


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: November 22, 2024

ROW #: 2023-DEDICATION-0000258 **SCHEDULE #:** Adjacent to 1) 0527502009000 and
2) 0527502009000

TITLE: This request is to dedicate two City-owned parcels of land as Public Right-of-Way as 1) Public Alley, bounded by South Broadway, East Iliff Avenue, South Lincoln Street, and East Wesley Avenue, and 2) South Broadway, located near the intersection of South Broadway and East Wesley 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 1) Public Alley, and 2) South Broadway. 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, "2362 South Broadway."

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) Public Alley, and 2) South Broadway. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2023-DEDICATION-0000258-001, 002) HERE.

A map of the area to be dedicated is attached.

GB/PB/BV

cc: Dept. of Real Estate, RealEstate@denvergov.org
City Councilperson, Flor Alvidrez District # 7
Councilperson Aide, Mark Montoya
Councilperson Aide, Caleb Todd
Councilperson Aide, Jake Yolles
Councilperson Aide, Jonathan Serrano
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, Brian Pfohl
DOTI Ordinance
Owner: City and County of Denver
Project file folder 2023-DEDICATION-0000258

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

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: November 22, 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 two City-owned parcels of land as Public Right-of-Way as 1) Public Alley, bounded by South Broadway, East Iliff Avenue, South Lincoln Street, and East Wesley Avenue, and 2) South Broadway, located near the intersection of South Broadway and East Wesley Avenue.

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: Barbara Valdez	Name: Alaina McWhorter
Email: Barbara.Valdez@denvergov.org	Email: Alaina.McWhorter@denvergov.org

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

Proposing to demolish existing commercial building and build a new 20-unit multiplex. The developer was asked to dedicate two parcels of land as 1) Public Alley, and 2) South Broadway.

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

7. **City Council District:** Flor Alvidrez, District #7

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: 2023-DEDICATION-0000258

Description of Proposed Project: Proposing to demolish existing commercial building and build a new 20-unit multiplex. The developer was asked to dedicate two parcels of land as 1) Public Alley, and 2) South Broadway.

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) Public Alley, and 2) South Broadway.

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

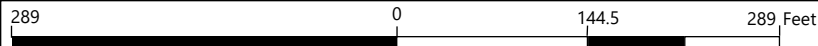
Will an easement relinquishment be submitted at a later date: N/A

Additional information: This land was deeded to the City and County of Denver for the purpose of dedicating it as 1) Public Alley, and 2) South Broadway, as part of the development project called, "2362 South Broadway."



Legend

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



PARCEL DESCRIPTION ROW NO. 2023-DEDICATION-0000258-001:

LEGAL DESCRIPTION - ALLEY PARCEL #1:

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 8TH DAY OF NOVEMBER, 2024, AT RECEPTION NUMBER 2024104226 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

A PARCEL OF LAND WITHIN LOTS 16 AND 17, BLOCK 20, ROSEDALE, SITUATED IN THE SOUTHEAST 1/4, SECTION 27, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO AND BEING PARTICULARLY DESCRIBED AS FOLLOWS:

THE EAST 2.00 FEET OF SAID LOTS 16 AND 17, BLOCK 20, ROSEDALE.

CONTAINING 100 SQUARE FEET, MORE OR LESS.

PARCEL DESCRIPTION ROW NO. 2023-DEDICATION-0000258-002:

LEGAL DESCRIPTION - STREET PARCEL #2:

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 8TH DAY OF NOVEMBER, 2024, AT RECEPTION NUMBER 2024104226 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

A PARCEL OF LAND WITHIN LOTS 16 AND 17, BLOCK 20, ROSEDALE, SITUATED IN THE SOUTHEAST 1/4, SECTION 27, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 5.00 FEET OF SAID LOTS 16 AND 17, BLOCK 20, ROSEDALE.

CONTAINING 250 SQUARE FEET, MORE OR LESS.



11/08/2024 01:29 PM

R \$0.00

D \$0.00

City & County of Denver

WD

Electronically Recorded

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-0000258
Asset Mgmt No.: 24-212

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED (“Deed”), made as of this 15th day of October, 2024, by **GEARHART MOORE HOLDINGS, LLC**, a Colorado limited liability company, whose address is 2079 W. 44th Ave. Denver, CO 80211, 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:

GEARHART MOORE HOLDINGS, LLC, a Colorado limited liability company

By: Ben Moore

Name: Ben Gearhart

Its: Manager

STATE OF CO)
COUNTY OF Denver) ss.

The foregoing instrument was acknowledged before me this 15th day of October, 2024
by Ben Gearhart, as Manager of GEARHART MOORE
HOLDINGS, LLC, a Colorado limited liability company.

Witness my hand and official seal.

My commission expires: 6/11/2026

[Signature]
Notary Public

KYLE W KAUFMAN
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20144023308
MY COMMISSION EXPIRES JUNE 11, 2026

EXHIBIT A

2022-PROJMSTR-0000147-ROW

LAND DESCRIPTION:

PARCEL 1:

A PARCEL OF LAND WITHIN LOTS 16 AND 17, BLOCK 20, ROSEDALE, SITUATED IN THE SOUTHEAST 1/4, SECTION 27, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO AND BEING PARTICULARLY DESCRIBED AS FOLLOWS:

THE EAST 2.00 FEET OF SAID LOTS 16 AND 17, BLOCK 20, ROSEDALE.

CONTAINING 100 SQUARE FEET, MORE OR LESS.

PARCEL 2:

A PARCEL OF LAND WITHIN LOTS 16 AND 17, BLOCK 20, ROSEDALE, SITUATED IN THE SOUTHEAST 1/4, SECTION 27, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 5.00 FEET OF SAID LOTS 16 AND 17, BLOCK 20, ROSEDALE.

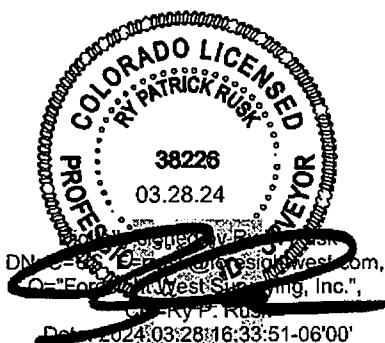
CONTAINING 250 SQUARE FEET, MORE OR LESS.

ALL LINEAL DISTANCE UNITS ARE REPRESENTED IN U.S. SURVEY FEET.

LEGAL DESCRIPTION STATEMENT:

I, RY PATRICK RUSK, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE ABOVE LEGAL DESCRIPTION WAS PREPARED UNDER MY RESPONSIBLE CHARGE AND ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF ARE CORRECT.

RY PATRICK RUSK
PLS No. 38226
FORESIGHT WEST SURVEYING, INC.
1309 S. INCA STREET
DENVER, CO 80223
303.901.0479
MARCH 28, 2024

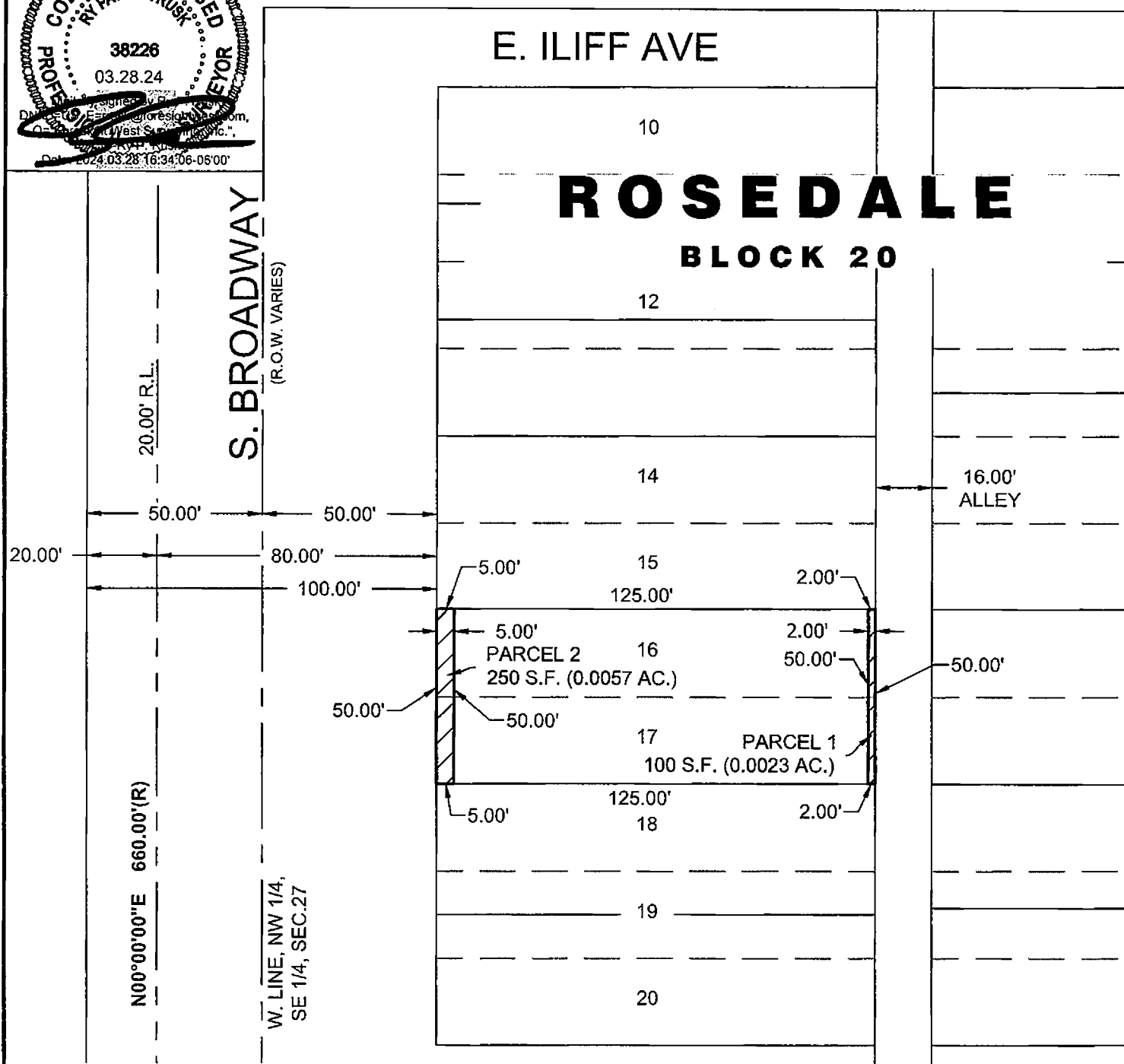
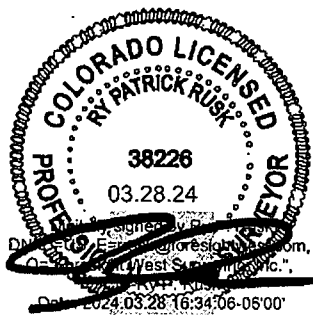


DN: /c=US, o=foresightwest.com, ou="Foresight West Surveying, Inc.", cn=Ry P. Rusk
Date: 2024.03.28:16:33:51-06'00'

SITUATED IN THE SOUTHEAST 1/4, SECTION 27, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO.	REV:0	02.10.23	Job No.: 2021205
	REV:1	02.23.23	
	REV:2	03.12.24	FWS FORESIGHT WEST SURVEYING INC. 1309 S. Inca Street Denver, Colorado 80223 303.504.4440
	REV:3	03.28.24	
	DRAFTING BY: RUSK		
REVIEW BY: SCOTT		Scaled for 8.5" x 11"	Sheet: 1 of 2

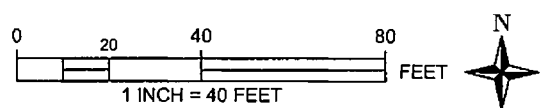
ILLUSTRATION FOR EXHIBIT A

2022-PROJMSTR-0000147-ROW



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

E. WESLEY AVE PARCEL 1- CONTAINING 100 SQ. FT. +/-
PARCEL 2- CONTAINING 250 SQ. FT. +/-



SITUATED IN THE SOUTHEAST 1/4, SECTION 27, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO.

REV:0	02.10.23
REV:1	02.23.23
REV:2	03.12.24
REV:3	03.28.24
DRAFTING BY: RUSK	
REVIEW BY: SCOTT	

Job No.: 2021205

FWS FORESIGHT WEST SURVEYING INC.

1309 S. Inca Street
 Denver, Colorado 80223
 303.504.4440

Scaled for 8.5" x 11" Sheet: 2 of 2