



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: July 22, 2019

ROW #: 2018-Dedication-0000212 **SCHEDULE #:** 0227804231000

TITLE: This request is to dedicate a parcel of land as Public Right of Way as N. Inca St.
Located near the intersection of W. 29th Ave. and N. Inca 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 N. Inca 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 (**X Denver II**)

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. Inca St. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2018-Dedication-0000212-001) HERE.

A map of the area to be dedicated is attached.

MB/JS/bv

cc: Dept. of Real Estate, Katherine Rinehart
City Councilperson & Aides, Candi CdeBaca District # 9
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
Public Works Ordinance
Owner: City and County of Denver
Project file folder 2018-Dedication-0000212

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: July 22, 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.**)

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Located near the intersection of W. 29th Ave. and N. Inca 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:** 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. Inca 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 (**X Denver II**)

****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:** W. 29th Ave. and N. Inca St.
- d. **Affected Council District:** Candi CdeBaca 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: _____



EXECUTIVE SUMMARY

DENVER
THE MILE HIGH CITY

Project Title: 2018-Dedication-0000212

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

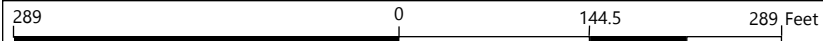
Will an easement relinquishment be submitted at a later date: N/A

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 X Denver II.



Legend

- Well Restrictions
- Barrier Restrictions
- Area Restrictions**
 - Liner
 - Sheet Pile Wall Area
- 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; Liner
 - Mountain Parks



A parcel of land conveyed by Special Warranty Deed to the City and County of Denver, recorded on the 28th day of January 2019, at Reception No. 2019009362 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 Lots 44 through 49, inclusive, Block 7, Hoyt and Robinson's Addition to Denver, situated in the Southeast Quarter of Section 28, Township 3 South, Range 68 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado, more particularly described as follows:

Beginning at the Southwest Quarter Corner of said Lot 49;
Thence North $00^{\circ}25'19''$ West along the west line of said Block 7, a distance of 143.30 feet to a point 7.00 feet south of the northwest corner of said Lot 44;
Thence North $89^{\circ}43'40''$ East along a line 7.00 feet south of and parallel with the north line of said Lot 44, a distance of 4.00 feet;
Thence South $00^{\circ}25'19''$ East along a line 4.00 feet east of and parallel with the west line of said Block 7, a distance of 143.30 feet to a point on the south line of said Lot 49;
Thence South $89^{\circ}43'50''$ West along said line, a distance of 4.00 feet to the Point of Beginning.

Said parcel contains 573 square feet or 0.01 acres, more or less.

Basis of Bearings: Bearings are based on the 28-foot range line in Inca Street between 29th Avenue and the BNSF Railroad, monumented by a bare #8 rebar in range box at each end, assumed to bear South $00^{\circ}25'19''$ East.



01/28/2019 02:20 PM
City & County of Denver

R \$0.00

WD

2019009362

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 24th day of January, 2019, by **ENR DENVER INVESTMENT 2.0, LLC**, a Delaware limited liability company, whose address is 308 W. Erie Street, Suite 400 Chicago, IL 60654, 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. # 19-15

Subject Description:
2018-Ded Co 101 - 000212
3000 Inca St.

EXHIBIT "A"
LEGAL DESCRIPTION

A parcel of land being a portion of Lots 44 through 49, inclusive, Block 7, Hoyt and Robinson's Addition to Denver, situated in the Southeast Quarter of Section 28, Township 3 South, Range 68 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado, more particularly described as follows:

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Prepared by: Aaron Murphy, PLS
Colorado PLS No. 38162

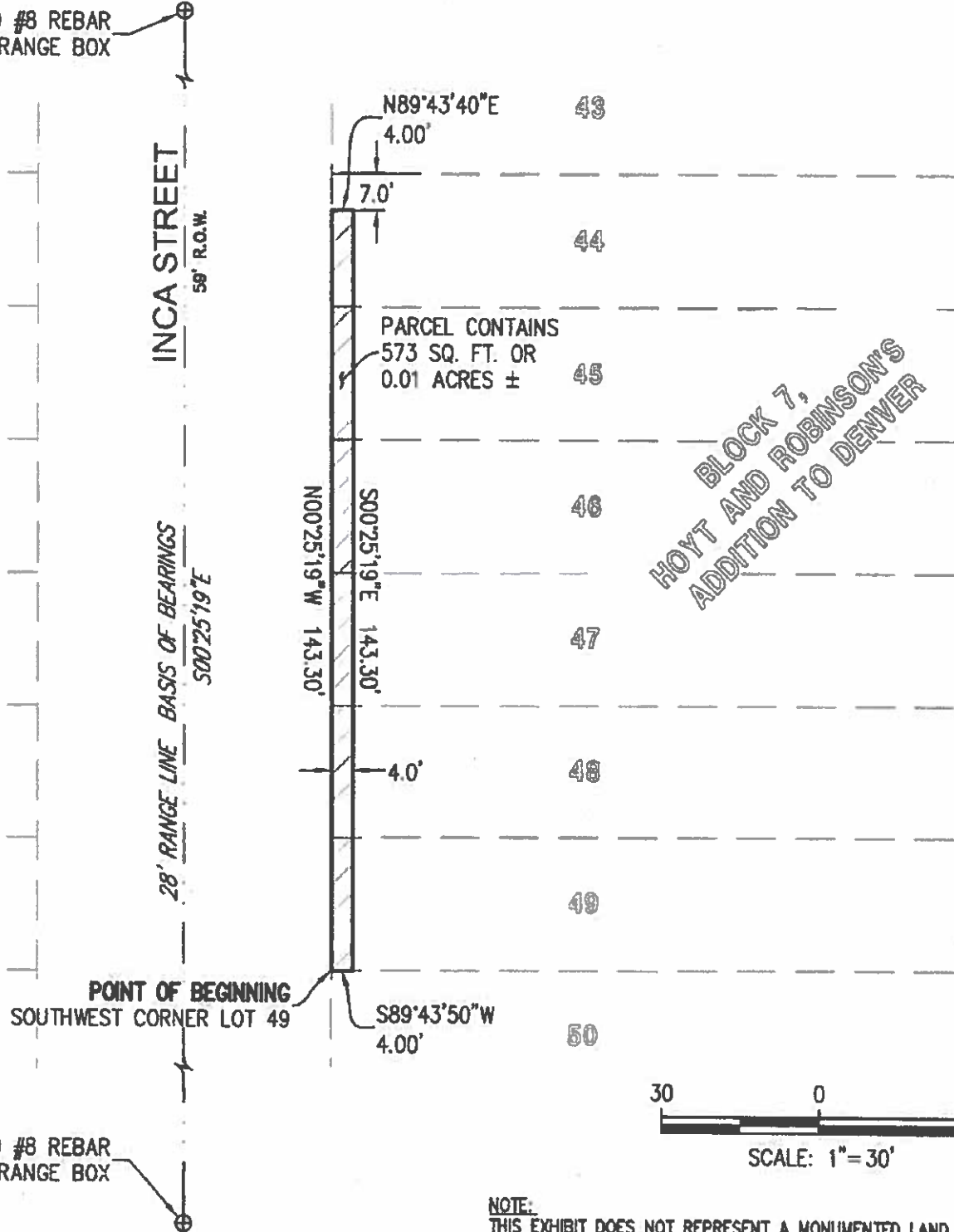
For and on behalf of: Harris Kocher Smith
1120 Lincoln Street, suite 1000
Denver, Colorado 80203
303.623.6300



EXHIBIT A

SITUATED IN THE SOUTHEAST 1/4 OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO.

FOUND #8 REBAR
IN RANGE BOX



NOTE:
THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED LAND SURVEY.
IT IS INTENDED TO DEPICT ONLY THE ATTACHED LEGAL DESCRIPTION.

NO CHANGES ARE TO BE MADE TO THIS DRAWING WITHOUT WRITTEN PERMISSION OF HARRIS KOCHER SMITH.

DATE	REVISION COMMENTS

ROW DEDICATION

EXHIBIT A

HKS HARRIS KOCHER SMITH
 1120 Lincoln Street, Suite 1000
 Denver, Colorado 80203
 P: 303.623.6300 F: 303.623.6311
 HarrisKocherSmith.com

CREATED BY: AWV DRAWN BY: KDW
SHEET NO: 2
2 OF 2

ISSUE DATE: 02-01-2018 PROJECT #: 160510