


REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Ivone Avila-Ponce, City Attorney’s Office

FROM: Glen D. Blackburn, P.E., Director, Right-of-Way Services 

DATE: August 1, 2024

ROW #: 2024-DEDICATION-0000096 **SCHEDULE #:** Adjacent to 1) 0526406011000, and 2) 0526406011000

TITLE: This request is to dedicate two City-owned parcels of land as Public Right-of-Way as 1) Public Alley, bounded by South Downing Street, East Harvard Avenue, South Corona Street, & East Wesley Avenue, and 2) South Downing Street, located at the intersection of South Downing Street and East Harvard Avenue.

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 1) Public Alley, and 2) South Downing Street. 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, “Porter Ortho Specialty Center.”

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 1) Public Alley, and 2) South Downing Street. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2024-DEDICATION-0000096-001, 002) HERE.

A map of the area to be dedicated is attached.

GB/BP/BVS

cc: Dept. of Real Estate, RealEstate@denvergov.org
City Councilperson, Flor Alvidrez District # 7
Councilperson Aide, Mark Montoya
Councilperson Aide, Caleb Todd
Councilperson Aide, Jake Yolles
City Council Staff, Luke Palmisano
Environmental Services, Andrew Ross
DOTI, Manager’s Office, Alba Castro
DOTI, Manager’s Office, Alaina McWhorter
DOTI, Director, Right-of-Way Services, Glen Blackburn
Department of Law, Johna Varty
Department of Law, Martin Plate
Department of Law, Kwali Farbes
Department of Law, Ivone Avila-Ponce
Department of Law, Katherine Ehlers
Department of Law, Mar’quasa Maes
DOTI Survey, Brian Pfohl
DOTI Ordinance
Owner: City and County of Denver
Project file folder 2024-DEDICATION-0000096

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

ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor's Legislative Team
at MileHighOrdinance@DenverGov.org by 9 a.m. Friday. Contact the Mayor's Legislative team with questions

Date of Request: August 1, 2024

Please mark one: Bill Request or Resolution Request

Please mark one: The request directly impacts developments, projects, contracts, resolutions, or bills that involve property and impact within .5 miles of the South Platte River from Denver's northern to southern boundary? (Check map [HERE](#))

Yes No

1. Type of Request:

Contract/Grant Agreement Intergovernmental Agreement (IGA) Rezoning/Text Amendment

Dedication/Vacation Appropriation/Supplemental DRMC Change

Other:

2. **Title:** Dedicate two City-owned parcels of land as Public Right-of-Way as 1) Public Alley, bounded by South Downing Street, East Harvard Avenue, South Corona Street, & East Wesley Avenue, and 2) South Downing Street, located at the intersection of South Downing Street and East Harvard Avenue.

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

4. Contact Person:

| | |
|--|---|
| Contact person with knowledge of proposed ordinance/resolution (e.g., subject matter expert) | Contact person for council members or mayor-council |
| Name: Beverly J. Van Slyke | Name: Alaina McWhorter |
| Email: Beverly.VanSlyke@Denvergov.org | Email: Alaina.McWhorter@denvergov.org |

5. General description or background of proposed request. Attach executive summary if more space needed:

Proposing to scrape existing commercial building and build a new commercial medical office building. Developer was asked to dedicate two parcels of land as 1) Public Alley, and 2) South Downing Street.

6. **City Attorney assigned to this request (if applicable):**

7. **City Council District:** Flor Alvidrez, District #7

8. ****For all contracts, fill out and submit accompanying Key Contract Terms worksheet****

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____

Key Contract Terms

Type of Contract: (e.g. Professional Services > \$500K; IGA/Grant Agreement, Sale or Lease of Real Property):

Vendor/Contractor Name (including any dba's):

Contract control number (legacy and new):

Location:

Is this a new contract? Yes No Is this an Amendment? Yes No If yes, how many? _____

Contract Term/Duration (for amended contracts, include existing term dates and amended dates):

Contract Amount (indicate existing amount, amended amount and new contract total):

| <i>Current Contract Amount</i> (A) | <i>Additional Funds</i> (B) | <i>Total Contract Amount</i> (A+B) |
|---------------------------------------|--------------------------------|---------------------------------------|
| | | |
| <i>Current Contract Term</i> | <i>Added Time</i> | <i>New Ending Date</i> |
| | | |

Scope of work:

Was this contractor selected by competitive process?

If not, why not?

Has this contractor provided these services to the City before? Yes No

Source of funds:

Is this contract subject to: W/MBE DBE SBE XO101 ACDBE N/A

WBE/MBE/DBE commitments (construction, design, Airport concession contracts):

Who are the subcontractors to this contract?

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____

EXECUTIVE SUMMARY

Project Title: 2024-DEDICATION-0000096

Description of Proposed Project: Proposing to scrape existing commercial building and build a new commercial medical office building. Developer was asked to dedicate two parcels of land as 1) Public Alley, and 2) South Downing Street.

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 1) Public Alley, and 2) South Downing Street.

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 for the purpose of dedicating it as 1) Public Alley, and 2) South Downing Street, as part of the development project called, "Porter Ortho Specialty Center."

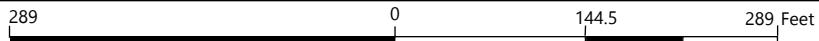


Legend

-  Irrigation Ditches
-  Buildings
-  Streets
-  Alleys
-  County Boundary
-  Parcels
-  Lots/Blocks
- Parks**
-  All Other Parks; Linear
-  Mountain Parks

Parcel 001 to be dedicated

Parcel 002 to be dedicated



PARCEL DESCRIPTION ROW NO. 2024-DEDICATION-0000096-001:

LEGAL DESCRIPTION – ALLEY PARCEL #1:

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 23RD DAY OF JULY, 2024, AT RECEPTION NUMBER 2024067602 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

THE WESTERLY 2.00 FEET OF LOTS 12 THROUGH 23, INCLUSIVE, BLOCK 24, MOUNTAIN VIEW PLACE SECOND FILING, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO

CONTAINING 600 SQUARE FEET OR 0.014 ACRES, MORE OR LESS.

PARCEL DESCRIPTION ROW NO. 2024-DEDICATION-0000096-002:

LEGAL DESCRIPTION – STREET PARCEL #2:

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 23RD DAY OF JULY, 2024, AT RECEPTION NUMBER 2024067602 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

THE EASTERLY 4.00 FEET OF LOTS 12 THROUGH 23, INCLUSIVE, BLOCK 24, MOUNTAIN VIEW PLACE SECOND FILING, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO

CONTAINING 1,200 SQUARE FEET OR 0.028 ACRES, MORE OR LESS.



07/23/2024 11:40 AM
City & County of Denver
Electronically Recorded

R \$0.00

WD

D \$0.00

After signing, return to:
City and County of Denver
201 West Colfax Avenue, Dept. 1010
Division of Real Estate
Denver, Colorado 80202
Project Description: 2024-DEDICATION-0000096
Asset Mgmt No.: 24-145

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED (“Deed”), made as of this 17th day of July, 2024, by **PORTERCARE ADVENTIST HEALTH SYSTEM**, a Nonprofit corporation, whose address is 6061 S. Willow Drive, Greenwood Village, CO 80111, 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:

PORTERCARE ADVENTIST HEALTH SYSTEM, a Nonprofit corporation

By: Brett Spenst

Name: Brett Spenst

Its: CEO

STATE OF Colorado)

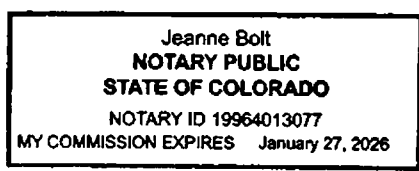
COUNTY OF Arapahoe) ss.

The foregoing instrument was acknowledged before me this 17th day of July, 2024
by Brett Spenst, as CEO of **PORTERCARE ADVENTIST
HEALTH SYSTEM**, a Nonprofit corporation.

Witness my hand and official seal.

My commission expires: Jun. 27, 2026

Jeanne Bolt
Notary Public



2021-PROJMSTR-0000519-ROW

EXHIBIT A
LAND DESCRIPTION

PARCEL 1:

THE WESTERLY 2.00 FEET OF LOTS 12 THROUGH 23, INCLUSIVE, BLOCK 24, MOUNTAIN VIEW PLACE SECOND FILING, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO

CONTAINING 600 SQUARE FEET OR 0.014 ACRES, MORE OR LESS.

PARCEL 2:

THE EASTERLY 4.00 FEET OF LOTS 12 THROUGH 23, INCLUSIVE, BLOCK 24, MOUNTAIN VIEW PLACE SECOND FILING, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO

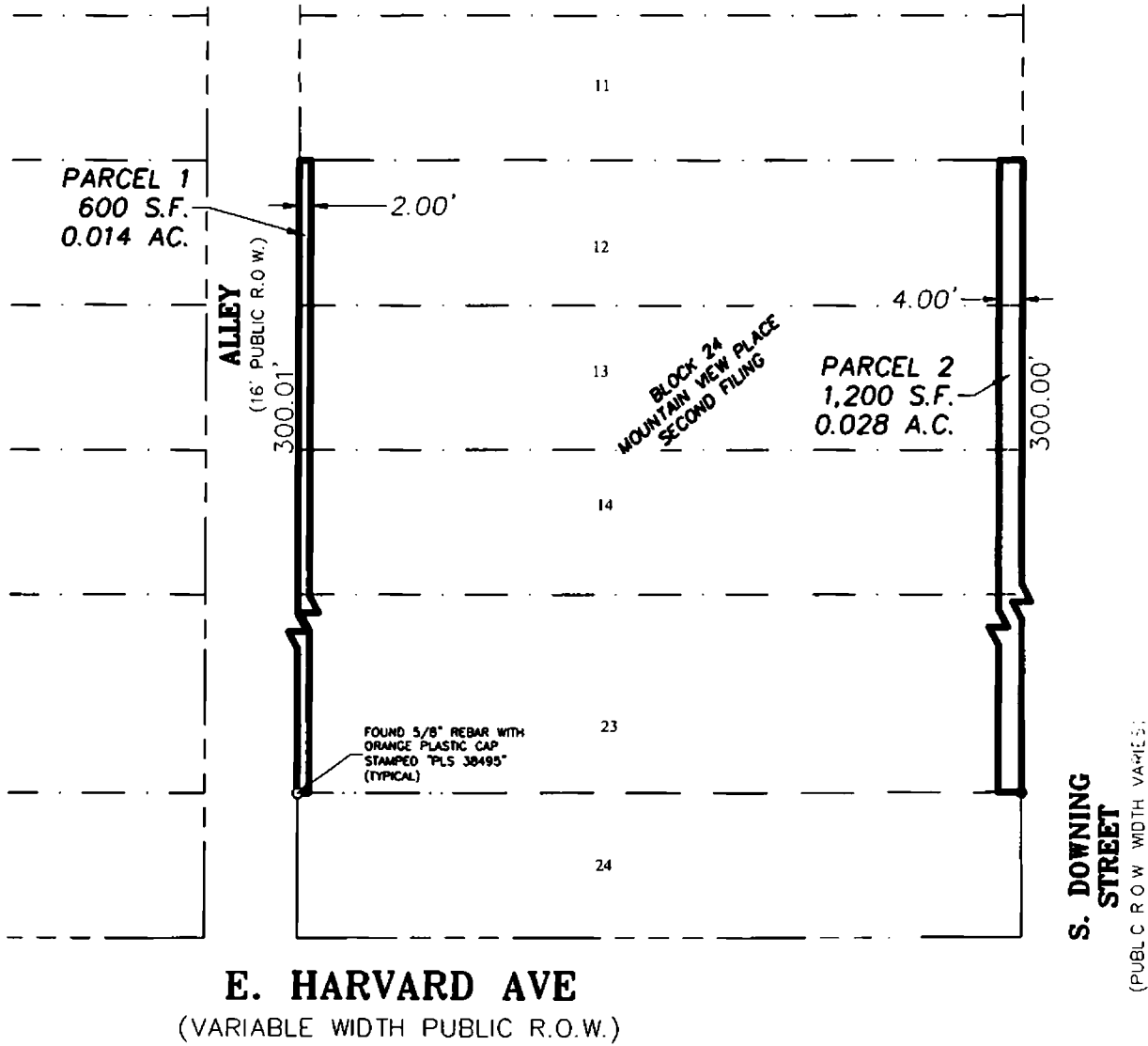
CONTAINING 1,200 SQUARE FEET OR 0.028 ACRES, MORE OR LESS.



BASIL MICAH HANSON PLS
COLORADO REG. NO. 38020
FOR, AND ON BEHALF OF:
R&R ENGINEERS-SURVEYORS, INC.
PHONE: 303-753-6730
MD21256 ROW DED

2021-PROJMSTR-0000519-ROW

EXHIBIT A ILLUSTRATION



E. HARVARD AVE
(VARIABLE WIDTH PUBLIC R.O.W.)

S. DOWNING STREET
(PUBLIC R.O.W. WIDTH VARIES)



0 30'
SCALE: 1"=30'

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.

| | | |
|------------------|---------|--|
| | | <p>R&R ENGINEERS-SURVEYORS, INC. 1635 W. 13TH AVENUE, SUITE 310 DENVER, COLORADO 80204 PH: 303-753-6730 WWW.RRENGINEERS.COM</p> |
| Date: 06/19/2024 | Sheet 2 | |
| Drawn: BMH | of 2 | |
| Checked: KJK | 2 | |
| Job No.: MD21256 | | |