 feet west of the west line of a parcel of land conveyed for right-of-way purposes in Book 2087 at Page 7; thence North 00°51'13" East along said parallel line a distance of 141.64 feet to a point on the north line of said Lot 16; thence South 89°51'54" East along said north line, a distance of 3.00 feet to a point on the west line of said conveyed right-of-way; thence South 0°51'13" West along said west line, a distance of 149.64 feet to a point on the south line of said Lot 21; thence North 89°46'10" West along the south line of said Lot 21, the south line of said vacated alley, and the south line of said Lot 22, a distance of 311.98 feet to the Point of Beginning: containing a calculated area of 3,204 square feet, or 0.07 acres more or less.

02/12/2015 01:54 PM R $0.00 2015016983
City & County of Denver WD Page: 1 of 4
D $0.00

Asset Mgmt. #: 15-020

Asset Management Approved By: Date: 2-12-15

SPECIAL WARRANTY DEED

THIS DEED, is dated February 6, 20 15, and is made between
Denver Health and Hospital Authority, a political subdivision of the State of Colorado
660 Bannock Street
Denver, Colorado 80204
~~a corporation duly organized and existing under and by virtue of the laws of the State of Delaware~~
, 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 DOLLARS, ($ 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 DESCRIPTIONS SEE EXHIBITS "A" ATTACHED HERETO AND MADE A PART OF THIS GENERAL WARRANTY DEED.

ROW 6th & Broadway

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 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 or persons claiming the whole or any part thereof, by, through or under the Grantor except and subject to: ☐ none; or ☒ the following matters:

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

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

ATTEST:

Its: General Counsel

GRANTOR:

Denver Health and Hospital Authority

By:

Name: Peg Burnette

Its: Chief Financial Officer

STATE OF COLORADO }
} ss.
County of Denver }

The foregoing instrument was acknowledged before me this 6th day of February, 2015, by Scott A. Hope as the General Counsel and by Peg Burnette as the Chief Financial Officer of the Grantor, on behalf of the corporation.

JULIE W. SON NOTARY PUBLIC STATE OF COLORADO

Witness my hand and official seal.
My commission expires: 11/13/2018

Notary Public

*Insert "City and" if applicable.

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

EXHIBIT A

DESCRIPTION

ROW Project No. 2014-0873-03
Legal Description No. 2014-0873-03-001

SITUATED IN SECTION 3, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M. CITY AND COUNTY OF DENVER, STATE OF COLORADO.

LEGAL DESCRIPTION:

A PARCEL OF LAND BEING A PART OF LOTS 16 THROUGH 27, INCLUSIVE, BLOCK 17 IN WHITSITT'S ADDITION TO DENVER, AND PORTIONS OF THE VACATED ALLEY CONTIGUOUS WITH SAID LOTS 21 AND 22, ALL SITUATED IN SECTION 3, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 22 AND CONSIDERING THE SOUTH LINE OF SAID BLOCK 17, BEING MONUMENTED AS SHOWN HEREON AND ASSUMED TO BEAR NORTH 89°46'10" WEST WITH ALL BEARING CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE NORTH 0°14'30" WEST ALONG THE WEST LINE OF SAID LOTS 22 THROUGH 27, INCLUSIVE, A DISTANCE OF 149.11 FEET TO THE NORTHWEST CORNER OF SAID LOT 27;

THENCE SOUTH 89°51'54" EAST ALONG THE NORTH LINE OF SAID LOT 27, A DISTANCE OF 2.00 FEET TO A POINT ON A LINE BEING 2.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID LOTS 22 THROUGH 27;

THENCE SOUTH 0°14'30" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 141.12 FEET TO A POINT ON A LINE BEING 8.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID LOT 21, THE SOUTH LINE OF SAID VACATED ALLEY, AND THE SOUTH LINE OF SAID LOT 22;

THENCE SOUTH 89°46'10" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 307.13 FEET TO A POINT ON A LINE BEING 3.00 FEET WEST OF THE WEST LINE OF A PARCEL OF LAND CONVEYED FOR RIGHT-OF-WAY PURPOSES IN BOOK 2087 AT PAGE 7;

THENCE NORTH 00°51'13" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 141.64 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 16;

THENCE SOUTH 89°51'54" EAST ALONG SAID NORTH LINE, A DISTANCE OF 3.00 FEET TO A POINT ON THE WEST LINE OF SAID CONVEYED RIGHT-OF-WAY;

THENCE SOUTH 00°51'13" WEST ALONG SAID WEST LINE, A DISTANCE OF 149.64 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 21;

THENCE NORTH 89°46'10" WEST ALONG THE SOUTH LINE OF SAID LOT 21, THE SOUTH LINE OF SAID VACATED ALLEY, AND THE SOUTH LINE OF SAID LOT 22, A DISTANCE OF 311.98 FEET TO THE POINT OF BEGINNING;

CONTAINING A CALCULATED AREA OF 3,204 SQUARE FEET, OR 0.07 ACRES MORE OR LESS.

COLORADO LICENSED PROFESSIONAL LAND SURVEYOR 19003 10/10/14

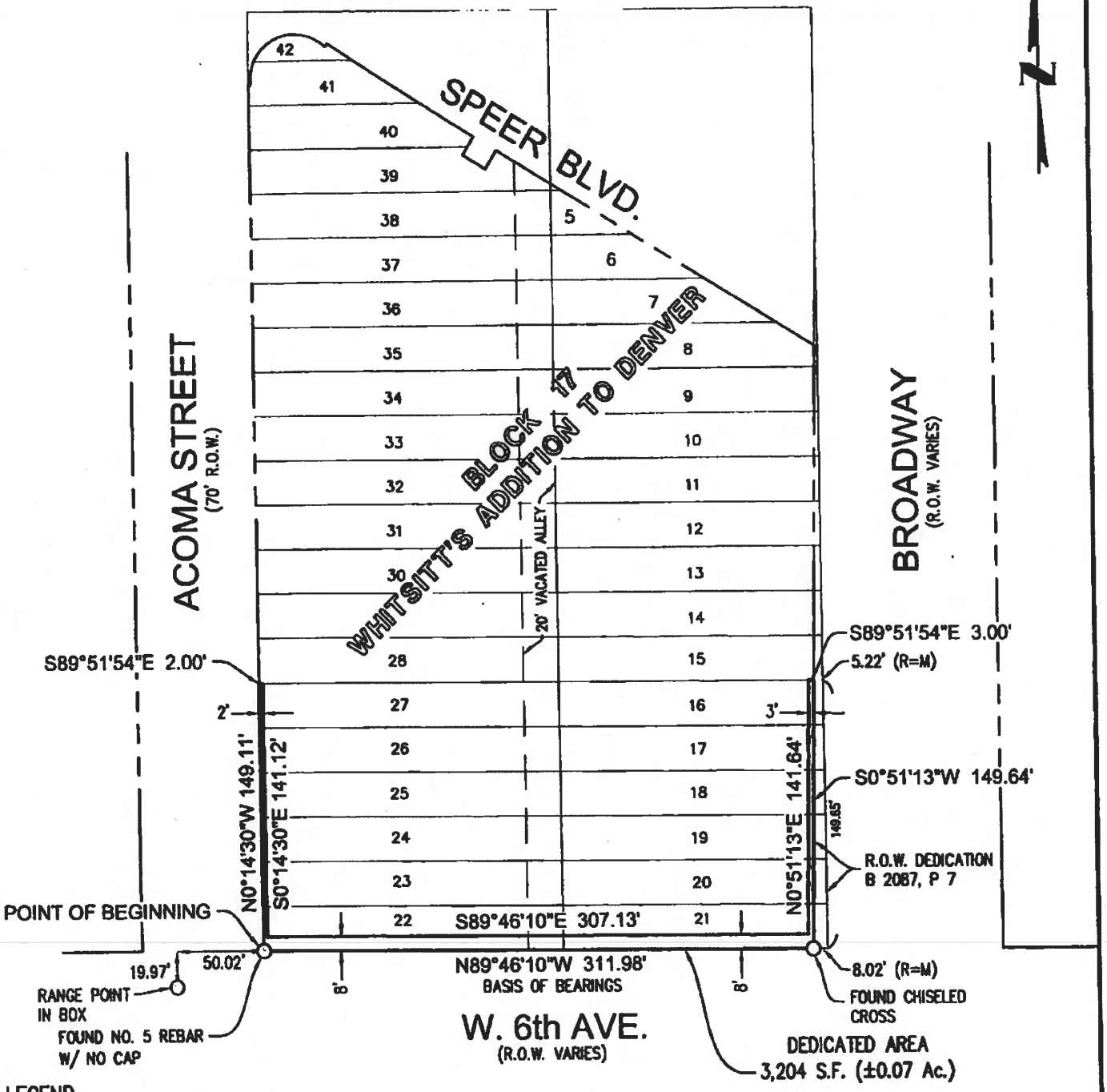
GEORGE G. SMITH, PLS NO. 19003
FOR AND ON BEHALF OF:
HARRIS KOCHER SMITH

	RIGHT-OF-WAY DEDICATION	NW CORNER 6TH & BROADWAY CITY & COUNTY OF DENVER STATE OF COLORADO	HARRIS KOCHER SMITH	DSN'D BY: SCT CHK'D BY: GGS DRAWN BY: SCT JOB NUM: 140711 SHEET 1

ROW Project No. 2014-0873-03
Legal Description No. 2014-0873-03-001

EXHIBIT

SITUATED IN SECTION 3, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M.
CITY AND COUNTY OF DENVER, STATE OF COLORADO.



LEGEND

O FOUND MONUMENT AS DESCRIBED
(R=M) RECORD = MEASURED

NOTE:
THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED LAND SURVEY.
IT IS INTENDED TO DEPICT ONLY THE ATTACHED LEGAL DESCRIPTION.

80 0 80 160
SCALE: 1"=80'

NO CHANGES ARE TO BE MADE TO THIS DRAWING WITHOUT WRITTEN PERMISSION OF HARRIS KOCHER SMITH

ISSUE DATE: 10-10-2014					
DATE	REVISION COMMENTS	RIGHT-OF-WAY DEDICATION	NW CORNER 6TH & BROADWAY CITY & COUNTY OF DENVER STATE OF COLORADO	HARRIS KOCHER SMITH 1120 Lincoln Street, Suite 1000 Denver, Colorado 80203 P: 303-623-6300 F: 303-623-6311	DSN'D BY: SCT CHK'D BY: GGS DRAWN BY: SCT JOB NUM: 140711 SHEET NO 2 2 OF 2