

## **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:	June 3, 2019				
ROW #:	2019-Dedication-0000036         SCHEDULE #: Part of 0522616009000				
TITLE:	This request is to dedicate parcels of land as Public Right of Way as Public alley, W. Jewell Ave., and S. Bannock St. Located at the intersection of S. Bannock St. and W. Jewell 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 Public Alley, W. Jewell Ave., and S. Bannock St. These				

of thoroughfares of the municipality; i.e. as Public Alley, W. Jewell Ave., and S. Bannock St. These parcel(s) of land are being dedicated to the City and County of Denver for Public Right-of-Way, as part of the development project (SoBo58 Condominiums)

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 Public Alley, W. Jewell Ave., and S. Bannock St. The land is described as follows.

### INSERT PARCEL DESCRIPTION ROW # (2019-Dedication-0000036-001, 002 & 003) HERE.

A map of the area to be dedicated is attached.

#### MB/RE/bv

cc: Dept. of Real Estate, Katherine Rinehart City Councilperson & Aides, Jolon Clark District #7 Council Aide Maggie Thompson Council Aide Anita Banuelos 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, Ron Ellis Public Works Survey, Paul Rogalla Owner: City and County of Denver Project file folder 2019-Dedication-0000036



### **ORDINANCE/RESOLUTION REQUEST**

Please email requests to Jason Gallardo

at 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:	June 3, 2019	
Please mark one:		Bill Request	or	🛛 Reso	ution Request			
1.	1. Has your agency submitted this request in the last 12 months?							
	Yes	🖂 No						
	If yes, please ex	plain:						
2.	<ul> <li>Title: (Include a concise, one sentence <u>description</u> – please include <u>name of company or contractor</u> and <u>contract control number</u></li> <li>that clearly indicates the type of request: grant acceptance, contract execution, contract amendment, municipal code change, supplemental request, etc.)</li> </ul>							
	This request is to dedicate parcels of land as Public Right of Way as Public alley, W. Jewell Ave., and S. Bannock St. Located at the intersection of S. Bannock St. and W. Jewell Ave.							
3.	<ul> <li>Requesting Agency: Public Works-Right-of-Way Services</li> <li>Agency Division: Survey</li> </ul>							
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: Jason Gallardo</li> <li>Phone: 720-865-8713</li> <li>Email: Jason.gallardo@denvergov.org</li> </ul>							
6.	General description	/background of proposed	ordinan	ce includi	ig contract scope	of work if applicable	::	
	of the municipalit	solution for laying out, open ty; i.e. as Public Alley, W. J of Denver for Public Right-	lewell Av	ve., and S.	Bannock St. These	e parcel(s) of land are b	being dedicated to the	

**\*\*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: S. Bannock St. and W. Jewell Ave.
- d. Affected Council District: Jolon Clark Dist. #7
- 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: 2019-Dedication-0000036

Description of Proposed Project:Dedicate a parcel of land as public right of way as Public Alley, W. Jewell Ave., and S. Bannock 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

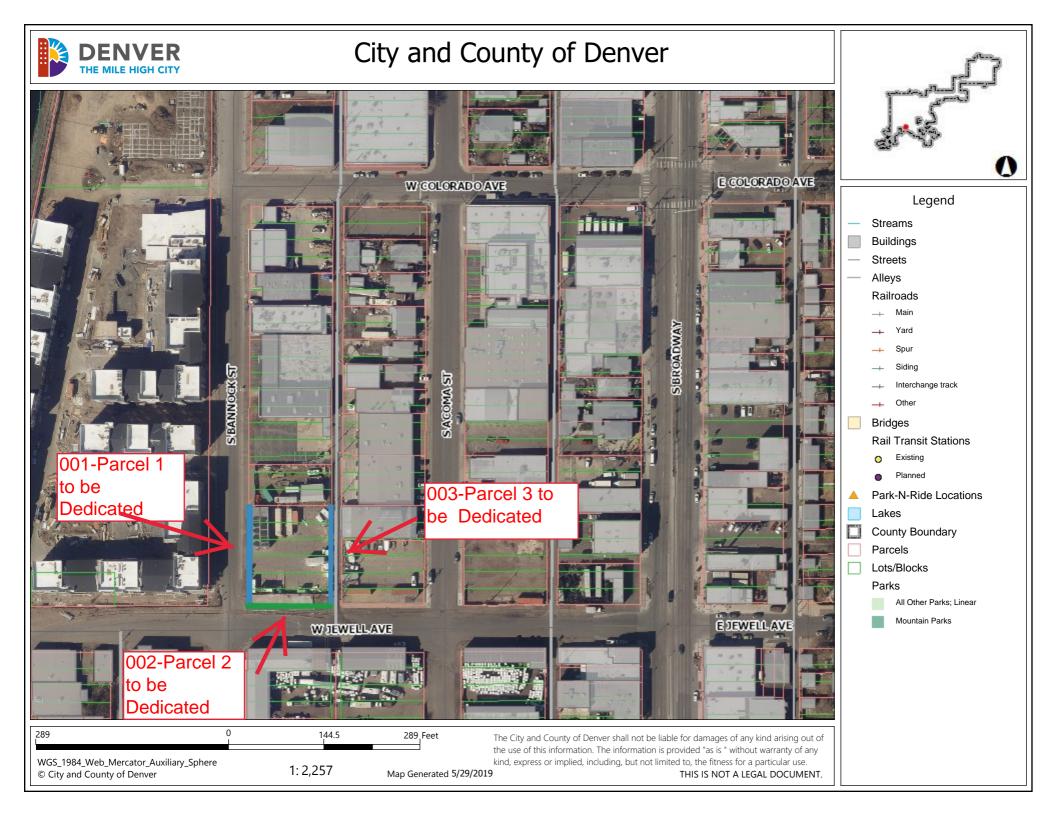
Will land be dedicated to the City if the vacation goes through:N/A

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 SoBo 58 Condominiums.





### LAND DESCRIPTION- STREET PARCEL #1

A portion of those parcels of land conveyed by Special Warranty Deed to the City and County of Denver, recorded on the 17th day of May 2019, at Reception No. 2019060297 in the City and County of Denver Clerk and Recorder's Office, State of Colorado, being more particularly described as follows:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 22, 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:

CONSIDERING THE 10 FOOT RANGE LINE ALONG WEST JEWELL AVENUE TO BEAR NORTH 89°34'18" EAST, A DISTANCE OF 326.20 FEET BETWEEN A FOUND RANGE POINT AT THE INTERSECTION OF S. BANNOCK STREET AND W. JEWELL AVENUE, BEING A 2" BRASS TAG "PLS 19003" AND A FOUND RANGE POINT AT THE INTERSECTION OF W. JEWELL AVENUE AND S. ACOMA STREET, BEING A 1" SQUARE METAL ROD, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT SAID FOUND RANGE POINT AT THE INTERSECTION OF S. BANNOCK STREET AND W. JEWELL AVENUE; THENCE NORTH 44°50'08" EAST, A DISTANCE OF 14.21 FEET TO THE SOUTHWEST CORNER OF LOT 24, BLOCK 12, OVERLAND PARK SUBDIVISION AND THE POINT BEING THE POINT OF BEGINNING.

THENCE ALONG THE WESTERLY LINE OF LOTS 19 TO 24 OF SAID BLOCK 12, NORTH 00°05'58" EAST, A DISTANCE OF 149.91 FEET TO THE NORTHWEST CORNER OF SAID LOT 19; THENCE ALONG THE NORTHERLY LINE OF SAID LOT 19, NORTH 89°33'02" EAST, A DISTANCE OF 4.00 FEET; THENCE ALONG A LINE PARALLEL WITH AND 4.00 FEET EASTERLY OF THE WESTERLY LINE OF SAID LOTS 19 TO 24, SOUTH 00°05'58" WEST, A DISTANCE OF 149.91 FEET; THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 24, SOUTH 89°34'18" WEST, A DISTANCE OF 4.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 599 SQ. FT. OR .013 ACRES, MORE OR LESS.

## LAND DESCRIPTION- STREET PARCEL #2

A portion of those parcels of land conveyed by Special Warranty Deed to the City and County of Denver, recorded on the 17th day of May 2019, at Reception No. 2019060297 in the City and County of Denver Clerk and Recorder's Office, State of Colorado, being more particularly described as follows:

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COMMENCING AT SAID FOUND RANGE POINT AT THE INTERSECTION OF S. BANNOCK STREET AND W. JEWELL AVENUE; THENCE NORTH 54°12'45" EAST, A DISTANCE OF 17.28 FEET TO A POINT 4.00 FEET EAST OF THE SOUTHWEST CORNER OF LOT 24, BLOCK 12, OVERLAND PARK SUBDIVISION AND THE POINT BEING THE POINT OF BEGINNING.

THENCE ALONG A LINE PARALLEL WITH AND 4.00 FEET EASTERLY OF THE WESTERLY LINE OF SAID LOT 24, NORTH 00°05'58" EAST, A DISTANCE OF 1.50 FEET; THENCE ALONG A LINE PARALLEL WITH AND 1.50 FEET NORTHERLY OF THE SOUTH LINE OF SAID LOT 24, NORTH 89°34'18" EAST, A DISTANCE OF 119.09 FEET; THENCE ALONG A LINE PARALLEL WITH AND 2.00 FEET WESTERLY OF THE EASTERLY LINE OF SAID LOT 24, SOUTH 00°05'24" WEST, A DISTANCE OF 1.50 FEET; THENCE ALONG THE SOUTH LINE OF SAID LOT 24, SOUTH 89°34'18" WEST, A DISTANCE OF 119.10 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 178 SQ. FT. OR .004 ACRES, MORE OR LESS.

### LAND DESCRIPTION- ALLEY PARCEL #3

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THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 24, SOUTH 89°34'18" WEST, A DISTANCE OF 2.00 FEET; THENCE ALONG A LINE PARALLEL WITH AND 2.00 FEET WESTERLY OF THE EASTERLY LINE OF SAID LOT 24, NORTH 00°05'24" EAST, A DISTANCE OF 149.95 FEET TO A POINT ON THE NORTHERLY LINE OF LOT 19, SAID BLOCK 12; THENCE ALONG SAID NORTHERLY LINE OF LOT 19, NORTH 89°33'02" EAST, A DISTANCE OF 2.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 19; THENCE ALONG THE EASTERLY LINE OF LOTS 19 TO 24 OF SAID BLOCK 12, SOUTH 00°05'24" WEST, A DISTANCE OF 149.95 FEET TO SAID SOUTHEAST CORNER OF LOT 24 AND THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 300 SQ. FT. OR .006 ACRES, MORE OR LESS.



City & County of Denver

2019060297 Page: 1 of 8 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>16</u><sup>th</sup> day of MAY , 2019, by SOBO 54 INVESTMENTS 1, LLC, a Colorado limited liability company, whose address is PO Box 103005, Denver, CO 80250 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.

2019-Dediction - 000036

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

ATTEST:

SoBo 54 Investments 1, LLC, a Colorado Limited Liability Company

By: Climythe
Name: Bufer A. Mizmas
Name: Bufer A. Mizures Its: Manzing Marber
STATE OF Colorudo,
STATE OF COlorudo ) COUNTY OF Araponoe) ss.
The foregoing instrument was acknowledged before me this $10^{10}$ day of $10^{10}$ , 2019
by Douglas Means, as Managing Heabor of SoBo 54 Investments 1, LLC a
Colorado Limited Liability Company.

Witness my hand and official seal.

My commission expires: _	2.26.2022
	Notary Public
	LAURA MUNROE NOTARY PUBLIC STATE OF COLORADO NOTARY ID 20144009198 MY COMMISSION EXPIRES 02/26/2022

# LAND DESCRIPTION - PARCEL 1

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO

SHEET 1 OF 2

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I, JOHN B. GUYTON, A LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY STATE FOR AND ON BEHALF OF FLATIRONS, INC., THAT THIS PARCEL DESCRIPTION AND ATTACHED EXHIBIT, BEING MADE A PART THEREOF, WERE PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE AT THE REQUEST OF THE CLIENT AND IS NOT INTENDED TO REPRESENT A MONUMENTED LAND SURVEY OR SUBDIVIDE LAND IN VIOLATION OF STATE STATUTE.

JOHN B. GUYTON COLORADO P.L.S. #16406 CHAIRMAN/CEO, FLATIRONS, INC. FSI JOB NO. 18-70,794

JOB NUMBER: 18-70,794 DRAWN BY: M. PERSE DATE: 04/11/2019





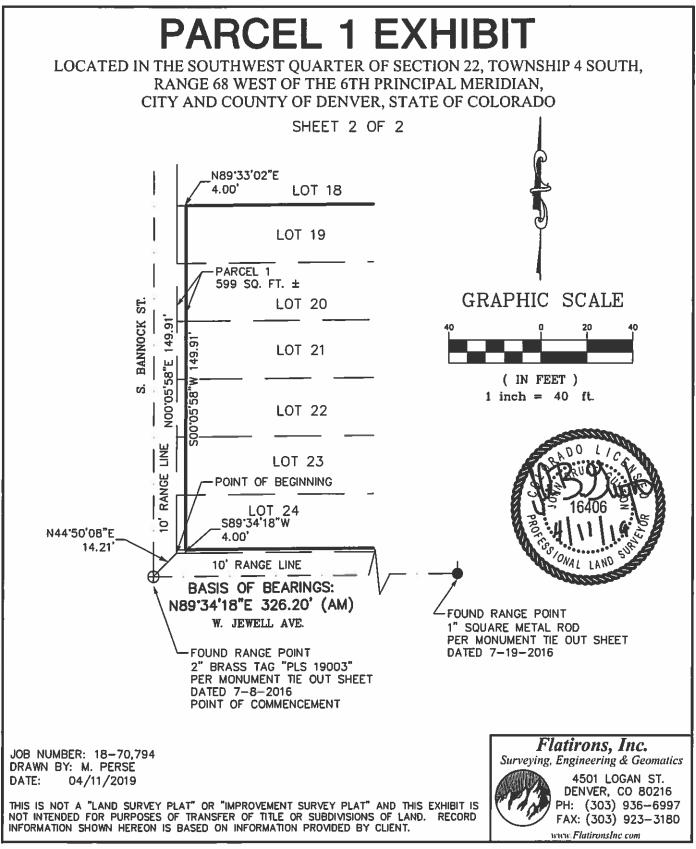
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AM

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8:1

## 2018-PROJMSTR-0000151-ROW-001



# LAND DESCRIPTION - PARCEL 2

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO

SHEET 1 OF 2

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8:14

JOHN B. GUYTON COLORADO P.L.S. #16406 CHAIRMAN/CEO, FLATIRONS, INC. FSI JOB NO. 18-70,794

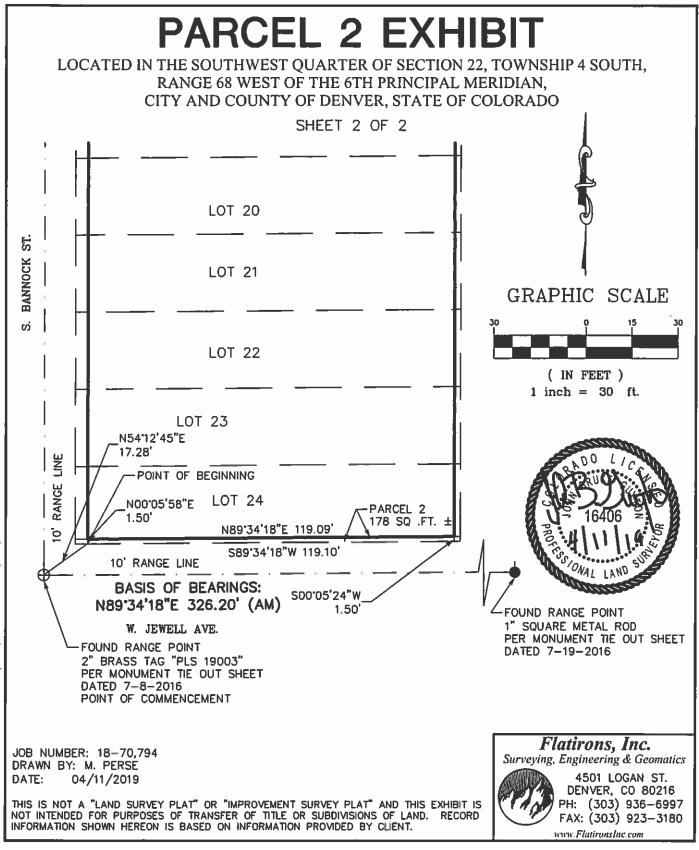
JOB NUMBER: 18-70,794 DRAWN BY: M. PERSE DATE: 04/11/2019





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# 2018-PROJMSTR-0000151-ROW-002



# LAND DESCRIPTION - PARCEL 3

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SHEET 1 OF 2

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JOB NUMBER: 18-70,794 DRAWN BY: M. PERSE DATE: 04/11/2019





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# 2018-PROJMSTR-0000151-ROW-003

