



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

**TO:** Caroline Martin, City Attorney's Office

**FROM:** Matt Bryner, Director Engineer-Architect  
Right-of-Way Services

**DATE:** May 21, 2019

**ROW #:** 2018-Dedication-0000116      **SCHEDULE #:** 0506300031000

**TITLE:** This request is to dedicate a parcel of land as Public Right of Way as W. 10<sup>th</sup> Ave.  
Located at the intersection of W. 10th Ave. and N. Zenobia 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 W. 10<sup>th</sup> Ave. 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 **(10<sup>th</sup> Avenue 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 W. 10<sup>th</sup> Ave. The land is described as follows.

### INSERT PARCEL DESCRIPTION ROW # (2018-Dedication-0000116-001) HERE.

A map of the area to be dedicated is attached.

MB/DS/bv

cc: Dept. of Real Estate, Katherine Rinehart  
City Councilperson & Aides, Paul Lopez District # 3  
Council Aide Adriana Lara  
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, Jason Gallardo  
Public Works, Right-of-Way Engineering Services, Matt Bryner  
Department of Law, Maureen McGuire  
Department of Law, Martin Plate  
Department of Law, Deanne Durfee  
Department of Law, Caroline Martin  
Department of Law, Stan Lechman  
Public Works Survey, Dana Sperling  
Public Works Survey, Paul Rogalla  
Owner: City and County of Denver  
Project file folder 2018-Dedication-0000116

## ORDINANCE/RESOLUTION REQUEST

Please email requests to Jason Gallardo  
at [jason.gallardo@DenverGov.org](mailto:jason.gallardo@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: May 21, 2019

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 W. 10<sup>th</sup> Ave.  
Located at the intersection of W. 10th Ave. and N. Zenobia 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](mailto: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:** Jason Gallardo
- **Phone:** 720-865-8713
- **Email:** [Jason.gallardo@denvergov.org](mailto:Jason.gallardo@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 W. 10<sup>th</sup> Ave. 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 (**10<sup>th</sup> Avenue 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:** 5151 W. 10<sup>th</sup> Ave.
- d. **Affected Council District:** Paul Lopez Dist. #3
- 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-0000116**

**Description of Proposed Project:** Dedicate a parcel of land as public right of way as W. 10<sup>th</sup> 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:** N/A

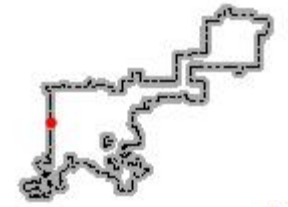
**What is the known duration of an MEP:** N/A

**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 10<sup>th</sup> Avenue Townhomes.



## Legend

-  Streams
-  Buildings
-  Streets
-  Alleys
- Railroads**
  -  Main
  -  Yard
  -  Spur
  -  Siding
  -  Interchange track
  -  Other
-  Bridges
- Rail Transit Stations**
  -  Existing
  -  Planned
-  Park-N-Ride Locations
-  Lakes
-  County Boundary
-  Parcels
- Parks**
  -  All Other Parks; Linear
  -  Mountain Parks

289 0 144.5 289 Feet



A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED 9/18/2018, AT RECEPTION NUMBER 2018118616, IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND BEING A PORTION OF A PARCEL OF LAND DESCRIBED IN BOOK 3066 AT PAGE 99 RECORDED MARCH 30, 1984, LOCATED WITHIN THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 6, 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:

BASIS OF BEARINGS: BEARINGS ARE BASED UPON A 20 FOOT RANGE LINE WITHIN 10TH AVENUE BETWEEN ZENOBIA STREET AND YATES STREET, BEING MONUMENTED AT THE INTERSECTION OF 10TH AVENUE AND ZENOBIA STREET BY A FOUND AXLE IN A RANGE BOX AND AT THE INTERSECTION OF 10TH AVENUE AND YATES STREET BY A FOUND AXLE IN A RANGE BOX, SAID RANGE LINE IS ASSUMED TO BEAR SOUTH 89°22'37" EAST A DISTANCE OF 319.79 FEET, WITH ALL BEARINGS HEREON BEING RELATIVE THERETO.

COMMENCING AT THE RANGE POINT LOCATED AT THE INTERSECTION OF ZENOBIA STREET AND 10TH AVENUE;

THENCE NORTH 52°10'48" WEST A DISTANCE OF 66.16 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 89°22'37" WEST A DISTANCE OF 70.00 FEET;

THENCE NORTH 00°13'35" EAST A DISTANCE OF 7.00 FEET;

THENCE SOUTH 89°22'37" EAST A DISTANCE OF 70.00 FEET;

THENCE SOUTH 00°13'35" WEST A DISTANCE OF 7.00 FEET TO THE POINT OF BEGINNING.

CONTAINING +/-490 SQ. FT. OR +/-0.011 ACRES.



09/18/2018 02:08 PM  
City & County of Denver

R \$28.00

WD

2018118616

Page: 1 of 4

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 18<sup>th</sup> day of September, 2018, by **5151 W10<sup>TH</sup> LLC**, a Colorado limited liability company, whose address is 4415 Winona Court, Denver, CO 80212, 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:

5151 W10<sup>TH</sup> LLC, a Colorado Limited Liability Company

By: 

Name: ENRICO CACCIORNI

Its: Manager


STATE OF Colorado )  
 ) ss.  
COUNTY OF Denver )

The foregoing instrument was acknowledged before me this 18<sup>th</sup> day of September, 2018  
by Enrico Cacciorni, as Manager of 5151 W10<sup>TH</sup> LLC, a Colorado  
Limited Liability Company.

Witness my hand and official seal.

My commission expires: 8/7/22

<b>BLANCA PRAXEDIS</b> <b>NOTARY PUBLIC</b> <b>STATE OF COLORADO</b> <b>NOTARY ID 20184031604</b> <b>MY COMMISSION EXPIRES 08/07/2022</b>
---

  
Notary Public

2017-projmstr-0000269-ROW-001

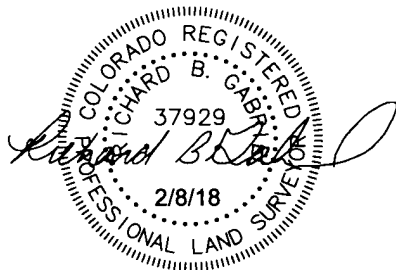
**EXHIBIT A**  
**SHEET 1 OF 2**  
**LAND DESCRIPTION**

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CONTAINING ±490 SQ. FT. OR ±0.011 ACRES.



**RICHARD BRUCE GABRIEL**  
**COLORADO P.L.S. 37929**



DRAWING BY: MB      DATE: 2-8-18  
PROJECT NO. 501-16-314

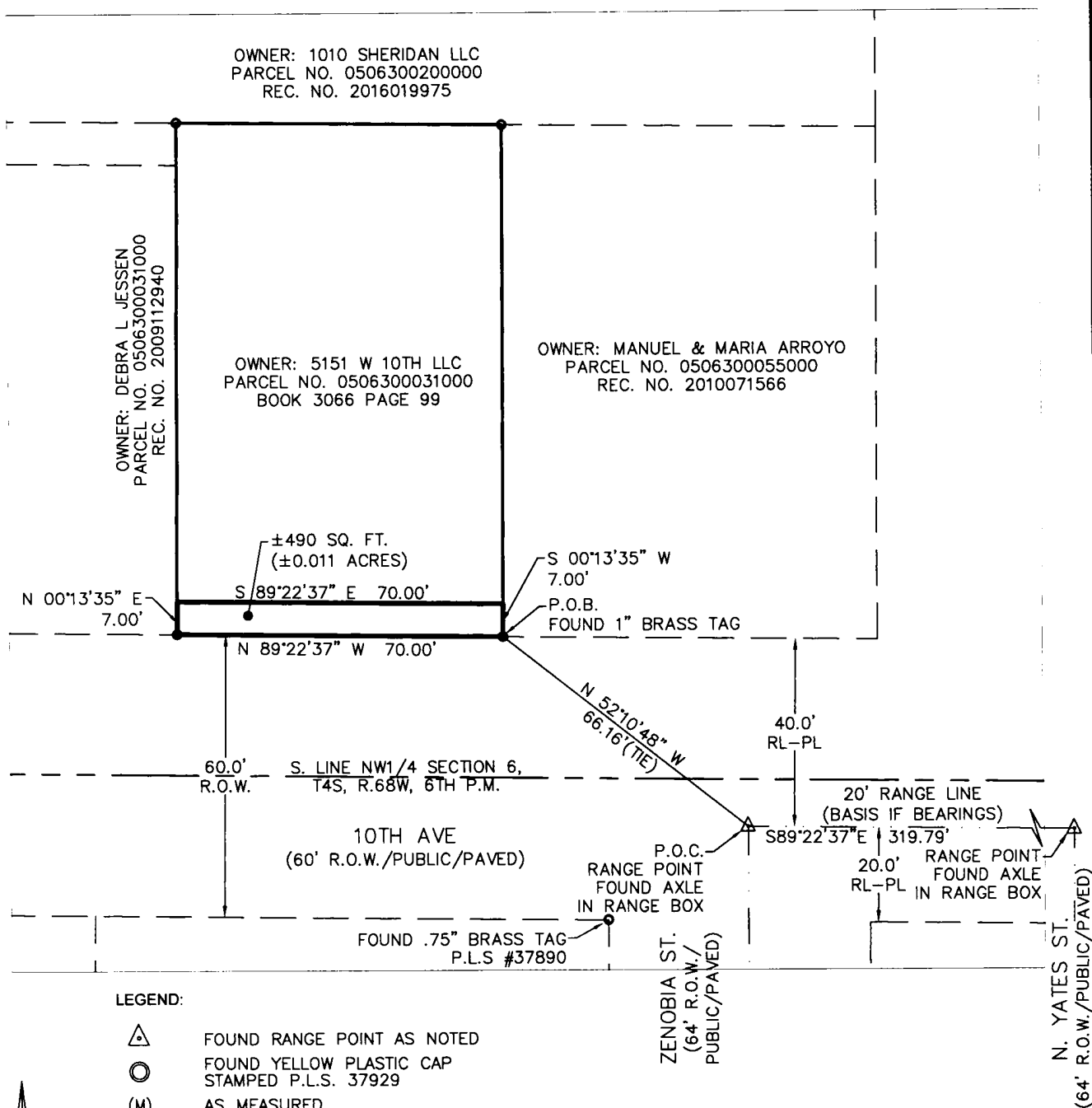
SHEET 1 OF 2



# EXHIBIT A

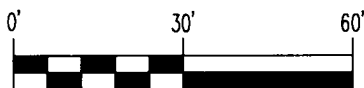
## EXHIBIT OF LEGAL DESCRIPTION

### SHEET 2 OF 2



#### LEGEND:

- △ FOUND RANGE POINT AS NOTED
- FOUND YELLOW PLASTIC CAP  
STAMPED P.L.S. 37929
- (M) AS MEASURED
- (R) RECORDED
- YPC YELLOW PLASTIC CAP
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING



SCALE: 1' = 30'

SHEET 2 OF 2



720 W. 84TH AVENUE, UNIT #240  
THORNTON, COLORADO 80280

**POWER**<sup>TM</sup>  
Surveying Company, Inc.

Established 1948

PH. 303-702-1617  
FAX. 303-702-1488  
WWW.POWERSURVEYING.COM

DRAWING BY: MB DATE: 2-8-18  
PROJECT NO. 501-16-314