


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 28, 2023

ROW #: 2021-DEDICATION-0000093 **SCHEDULE #:** 1) 0506102053000, and 2) 0506102053000

TITLE: This request is to dedicate two City-owned parcels of land as Public Right-of-Way as 1) West Colfax Avenue, located at the intersection of West Colfax Avenue and North Newton Street, and 2) Public Alley, bounded by West Colfax Avenue, North Newton Street, West 14th Avenue, and North Meade 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 1) West Colfax Avenue, and 2) 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, "3722 Colfax."

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) West Colfax Avenue, and 2) Public Alley. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2021-DEDICATION-0000093-001, 002) HERE.

A map of the area to be dedicated is attached.

MB/TB/LRA

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, Thomas Breitnauer
DOTI Ordinance
Owner: City and County of Denver
Project file folder 2021-DEDICATION-0000093

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 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: November 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 two City-owned parcels of land as Public Right-of-Way as 1) West Colfax Avenue, located at the intersection of West Colfax Avenue and North Newton Street, and 2) Public Alley, bounded by West Colfax Avenue, North Newton Street, West 14th Avenue, and North Meade Street.

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

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:** Demolish existing commercial structure and build a new commercial structure. The developer has been asked to dedicate two parcels of land as 1) West Colfax Avenue, and 2) 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 West Colfax Avenue, North Newton Street, West 14th Avenue, and North Meade Street.
- 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: 2021-DEDICATION-0000093

Description of Proposed Project: Demolish existing commercial structure and build a new commercial structure. The developer has been asked to dedicate two parcels of land as 1) West Colfax Avenue, and 2) 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 1) West Colfax Avenue, and 2) 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

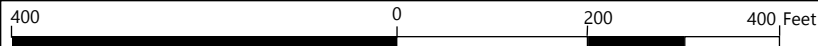
Will an easement relinquishment be submitted at a later date: N/A

Additional information: This land was deeded to the City and County of Denver for the purpose of dedicating it as 1) West Colfax Avenue, and 2) Public Alley, as part of a development project called, "3722 Colfax."



Legend

- Streets
- Alleys
- ▭ County Boundary
- ▭ Parcels



PARCEL DESCRIPTION ROW NO. 2021-DEDICATION-0000093-001:**LAND DESCRIPTION – STREET PARCEL NO. 1**

A parcel of land conveyed by Special Warranty deed to the City and County of Denver, recorded on the 1st day of June, 2022, at reception number 2022073337 in the City and County of Denver Clerk and Recorder's Office, State of Colorado, therein as:

PARCEL A

A Part of Lot 1, Block 6, Colfax Avenue Subdivision of Maple Grove Subdivision situated in the Northeast 1/4 of Section 6, Township 4 South, Range 68 West of the 6th Principal Meridian, City and County of Denver, State of Colorado, more particularly described as follows:

Beginning at the Northeast Corner of said Lot 1, Block 6, Colfax Avenue Subdivision of Maple Grove Subdivision; Thence S00°26'44"E along the West Line of the 14 foot Public Alley located in said Block 6, a distance of 8.00 feet; Thence S89°47'38"W a distance of 125.06 feet to a point on the West Line of said Lot 1; Thence N00°26'26"W along said West Line of Lot 1, a distance of 8.00 feet to Northwest Corner of said Lot 1 and the South Right-of Way (R.O.W.) Line of West Colfax Avenue; Thence N89°47'38"E along said North Line of Lot 1 and along said South R.O.W. Line of West Colfax Avenue, a distance of 125.06 feet to the **Point of Beginning**.

Parcel Contains (1,000 Square Feet) 0.0230 Acres, more or less.

All lineal distances are represented in U.S. Survey Feet.

PARCEL DESCRIPTION ROW NO. 2021-DEDICATION-0000093-002:**LAND DESCRIPTION - ALLEY PARCEL NO. 2**

A parcel of land conveyed by Special Warranty deed to the City and County of Denver, recorded on the 1st day of June, 2022, at reception number 2022073337 in the City and County of Denver Clerk and Recorder's Office, State of Colorado, therein as:

PARCEL B

A Part of Lots 1 through 4, inclusive, Block 6, Colfax Avenue Subdivision of Maple Grove Subdivision situated in the Northeast 1/4 of Section 6, Township 4 South, Range 68 West of the 6th Principal Meridian, City and County of Denver, State of Colorado, more particularly described as follows:

Commencing at the Northeast Corner of said Lot 1, Block 6, Colfax Avenue Subdivision of Maple Grove Subdivision; Thence S00°26'44"E along the West Line of the 14 foot Public Alley located in said Block 6, a distance of 8.00 feet to the **Point of Beginning**; Thence S00°26'44"E along said West Line, a distance of 92.05 feet to Southeast Corner of Lot 4 Block 6, Colfax Avenue Subdivision of Maple Grove Subdivision; Thence S89°47'41"W along the South Line of said Lot 4, a distance of 3.00 feet; Thence N00°26'44"W a distance of 92.05 feet; Thence N89°47'38"E a distance of 3.00 feet to the **Point of Beginning**.

Parcel Contains (276 Square Feet) 0.0063 Acres, more or less.

All lineal distances are represented in U.S. Survey Feet.

Bearings are based on the North Line of Lot 1, Block 6, Colfax Avenue Subdivision of Maple Grove Subdivision having an assumed bearing of N89°47'38"E and bounded by nail and 1" Brass Tag stamped "ESC 27609" found at both the Northeast and Northwest Corner of said Lot 1.



06/01/2022 02:24 PM
City & County of Denver

R \$0.00

WD

2022073337

Page: 1 of 4

D \$0.00

After recording, return to:
Division of Real Estate
City and County of Denver
201 West Colfax Avenue, Dept. 1010
Denver, Colorado 80202
Project Description: 2021-Dedication-0000093
Asset Mgmt No.: 22-001

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED (“Deed”), made as of this 25 day of April, 2022, by **KERMAN INVESTMENTS LLC**, a Colorado limited liability company, whose address is 3900 Irving Street, 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:

KERMAN INVESTMENTS LLC, a Colorado limited liability company

By: [Signature]

Name: DARIUS KERMAN

Its: MANAGER MEMBER

STATE OF Colorado)
) ss.
COUNTY OF Adams)

The foregoing instrument was acknowledged before me this 25 day of April, 2022
by Darius Kerman, as Manager of Kerman Investments LLC,
a Colorado limited liability company.

Witness my hand and official seal.

My commission expires: 11.21.2022

[Signature]
Notary Public

**AMANDA PACE
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20074041504
MY COMMISSION EXPIRES 11/21/2022**

EXHIBIT "A"

Page 1 of 2

Land Description:**Parcel A**

A Part of Lot 1, Block 6, Colfax Avenue Subdivision of Maple Grove Subdivision situated in the Northeast 1/4 of Section 6, Township 4 South, Range 68 West of the 6th Principal Meridian, City and County of Denver, State of Colorado, more particularly described as follows:

Beginning at the Northeast Corner of said Lot 1, Block 6, Colfax Avenue Subdivision of Maple Grove Subdivision;
 Thence S00°26'44"E along the West Line of the 14 foot Public Alley located in said Block 6, a distance of 8.00 feet;
 Thence S89°47'38"W a distance of 125.06 feet to a point on the West Line of said Lot 1;
 Thence N00°26'26"W along said West Line of Lot 1, a distance of 8.00 feet to Northwest Corner of said Lot 1 and the South Right-of Way (R.O.W.) Line of West Colfax Avenue;
 Thence N89°47'38"E along said North Line of Lot 1 and along said South R.O.W. Line of West Colfax Avenue, a distance of 125.06 feet to the **Point of Beginning**.

Parcel Contains (1,000 Square Feet) 0.0230 Acres, more or less.

All lineal distances are represented in U.S. Survey Feet.

Parcel B

A Part of Lots 1 through 4, inclusive, Block 6, Colfax Avenue Subdivision of Maple Grove Subdivision situated in the Northeast 1/4 of Section 6, Township 4 South, Range 68 West of the 6th Principal Meridian, City and County of Denver, State of Colorado, more particularly described as follows:

Commencing at the Northeast Corner of said Lot 1, Block 6, Colfax Avenue Subdivision of Maple Grove Subdivision;
 Thence S00°26'44"E along the West Line of the 14 foot Public Alley located in said Block 6, a distance of 8.00 feet to the **Point of Beginning**;
 Thence S00°26'44"E along said West Line, a distance of 92.05 feet to Southeast Corner of Lot 4, Block 6, Colfax Avenue Subdivision of Maple Grove Subdivision;
 Thence S89°47'41"W along the South Line of said Lot 4, a distance of 3.00 feet;
 Thence N00°26'44"W a distance of 92.05 feet;
 Thence N89°47'38"E a distance of 3.00 feet to the **Point of Beginning**.

Parcel Contains (276 Square Feet) 0.0063 Acres, more or less.

All lineal distances are represented in U.S. Survey Feet.

Bearings are based on the North Line of Lot 1, Block 6, Colfax Avenue Subdivision of Maple Grove Subdivision having an assumed bearing of N89°47'38"E and bounded by nail and 1" Brass Tag stamped "ESC 27609" found at both the Northeast and Northwest Corner of said Lot 1.

Date Prepared: April 19, 2021

Date of Last Revision: November 19, 2021

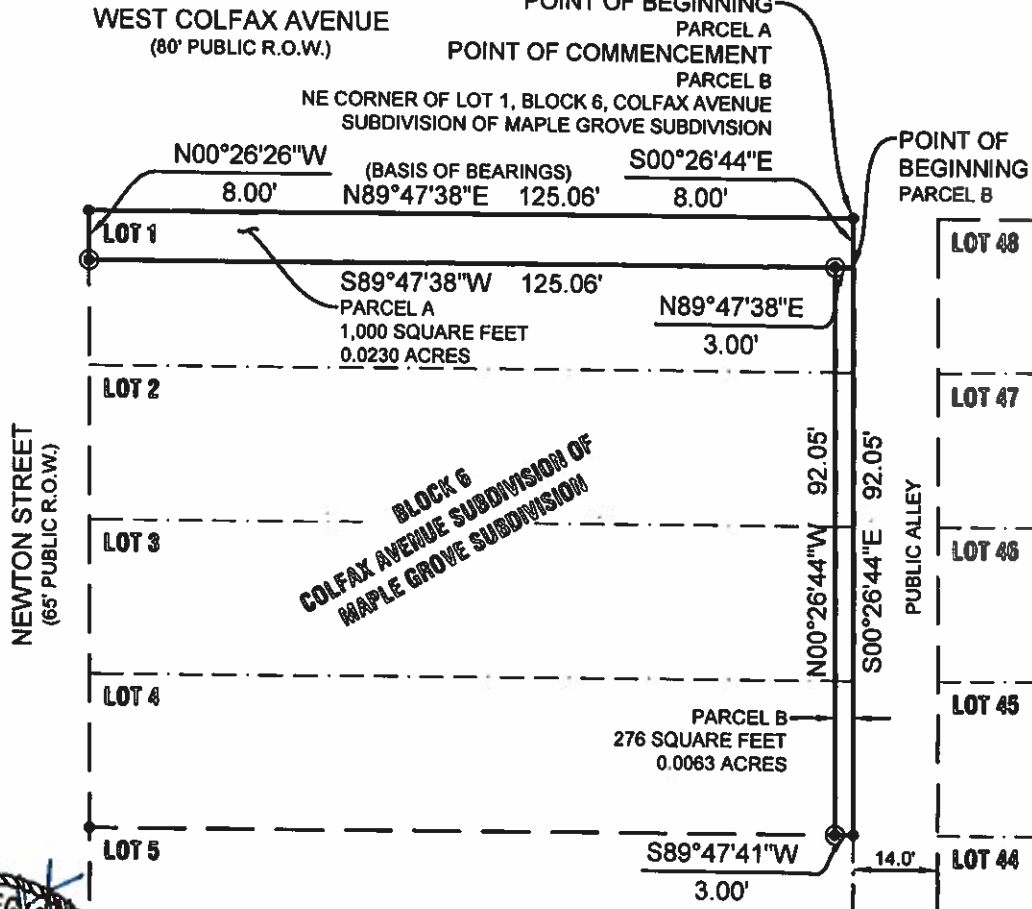
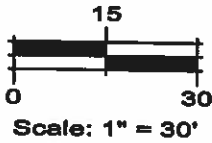
Prepared By: Charles N. Beckstrom, PLS No. 33202

For and on behalf of
 Engineering Service Company
 14190 East Evans Avenue
 Aurora, Colorado 80014
 Phone: 303-337-1393



ILLUSTRATION FOR EXHIBIT "A"

Page 2 of 2



ESC
ENGINEERING SERVICE COMPANY
14190 East Evans Avenue
Aurora, Colorado 80014
P 303.337.1393 | F 303.337.7481

PROPERTY OWNER:
KERMAN INVESTMENTS LLC
3800 IRVING STREET, SUITE 10
DENVER, COLORADO 80211

LEGEND

- SET NAIL & 1" BRASS TAG STAMPED "ESC 33202"
- FOUND NAIL & 1" BRASS TAG STAMPED "ESC 27609"

CITY AND COUNTY OF DENVER

Drawn By: JDP	Checked By: CNB, JDP	Project No.: 1409.4	Date: 4/27/2021 rev 11/19/2021
Scale: 1" = 30'	File Name: <i>1409.4 - Parcel A & B - Block 6 - Colfax Ave - Maple Grove Subdiv - ROW Comp - 11/19/2021</i>		

Note: This exhibit does not represent a monumented survey. It is intended only to depict the attached description.

A PART OF LOTS 1 THROUGH 4, BLOCK 6, COLFAX AVENUE
SUBDIVISION OF MAPLE GROVE SUBDIVISION
SITUATED IN THE NE 1/4 OF SECTION 6, T.4S., R.68W. OF THE 6TH P.M.
CITY AND COUNTY OF DENVER, STATE OF COLORADO