



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 12, 2019

ROW #: 2018-Dedication-0000067 **SCHEDULE #:** 0227500124000

TITLE: This request is to dedicate a parcel of land as Public Right of Way as N. Brighton Blvd.
Located at the intersection of 31st St. and N. Brighton Blvd.

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 N. Brighton Blvd. 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 **(2900 Brighton Blvd)**

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 N. Brighton Blvd. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2018-Dedication-0000067-001) HERE.

A map of the area to be dedicated is attached.

MB/JS/bv

cc: Dept. of Real Estate, Katherine Rinehart
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, 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, Jon Spirk
Public Works Survey, Paul Rogalla
Owner: City and County of Denver
Public Works Ordinance
Project file folder 2018-Dedication-0000067

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 12, 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 N. Brighton Blvd.
Located at the intersection of 31st St. and N. Brighton Blvd.

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:** Jason Gallardo
- **Phone:** 720-865-8713
- **Email:** 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 N. Brighton Blvd. 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 (**2900 Brighton Blvd**)

****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:** 31st St. and N. Brighton Blvd.
- 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-0000067

Description of Proposed Project: Dedicate a parcel of land as public right of way as N. Brighton Blvd.

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

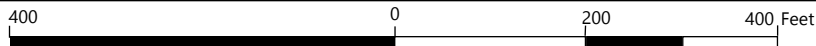
Additional information: This land was deeded to the City and County of Denver for the purpose of dedicating it as Public Right-of-Way, as a part of a development project called 2900 Brighton Blvd.



Area to be Dedicated

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



A parcel of land conveyed by Special Warranty Deed to the City and County of Denver, recorded on the 7th day of December 2018, at Reception No. 2018156312 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, BEING A PORTION OF PARCEL 2, AS DESCRIBED IN DEED RECORDED AT RECEPTION NUMBER 2017121984, LOCATED IN THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 68 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST WESTERLY CORNER OF SAID PARCEL 2, FROM WHENCE THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER OF SECTION 27 BEARS NORTH 36°58'02" WEST, A DISTANCE OF 1536.81 FEET; THENCE ON THE NORTHWESTERLY LINE OF SAID PARCEL 2, NORTH 44°58'54" EAST, A DISTANCE OF 224.64 FEET, TO THE WEST CORNER OF THAT PARCEL DESCRIBED IN DEED RECORDED AT RECEPTION NUMBER 9800114478, FROM WHENCE THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER OF SECTION 27 BEARS NORTH 45°22'21" WEST, A DISTANCE OF 1521.69 FEET; THENCE ON THE NORTHERLY LINE OF SAID PARCEL 2, SOUTH 89°59'41" EAST, A DISTANCE OF 21.20 FEET; THENCE SOUTH 44°58'54" WEST, A DISTANCE OF 239.63 FEET, TO A POINT ON THE SOUTHWESTERLY LINE OF SAID PARCEL 2; THENCE ON SAID SOUTHWESTERLY LINE, NORTH 45°01'06" WEST, A DISTANCE OF 15.00 FEET
TO THE POINT OF BEGINNING.

PARCEL CONTAINS 3,482 SQUARE FEET OR 0.080 ACRE OF LAND.

ALL LINEAL DISTANCE UNITS ARE REPRESENTED IN U.S. SURVEY FEET.

BASIS OF BEARINGS: BEARINGS ARE BASED ON THE NORTHWESTERLY LINE OF SAID PARCEL 2. SAID LINE IS ASSUMED TO BEAR NORTH 44°58'54" EAST.



12/07/2018 02:38 PM
City & County of Denver

R \$0.00

WD

2018156312

Page: 1 of 5

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 3rd day of December, 2018, by **3060 BRIGHTON OWNER, LLC**, a Delaware limited liability company, whose address is 1437 7th Street, Suite 200, Santa Monica, CA 90401, 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.

Asset Mgmt. # 18-215

Project Description: 3060 Brighton Blvd
2018-Dedication-0000067

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

ATTEST:

3060 BRIGHTON OWNER, LLC, a Delaware Limited Liability Company

By: _____

Name: Andrew J. Sobel

Its: Authorized Signatory

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ___ day of _____, 2018
by _____, as _____ of **3060 BRIGHTON OWNER, LLC**,
a Delaware Limited Liability Company.

Witness my hand and official seal.

My commission expires: _____

Notary Public

* Please see attached CA
acknowledgment.

ACKNOWLEDGMENT

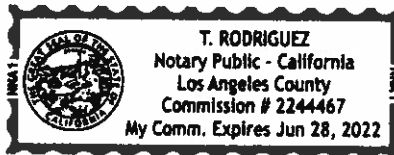
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
)SS
COUNTY OF LOS ANGELES)

On Dec. 3, 2018, before me, T. Rodriguez, Notary Public, personally appeared Andrew J. Soedel who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.




Signature of Notary Public

(Notary Seal)

**EXHIBIT A - Parcel 2
LEGAL DESCRIPTION**

A PARCEL OF LAND, BEING A PORTION OF PARCEL 2, AS DESCRIBED IN DEED RECORDED AT RECEPTION NUMBER 2017121984, LOCATED IN THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 68 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

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THENCE ON THE NORTHWESTERLY LINE OF SAID PARCEL 2, NORTH 44°58'54" EAST, A DISTANCE OF 224.64 FEET, TO THE WEST CORNER OF THAT PARCEL DESCRIBED IN DEED RECORDED AT RECEPTION NUMBER 9800114478, FROM WHENCE THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER OF SECTION 27 BEARS NORTH 45°22'21" WEST, A DISTANCE OF 1521.69 FEET; THENCE ON THE NORTHERLY LINE OF SAID PARCEL 2, SOUTH 89°59'41" EAST, A DISTANCE OF 21.20 FEET;
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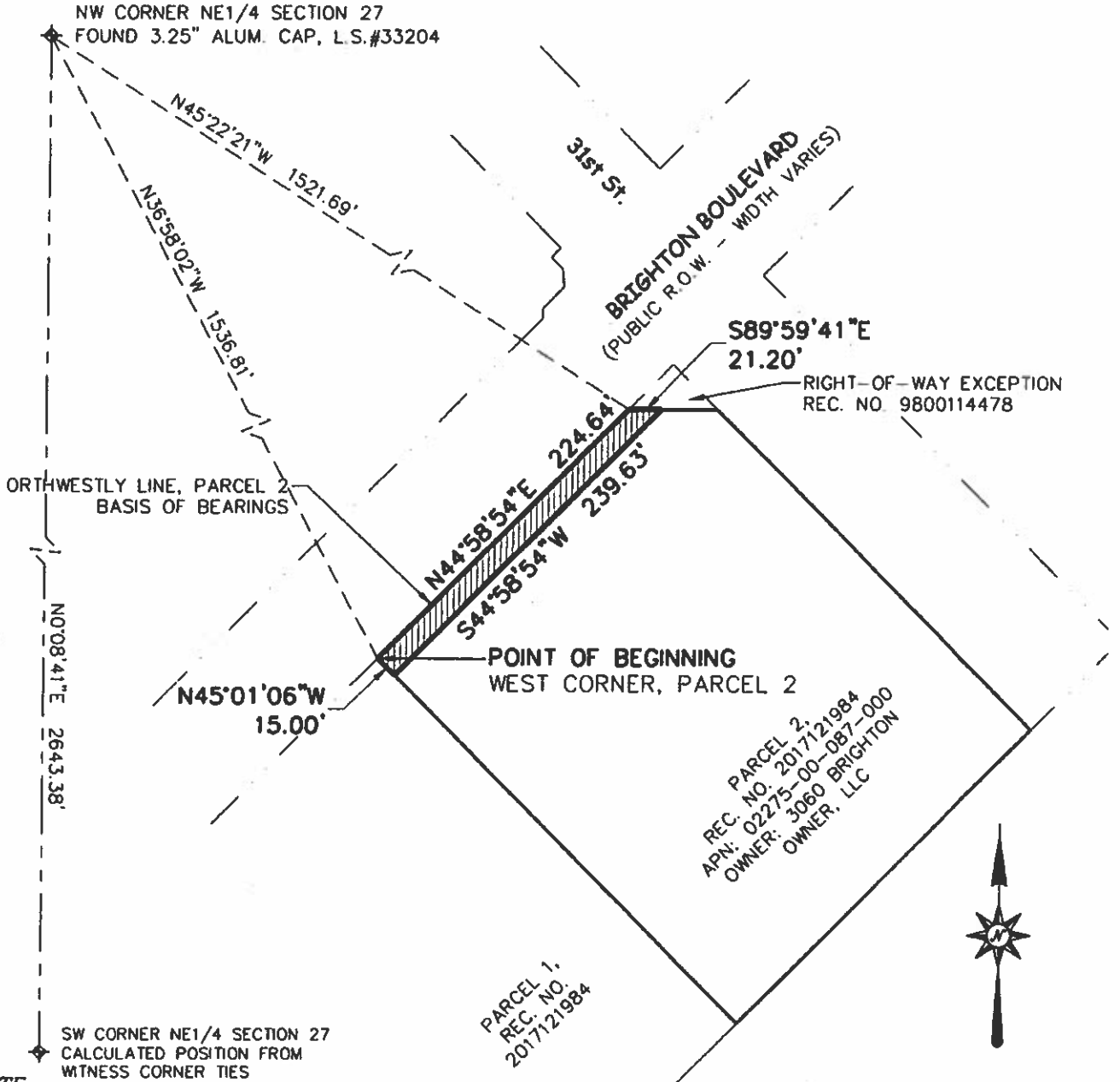
BASIS OF BEARINGS: BEARINGS ARE BASED ON THE NORTHWESTERLY LINE OF SAID PARCEL 2. SAID LINE IS ASSUMED TO BEAR NORTH 44°58'54" EAST.



FRANK A. KOHL, PLS
COLORADO REG. NO. 37067
FOR, AND ON BEHALF OF
R&R ENGINEERS-SURVEYORS, INC.
710 WEST COLFAX AVE.
DENVER, COLORADO 80204
PHONE: 303-753-6730

EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION


LOCATED IN THE NORTHEAST QUARTER OF SECTION 27
TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN,
CITY AND COUNTY OF DENVER, STATE OF COLORADO



NOTE

THIS DRAWING IS MEANT TO DEPICT THE ATTACHED LEGAL DESCRIPTION AND IS FOR INFORMATIONAL PURPOSES ONLY. IT DOES NOT REPRESENT A MONUMENTED LAND SURVEY.

PARCEL CONTAINS 3,482 SQ. FT. OR 0.080 ACRE

RIGHT-OF-WAY		Sheet 2 of 2		R&R ENGINEERS-SURVEYORS, INC. 710 WEST COLFAX AVENUE DENVER, COLORADO 80204 PH: 303-753-6730 - FAX: 303-753-6568 WWW.RRENGINEERS.COM
Date: 07/23/2018	Drawn: TPF			