

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 5, 2024

ROW #: 2024-DEDICATION-0000154 **SCHEDULE #:** 1) 0126300102000, 2) 0126300103000, 3) 0126300104000, 4) 0126300105000, 5) 0126400012000, and 6) 0126400015000

TITLE: This request is to dedicate six City-owned parcels of land as Public Right-of-Way as 1) East Martin Luther Junior Boulevard, located at the intersection of East Martin Luther King Junior Boulevard and North Iola Street, 2) East Martin Luther King Junior Boulevard, located at the intersection of East Martin Luther King Junior Boulevard and North Ironton Street, 3) East Martin Luther King Junior Boulevard, located at the intersection of East Martin Luther King Junior Boulevard and North Kingston Street, 4) East Martin Luther King Junior Boulevard, located at the intersection of East Martin Luther King Junior Boulevard and North Lima Street, 5) East Martin Luther King Junior Boulevard, located near the intersection of East Martin Luther King Junior Boulevard and North Moline Street, and 6) North Moline Street, located near the intersection of North Moline Street and East Martin Luther King Junior 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 1) East Martin Luther King Junior Boulevard, 2) East Martin Luther King Junior Boulevard, 3) East Martin Luther King Junior Boulevard, 4) East Martin Luther King Junior Boulevard, 5) East Martin Luther King Junior Boulevard, and 6) North Moline 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, "Stapleton F50 & Tract A Central Park F61."

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) East Martin Luther King Junior Boulevard, 2) East Martin Luther King Junior Boulevard, 3) East Martin Luther King Junior Boulevard, 4) East Martin Luther King Junior Boulevard, 5) East Martin Luther King Junior Boulevard, and 6) North Moline Street. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2024-DEDICATION-0000154-001, 002, 003, 004, 005, 006) HERE.

A map of the area to be dedicated is attached.

GB/KS/LRA



cc: Dept. of Real Estate, RealEstate@denvergov.org
City Councilperson, Shontel M. Lewis District # 8
Councilperson Aide, N/A
Councilperson Aide, N/A
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, Kathy Svechovsky
DOTI Ordinance
Owner: City and County of Denver
Project file folder 2024-DEDICATION-0000154

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](mailto: MileHighOrdinance@DenverGov.org) by 9 a.m. Friday. Contact the Mayor's Legislative team with questions

Date of Request: August 5, 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 six City-owned parcels of land as Public Right-of-Way as 1) East Martin Luther Junior Boulevard, located at the intersection of East Martin Luther King Junior Boulevard and North Iola Street, 2) East Martin Luther King Junior Boulevard, located at the intersection of East Martin Luther King Junior Boulevard and North Ironton Street, 3) East Martin Luther King Junior Boulevard, located at the intersection of East Martin Luther King Junior Boulevard and North Kingston Street, 4) East Martin Luther King Junior Boulevard, located at the intersection of East Martin Luther King Junior Boulevard and North Lima Street, 5) East Martin Luther King Junior Boulevard, located near the intersection of East Martin Luther King Junior Boulevard and North Moline Street, and 6) North Moline Street, located near the intersection of North Moline Street and East Martin Luther King Junior Boulevard.

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: Lisa R. Ayala	Name: Alaina McWhorter
Email: lisa.ayala@denvergov.org	Email: Alaina.McWhorter@denvergov.org

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

As part of Stapleton Filing No 50 and Central Park Filing No 61, six parcels of land are to be dedicated as 1) East Martin Luther King Junior Boulevard, 2) East Martin Luther King Junior Boulevard, 3) East Martin Luther King Junior Boulevard, 4) East Martin Luther King Junior Boulevard, 5) East Martin Luther King Junior Boulevard, and 6) North Moline Street.

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

7. **City Council District:** Shontel M. Lewis District # 8

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-0000154

Description of Proposed Project: As part of Stapleton Filing No 50 and Central Park Filing No 61, six parcels of land are to be dedicated as 1) East Martin Luther King Junior Boulevard, 2) East Martin Luther King Junior Boulevard, 3) East Martin Luther King Junior Boulevard, 4) East Martin Luther King Junior Boulevard, 5) East Martin Luther King Junior Boulevard, and 6) North Moline 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) East Martin Luther King Junior Boulevard, 2) East Martin Luther King Junior Boulevard, 3) East Martin Luther King Junior Boulevard, 4) East Martin Luther King Junior Boulevard, 5) East Martin Luther King Junior Boulevard, and 6) North Moline 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

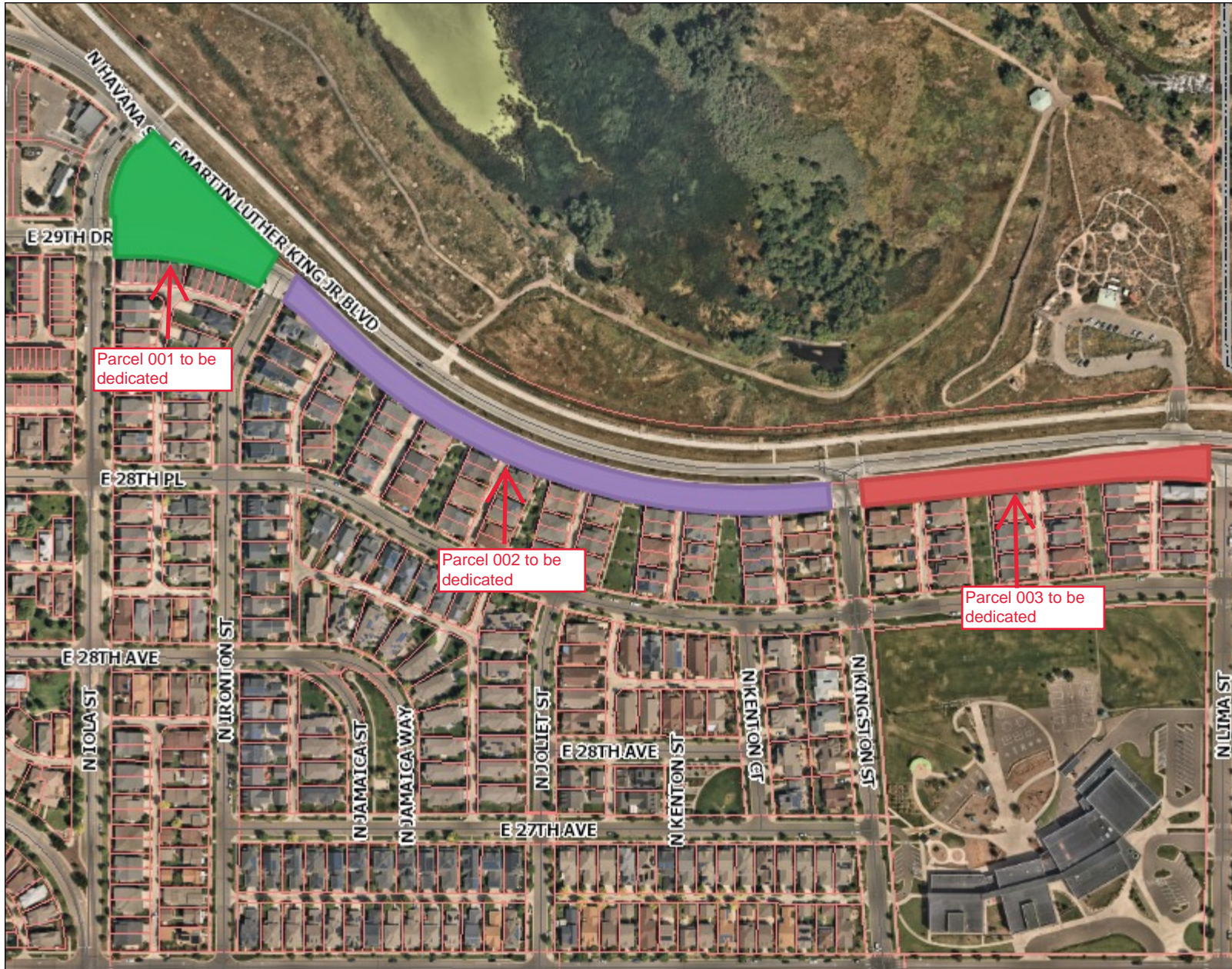
Will an easement relinquishment be submitted at a later date: N/A

Additional information: This land was deeded to the City and County of Denver for the purpose of dedicating it as 1) East Martin Luther King Junior Boulevard, 2) East Martin Luther King Junior Boulevard, 3) East Martin Luther King Junior Boulevard, 4) East Martin Luther King Junior Boulevard, 5) East Martin Luther King Junior Boulevard, and 6) North Moline Street, as part of the development project called, "Stapleton F50 & Tract A Central Park F61."



Legend

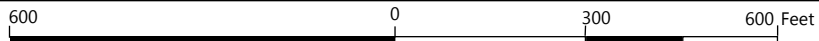
-  Streets
-  Alleys
-  County Boundary
-  Parcels



Parcel 001 to be dedicated

Parcel 002 to be dedicated

Parcel 003 to be dedicated





Legend

-  Streets
-  Alleys
-  County Boundary
-  Parcels

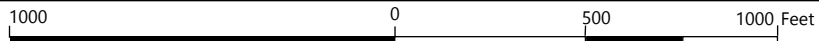


E Martin Luther King Jr Blvd

Parcel 004 to be dedicated

Parcel 005 to be dedicated

Parcel 006 to be dedicated



PARCEL DESCRIPTION ROW NO. 2024-DEDICATION-0000154-001:

LEGAL DESCRIPTION – STREET PARCEL 1: - E MARTIN LUTHER KING JR BLVD

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 1ST DAY OF JULY, 2024, AT RECEPTION NUMBER 2024061049 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

TRACT A, STAPLETON FILING NO. 50, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

PARCEL DESCRIPTION ROW NO. 2024-DEDICATION-0000154-002:

LEGAL DESCRIPTION – STREET PARCEL 2: - E MARTIN LUTHER KING JR BLVD

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 1ST DAY OF JULY, 2024, AT RECEPTION NUMBER 2024061049 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

TRACT B, STAPLETON FILING NO. 50, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

PARCEL DESCRIPTION ROW NO. 2024-DEDICATION-0000154-003:

LEGAL DESCRIPTION – STREET PARCEL 3: - E MARTIN LUTHER KING JR BLVD

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 1ST DAY OF JULY, 2024, AT RECEPTION NUMBER 2024061049 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

TRACT C, STAPLETON FILING NO. 50, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

PARCEL DESCRIPTION ROW NO. 2024-DEDICATION-0000154-004:

LEGAL DESCRIPTION – STREET PARCEL 4: - E MARTIN LUTHER KING JR BLVD

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 1ST DAY OF JULY, 2024, AT RECEPTION NUMBER 2024061049 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

TRACT D, STAPLETON FILING NO. 50, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

PARCEL DESCRIPTION ROW NO. 2024-DEDICATION-0000154-005:

LEGAL DESCRIPTION – STREET PARCEL 5: - E MARTIN LUTHER KING JR BLVD

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 1ST DAY OF JULY, 2024, AT RECEPTION NUMBER 2024061049 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

TRACT E, STAPLETON FILING NO. 50, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

PARCEL DESCRIPTION ROW NO. 2024-DEDICATION-0000154-006:

LEGAL DESCRIPTION – STREET PARCEL 6: - N MOLINE ST

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 1ST DAY OF JULY, 2024, AT RECEPTION NUMBER 2024061049 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

TRACT A, CENTRAL PARK FILING NO. 61, CITY AND COUNTY OF DENVER, STATE OF COLORADO.



07/01/2024 02:48 PM
City & County of Denver
Electronically Recorded

R \$33.00

D \$0.00

WD

SPECIAL WARRANTY DEED

(Stapleton Filing No. 50 and Central Park Filing No. 61)

THIS DEED (“Deed”) is made this 23rd day of May, 2024, between **PARK CREEK METROPOLITAN DISTRICT**, a quasi-municipal corporation and political subdivision of the State of Colorado, whose address is 7350 East 29th Avenue, Suite 300, Denver, Colorado 80238 (“Grantor”) and the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (“Grantee”), whose address is 1437 Bannock Street, Denver, Colorado 80202.

WITNESSETH, that the Grantor, for and in consideration of Five Hundred Dollars (\$500.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold, and conveyed, and by these presents does hereby grant, bargain, sell, convey and confirm unto the Grantee and its successors and assigns forever, all the real property, together with all improvements thereon owned by Grantor, if any, situate, lying and being in the City and County of Denver, State of Colorado, described as follows (the “Property”):

Stapleton Filing No. 50

Tracts A, B, C, D and E, Stapleton Filing No. 50,
City and County of Denver, State of Colorado.

Central Park Filing No. 61

Tract A, Central Park Filing No. 61,
City and County of Denver, State of Colorado.

RESERVING, however, unto Grantor, its successors and assigns any and all minerals, oil, gas and other hydrocarbon substances on or under the Property, to the extent owned by Grantor.

TOGETHER with all rights, privileges and easements appurtenant to the Property, if any, including without limitation, any and all development rights, air rights, ditches and ditch rights (including shares, if any, in any ditch company) appurtenant to the Property.

TO HAVE AND TO HOLD the said Property above bargained and described with the appurtenances, unto the Grantee and its successors and assigns forever. The Grantor, for itself and its successors and assigns, does hereby covenant and agree that it shall and will **WARRANT AND FOREVER DEFEND** the above bargained Property in the quiet and peaceable possession of the Grantee, its successors and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under

Recording Requested by:
FNTG-NCS Colorado

N0041861

the Grantor, except those Permitted Exceptions set forth on **Exhibit A** as attached hereto and incorporated by this reference.

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

PARK CREEK METROPOLITAN DISTRICT, a quasi-municipal corporation and political subdivision of the State of Colorado

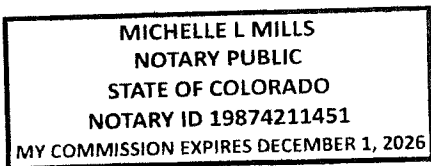
By: 
Tammi Holloway, Assistant Secretary

STATE OF COLORADO)
) ss.
CITY AND COUNTY OF DENVER)

The foregoing instrument was acknowledged before me this 23rd day of May, 2024, by Tammi Holloway, as Assistant Secretary of the Park Creek Metropolitan District, a quasi-municipal corporation and political subdivision of the State of Colorado.

Witness my hand and official seal.

My commission expires: _____




Notary Public

EXHIBIT A**PERMITTED EXCEPTIONS**

9. Terms, conditions, provisions, agreements and obligations contained in the Stapleton Development Plan – South Area as set forth below:

Recording Date: March 26, 2001
Recording No.: Reception No. 2001043010

10. Intentionally deleted.

11. Intentionally deleted.

12. Intentionally deleted.

13. Terms, conditions, provisions, agreements and obligations contained in the Recordation of Development Agreement as set forth below:

Recording Date: April 25, 2004
Recording No.: Reception No. 2004176011

Agreements Regarding Recordation of Development Agreement:

Recording Date: January 5, 2012
Recording No.: Reception No. 2012001703

Recording Date: March 7, 2012
Recording No.: Reception No. 2012030552

Recording Date: March 15, 2013
Recording No.: Reception No. 2013037635

Recording Date: September 29, 2016
Recording No.: Reception No. 2016134249

14. Reservations, including mineral rights, underground water rights, covenants, easements and restrictions as set forth in the Property Deed from the City and County of Denver, a Colorado municipal corporation to Stapleton Development Corporation set forth below:

Recording Date: January 27, 2005
Recording No.: Reception No. 2005016984

Note: All minerals, oil, gas and other hydrocarbon substances, as reserved in the above Deed were conveyed to Stapleton Development Corporation by Quit Claim Deed recorded January 27, 2005 at Reception No. 2005016985 and subsequently conveyed to FC Stapleton I, LLC by Quit Claim Deed recorded January 27, 2005 at Reception No. 2005016988 and then to FC Stapleton II, LLC by Quit Claim Deed recorded January 27, 2005 at Reception No. 2005016992 and then to Park Creek Metropolitan District by Quit Claim Deed recorded February 6, 2023 at Reception No. 2023008953.

15. Intentionally deleted.

16. Terms, conditions, provisions, agreements and obligations contained in the Recordation of Development Agreement as set forth below:

Recording Date: January 27, 2005
Recording No.: Reception No. 2005016989

17. Any taxes or assessments by reason of the inclusion of the Land in the Westerly Creek Metropolitan District, as evidenced by instrument set forth below:

Recording Date: April 12, 2005
Recording No.: Reception No. 2005060273

Recording Date: April 4, 2012
Recording No.: Reception No. 2012044241

Recording Date: May 29, 2012
Recording No.: Reception No. 2012068872

Recording Date: August 23, 2013
Recording No.: Reception No. 2013125596

Recording Date: November 17, 2016
Recording No.: Reception No. 2016161179

18. Intentionally deleted.

19. Reservations, including mineral rights, underground water rights, covenants, easements and restrictions as set forth in the Property Deed from the City and County of Denver, a Colorado municipal corporation to Stapleton Development Corporation set forth below:

Recording Date: January 5, 2012
Recording No.: Reception No. 2012001605

Note: All minerals, oil, gas and other hydrocarbon substances, as reserved in the above Deed were conveyed to Stapleton Development Corporation by Quit Claim Deed recorded January 5, 2012 at Reception No. 2012001606 and subsequently conveyed to FC Stapleton I, LLC by Quit Claim Deed recorded January 5, 2012 at Reception No. 2012001702 and then to FC Stapleton II, LLC by Quit Claim Deed recorded January 5, 2012 at Reception No. 2012001706 and then to Park Creek Metropolitan District by Quit Claim Deed recorded February 6, 2023 at Reception No. 2023008953.

20. Reservations, including mineral rights, underground water rights, covenants, easements and restrictions as set forth in the Property Deed from the City and County of Denver, a Colorado municipal corporation to Stapleton Development Corporation set forth below:

Recording Date: January 7, 2012
Recording No.: Reception No. 2012030480

Note: All minerals, oil, gas and other hydrocarbon substances, as reserved in the above Deed were conveyed to Stapleton Development Corporation by Quit Claim Deed recorded March 7, 2012 at Reception No. 2012030481 and subsequently conveyed to FC Stapleton I, LLC by Quit Claim Deed recorded March 7, 2012 at Reception No. 2012030551 and then to FC Stapleton II, LLC by Quit Claim Deed recorded March 7, 2012 at Reception No. 2012030555 and then to Park Creek Metropolitan District by Quit Claim Deed recorded February 6, 2023 at Reception No. 2023008953.

21. Reservations, including mineral rights, underground water rights, covenants, easements and restrictions as set forth in the Property Deed from the City and County of Denver, a Colorado municipal corporation to Stapleton Development Corporation set forth below:

Recording Date: March 15, 2013
Recording No.: Reception No. 2013037630

Note: All minerals, oil, gas and other hydrocarbon substances, as reserved in the above Deed were conveyed to Stapleton Development Corporation by Quit Claim Deed recorded March 15, 2013 at Reception No. 2013037631 and subsequently conveyed to FC Stapleton I, LLC by Quit Claim Deed recorded March 15, 2013 at Reception No. 2013037634 and then to FC Stapleton II, LLC by Quit Claim Deed recorded March 15, 2013 at Reception No. 2013037638 and then to Park Creek Metropolitan District by Quit Claim Deed recorded February 6, 2023 at Reception No. 2023008953.

22. Reservations, including minerals rights, underground water rights, covenants, easements and restrictions as set forth in the Property Deed from the City and County of Denver, a Colorado municipal corporation to Stapleton Development Corporation set forth below:

Recording Date: September 23, 2016
Recording No.: Reception No. 2016130300

Note: All minerals, oil, gas and other hydrocarbon substances, as reserved in the above Deed were conveyed to Stapleton Development Corporation by Quit Claim Deed recorded September 23, 2016 at Reception No. 2016130301 and subsequently conveyed to Park Creek Metropolitan District by Quit Claim Deed recorded September 23, 2016 at Reception No. 2016130304.

23. Intentionally deleted.

24. Easements, notes, terms, conditions, provisions, agreements and obligations contained in the Plat of Stapleton Filing No. 50 as set forth below:

Recording Date: March 30, 2018
Recording No.: Reception No. 2018037005

25. Easements notes, terms, conditions, provisions, agreements and obligations contained in the Plat of Central Park Filing No. 61 as set forth below:

Recording Date: April 22, 2021
Recording No.: Reception No. 2021077318