




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: September 3, 2024

ROW #: 2021-DEDICATION-0000099 **SCHEDULE #:** 1) 0227107069000, and 2) 0227107070000

TITLE: This request is to dedicate two City-owned parcels of land as Public Right-of-Way as 1) North Brighton Boulevard, located at the intersection of North Brighton Boulevard and 36th Street, and 2) Public Alley, bounded by North Brighton Boulevard, 36th Street, North Delgany Street, and 38th 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) North Brighton Boulevard, 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, “RiNo Cambria.”

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) North Brighton Boulevard, and 2) Public Alley. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2021-DEDICATION-0000099-001, 002) HERE.

A map of the area to be dedicated is attached.

GB/TB/BVS

cc: Dept. of Real Estate, RealEstate@denvergov.org
City Councilperson, Darrell Watson District # 9
Councilperson Aide, Bonnie Guillen
Councilperson Aide, Darius Shelby
Councilperson Aide, Lynne Lombard
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, Thomas Breitnauer
DOTI Ordinance
Owner: City and County of Denver
Project file folder 2021-DEDICATION-0000099

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: September 3, 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) North Brighton Boulevard, located at the intersection of North Brighton Boulevard and 36th Street, and 2) Public Alley, bounded by North Brighton Boulevard, 36th Street, North Delgany Street, and 38th Street.

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: Beverly Van Slyke	Name: Alaina McWhorter
Email: Beverly.VanSlyke@Denvergov.org	Email: Alaina.McWhorter@denvergov.org

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

Two commercial buildings were demolished, and a new hotel was constructed. The developer was asked to dedicate two parcels of land as 1) North Brighton Boulevard, and 2) Public Alley.

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

7. **City Council District:** Darrel Watson, District #9

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: 2021-DEDICATION-0000099

Description of Proposed Project: Two commercial buildings were demolished, and a new hotel was constructed. The developer was asked to dedicate two parcels of land as 1) North Brighton Boulevard, 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) North Brighton Boulevard, 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) North Brighton Boulevard, and 2) Public Alley, as part of the development project called, "RiNo Cambria."



Legend

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

289 0 144.5 289 Feet

PARCEL DESCRIPTION ROW NO. 2021-DEDICATION-0000099-001:

LAND DESCRIPTION - STREET PARCEL #1:

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 16TH DAY OF NOVEMBER, 2021, AT RECEPTION NUMBER 2021212699 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

A PARCEL OF LAND BEING A PORTION OF LOTS 33, 34, 35, 36, 37 AND 38, BLOCK 9, FIRST ADDITION TO IRONTON, RECORDED JUNE 8, 1881, IN MAP BOOK 2 AT PAGE 89, IN THE RECORDS OF THE ARAPAHOE COUNTY CLERK AND RECORDER'S OFFICE; LOCATED IN THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE 20' RANGE LINE IN BRIGHTON BOULEVARD BETWEEN 36TH STREET AND 38TH STREET, AND IS ASSUMED TO BEAR NORTH 44°57'51" EAST, BEING MONUMENTED ON THE SOUTH END BY A 2.5" ALUMINUM CAP STAMPED "LS 29425" IN A RANGE BOX AND ON THE NORTH END BY A 2.5" ALUMINUM CAP STAMPED "LS 29425" IN A RANGE BOX.

BEGINNING AT THE SOUTH CORNER OF SAID LOT 33, THENCE NORTH 44°56'28" WEST, ALONG THE SOUTHWESTERLY LINE OF SAID LOT 33 AND ALONG THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID 36TH STREET, A DISTANCE OF 7.00 FEET;

THENCE NORTH 44°57'51" EAST, A DISTANCE OF 150.07 FEET TO THE NORTHEASTERLY LINE OF SAID LOT 38;

THENCE SOUTH 44°57'30" EAST, ALONG SAID NORTHEASTERLY LINE, A DISTANCE OF 7.00 TO THE EAST CORNER OF SAID LOT 38 AND THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID BRIGHTON BOULEVARD;

THENCE SOUTH 44°57'51" WEST, ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE AND ALONG THE SOUTHEASTERLY BOUNDARY LINES OF SAID LOTS 33 THROUGH 38, A DISTANCE OF 150.07 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 1,051 SQUARE FEET OR 0.0241 ACRES, MORE OR LESS.

PARCEL DESCRIPTION ROW NO. 2021-DEDICATION-0000099-002:

LAND DESCRIPTION - ALLEY PARCEL #2:

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 16TH DAY OF NOVEMBER, 2021, AT RECEPTION NUMBER 2021212699 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

A PARCEL OF LAND BEING A PORTION OF LOTS 33, 34, 35, 36, 37 AND 38, BLOCK 9, FIRST ADDITION TO IRONTON, RECORDED JUNE 8, 1881, IN MAP BOOK 2 AT PAGE 89, IN THE RECORDS OF THE ARAPAHOE COUNTY CLERK AND RECORDER'S OFFICE; LOCATED IN THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE 20' RANGE LINE IN BRIGHTON BOULEVARD BETWEEN 36TH STREET AND 38TH STREET, AND IS ASSUMED TO BEAR NORTH 44°57'51" EAST, BEING MONUMENTED ON THE SOUTH END BY A 2.5" ALUMINUM CAP STAMPED "LS 29425" IN A RANGE BOX AND ON THE NORTH END BY A 2.5" ALUMINUM CAP STAMPED "LS 29425" IN A RANGE BOX.

BEGINNING AT THE WEST CORNER OF SAID LOT 33, THENCE NORTH 44°56'29" EAST, ALONG THE NORTHWESTERLY BOUNDARY LINES OF SAID LOTS 33 THROUGH 38, A DISTANCE OF 150.04 FEET TO THE NORTH CORNER OF SAID LOT 38;

THENCE SOUTH 44°57'30" EAST, ALONG THE NORTHEASTERLY LINE OF SAID LOT 38, A DISTANCE OF 2.00 FEET;

THENCE SOUTH 44°56'29" WEST, A DISTANCE OF 150.04 FEET TO THE SOUTHWESTERLY LINE OF SAID LOT 33 AND THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID 36TH STREET;

THENCE NORTH 44°56'28" WEST, ALONG SAID SOUTHWESTERLY LINE AND SAID RIGHT-OF-WAY, A DISTANCE OF 2.00 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 300 SQUARE FEET OR 0.0069 ACRES, MORE OR LESS.



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-0000099
Asset Mgmt No.: 21-192

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED (“Deed”), made as of this 8 day of November, 2021, by **CH BRIGHTON DENVER, LLC**, a Delaware limited liability company, whose address is 1 Choice Hotels Circle, Suite 400, Rockville, MD 20850, 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:

CH BRIGHTON DENVER, LLC, a Delaware limited liability company

By: [Signature]

Name: Scott Oaksmith

Its: SVP, Real Estate & Finance

STATE OF Maryland)
) ss.
COUNTY OF Montgomery)

The foregoing instrument was acknowledged before me this 8 day of November, 2021 by Scott Oaksmith, as Authorized Signatory of CH BRIGHTON DENVER, LLC, a Delaware limited liability company.

Witness my hand and official seal.

My commission expires: 1-25-23

[Signature]
Notary Public

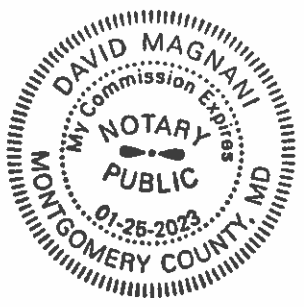


EXHIBIT A**LAND DESCRIPTIONS**

TWO (2) PARCELS OF LAND BEING A PORTION OF LOTS 33, 34, 35, 36, 37 AND 38, BLOCK 9, FIRST ADDITION TO IRONTON, RECORDED JUNE 8, 1881, IN MAP BOOK 2 AT PAGE 89, IN THE RECORDS OF THE ARAPAHOE COUNTY CLERK AND RECORDER'S OFFICE; LOCATED IN THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE 20' RANGE LINE IN BRIGHTON BOULEVARD BETWEEN 36TH STREET AND 38TH STREET, AND IS ASSUMED TO BEAR NORTH 44°57'51" EAST, BEING MONUMENTED ON THE SOUTH END BY A 2.5" ALUMINUM CAP STAMPED "LS 29425" IN A RANGE BOX AND ON THE NORTH END BY A 2.5" ALUMINUM CAP STAMPED "LS 29425" IN A RANGE BOX.

PARCEL NO. 1

BEGINNING AT THE SOUTH CORNER OF SAID LOT 33, THENCE NORTH 44°56'28" WEST, ALONG THE SOUTHWESTERLY LINE OF SAID LOT 33 AND ALONG THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID 36TH STREET, A DISTANCE OF 7.00 FEET;

THENCE NORTH 44°57'51" EAST, A DISTANCE OF 150.07 FEET TO THE NORTHEASTERLY LINE OF SAID LOT 38;

THENCE SOUTH 44°57'30" EAST, ALONG SAID NORTHEASTERLY LINE, A DISTANCE OF 7.00 TO THE EAST CORNER OF SAID LOT 38 AND THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID BRIGHTON BOULEVARD;

THENCE SOUTH 44°57'51" WEST, ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE AND ALONG THE SOUTHEASTERLY BOUNDARY LINES OF SAID LOTS 33 THROUGH 38, A DISTANCE OF 150.07 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 1,051 SQUARE FEET OR 0.0241 ACRES, MORE OR LESS.

PARCEL NO. 2

BEGINNING AT THE WEST CORNER OF SAID LOT 33, THENCE NORTH 44°56'29" EAST, ALONG THE NORTHWESTERLY BOUNDARY LINES OF SAID LOTS 33 THROUGH 38, A DISTANCE OF 150.04 FEET TO THE NORTH CORNER OF SAID LOT 38;

THENCE SOUTH 44°57'30" EAST, ALONG THE NORTHEASTERLY LINE OF SAID LOT 38, A DISTANCE OF 2.00 FEET;

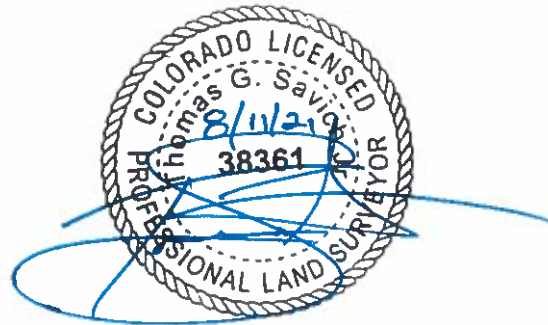
(LAND DESCRIPTION CONTINUED)

THENCE SOUTH 44°56'29" WEST, A DISTANCE OF 150.04 FEET TO THE SOUTHWESTERLY LINE OF SAID LOT 33 AND THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID 36TH STREET;

THENCE NORTH 44°56'28" WEST, ALONG SAID SOUTHWESTERLY LINE AND SAID RIGHT-OF-WAY, A DISTANCE OF 2.00 FEET TO THE POINT OF BEGINNING.

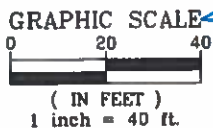
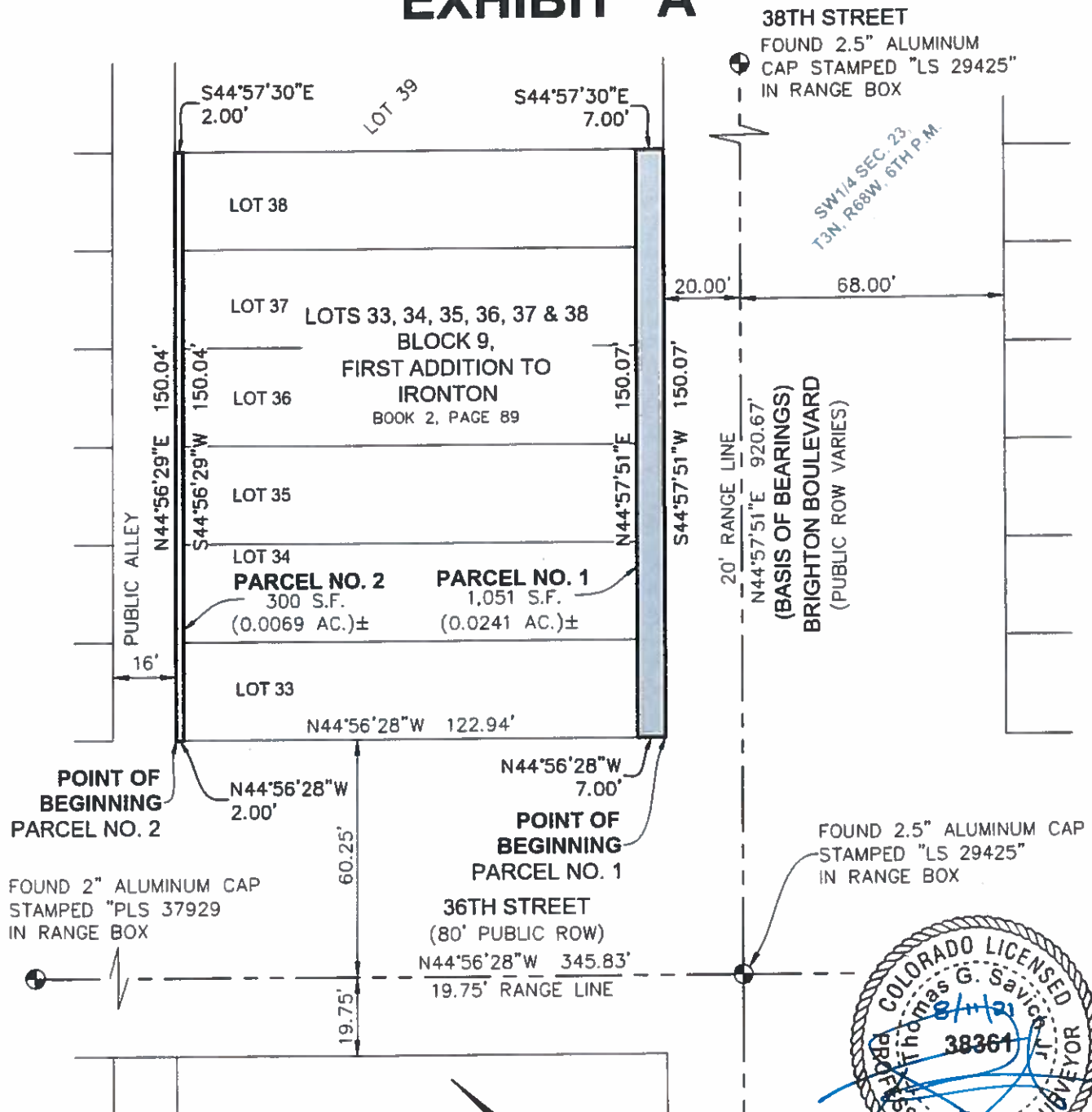
CONTAINING A CALCULATED AREA OF 300 SQUARE FEET OR 0.0069 ACRES, MORE OR LESS.

I, THOMAS G. SAVICH JR, A SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE ABOVE LAND DESCRIPTION AND ATTACHED EXHIBIT WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND CHECKING.



THOMAS G. SAVICH JR, P.L.S. 38361
FOR AND ON BEHALF OF MANHARD CONSULTING
7600 E. ORCHARD ROAD, SUITE 150-N
GREENWOOD VILLAGE, COLORADO 80111
303.708.0500

EXHIBIT "A"



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

FOR AND ON BEHALF OF
MANHARD CONSULTING

7600 East Orchard Road, Suite 150-N, Greenwood Village, CO 80111 ph 303.708.0500 manhard.com
 Civil Engineering | Surveying & Geospatial Services | GIS
 Water Resource Management | Construction Management

36TH STREET & BRIGHTON BOULEVARD	
CITY AND COUNTY OF DENVER, COLORADO	
EXHIBIT "A"	
PROJ. MGR.: <u>OSB</u>	SHEET
DRAWN BY: <u>TGS</u>	3 OF 3
DATE: <u>08/11/2021</u>	KHA.DNCO08-5270
SCALE: <u>1" = 40'</u>	

8/10/2021 12:16:41 PM I:\proj\2021\12-16-21\Drawings\Exhibits_Survey\Parcel 1 and Parcel 2--ROW.dwg Updated By: Tsvovich