

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

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

**FROM:** Matt R. Bryner, P.E., Director, Right-of-Way Services

**DATE:** May 1<sup>st</sup>, 2020

**ROW #:** 2019-DEDICATION-0000075      **SCHEDULE #:** 0234233027000

**TITLE:** This request is to dedicate a parcel of land as Public Right-of-Way as Public Alley, located at the intersection of 21<sup>st</sup> St., Arapahoe St., and 22<sup>nd</sup> 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 Public Alley. This parcel(s) of land is being dedicated by the City and County of Denver for Public Right-of-Way, as part of the development project, 'X Denver 3.'

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. The land is described as follows.

**INSERT PARCEL DESCRIPTION ROW # 2019-DEDICATION-0000075-001.**

A map of the area to be dedicated is attached.

MB/JS/RL

cc: Dept. of Real Estate, Katherine Rinehart  
City Councilperson, Candi CdeBaca, District # 9  
Councilperson Aide, Lisa Calderon  
Councilperson Aide, Liz Stalnaker  
City Council Staff, Zach Rothmier  
Environmental Services, David Erickson  
DOTI, Manager's Office, Alba Castro  
DOTI, Manager's Office, Jason Gallardo  
DOTI, Director, Right-of-Way 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  
DOTI Survey, Jon Spirk  
DOTI Survey, Paul Rogalla  
DOTI Ordinance  
Owner: City and County of Denver  
Project file folder 2019-DEDICATION-0000075

City and County of Denver Department of Transportation & Infrastructure  
Right-of-Way Services  
201 W. Colfax Ave. | Denver, CO 80215  
[www.denvergov.org/doti](http://www.denvergov.org/doti)  
Phone: 720-913-1311

## 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 1<sup>st</sup>, 2020

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:** This request is to dedicate a parcel of land as Public Right-of-Way as Public Alley, located at the intersection of 21st St., Arapahoe St., and 22nd St.

**3. Requesting Agency:** DOTI, Right-of-Way Services  
**Agency Section:** Survey

**4. Contact Person:** (With actual knowledge of proposed ordinance/resolution.)

- **Name:** Rebecca Long
- **Phone:** 720-913-4518
- **Email:** [Rebecca.Long@denvergov.org](mailto:Rebecca.Long@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:** 720-865-8723
- **Email:** [Jason.gallardo@denvergov.org](mailto:Jason.gallardo@denvergov.org)

**6. General description/background of proposed resolution 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 Public Alley. This parcel(s) of land is being dedicated by the City and County of Denver for Public Right-of-Way, as part of the development project, 'X Denver 3.'

**\*\*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:** Bounded by 21<sup>st</sup> St., Arapahoe St, 22<sup>nd</sup> St., and Curtis St.
- d. **Affected Council District:** Candi CdeBaca, District # 9
- e. **Benefits:** N/A
- f. **Contract Amount (indicate amended amount and new contract total):**

**7. Is there any controversy surrounding this resolution? (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

**Project Title:** 2019-DEDICATION-0000075

**Description of Proposed Project:** Dedication of a parcel of land as Public Right-of-Way as Public Alley.

**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 be dedicated as Public Alley.

**Has a Temp MEP been issued, and if so, what work is underway:** N/A

**What is the known duration of a 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 to dedicate it as Public Alley, as part of a development project called, 'X Denver 3.'





## Legend

-  Streams
-  Irrigation Ditches Reconstruct (Gardeners)
-  Irrigation Ditches
-  Streets
-  Alleys
- Railroads**
  -  Main
  -  Yard
  -  Spur
  -  Siding
  -  Interchange track
  -  Other
-  Bridges
-  Lakes
-  County Boundary
-  Parcels
-  Lots/Blocks
- Parks**
  -  All Other Parks; Linear
  -  Mountain Parks



200 0 100 200 Feet

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
© City and County of Denver

1:1,560

Map Generated 4/29/2020

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.

A parcel of land conveyed by Special Warranty Deed to the City and County of Denver, recorded on the 5th day of November, 2019, at Reception Number 2019154668 in the City and County of Denver Clerk and Recorder's Office, State of Colorado, therein as:

A PARCEL OF LAND BEING A PORTION OF LOTS 9 THROUGH 16, INCLUSIVE, BLOCK 92, EAST DENVER, SITUATED IN THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS.

**BEGINNING** AT THE SOUTH CORNER OF SAID LOT 16;

THENCE NORTH 45°02'22" WEST ALONG THE SOUTHWEST LINE OF SAID LOT 16, A DISTANCE OF 2.00 FEET;

THENCE NORTH 44°59'20" EAST, A DISTANCE OF 200.53 FEET TO A POINT ON THE NORTHEAST LINE OF SAID LOT 9;

THENCE SOUTH 45°00'55" EAST ALONG SAID LINE, A DISTANCE OF 2.00 FEET TO THE EAST CORNER OF SAID LOT 9;

THENCE SOUTH 44°59'20" WEST ALONG THE SOUTHEAST LINE OF SAID LOTS 9 THROUGH 16, A DISTANCE OF 200.53 FEET TO THE **POINT OF BEGINNING**.

SAID PARCEL CONTAINS 401 SQUARE FEET, MORE OR LESS.

BASIS OF BEARINGS: BEARINGS ARE BASED ON THE WEST LINE OF LOT 16, BLOCK 92, EAST DENVER, ASSUMED TO BEAR NORTH 45°02'22" WEST.





2019154668

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 6th day of September, 2019, by XSC DENVER 3.0 INVESTMENT, LLC, a Delaware limited liability company, whose address is 308 W. Erie St., 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.

Assessed Val: 19-168

2019- Dedication - 0000075  
2120-2130 Arapahoe

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

ATTEST:

**XSC DENVER 3.0 INVESTMENT, LLC**, a Delaware limited liability company

By: 

Name: Noah Gottlieb

Its: Manager

STATE OF Illinois )  
 ) ss.  
COUNTY OF Cook )

The foregoing instrument was acknowledged before me this 6<sup>th</sup> day of September, 2019  
by Noah Gottlieb, as Manager of **XSC DENVER 3.0  
INVESTMENT, LLC**, a Delaware limited liability company.

Witness my hand and official seal.

My commission expires: 10/27/23

  
Notary Public

ANDREW KERR  
Official Seal  
Notary Public - State of Illinois  
My Commission Expires Oct 27, 2023

EXHIBIT A  
LAND DESCRIPTION  
SHEET 1 OF 2

A PARCEL OF LAND BEING A PORTION OF LOTS 9 THROUGH 16, INCLUSIVE, BLOCK 92, EAST DENVER, SITUATED IN THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS.

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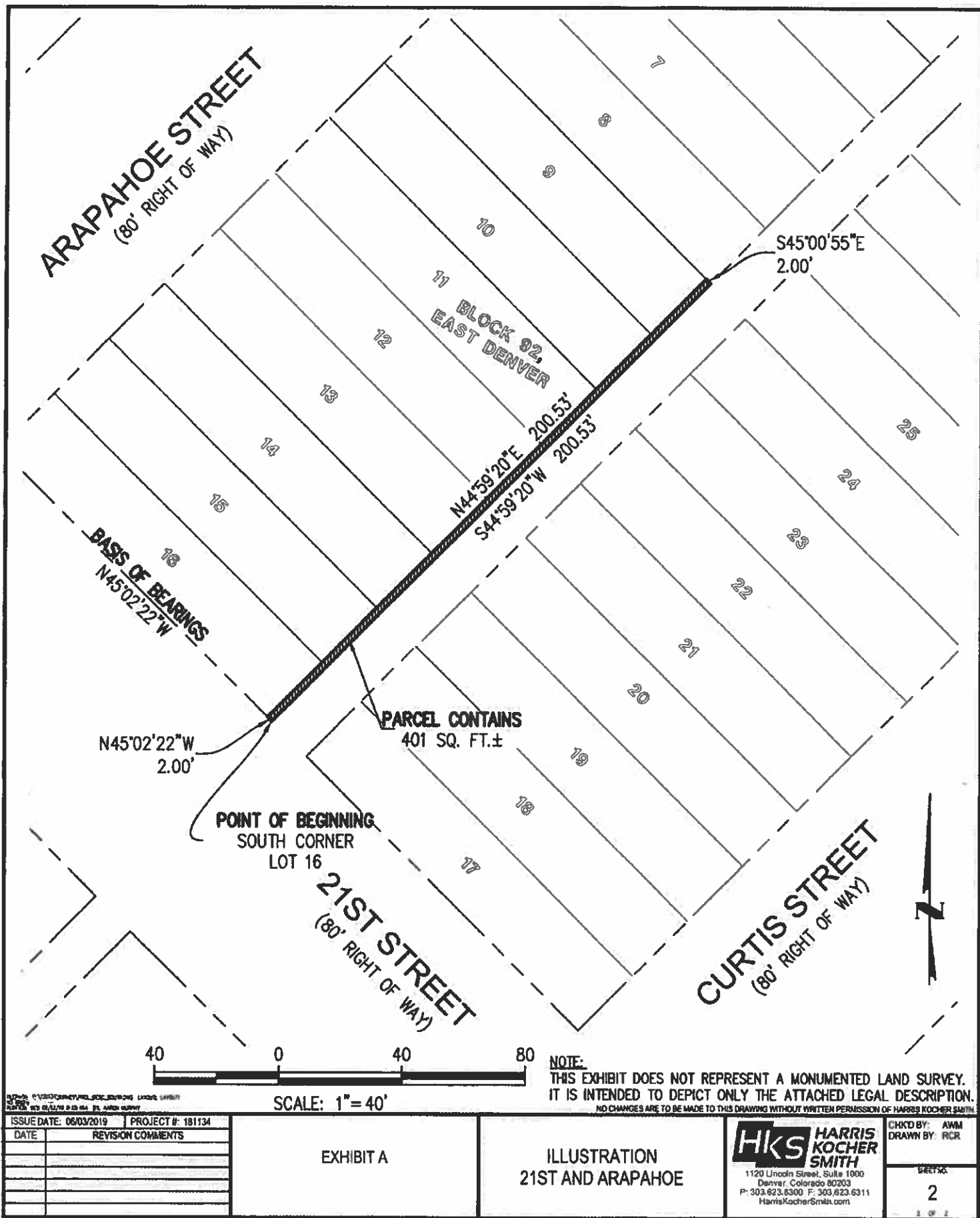
PREPARED BY: AARON MURPHY  
PLS 38162

ON BEHALF OF: HARRIS KOCHER SMITH  
1120 LINCOLN STREET, SUITE 1000  
DENVER, CO 80203  
303.623.6300





**EXHIBIT A**  
**SHEET 2 OF 2**



17-000	
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**EXHIBIT A**

**ILLUSTRATION**  
**21ST AND ARAPAHOE**

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

CHKD BY: AWM  
DRAWN BY: RCR

SHEET NO.  
**2**

1 OF 2