




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: April 1, 2024

ROW #: 2020-DEDICATION-0000166 **SCHEDULE #:** 0222325018000

TITLE: This request is to dedicate a City-owned parcel of land as Public Right-of-Way as Public Alley, bounded by West 41st Avenue, North Elati Street, West 40th Avenue, and North Fox Street.

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, "41st & Elati."

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 # (2020-DEDICATION-0000166-001) HERE.

A map of the area to be dedicated is attached.

GB/TB/BVS

cc: Dept. of Real Estate, RealEstate@denvergov.org
City Councilperson, Darrell Watson District # 3
Councilperson Aide, Bonnie Guillen
Councilperson Aide, Darius Shelby
Councilperson Aide, Lynne Bombard
City Council Staff, Luke Palmisano
Environmental Services, Andrew Ross
DOTI, Manager's Office, Alba Castro
DOTI, Manager's Office, Nicholas Williams
DOTI, Director, Right-of-Way Services, Glen Blackburn
Department of Law, Johna Varty
Department of Law, Martin Plate
Department of Law, Deanne Durfee
Department of Law, Ivone Avila-Ponce
Department of Law, Katherine Ehlers
Department of Law, Mar'quasa Maes
DOTI Survey, Thomas Breitnauer
DOTI Ordinance
Owner: City and County of Denver
Project file folder # 2020-DEDICATION-0000166

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

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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: April 1, 2024

Please mark one: Bill Request or Resolution Request

1. Type of Request:

- Contract/Grant Agreement Intergovernmental Agreement (IGA) Rezoning/Text Amendment
 Dedication/Vacation Appropriation/Supplemental DRMC Change
 Other:

2. **Title:** Dedicate a City-owned parcel of land as Public Right-of-Way as Public Alley, bounded by West 41st Avenue, North Elati Street, West 40th Avenue, and North Fox Street.

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: Nicholas Williams
Email: Beverly.VanSlyke@denvergov.org	Email: Nicholas.Williams@denvergov.org

5. **General description or background of proposed request. Attach executive summary if more space needed:**
Proposing to scrape existing commercial structure and build a new mixed-use building. The developer was asked to dedicate a parcel of land as Public Alley.

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

7. **City Council District:** Darrell Watson, District 3

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 (A)</i>	<i>Additional Funds (B)</i>	<i>Total Contract Amount (A+B)</i>
<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: 2020-DEDICATION-0000166

Description of Proposed Project: Proposing to scrape existing commercial structure and build a new mixed-use building. The developer was asked to dedicate a parcel of land 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

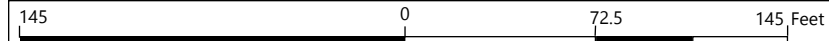
Will an easement relinquishment be submitted at a later date: N/A

Additional information: This land was deeded to the City and County of Denver for the purpose of dedicating it as Public Alley, as part of the development project called, "41st & Elati."



Legend

- Streets
- Alleys
- ▭ County Boundary
- ▭ Parcels
- ▭ Lots/Blocks



PARCEL DESCRIPTION ROW NO. 2020-DEDICATION-0000166-001:

LAND DESCRIPTION - ALLEY PARCEL:

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 4TH DAY OF JUNE, 2021, AT RECEPTION NUMBER 2021105139 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

THE WEST 2.00 FEET OF LOTS 25 THROUGH 30, INCLUSIVE, BLOCK 26, VIADUCT ADDITION TO DENVER, CITY AND COUNTY OF DENVER, STATE OF COLORADO.



2021105139
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
Project Description: 2020-Dedication-0000166
Asset Mgmt No.: 21-089

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED (“Deed”), made as of this 4th day of June, 2021, by **4055 ELATI, LLC**, a Colorado limited liability company, whose address is 2100 N. Downing Street, Denver, CO 80205, 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.

2020PM0000025

EXHIBIT "A"
LAND DESCRIPTION

THE WEST 2.00 FEET OF LOTS 25 THROUGH 30, INCLUSIVE, BLOCK 26, VIADUCT ADDITION TO DENVER,
CITY AND COUNTY OF DENVER, STATE OF COLORADO.

PREPARED BY: AARON MURPHY
PLS 38162

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



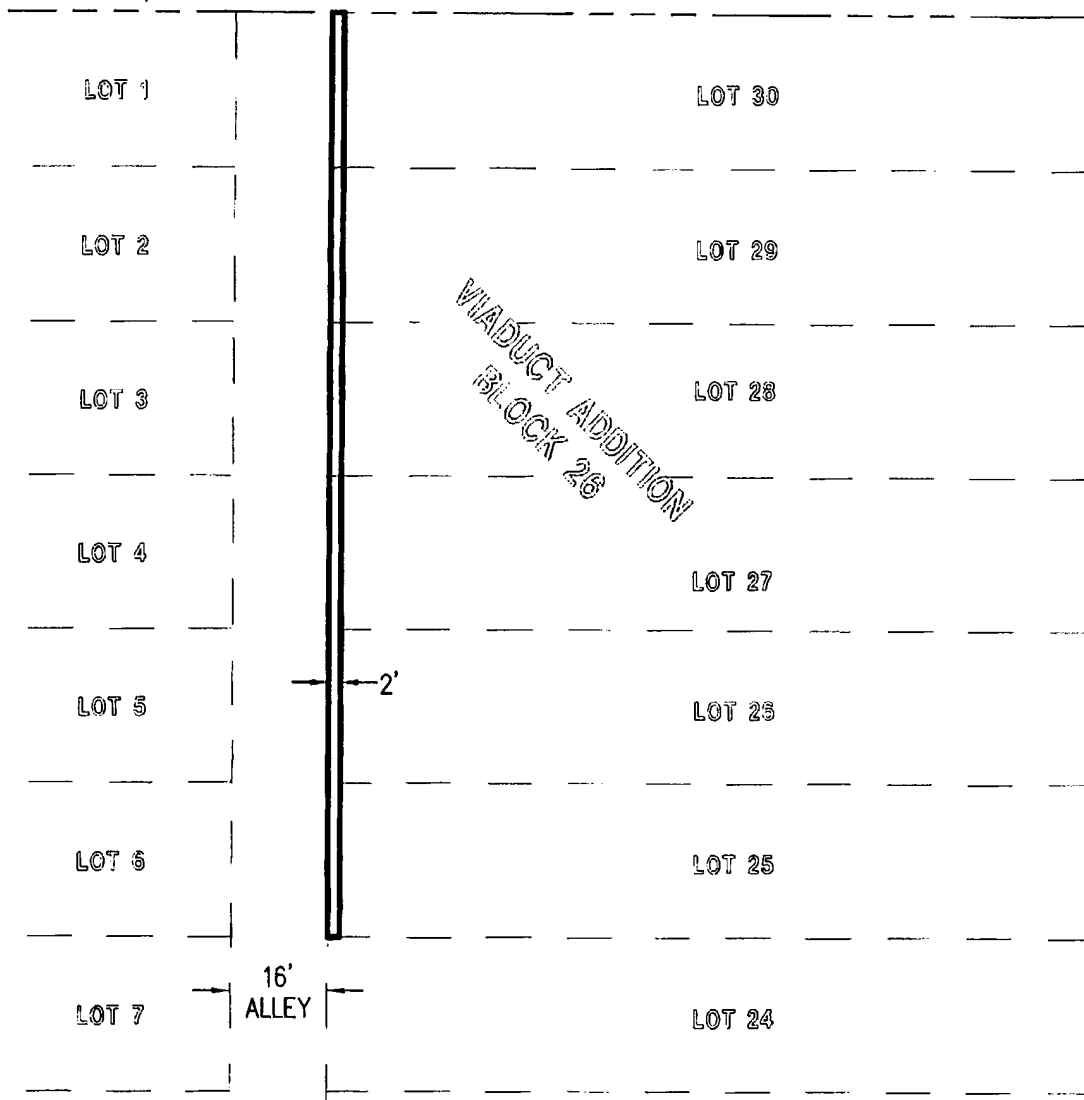
ILLUSTRATION FOR EXHIBIT A

SITUATED IN THE SOUTHWEST 1/4 OF SECTION 22, TOWNSHIP 3 SOUTH,
RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO



W 41ST AVE

ELATI ST



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

ISSUE DATE: 08-13-2020		PROJECT #: 200205
DATE	REVISION COMMENTS	

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

ILLUSTRATION FOR EXHIBIT A

PROJECT #: 200205
CHECKED BY: AWM
DRAWN BY: PTM
SHEET NUMBER
2
2 OF 2

Plotted: THU 08/13/20 10:11:35A By: Patrick McGranaghan Filepath: c:\200205\survey\41e-row-dedication-21.dwg Layout: illustration

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