



## 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:** June 1, 2018

**ROW #:** 2018-Dedication-0000087      **SCHEDULE #:** 0227125014000 & 0227125016000

**TITLE:** This request is to dedicate a parcel of land as Public Right of Way as Festival St.  
Located near the intersection of 35<sup>th</sup> St. and Delgany 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 Festival 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 (**Festival Park**)

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 Festival St. The land is described as follows.

### **INSERT PARCEL DESCRIPTION ROW # (2018-Dedication-0000087-001) HERE.**

A map of the area to be dedicated is attached.

MB/PR/BV

cc: Asset Management, Curtis Anthony  
City Councilperson & Aides, Albus Brooks District # 9  
Council Aide Chy Montoya  
Council Aide Emily Brown  
Council Aide Evelyn Barnes  
City Council Staff, Zach Rothmier  
Environmental Services, David Erickson  
Public Works, Manager's Office, Alba Castro  
Public Works, Manager's Office, Sarah Stanek  
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, Paul Rogalla  
Owner: City and County of Denver  
Project file folder 2018-Dedication-0000087

## ORDINANCE/RESOLUTION REQUEST

Please email requests to Sarah Stanek  
at [sarah.stanek@DenverGov.org](mailto:sarah.stanek@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: June 1, 2018

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 Festival St.  
Located near the intersection of 35<sup>th</sup> St. and Delgany 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:** Sarah Stanek
- **Phone:** 720-865-8713
- **Email:** Sarah.stanek@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 Festival 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 (**Festival Park**)

**\*\*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:** 35<sup>th</sup> St. and Delgany St.
- d. **Affected Council District:** Albus Brooks Dist. #9
- 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: \_\_\_\_\_



**DENVER**  
THE MILE HIGH CITY

## EXECUTIVE SUMMARY

**Project Title: 2018-Dedication-0000087, Festival Park**

**Description of Proposed Project: Dedicate a parcel of land as public right of way as Festival St.**

**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, Festival Park.**



### Legend

-  Streams
-  Streets
-  Alleys
- Railroads
  -  Main
  -  Yard
  -  Spur
  -  Siding
  -  Interchange track
  -  Other
-  Bridges
- Rail Transit Stations
  -  Existing
  -  Planned
-  Park-N-Ride Locations
-  Lakes
-  County Boundary
-  Parcels



**PARCEL DESCRIPTION**

A parcel of land situated in the SE ¼ of Section 22, Township 3 South, Range 68 West of the 6<sup>th</sup> Principal Meridian, City and County of Denver, State of Colorado, more particularly described as follows:

The southeasterly 25 feet of the land described in a warranty deed recorded February 7, 2003 at reception number 2003021094;

Together with

The southeasterly 25 feet of the land described in a warranty deed recorded April 21, 2011 at reception number 2011044032, both in the records of the Clerk and Recorder of the City and County of Denver, Colorado.

Prepared for and on behalf of  
The City and County of Denver  
201 W. Colfax Ave., Suite 507  
Denver Colorado 80202  
By Paul R. Rogalla, PLS 38249  
May 30, 2018

WARRANTY DEED

THIS DEED, dated this 7<sup>th</sup> day of February 2003, between William L. Dell whose legal address is 7135 South Costilla Street, Littleton, Colorado 80120 grantor, and THE CITY AND COUNTY OF DENVER, a Colorado Municipal Corporation, whose legal address is 1437 Bannock Street, Denver, Colorado 80222 of the City and County of Denver and State of Colorado, grantee:

NO DOCUMENTARY FEE  
REQUIRED

WITNESS, that the grantor, for and in consideration of the sum of ONE MILLION SIXTEEN THOUSAND AND 00/100 (\$1,016,000.00), and other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the grantee, his heirs 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:

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

Also known by street and number as: 3360 Arkins Ct., and 1930 35<sup>th</sup> St., Denver, CO  
Assessor's schedule or parcel number: 02271-25-015-000 and 02271-25-016-000

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, his heirs and assigns forever. The grantor, for it self, it's heirs and personal representatives, does covenant, grant, bargain, and agree to and with the grantee, it's heirs and assigns, that at the time of the ensealing and delivery of these presents, it is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, 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

NONE

The grantor shall and will WARRANT AND FOREVER DEFEND the above bargained premises in the quiet and peaceable possession of the grantee, his heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof.

The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

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

*William L. Dell*  
William L. Dell

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

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of February 2003 by William L. Dell.

Witness my hand and official seal.

**J E PARKER JR.**  
**NOTARY PUBLIC**  
**STATE OF COLORADO**  
My Commission Expires 11/22/2004

My commission expires:

*J E Parker Jr.*

Notary Public

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

No. 932A. Rev. 4-94. WARRANTY DEED (For Photographic Record)



2003021094

Page: 1 of 2  
02/07/2003 02:48P

City & County Of Denver WD R11.00 D0.00

LEGAL DESCRIPTION:

Portions of Lots 1 to 10 and 27 to 32, Block 15, FIRST ADDITION TO IRONTON, and the vacated alley adjacent to said lots and a portion of vacated Delgany Street adjacent to said lots, City and County of Denver, State of Colorado, more particularly described as follows:

Commencing at the N.W. Corner of Lot 1, Block 13, FIRST ADDITION TO IRONTON; thence northwesterly along the northerly line of said lot extended, 27.50 feet to the TRUE POINT OF BEGINNING; thence southwesterly on a deflection angle to the left of  $90^{\circ}00'00''$ , 137.50 feet; thence northwesterly on a deflection angle to the right of  $90^{\circ}00'00''$ , 222.14 feet; thence southwesterly on a deflection angle to the left of  $93^{\circ}55'57''$ , 88.06 feet; thence northwesterly on a deflection angle to the right of  $92^{\circ}23'21''$ , 52.11 feet to the southeasterly right-of-way line of Arkins Court; thence northeasterly on a deflection angle to the right of  $78^{\circ}09'11''$  along said right-of-way line, 217.22 feet; thence northeasterly on a deflection angle to the right of  $13^{\circ}23'35''$  along said right-of-way line, 15.44 feet to the northerly lot line of Lot 1, Block 15, FIRST ADDITION TO IRONTON; thence southeasterly along said lot line extended on a deflection angle of  $90^{\circ}00'00''$  to the right, 318.50 feet to the TRUE POINT OF BEGINNING. The above described parcel contains 47,316 square feet (1.0862 acres) more or less.



2003021094

Page: 2 of 2

02/07/2003 02:48P

**PROPERTY DEED**  
(General Warranty Deed)

INTERSTATE SHIPPERS SERVICE, INC., a Colorado corporation, whose address is 3400 Arkins Court, Denver, CO 80216 ("Grantor"), for the consideration of Two Million Four Hundred Three Thousand Dollars (\$2,403,000.00), and other good and valuable consideration in hand paid, the receipt and sufficiency of which is hereby acknowledged, sells and conveys to THE CITY AND COUNTY OF DENVER, whose address is 1437 Bannock Street, Room 350, Denver, CO 80202 ("Grantee"), the following real property in the City and County of Denver, State of Colorado, to wit:

Portions of Lots 6 to 27, Block 15, First Addition to Ironton, and the vacated alley adjacent to said lots and portions of vacated Delgany Street and vacated 34<sup>th</sup> Street adjacent to said lots and portions of Lots 1, 2, 3, 30, 31 and 32, Block 14, First Addition to Ironton and the vacated alley adjacent to said lots and portions of vacated Delgany Street and vacated 34<sup>th</sup> Street adjacent to said lots and a portion of the SE ¼ of the SE ¼ of Section 22, Township 3 South, Range 68 West of the 6<sup>th</sup> P.M., City and County of Denver, State of Colorado, more particularly described as follows:

Commencing at the NW corner of Lot 1, Block 13, First Addition to Ironton, thence Westerly along the Northerly line of said Lot extended 27.50 feet, thence on a deflection angle to the left of 90°00'00", 137.50 feet to the True Point of Beginning; thence continuing along said above described course 400.00 feet; thence on a deflection angle to the right of 90°00'00", 194.22 feet to the Southeasterly right-of-way line of Arkins Court; thence on a deflection angle to the right of 76°36'35" along said right-of-way line, 411.18 feet, thence on a deflection angle to the right of 103°23'25" leaving said right-of-way line, 289.44 feet to the True Point of Beginning,

Except that portion as described in Deed recorded June 21, 1994 at Reception No. 9400100725,

City and County of Denver,  
State of Colorado.

located at 3400 Arkins Court, Denver, Colorado.

TO HAVE AND TO HOLD THE SAME, together with all of Grantor's right, title and interest in and to all improvements, appurtenances, and privileges belonging or pertaining thereto, and all the estate, right, title, interest, and claim of Grantor, either in law or equity, to the use or benefit of the Grantee, its successors and assigns, subject to the easements and encumbrances listed in Exhibit 1 attached hereto and incorporated herein by this reference. Grantor shall and will warrant and forever defend the above premises in the quiet and peaceable possession of Grantee and Grantee's successors and assigns, against all and every person or person lawfully claiming the whole or any part of the above premises.



