


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 6, 2023

ROW #: 2023-DEDICATION-0000029 **SCHEDULE #:** 0506300257000

TITLE: This request is to dedicate a City-owned parcel of land as Public Right-of-Way as West 10th Avenue, located near the intersection of West 10th Avenue and North Zenobia 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 10th 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 – Wellpower 10th & Sheridan."

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 10th Avenue. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2023-DEDICATION-0000029-001) HERE.

A map of the area to be dedicated is attached.

GB/DS/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, Dana Sperling
DOTI Ordinance
Owner: City and County of Denver
Project file folder 2023-DEDICATION-0000029

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: December 6, 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 10th Avenue, located near the intersection of West 10th Avenue and North Zenobia 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:** Proposing to build a new apartment complex. The developer has been asked to dedicate a parcel of land as West 10th 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 West 10th Avenue and North Zenobia 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: 2023-DEDICATION-0000029

Description of Proposed Project: Proposing to build a new apartment complex. The developer has been asked to dedicate a parcel of land as West 10th 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 10th Avenue.

Has a Temp MEP been issued, and if so, what work is underway: N/A

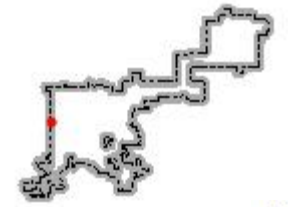
What is the known duration of a MEP: N/A

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

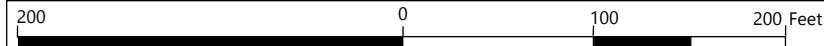
Will an easement relinquishment be submitted at a later date: N/A

Additional information: This land was deeded to the City and County of Denver for the purpose of dedicating it as West 10th Avenue, as part of a development project called, "AHRT – Wellpower 10th & Sheridan."



Legend

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



PARCEL DESCRIPTION ROW NO. 2023-DEDICATION-000029-001:

LAND DESCRIPTION – STREET PARCEL

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 1ST DAY OF AUGUST, 2023, AT RECEPTION NUMBER 2023071480 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

A PORTION OF PARCELS A AND B AS DESCRIBED AND CONVEYED IN THAT CERTAIN SPECIAL WARRANTY DEED RECORDED APRIL 3, 2020 UNDER RECEPTION NO. 2020046842, LYING WITHIN THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST ¼ OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M. ON AN ASSUMED BEARING OF NORTH 00°13'27" EAST FOR A DISTANCE OF 1,320.57 FEET BETWEEN A FOUND ILLEGIBLE 3.25" ALUMINUM CAP AT SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER PER MONUMENT RECORD DATED 11/30/2013 AND BY A FOUND 3.25" ALUMINUM CAP STAMPED "COLORADO DEPT OF TRANSPORTATION T4S R69W 1 1/16 S1 S6 2005 PLS NO 34579" IN A RANGE BOX AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER PER MONUMENT RECORD DATED 9/30/2019.

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M.;
THENCE SOUTH 89°22'37" EAST ALONG THE SOUTH LINE OF SAID NW 1/4, SECTION 6, A DISTANCE OF 396.01 FEET TO A POINT ON THE SOUTHERLY PROLONGATION OF THE EAST LINE OF SAID PARCEL B;

THENCE DEPARTING SAID SOUTH LINE OF SAID NW 1/4, ALONG SAID PROLONGATION, NORTH 00°13'35" EAST A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF W. 10TH AVENUE, SAID POINT ALSO BEING THE SOUTHEAST CORNER SAID PARCEL B, AND BEING THE POINT OF BEGINNING;

THENCE DEPARTING SAID EAST LINE, NORTH 89°22'37" WEST ALONG THE SOUTH LINE SAID PARCEL B, A DISTANCE OF 76.00 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL B;
THENCE DEPARTING SAID SOUTH LINE, NORTH 00°13'35" EAST ALONG THE WEST LINE SAID PARCEL B, A DISTANCE OF 6.00 FEET;
THENCE DEPARTING SAID WEST LINE, PARALLEL WITH AND 6.00 FEET NORTH OF SAID SOUTH LINE OF SAID PARCEL B, SOUTH 89°22'37" EAST A DISTANCE OF 151.00 FEET TO A POINT ON THE EAST LINE OF SAID PARCEL A;
THENCE SOUTH 00°11'45" WEST ALONG SAID EAST LINE, A DISTANCE OF 6.00 FEET TO THE SOUTHEAST CORNER SAID PARCEL A;
THENCE DEPARTING SAID EAST LINE, NORTH 89°22'37" WEST ALONG THE SOUTH LINE SAID PARCEL A, A DISTANCE OF 75.00 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF ±906 SQUARE FEET OR ±0.021 ACRES, MORE OR LESS.



08/01/2023 10:54 AM
City & County of Denver
Electronically Recorded

R \$0.00

WD

D \$0.00

After signing, return to:
Division of Real Estate
Attn: Jason Clements
City and County of Denver
201 West Colfax Avenue, Dept. 1010
Denver, Colorado 80202
Project Description: 2023-DEDICATION-0000029
Asset Mgmt No.: 23-174

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED (“Deed”), made as of this 14th day of July, 2023, by **MENTAL HEALTH CENTER OF DENVER**, a Colorado nonprofit corporation, whose address is 4141 E Dickenson Pl, Denver, CO 80222, 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:

MENTAL HEATH CENTER OF DENVER, a Colorado nonprofit corporation.

By: Carl Clark MD

Name: Carl Clark, MD

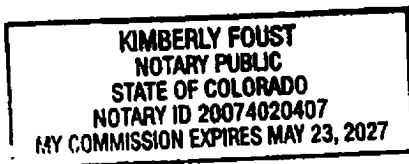
Its: President/CEO

STATE OF CO)
) ss.
COUNTY OF Denver)

The foregoing instrument was acknowledged before me this 26th day of July, 2023
by Carl Clark, as CEO of **MENTAL HEALTH CENTER OF DENVER**, a Colorado nonprofit corporation.

Witness my hand and official seal.

My commission expires: 5/23/2027



Kimberly Foust
Notary Public

23-DED-029

EXHIBIT A

2021-PROJMSTR-0000402 ROW

LAND DESCRIPTION
SHEET 1 OF 2

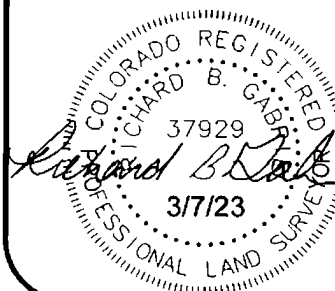
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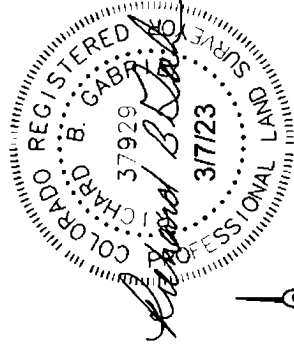
RICHARD B. GABRIEL, P.L.S.
Colorado License No. 37929
For and on behalf of
Power Surveying Company, Inc.

 <p>POWER Surveying Company, Inc. <i>Established 1948</i></p>	<p>6011 BROADWAY DENVER, COLORADO 80221</p>	<p>PH 303-702-1817 FAX 303-702-1488 www.power1surveying.com</p>
	<p>DRAWING BY: LMR DATE: 3/07/2023 PROJECT NO. 22-247 DWG: 22-247 6FT CONVEYANCE</p>	

23-DED-029

2021-PROJMSTR-0000402-ROW

NW COR SW1/4 NW1/4 OF SEC 6,
 T.4S., R.68W, 6TH P.M.
 (FOUND 3.25" ALUMINUM CAP STAMPED
 "COLORADO DEPT OF TRANSPORTATION
 T4S R69W 1 1/16 S1 S6 2005 PLS NO
 34579" IN RANGE BOX PER MONUMENT
 RECORD DATED 9/30/2019)



W. LINE NW1/4 SECTION 6, T.4S, R.68W 6TH P.M.
 BASIS OF BEARINGS
 SHERIDAN BOULEVARD
 RIGHT-OF-WAY VARIES
 (PUBLIC/PAVED)



N89°22'37"W 396.01'
 S. LINE NW1/4 SECTION 6,
 T4S, R.68W, 6TH P.M.
 W1/4 COR SEC. 6, T.4S,
 R.68W, 6TH P.M.
 FOUND 3.25" ALUMINUM
 CAP, ILLEGIBLE
 POINT OF COMMENCEMENT

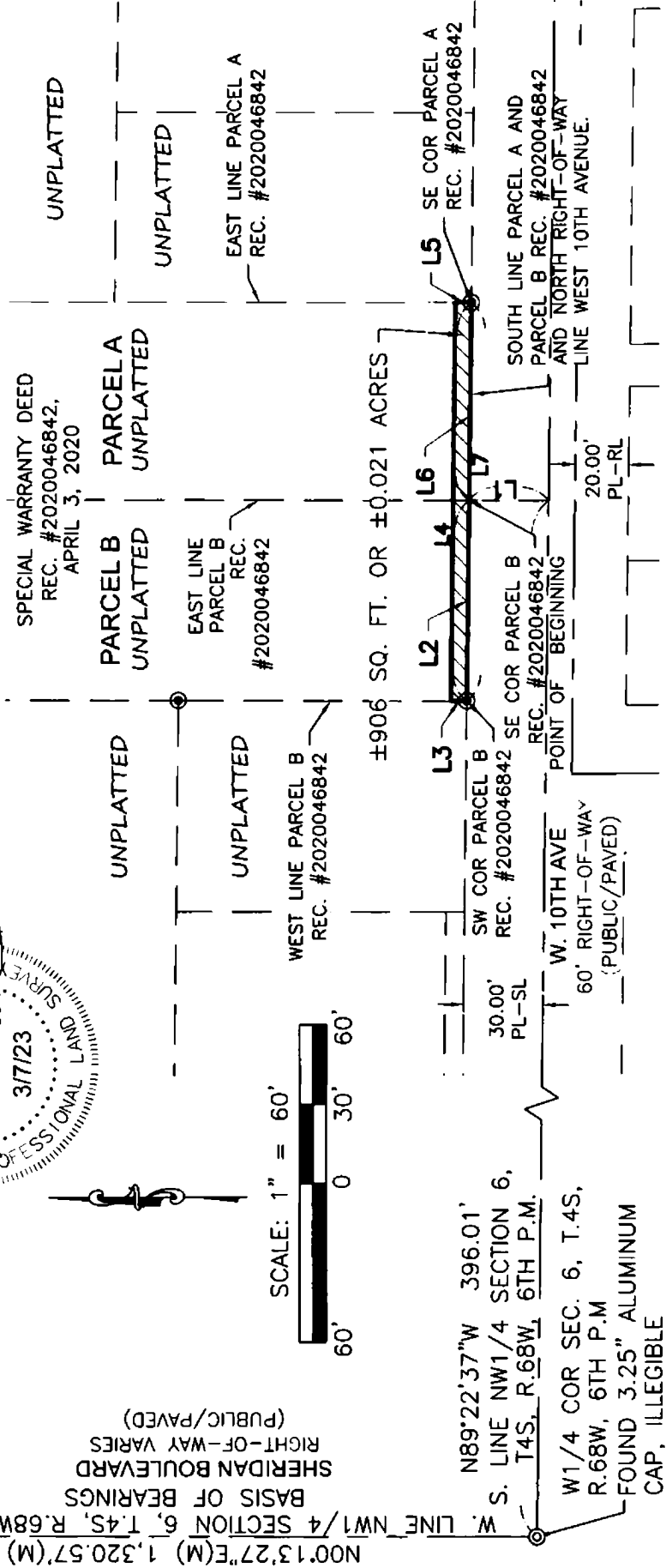
EXHIBIT A

EXHIBIT OF LAND DESCRIPTION
 SHEET 2 OF 2

LINE	BEARING	DISTANCE
L1	N00°13'35"E	30.00'
L2	N89°22'37"W	76.00'
L3	N00°13'35"E	6.00'
L4	S89°22'37"E	151.00'
L5	S00°11'45"W	6.00'
L6	N89°22'37"W	75.00'
L7	N89°22'37"W	151.00'

6811 BROADWAY
 DENVER, COLORADO 80221
 PH: 303-702-1817
 FAX: 303-702-1488
 www.powerurveying.com

DRAWING BY: LMR DATE: 1/20/2023
 PROJECT NO. 22-247
 DWG. 22-247 6FT CONVEYANCE



N00°13'27"E(M) 1,320.57'(M)
 W. LINE NW1/4 SECTION 6, T.4S, R.68W 6TH P.M.