



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: September 25, 2019

ROW #: 2017-Dedication-0000233 **SCHEDULE** #: Alley-Parcel 001 - 0510320065000

S. Broadway-Parcel 002 and

W. Bayaud Ave-Parcel 003 - 0510320064000

TITLE: This request is to dedicate a parcels land as Public Right of Way as Public alley, Public Right of Way as S.

Broadway and Public Right of Way as W. Bayaud Ave. Located at the corner of S. Broadway and W. Bayaud Ave., and the alley bounded by S. Broadway, W. Bayaud Ave., S. Bannock St. and W. Archer Pl.

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, Public Right of Way as S. Broadway, and Public Right of Way as W. Bayaud 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 (99 S. Broadway)

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, Public Right of Way as S. Broadway and Public Right of Way as W. Bayaud Ave. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2017-Dedication-0000233-001, 002 & 003) HERE.

A map of the area to be dedicated is attached.

MB/DS/by

cc: Dept. of Real Estate, Katherine Rinehart

City Councilperson & Aides, Jolon Clark District #7

Council Aide Maggie Thompson Council Aide Anita Banuelos

Council Aide Tate Carpenter

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 2017-Dedication-0000233



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:	May 6, 2010
DL	ease mark	, once	☐ Bill Request	O.M.	⊠ Resolution F	•	Widy 0, 2019
			_ •	or		xequest	
1.	Has you	ır agency s	ubmitted this request in	the last 1	2 months?		
		Yes	⊠ No				
	If y	es, please e	explain:				
2.	- that cl		ites the type of request: $oldsymbol{g}$			of company or contractor and cution, contract amendment, m	
	This request is to dedicate a parcel of land as Public Right of Way as Public alley, S. Broadway and W. Bayaud Ave. Located at the corner of S. Broadway and W. Bayaud Ave., and the alley bounded by S. Broadway, W. Bayaud Ave., S. Bannock St. and W. Archer Pl.						
3.		Requesting Agency: Public Works-Right-of-Way Services Agency Division: Survey					
4.	NaPho	me: Barba one: 720-8			ordinance/resolution	n.)	
5.	<u>will be a</u> ■ Naı ■ Pho	<i>available for</i> me: Jason one: 720-8	<u>r first and second reading</u> Gallardo	g, if necess		n who will present the item at M	Mayor-Council and who
6.	Genera	l descriptio	on/background of propo	sed ordina	ance including conti	ract scope of work if applicab	le:
	of th	ne municipa	lity; i.e. as Public Alley, S	S. Broadwa	ay, and W. Bayaud A	n real property as part of the synve. This parcel(s) of land is be lopment project (99 S. Broady	ing dedicated to the
			following fields: (Incomp - please do not leave blar		may result in a delay	in processing. If a field is not	applicable, please
	a.	Contract	Control Number: N/A	<u>.</u>			
	b.	Contract					
	c.	Location: Broadway	Alley bounded by S. F and W. Bayaud Ave.	Broadway,	W. Bayaud Ave., S.	Bannock St. and W. Archer Pl	and corner or S.
	d.	•	Council District: Jolon (Clark Dist.	#7		
	e.	Benefits:	N/A				
	f.	Contract.	Amount (indicate amen	ded amoui	nt and new contract	t total):	
7.	Is there explain.		oversy surrounding this	ordinance	e? (Groups or individ	duals who may have concerns o	ubout it?) Please
			To be	e completed	d by Mayor's Legisla	ative Team:	
SII	RE Tracki	ng Number	:			Date Entered:	





Project Title: 2017-Dedication-0000233

Description of Proposed Project:Dedicate a parcel of land as public right of way as Public Alley, S. Broadway and W. Bayaud 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 99 S. Broadway.





City and County of Denver



Map Generated 5/6/2019

Legend

- Streams
- Streets
- Alleys

Railroads

- __ Mair
- __ Yard
- _
- Siding
- Interchange track
- Other

Bridges

Rail Transit Stations

- Existing
- Planned
- Park-N-Ride Locations
- Lakes
 - County Boundary
 - Parcels
- Lots/Blocks

Parks

- All Other Parks; Linear
- Mountain Parks

WGS_1984_Web_Mercator_Auxiliary_Sphere © City and County of Denver

1:3,120

The City and County of Denver shall not be liable for damages of any kind arising out of the use of this information. The information is provided "as is " without warranty of any kind, express or implied, including, but not limited to, the fitness for a particular use.

THIS IS NOT A LEGAL DOCUMENT.

PW Legal Description No.2017-Dedication-0000233-001

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 17TH DAY OF OCTOBER 2018 AT RECEPTION NUMBER 2018134882 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 LOTS 2 AND 3, BLOCK 1, MONTELIUS AND WALKER'S ADDITION, TOGETHER WITH A PORTION OF THE ALLEY VACATED BY ORDINANCE NO. 348, SERIES OF 1972, LYING EAST OF THE EAST LINE OF LOT 3, EXTENDED SOUTHERLY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 1, SAID BLOCK 1;

THENCE SOUTH 89°59'49" WEST ALONG THE NORTH LINE OF SAID BLOCK 1, A DISTANCE OF 57.01 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 00°02'46" WEST, A DISTANCE OF 55.07 FEET;

THENCE SOUTH 28°15'17" EAST, A DISTANCE OF 29.53 FEET;

THENCE SOUTH 00°02'46" WEST, A DISTANCE OF 60.00 FEET TO A POINT ON THE SOUTH LINE OF SAID VACATED ALLEY;

THENCE SOUTH 89°59'46" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 6.99 FEET;

THENCE NORTH 00°02'38" EAST, A DISTANCE OF 41.00 FEET;

THENCE NORTH 30°49'24" WEST, A DISTANCE OF 17.56 FEET;

THENCE NORTH 00°02'46" EAST, A DISTANCE OF 85.00 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 3;

THENCE NORTH 89°59'49" EAST ALONG SAID NORTH LINE, A DISTANCE OF 2.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 867 SQUARE FEET OR 0.02 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE NORTH 20' RANGE LINE IN WEST ARCHER PLACE BETWEEN BROADWAY AND SOUTH BANNOCK STREET AS MONUMENTED AT EITHER END WITH A 1" SPIKE IN RANGE BOX, ASSUMED TO BEAR NORTH 89°58'30" WEST.

PW Legal Description No. 2017-Dedication-0000233-ROW-002

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 17TH DAY OF OCTOBER 2018 AT RECEPTION NUMBER 2018134882 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 LOTS 1 THROUGH 11, INCLUSIVE, BLOCK 1, BROADWAY PLACE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EAST 3.00 FEET OF LOTS 1 THROUGH 11, INCLUSIVE, BLOCK 1, BROADWAY PLACE.

SAID PARCEL CONTAINS 810 SQUARE FEET OR 0.019 ACRES, MORE OR LESS.

PW Legal Description No. 2017-Dedication-0000233-003

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 17TH DAY OF OCTOBER 2018 AT RECEPTION NUMBER 2018134882 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 LOT 11, INCLUSIVE, BLOCK 1, BROADWAY PLACE, A PORTION OF THE ALLEY VACATED BY ORDINANCE NO. 348, SERIES OF 1972, LOTS 8 THROUGH 14, INCLUSIVE, BLOCK 2, BROADWAY PLACE AND LOTS 20 THROUGH 22, INCLUSIVE, BLOCK 1, MONTELIUS AND WALKER'S SUBDIVISION, TOGETHER WITH MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 6.00 FEET OF LOT 11, EXCLUDING THE EASTERLY 3.00 FEET THEREOF, BLOCK 1, BROADWAY PLACE;

THE SOUTH 6.00 FEET OF THE NORTH-SOUTH ALLEY BETWEEN BLOCKS 1 AND 2 BROADWAY PLACE, VACATED BY ORDINANCE NO. 348, SERIES OF 1972;

THE SOUTH 6.00 FEET OF LOTS 8 THROUGH 14, INCLUSIVE, BLOCK 2, BROADWAY PLACE; THE SOUTH 6.00 FEET OF LOTS 20 THROUGH 22, INCLUSIVE, BLOCK 1, MONTELIUS AND WALKER'S SUBDIVISION.

SAID PARCEL CONTAINS 2328 SQUARE FEET OR 0.053 ACRES, MORE OR LESS.



10/17/2018 01:59 PM City & County of Denver

R \$0.00 WD 2018134882 Page: 1 of 7 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 ______ day of _______, 2018, by NASH – HOLLAND 99 SOUTH BROADWAY INVESTORS, LLC, a Delaware limited liability company, whose address is 1111 Main Street, Suite 700, Vancouver, WA 98660, 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:

NASH - HOLLAND 99 SOUTH BROADWAY INVESTORS, LLC, a Delaware Limited

Name: DENISE GAMMON Its: AUTHORITED PERSON
STATE OF COLORAGO) ss. COUNTY OF DENVER) ss. The foregoing instrument was acknowledged before me this I day of OCTOBER, 2018 by DENISE COUNTY, as AUTHORIZO RESULT NASH - HOLLAND 99 SOUTH BROADWAY INVESTORS, LLC, a Delaware Limited Liability Company.
Witness my hand and official seal. My commission expires: LOUBY BOX 6, 2018 JENNIFER K SHAFER NOTARY PUBLIC STATE OF COLORADO NOTARY ID 20144043075 MY COMMISSION EXPIRES NOVEMBER 6, 2018
STATINES NOVEMBER 6, 2018

2017-projmstr-0000500-ROW-001

EXHIBIT A

SHEET 1 OF 2

A PARCEL OF LAND BEING A PORTION OF LOTS 2 AND 3, BLOCK 1, MONTELIUS AND WALKER'S ADDITION, TOGETHER WITH A PORTION OF THE ALLEY VACATED BY ORDINANCE NO. 348, SERIES OF 1972, LYING EAST OF THE EAST LINE OF LOT 3, EXTENDED SOUTHERLY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 1, SAID BLOCK 1;

THENCE SOUTH 89'59'49" WEST ALONG THE NORTH LINE OF SAID BLOCK 1, A DISTANCE OF 57.01 FEET TO THE POINT OF BEGINNING:

THENCE SOUTH 00°02'46" WEST, A DISTANCE OF 55.07 FEET;

THENCE SOUTH 28'15'17" EAST, A DISTANCE OF 29.53 FEET;

THENCE SOUTH 00°02'46" WEST, A DISTANCE OF 60.00 FEET TO A POINT ON THE SOUTH LINE OF SAID VACATED ALLEY:

THENCE SOUTH 89'59'46" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 6.99 FEET;

THENCE NORTH 00°02'38" EAST, A DISTANCE OF 41.00 FEET;

THENCE NORTH 30'49'24" WEST, A DISTANCE OF 17.56 FEET;

THENCE NORTH 00°02'46" EAST, A DISTANCE OF 85.00 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 3;

THENCE NORTH 89'59'49" EAST ALONG SAID NORTH LINE, A DISTANCE OF 2.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 867 SQUARE FEET OR 0.02 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE NORTH 20' RANGE LINE IN WEST ARCHER PLACE BETWEEN BROADWAY AND SOUTH BANNOCK STREET AS MONUMENTED AT EITHER END WITH A 1" SPIKE IN RANGE BOX. ASSUMED TO BEAR NORTH 89°58'30" WEST.

PREPARED BY: AARON MURPHY

PLS 38162

ON BEHALF OF: HARRIS KOCHER SMITH

1120 LINCOLN STREET, SUITE 1000

DENVER. CO 80203

303.623.6300

ISSUE DATE: 12-27-2017 PROJECT #: 170805
DATE REVISION COMMENTS

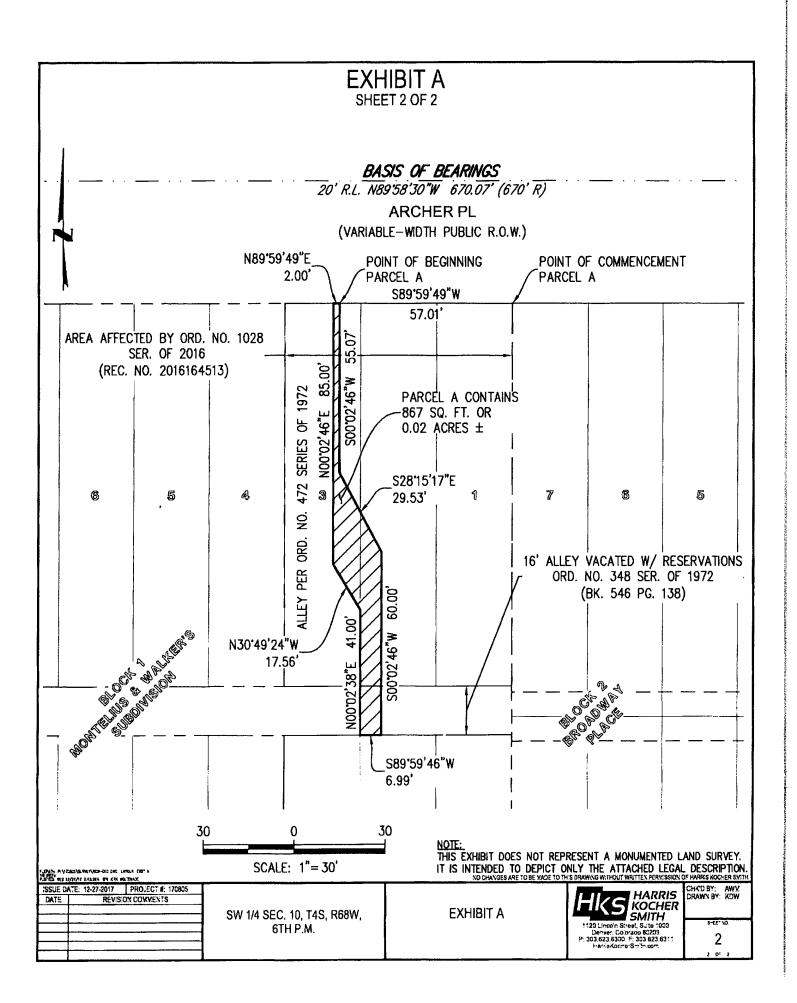
SW 1/4 SEC. 10, T4S, R68W, 6TH P.M.



CHK'D BY: AWA

1 : 0¢

EXHIBIT A



2017-projmstr-0000500-ROW-002

EXHIBIT B SHEET 1 OF 3

A PARCEL OF LAND BEING A PORTION OF LOTS 20 THROUGH 22, INCLUSIVE, BLOCK 1, MONTELIUS AND WALKER'S ADDITION, LOTS 1 THROUGH 11, INCLUSIVE, BLOCK 1, BROADWAY PLACE, LOTS 8 THROUGH 14, INCLUSIVE, BLOCK 2, BROADWAY PLACE, TOGETHER WITH A PORTION OF THE ALLEY BY ORDINANCE NO. 348, SERIES OF 1972, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID BLOCK 1, BROADWAY PLACE:

THENCE SOUTH 00°00'43" WEST ALONG THE EAST LINE OF SAID BLOCK 1, A DISTANCE OF 270.15 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK 1;

THENCE SOUTH 89°59'43" WEST ALONG THE SOUTH LINE OF SAID BLOCK 1 AND THE SOUTH LINES OF SAID BLOCK 2, BROADWAY PLACE AND BLOCK 1. MONTELIUS AND WALKER'S ADDITION. A DISTANCE OF 391.23 FEET TO THE SOUTHWEST CORNER OF SAID LOT 20;

THENCE NORTH 00°02'46" EAST ALONG THE WEST LINE OF SAID LOT 20, A DISTANCE OF 6.00 FEET;

THENCE NORTH 89'59'43" EAST, A DISTANCE OF 388.22 FEET:

THENCE NORTH 00°00'43" EAST, A DISTANCE OF 264.15 FEET TO A POINT ON THE NORTH LINE OF SAID BLOCK 1, BROADWAY PLACE;

THENCE NORTH 89'59'49" EAST ALONG SAID LINE, A DISTANCE OF 3.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 3.140 SQUARE FEET OR 0.07 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE NORTH 20' RANGE LINE IN WEST ARCHER PLACE BETWEEN BROADWAY AND SOUTH BANNOCK STREET AS MONUMENTED AT EITHER END WITH A 1" SPIKE IN RANGE BOX, ASSUMED TO BEAR NORTH 89'58'30" WEST.

PREPARED BY: AARON MURPHY

PLS 38162

ON BEHALF OF: HARRIS KOCHER SMITH

1120 LINCOLN STREET, SUITE 1000

DENVER, CO 80203

303,623,6300

ISSUE DATE: 12-27-2017 PROJECT #: 170805

REVISION CONVENTS

SW 1/4 SEC. 10, T4S, R68W,

EXHIBIT B

HARRIS KOCHER SMITH 20 Lincoln Street, Suite 1000

NO CHANGES ARE TO BE VADE TO THIS DRAWING WITHOUT WRITTEN PERVISSION OF HARR'S KOCHER SY TH

S-FFT V

1

6TH P.M.

