

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

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

то:	Caroline Martin, City Attorney's Office						
FROM:	Matt Bryner, P.E. Senior Engineering Manager Right-of-Way Services						
DATE:	August 27, 2018						
ROW #:	2018-Dedication-0000052	SCHEDULE #:	0233800019000				
TITLE:	This request is to dedicate a parcel of land as Public Right of Way as part of 1 <sup>st</sup> St. Located in Block 284, West Denver Subdivision, bounded by 1 <sup>st</sup> St., W. Colfax Ave. and the South Platte River.						
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 1 <sup>st</sup> 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 ( <b>Meow Wolf</b> )						

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 1<sup>st</sup> St.. The land is described as follows.

#### INSERT PARCEL DESCRIPTION ROW # (2018-Dedication-0000052-001 & 002) HERE.

A map of the area to be dedicated is attached.

#### MB/JS/BV

Asset Management, Curtis Anthony cc: 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, Deanne Durfee Department of Law, Caroline Martin Department of Law, Stan Lechman Public Works Survey, Jon Spirk Public Works Survey, Paul Rogalla Owner: City and County of Denver Project file folder 2018-Dedication-0000052



#### **ORDINANCE/RESOLUTION REQUEST**

Please email requests to Sarah Stanek

### at 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:	August 27, 2018			
Please mark one:		☐ Bill Request	or	$\square$	<b>Resolution Request</b>					
1.	. Has your agency submitted this request in the last 12 months?									
	Yes	🖂 No								
	If yes, please ex	plain:								
2.	<b>Title:</b> (Include a concise, one sentence <u>description</u> – please include <u>name of company or contractor</u> and <u>contract control number</u> - that clearly indicates the type of request: <b>grant acceptance, contract execution, contract amendment, municipal code change, supplemental request, etc.</b> )									
	This request is to dedicate a parcel of land as Public Right of Way as part of 1 <sup>st</sup> St. Located in Block 2, Maple Grove Subdivision, bounded by 1 <sup>st</sup> St., W. Colfax Ave. and the South Platte River.									
3.	. Requesting Agency: Public Works-Right-of-Way Services Agency Division: Survey									
4.	<ul> <li>Contact Person: (With actual knowledge of proposed ordinance/resolution.)</li> <li>Name: Barbara Valdez</li> <li>Phone: 720-865-3153</li> <li>Email: Barbara.valdez@denvergov.org</li> </ul>									
5.	<ul> <li>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.)</li> <li>Name: Sarah Stanek</li> <li>Phone: 720-865-8713</li> <li>Email: Sarah.stanek@denvergov.org</li> </ul>									
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 1 <sup>st</sup> 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 ( <b>Meow Wolf</b> )									

**\*\*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: 1<sup>st</sup> St. bounded by W. Colfax and the South Platte River
- 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.

Date Entered: \_\_\_\_

# **EXECUTIVE SUMMARY**



Project Title: 2018-Dedication-0000052, Meow Wolf

Description of Proposed Project:Dedicate a parcel of land as public right of way as 1<sup>st</sup> 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

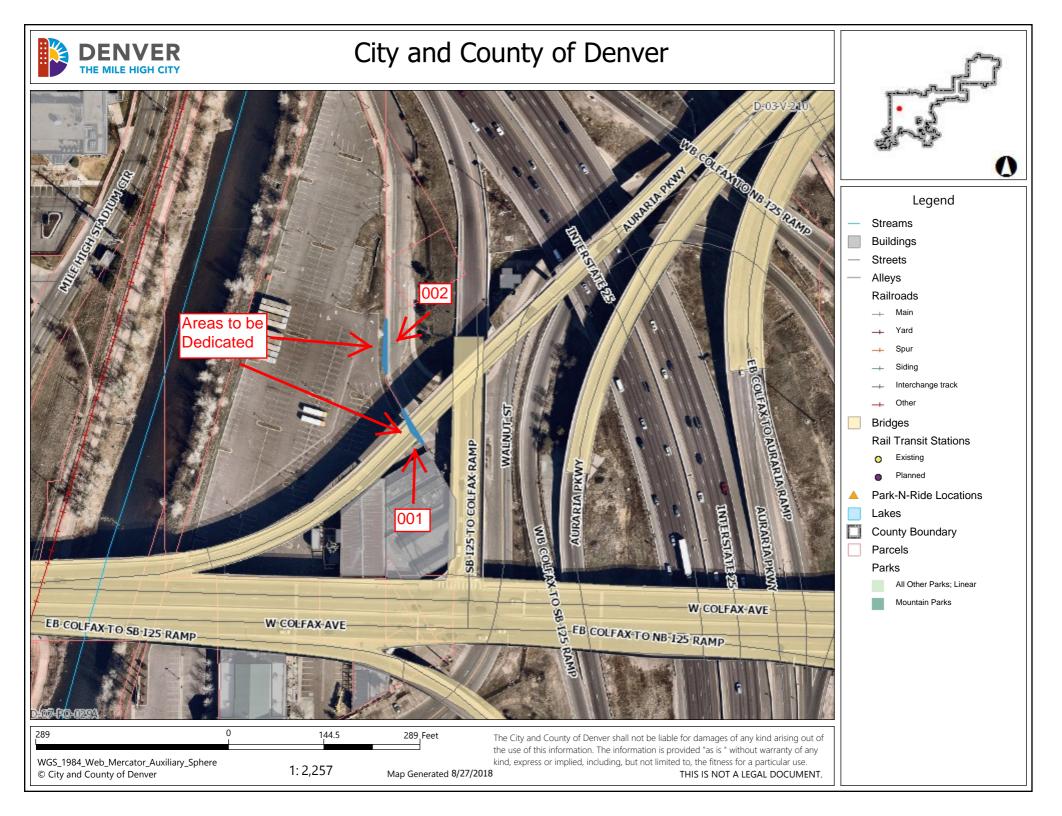
Will land be dedicated to the City if the vacation goes through:N/A

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 of dedicating it as Public Right-of-Way, as a part of a development project called Meow Wolf.





Parcels of land conveyed by Special Warranty Deed to the City and County of Denver, recorded on the 26th day of July 2018, at Reception No. 2018092440 in the City and County of Denver Clerk and Recorder's Office, State of Colorado, being more particularly described as follows:

## 2018-DEDICATION-0000052-001

A PORTION OF PARCEL TWO (AKA PARCEL A) AS DESCRIBED IN SPECIAL WARRANTY DEED RECORDED JUNE 9, 2015 AT RECEPTION NO. 2015075788 IN THE OFFICIAL RECORDS OF THE CLERK AND RECORDER, THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, LYING WITHIN BLOCK 284, WEST DENVER, A SUBDIVISION PLAT RECORDED AT BOOK 1, PAGE 1B, OF SAID OFFICIAL RECORDS SITUATED IN THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, SAID COUNTY AND STATE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE SOUTHWEST CORNER OF SAID SECTION 33, WHENCE THE WEST LINE OF SAID SECTION 33 BEARS NORTH 00°17'33" WEST WITH ALL BEARINGS REFERENCED HEREIN BEING RELATIVE THERETO.

THENCE NORTH 07°42'38" EAST, A DISTANCE OF 320.90 FEET TO THE WESTERLY RIGHT-OF-WAY OF FIRST STREET ALSO KNOWN AS JACKSON STREET AS DEPICTED ON SAID WEST DENVER AND THE **POINT OF BEGINNING**, SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 95.50 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH 37°38'09" EAST;

THENCE DEPARTING SAID WESTERLY RIGHT-OF-WAY NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 32°57'41", AN ARC LENGTH OF 54.94 FEET;

THENCE NORTH 19°24'10" WEST, A DISTANCE OF 25.93 FEET TO SAID WESTERLY RIGHT-OF-WAY;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY, SOUTH 30°34'03" EAST, A DISTANCE OF 79.39 FEET TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 0.008 ACRES, (342 SQUARE FEET), MORE OR LESS.

## 2018-DEDICATION-0000052-002

A PORTION OF PARCEL TWO (AKA PARCEL A) AS DESCRIBED IN SPECIAL WARRANTY DEED RECORDED JUNE 9, 2015 AT RECEPTION NO. 2015075788 IN THE OFFICIAL RECORDS OF THE CLERK AND RECORDER, THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, SITUATED IN THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, SAID COUNTY AND STATE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 32;

THENCE ALONG SAID EAST LINE OF SAID SECTION 32 NORTH 00°17'33" WEST, A DISTANCE OF 406.83 FEET TO THE **POINT OF BEGINNING** AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 156.76 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH 81°59'26" EAST;

THENCE DEPARTING SAID EAST LINE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 08°41'29", AN ARC LENGTH OF 23.78 FEET;

THENCE NORTH 00°40'55" EAST, A DISTANCE OF 82.14 FEET TO SAID EAST LINE;

THENCE ALONG SAID EAST LINE, SOUTH 00°17'33" EAST, A DISTANCE OF 105.84 FEET TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 0.002 ACRES, (81 SQUARE FEET), MORE OR LESS.

EXHIBIT ATTACHED AND MADE A PART HEREOF.



2018092440 Page: 1 of 6 D \$0.00

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 <u>20</u><sup>46</sup> day of <u>Jun</u>, 2018, by KSE Elitch Gardens / Revesco / Second City, LLLP, a Colorado limited liability company, whose address is 5291 East Yale Avenue., Denver, CO 80222, United States ("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.

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

## ATTEST:

KSE ELITCH GARDENS / REVESCO / SECOND CITY, LLLP a Colorado limited liability limited partnership

BY: KSE Elitch Gardens / Revesco / Second City (GP), Inc. a Colorado corporation, its Development General Partner

Name: T. Rhys Duggan Title: President

STATE OF Colorado ) SS. COUNTY OF Denver

The foregoing instrument was acknowledged before me this  $20^{+4}$  day of July, 2018 by <u>Rhys Duggan</u>, as <u>President</u> of KSE ELITCH GARDENS / REVESCO / SECOND CITY, LLLP, a Colorado limited liability limited partnership, by: KSE Elitch Gardens / Revesco / Second City (GP), Inc., a Colorado corporation, its Development General Partner.

Witness my hand and official seal.

My commission expires: Ich. 1, 2019

CHRISTINE ARMSTRONG NOTARY PUBLIC STATE OF COLORADO NOTARY ID 20114007224 MY COMMISSION EXPIRES 02/01/2019

Notary Public

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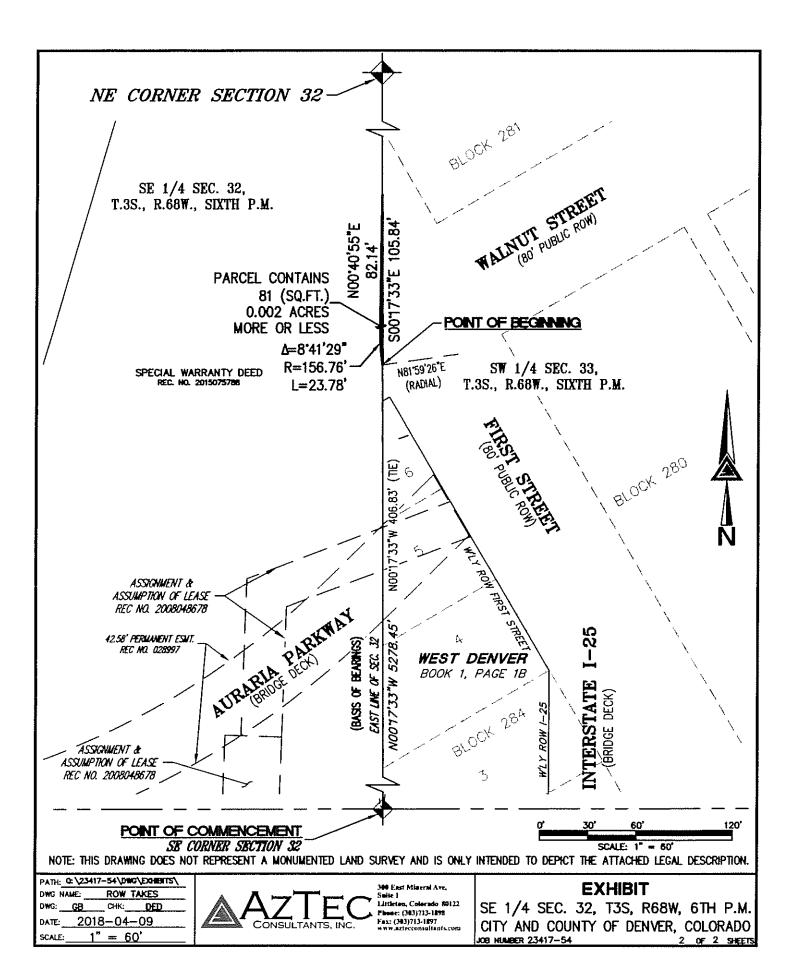
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EXHIBIT ATTACHED AND MADE A PART HEREOF.



DANIEL E. DAVIS, PLS 38256 COLORADO LICENSED PROFESSIONAL LAND SURVEYOR FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC. 300 E. MINERAL AVENUE, SUITE 1 LITTLETON, CO 80122



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