


**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 23, 2023 

**ROW #:** 2022-DEDICATION-0000038 **SCHEDULE #:** Adjacent to 0522130026000

**TITLE:** This request is to dedicate a City-owned parcel of land as Public Right-of-Way as Public Alley, bounded by South Pearl Street, East Arkansas Avenue, South Pennsylvania Street and East Florida 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 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, "1403 S Pearl St."

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 # (2022-DEDICATION-0000038-001) HERE.**

A map of the area to be dedicated is attached.

MB/TB /DG

cc: Dept. of Real Estate, [RealEstate@denvergov.org](mailto:RealEstate@denvergov.org)  
City Councilperson, Flor Alvidrez District # 7  
Councilperson Aide, Yvonne Miranda  
Councilperson Aide, Leya Hartman  
Councilperson Aide, Jacky Jimenez  
City Council Staff, Luke Palmisano  
Environmental Services, Andrew Ross  
DOTI, Manager's Office, Alba Castro  
DOTI, Manager's Office, Jason Gallardo  
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, Joann Tristani  
DOTI Survey, Thomas Breitnauer  
DOTI Ordinance  
Owner: City and County of Denver  
Project file folder 2022-DEDICATION-0000038

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:** August 23, 2023

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 City-owned parcel of land as Public Right-of-Way as Public Alley, bounded by South Pearl Street, East Arkansas Avenue, South Pennsylvania Street and East Florida Avenue.

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

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

- **Name:** Dalila Gutierrez
- **Phone:** 720-865-3207
- **Email:** [Dalila.gutierrez@denvergov.org](mailto:Dalila.gutierrez@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:** Demolition of existing structure and build a new Mixed-Use structure called, "1403 S Pearl St." The developer was asked to dedicate one parcel as Public Alley.

***\*\*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 S. Pearl St., E. Arkansas Ave., S. Pennsylvania St., and E. Florida Ave.
- d. **Affected Council District:** Flor Alvidrez District #7
- e. **Benefits:** N/A
- f. **Contract Amount (indicate amended amount and new contract total):** N/A

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:** 2022-DEDICATION-0000038

**Description of Proposed Project:** Demolition of existing structure and build a new Mixed-Use structure called, "1403 S Pearl St." The developer was asked to dedicate one parcel 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 a development project called, "1403 S Pearl St."





## Legend

- Streets
- Alleys
- Parcels
- Lots/Blocks

289 0 144.5 289 Feet

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

1:2,257

Map Generated 8/23/2023

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**THIS IS NOT A LEGAL DOCUMENT.**

**PARCEL DESCRIPTION ROW NO. 2022-DEDICATION-0000038-001:**

**LAND DESCRIPTION – ALLEY PARCEL:**

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 14TH DAY OF AUGUST, 2023, AT RECEPTION NUMBER 2023077648 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

A PORTION OF LOTS 45 AND 46, BLOCK 30, SHERMAN SUBDIVISION, LYING WITHIN THE NORTHEAST QUARTER (NE 1/4) OF SECTION 22, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 2.50 FEET OF SAID LOTS 45 AND 46.

CONTAINS +/-125 SQ. FT. OR +/-0.003 ACRES.



2023077648

Page: 1 of 4

08/14/2023 01:29 PM  
City & County of Denver  
Electronically Recorded

R \$0.00

WD

D \$0.00

After signing, return to:  
Division of Real Estate  
Attn: Jason Clements  
City and County of Denver  
201 West Colfax Avenue, Dept. 1010  
Denver, Colorado 80202  
**Project Description: 2022-DEDICATION-0000038**  
**Asset Mgmt No.: 23-182**

### **SPECIAL WARRANTY DEED**

**THIS SPECIAL WARRANTY DEED** ("Deed"), made as of this 24<sup>th</sup> day of July 2023, by **1403 S PEARL LLC**, a Colorado limited liability company, whose address is 1315 Cherryville Road, Greenwood Village, CO 80121, 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:

1403 S PEARL LLC, a Colorado limited liability company

By: [Signature]

Name: LANCE NADING

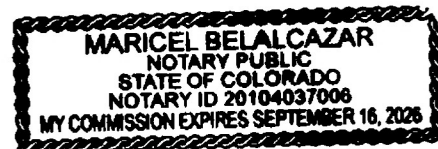
Its: MANAGER

STATE OF CO )  
COUNTY OF Denver ) ss.

The foregoing instrument was acknowledged before me this 8 day of August, 2023  
by Lance D Nading, as Manager of 1403 S PEARL LLC, a Colorado  
limited liability company.

Witness my hand and official seal.

My commission expires: 09/16/2026



[Signature]  
Notary Public

EXHIBIT A  
LAND DESCRIPTION  
SHEET 1 OF 2

2021-PROJMSTR-0000220-ROW

A PORTION OF LOTS 45 AND 46, BLOCK 30, SHERMAN SUBDIVISION, LYING WITHIN THE NORTHEAST QUARTER (NE 1/4) OF SECTION 22, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 2.50 FEET OF SAID LOTS 45 AND 46.

CONTAINS  $\pm 125$  SQ. FT. OR  $\pm 0.003$  ACRES.

RICHARD B. GABRIEL, P.L.S.  
Colorado License No. 37929  
For and on behalf of  
Power Surveying Company, Inc.



6911 BROADWAY  
DENVER, COLORADO 80221

PH. 303-702-1617  
FAX. 303-702-1488  
WWW.POWERSURVEYING.COM

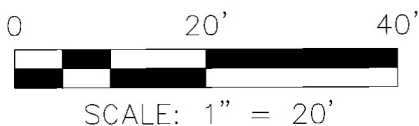
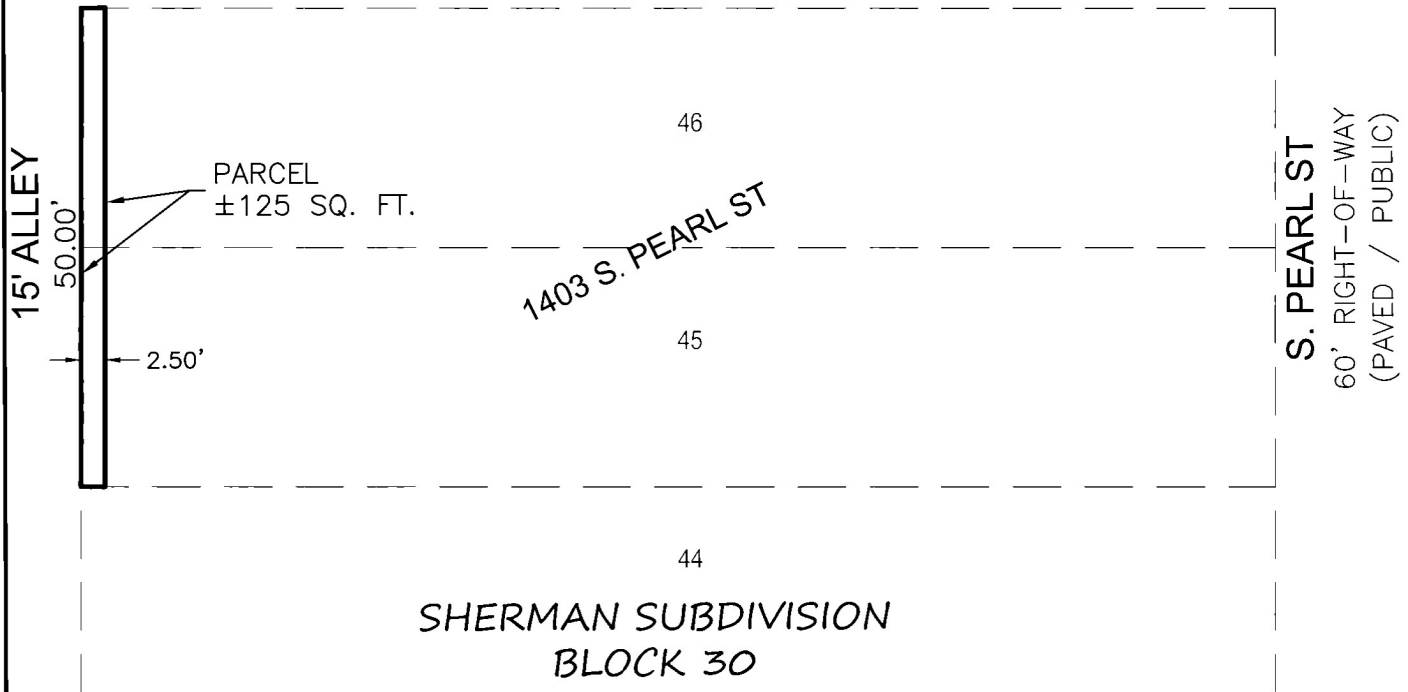
DRAWN BY: LMR      DATE: 02/28/2023  
PROJECT NO. 21-331



EXHIBIT A  
SHEET 2 OF 2

2021-PROJMSTR-0000220-ROW

## ARKANSAS AVENUE

70' RIGHT-OF-WAY  
(PAVED / PUBLIC)6911 BROADWAY  
DENVER, COLORADO 80221Established 1948  
PH 303-702-1617  
FAX 303-702-1488  
WWW.POWERSURVEYING.COMDRAWN BY: LMR DATE: 02/28/2023  
PROJECT NO. 21-331