


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: December 14, 2023

ROW #: 2023-DEDICATION-0000015 **SCHEDULE #:** Adjacent to 0506300195000, 050630019400, and 0506300182000

TITLE: This request is to dedicate a City-owned parcel of land as Public Right-of-Way as West 11th Avenue, located near the intersection of West 11th Avenue and North Xavier 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 West 11th 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, "AHRT – 11th Avenue Townhomes."

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 11th Avenue. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2023-DEDICATION-0000015-001) HERE.

A map of the area to be dedicated is attached.

GB/DS/DG

cc: Dept. of Real Estate, RealEstate@denvergov.org
City Councilperson, Jamie Torres District #3
Councilperson Aide, Daisy Rocha Vasquez
Councilperson Aide, Angelina Gurule
Councilperson Aide, Ayn Tougaard Slavis
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, Dana Sperling
DOTI Ordinance
Owner: City and County of Denver
Project file folder 2023-DEDICATION-0000015

ORDINANCE/RESOLUTION REQUEST

Please email requests to Jason Gallardo
at 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: December 14, 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 11th Avenue, located near the intersection of West 11th Avenue and North Xavier Street.

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

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

6. **General description/background of proposed resolution including contract scope of work if applicable:** The project proposes to combine parcels of vacant land and build four (4) new townhomes called, "AHRT-11th Avenue Townhomes." The developer was asked to dedicate one parcel as West 11th 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:** Near the intersection of W. 11th Ave., and N. Xavier St.
- 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.

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: _____

Date Entered: _____

EXECUTIVE SUMMARY

Project Title: 2023-DEDICATION-0000015

Description of Proposed Project: The project proposes to combine parcels of vacant land and build four (4) new townhomes called, "AHRT-11th Avenue Townhomes." The developer was asked to dedicate one parcel as West 11th 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 11th 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 11th Avenue, as part of a development project called, "AHRT-11th Avenue Townhomes."



Legend

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

289 0 144.5 289 Feet

PARCEL DESCRIPTION ROW NO. 2023-DEDICATION-0000015-001:

LAND DESCRIPTION – STREET PARCEL

A Parcel of Land Conveyed by Special Warranty deed to the City and County of Denver, recorded on the 22nd day of November, 2023, at Reception Number 2023111305 in the City and County of Denver Clerk and Recorder's Office, State of Colorado, described as follows:

A portion of the Northwest Quarter of Section 6, Township 4 South, Range 68 West of the 6th P.M. and also being a portion of the land described in Deed Book 912 at Page 024 and in Deed recorded July 5, 2012 under Reception No. 2012088497, being more particularly described as follows:

The Basis of Bearings of this legal description is the south line of the North Half of Section 6, monumented by a by a 3-1/4" aluminum cap in range box, PLS 28286, on the west end and by a 3-1/4" aluminum cap in range box, PLS 20699, on the east end. Said line is assumed to bear North 89 degrees 39 minutes 43 seconds West.

Commencing at the West Quarter Corner of Section 6, Township 4 South, Range 68 West of the 6th P.M., being monumented by a 3-1/4" aluminum cap in range box, PLS 28286, thence South 89 degrees 39 minutes 43 seconds East along the centerline of Section 6, 470.80 feet to a point; thence North 0 degrees 20 minutes 17 seconds East, 30.00 feet to a point on the north right-of-way line of W. 10th Ave. being monumented by a No. 5 rebar with pink cap, PLS 38556; thence North 0 degrees 05 minutes 24 seconds West, 328.91 feet along the west line of a parcel of land described in Deed recorded on October 14, 1953 under Reception No. 1953271434 also being the east line of a parcel of land described in Deed recorded April 3, 2020 under Reception No. 2020046842 to a No. 5 rebar with yellow cap, PLS 15321 at the southwest corner of the parcel described in Deed recorded July 5, 2012 under Reception No. 2012088497 and the Point of Beginning:

Thence along the west line of the parcel of land described in Deed recorded July 5, 2012 under Reception No. 2012088497, North 0 degrees 18 minutes 08 seconds East, 7.00 feet; thence South 89 degrees 39 minutes 47 seconds East, 273.76 feet to a point on the east line of the parcel of land described in Deed recorded July 5, 2012 under Reception No. 2012088497; thence along the east line of the parcel of land described in Deed recorded July 5, 2012 under Reception No. 2012088497, South 0 degrees 03 minutes 24 seconds East, 7.09 feet to the southeast corner of the parcel of land described in Deed recorded on July 5, 2012 under Reception No. 2012088497; thence North 89 degrees 38 minutes 45 seconds West along the south line of the parcel of land described in Deed recorded July 5, 2012 under Reception No. 2012088497, 273.80 feet to the Point of Beginning.

Containing a calculated area of 1,929 square feet or 0.0443 acres, more or less.



11/22/2023 10:30 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: 2023-DEDICATION-0000015
Asset Mgmt No.: 23-279

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED (“Deed”), made as of this 10th day of October 2023, by **11TH AVENUE TOD, LLC**, a Colorado limited liability company, whose address is 1600 Downing Street, Suite 300, Denver, CO 80218, 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.

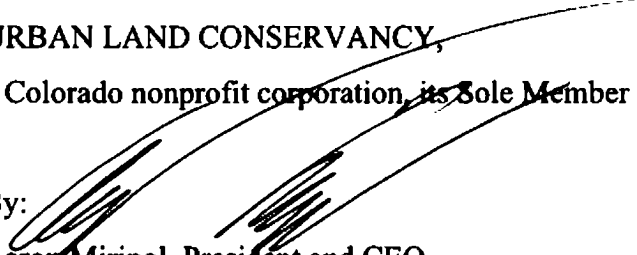
No separate bill of sale with respect to improvements on the Property will be executed.

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

ATTEST:

11TH AVENUE TOD, LLC, a Colorado limited liability company

By: URBAN LAND CONSERVANCY,
a Colorado nonprofit corporation, its Sole Member

By: 
Aaron Miripol, President and CEO

STATE OF CO)
COUNTY OF Denver) ss.

The foregoing instrument was acknowledged before me this 10th day of October, 2023
by Aaron Miripol, as CEO/President of 11TH AVENUE TOD, LLC, a
Colorado limited liability company.

Witness my hand and official seal.

My commission expires: 06-21-26



Notary Public

AUTUMN GEORGIANA BRENNAN
Notary Public
State of Colorado
Notary ID # 20224024073
My Commission Expires 06-21-2026

EXHIBIT A SHEET 1 OF 2

LAND DESCRIPTION:

A portion of the Northwest Quarter of Section 6, Township 4 South, Range 68 West of the 6th P.M. and also being a portion of the land described in Deed Book 912 at Page 024 and in Deed recorded July 5, 2012 under Reception No. 2012088497, being more particularly described as follows:

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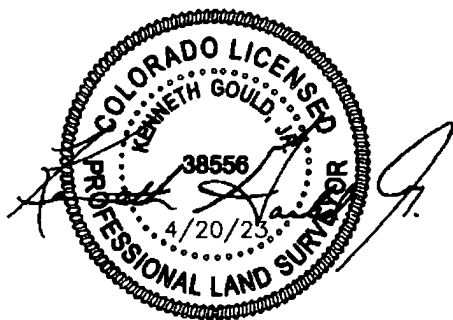
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Containing a calculated area of 1,929 square feet or 0.0443 acres, more or less.

This land description and exhibit was prepared by me or under my direct supervision and checking and is true and correct to the best of my knowledge, information and belief.

The above statement is neither a warranty or guarantee, either expressed or implied



Kenneth Gould, Jr., PLS
Colorado Professional Land Surveyor No. 38556
For and on behalf of Gould Land Surveying, LLC.

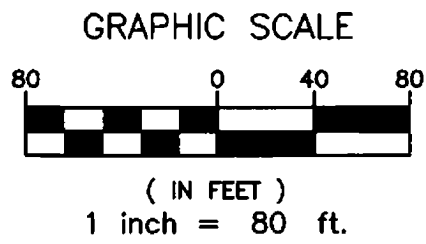
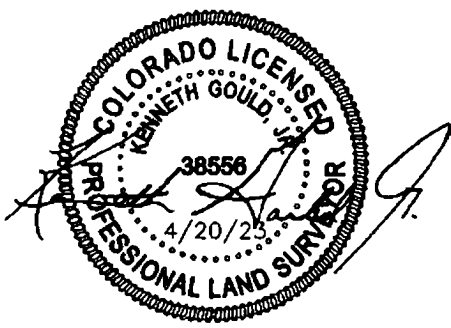
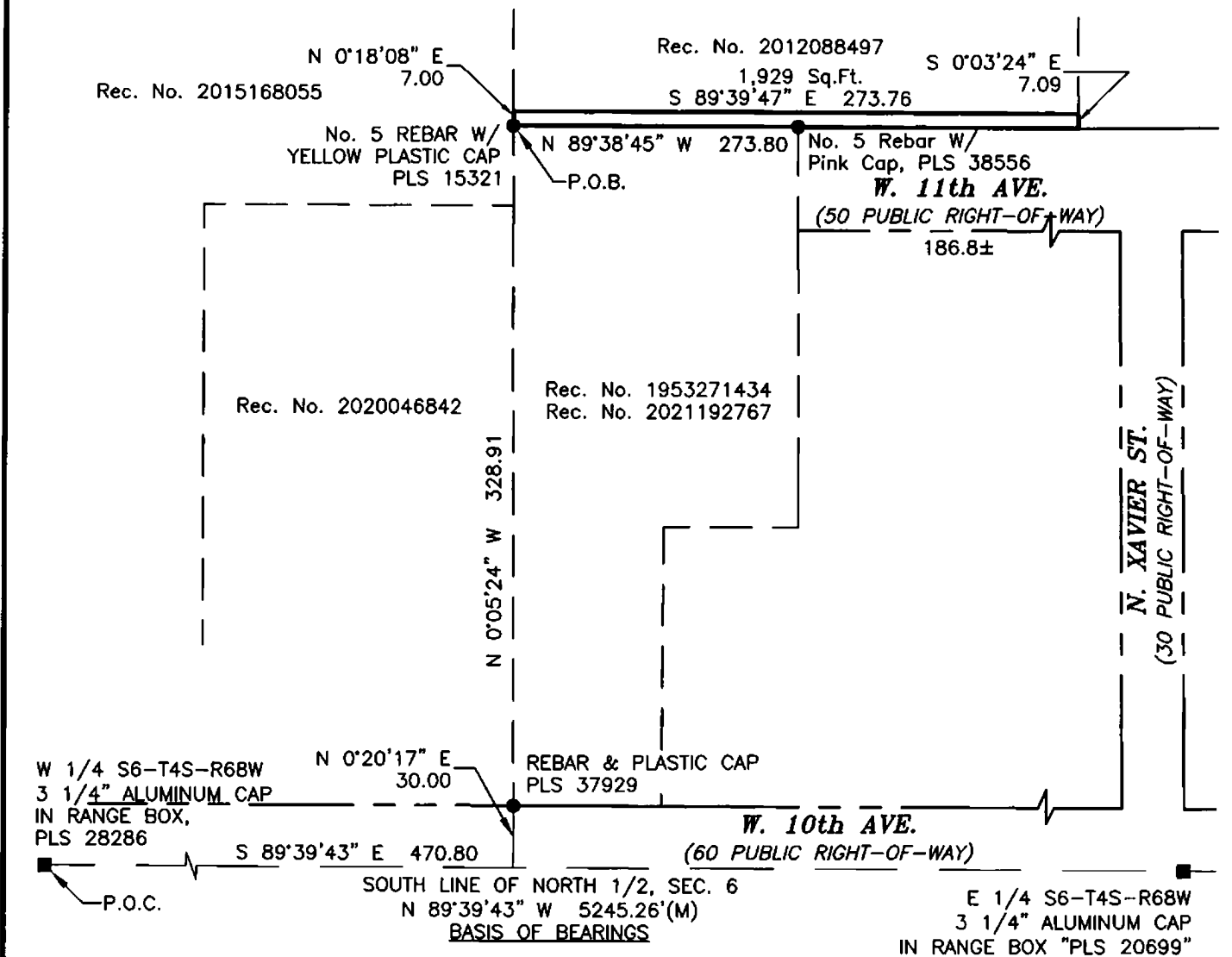


GOULD
LAND SURVEYING

P.O. Box 7123
Woodland Park, CO 80863
(719) 687-8385
info@gouldls.com
www.GouldLandSurveying.com

Project No.: 21085
April 20, 2023

EXHIBIT A SHEET 2 OF 2



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Project No.: 21085
April 20, 2023