

**REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY****TO:** Ivone Avila-Ponce, City Attorney's Office**FROM:** Glen D. Blackburn, P.E., Deputy Director, Right-of-Way Services**DATE:** June 28, 2023**ROW #:** 2022-DEDICATION-0000105 **SCHEDULE #:** Adjacent to 0231413002000**TITLE:** This request is to dedicate a City-owned parcel of land as Public Right-of-Way as West 16<sup>th</sup> Avenue, located at the intersection of West 16<sup>th</sup> Avenue, and North Lowell Boulevard.**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 West 16th Avenue. 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, "17<sup>th</sup> & Newton."

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 West 16<sup>th</sup> Avenue. The land is described as follows.

**INSERT PARCEL DESCRIPTION ROW # ( 2022-DEDICATION-0000105-001 ) HERE.**

A map of the area to be dedicated is attached.

MB/TS/LRA

cc: Dept. of Real Estate, [RealEstate@denvergov.org](mailto:RealEstate@denvergov.org)  
City Councilperson, Jamie Torres District # 3  
Councilperson Aide, Daisy Rocha Vasquez  
Councilperson Aide, Angelina Gurule  
Councilperson Aide, Ayn Slavis  
Councilperson Aide, Jesus Lara-Jiménez  
City Council Staff, Luke Palmisano  
Environmental Services, Andrew Ross  
DOTI, Manager's Office, Alba Castro  
DOTI, Manager's Office, Jason Gallardo  
DOTI, Deputy 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 Savich  
DOTI Ordinance  
Owner: City and County of Denver  
Project file folder 2022-DEDICATION-0000105

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: June 28, 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 West 16th Avenue, located at the intersection of West 16th Avenue, and North Lowell Boulevard.

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

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

- **Name:** Lisa R. Ayala
- **Phone:** 720-865-3112
- **Email:** [Lisa.ayala@denvergov.org](mailto:Lisa.ayala@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:** A project proposing to build a 9-unit multiplex and parking garage. The developer was asked to dedicate a previously vacated parcel as West 16<sup>th</sup> Avenue.

**\*\*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:** At the intersection of West 16<sup>th</sup> Avenue, and North Lowell Boulevard
- d. **Affected Council District:** Jamie Torres, District # 3
- 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.

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To be completed by Mayor's Legislative Team:

SIRE Tracking Number: \_\_\_\_\_

Date Entered: \_\_\_\_\_

## EXECUTIVE SUMMARY

**Project Title:** 2022-DEDICATION-0000105

**Description of Proposed Project:** A project proposing to build a 9-unit multiplex and parking garage. The developer was asked to dedicate a previously vacated parcel as West 16th Avenue.

**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 West 16th Avenue.

**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

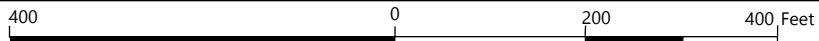
**Will an easement relinquishment be submitted at a later date:** N/A

**Additional information:** This land was deeded to the City and County of Denver for the purpose of dedicating it as West 16th Avenue, as part of a development project called, "17th & Newton."



- Legend**
- Vacating Ordinances
  - Streets
  - Alleys
  - County Boundary
  - Parcels

Street Parcel to be dedicated



**PARCEL DESCRIPTION ROW NO. 2022-DEDICATION-0000105-001:**

**LAND DESCRIPTION – STREET PARCEL**

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 8TH DAY OF JUNE, 2023, AT RECEPTION NUMBER 2023054274 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 VACATED 16TH AVENUE RECORDED MARCH 26, 1979 IN BOOK 1876 AT PAGE 314 (REC. NO. 003371) AND SITUATED IN THE SOUTHEAST 1/4 OF SECTION 31, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A RANGE POINT IN THE INTERSECTION OF LOWELL BOULEVARD AND WEST 17TH AVENUE BEING AN AXLE IN RANGE BOX FROM WHENCE A RANGE POINT IN THE INTERSECTION OF NEWTON STREET AND WEST 17TH AVENUE BEING AN AXLE IN RANGE BOX BEARS SOUTH 89°48'03" WEST, A DISTANCE OF 702.89 FEET WITH ALL BEARINGS HEREIN RELATIVE THERETO;

THENCE SOUTH 08°15'17" WEST, A DISTANCE OF 396.31 FEET TO THE WEST RIGHT OF WAY LINE OF LOWELL BOULEVARD AND THE POINT OF BEGINNING;

THENCE SOUTH 00°18'25" EAST, ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 24.00 FEET;

THENCE PARALLEL WITH AND 6.00 FEET NORTH OF THE CENTERLINE OF 16TH AVENUE SOUTH 89°48'03" WEST, A DISTANCE OF 145.12 FEET;

THENCE SOUTH 00°18'25" EAST, A DISTANCE OF 6.00 FEET TO SAID CENTERLINE;

THENCE SOUTH 89°48'03" WEST ALONG SAID CENTERLINE, A DISTANCE OF 124.89 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF MEADE STREET;

THENCE NORTH 00°18'25" WEST ALONG THE EAST RIGHT OF WAY LINE OF MEADE STREET, A DISTANCE OF 30.01 FEET;

THENCE PARALLEL WITH AND 30.00 FEET NORTH OF SAID CENTERLINE NORTH 89°48'03" EAST, A DISTANCE OF 270.01 FEET TO THE POINT OF BEGINNING.

CONTAINING: 7,230 SQUARE FEET OR 0.167 ACRES MORE OR LESS.



06/08/2023 03:05 PM

R \$0.00

City & County of Denver

WD

2023054274

Page: 1 of 4

D \$0.00

After signing, return to:  
 Division of Real Estate  
 City and County of Denver  
 201 West Colfax Avenue, Dept. 1010  
 Denver, Colorado 80202  
**Project Description: 2022-DEDICATION-0000105**  
**Asset Mgmt No.: 23-070**

**SPECIAL WARRANTY DEED**

**THIS SPECIAL WARRANTY DEED** (“Deed”), made as of this 2<sup>nd</sup> day of May, 2023, by **Lowell17, LLC**, a Colorado limited liability company, whose address is 1601 Lowell Blvd., Denver, CO 80204, 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:

**Lowell17, LLC,**

a Colorado limited liability company

By: Robert Schendel

Name: ROBERT SCHENDEL

Its: ADMINISTRATIVE V.P.

STATE OF Colorado )  
 ) ss.  
COUNTY OF Denver )

The foregoing instrument was acknowledged before me this 2nd day of May, 2023  
by Robert Schendel, as Administrative V.P. of Lowell17, LLC, a Colorado limited  
liability company.

Witness my hand and official seal.

My commission expires: 07/11/2026

Colby Shager  
\_\_\_\_\_  
Notary Public

Colby Shager  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID# 20224026810  
MY COMMISSION EXPIRES 07/11/2026

# EXHIBIT "A" LAND DESCRIPTION

SHEET 1 OF 2

A PARCEL OF LAND BEING A PORTION OF VACATED 16TH AVENUE RECORDED MARCH 26, 1979 IN BOOK 1876 AT PAGE 314 (REC. NO. 003371) AND SITUATED IN THE SOUTHEAST 1/4 OF SECTION 31, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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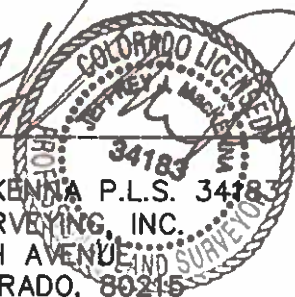
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CONTAINING: 7,230 SQUARE FEET OR 0.167 ACRES MORE OR LESS.

  
 PREPARED BY:   
 JEFFREY J. MACKENNA P.L.S. 34183 DATE: 10/11/2022  
 FOR FALCON SURVEYING, INC.  
 9940 WEST 25TH AVENUE  
 LAKEWOOD COLORADO, 80215  
 (303)202-1560

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# EXHIBIT "A"

SITUATED IN THE SE 1/4, SECTION 31, T3S, R68W, OF THE 6TH P.M.  
CITY AND COUNTY OF DENVER, STATE OF COLORADO

SHEET 2 OF 2

WEST 17TH AVENUE

80' PUBLIC RIGHT OF WAY

BASIS OF BEARINGS

S89°48'03"W 702.89'

FOUND AXLE IN RANGE BOX  
(NEWTON ST. & W. 17TH AVE.)

LOT 20 POINT OF COMMENCEMENT  
FOUND AXLE IN RANGE BOX

LOT 10

LOT 19

LOT 11

LOT 18

LOT 12

LOT 17

LOT 13

LOT 16

LOT 14

LOT 15  
POINT OF BEGINNING

N89°48'03"E 270.01'

7,230 SQ. FT. OR  
0.167 ACRES ±

N00°18'25"W  
30.01'

S89°48'03"W 124.89'

S89°48'03"W 145.12'

S00°18'25"E  
24.00'

EXST. VACATED 16TH AVENUE  
BOOK 1876 PAGE 314

16TH AVENUE

S00°18'25"E  
6.00'

MEADE STREET

65' PUBLIC RIGHT OF WAY

LOWELL BOULEVARD

80' PUBLIC RIGHT OF WAY

LOT 1

B L O C K 5  
P I E R S O N ' S A D D I T I O N  
T O D E N V E R  
LOT 28

LOT 2

LOT 27



SCALE: 1" = 50'

PREPARED BY:  
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DATE: 10/11/2022

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