


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 12, 2023

ROW #: 2022-DEDICATION-0000047 **SCHEDULE #:** Adjacent to 0505401034000, 0505401032000, 0505401031000, and 0505401030000

TITLE: This request is to dedicate a City-owned parcel of land as Public Right-of-Way as Public Alley, bounded by West Holden Place, North Decatur Street, and West 13th 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 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, "Holden Place."

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 Public Alley. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2022-DEDICATION-0000047-001) 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 2022-DEDICATION-0000047

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 12, 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 Public Alley, bounded by West Holden Place, North Decatur Street, and West 13th Avenue.
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 structure. The developer has been asked to dedicate parcel of land as 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 Holden Place, North Decatur Street, and West 13th Avenue
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: 2022-DEDICATION-0000047

Description of Proposed Project: Proposing to build a new apartment structure. The developer has been asked to dedicate parcel of land as 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 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 Public Alley, as part of a development project called, "Holden Place."



Legend

- Streets
- Alleys
-  County Boundary
-  Parcels



Alley parcel to be dedicated

400 0 200 400 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere
© City and County of Denver

1:3,120

Map Generated 12/11/2023

The City and County of Denver shall not be liable for damages of any kind arising out of the use of this information. The information is provided "as is" without warranty of any kind, express or implied, including, but not limited to, the fitness for a particular use.

THIS IS NOT A LEGAL DOCUMENT.

PARCEL DESCRIPTION ROW NO. 2022-DEDICATION-0000047-001:

LAND DESCRIPTION – ALLEY PARCEL

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 6TH DAY OF DECEMBER, 2023, AT RECEPTION NUMBER 2023114756 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTHERLY 2.0 FEET OF LOTS 46 THROUGH 52, BLOCK 5, FAIRVIEW SUBDIVISION.

CONTAINING 350 SQ. FT. OR 0.01 ACRES, MORE OR LESS.



2023114756

Page: 1 of 4

12/06/2023 01:13 PM
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
Attn: Shannon Cruz
Denver, Colorado 80202
Project Description: 2022-DEDICATION-0000047
Asset Mgmt No.: 23-290

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED ("Deed"), made as of this 4th day of December, 2023, by **WEST HOLDEN PLACE LLC**, a Colorado limited liability company, whose address is 10375 Park Meadows Drive, Suite 260, Lone Tree, CO 80124, 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:

WEST HOLDEN PLACE LLC

By: Modular Enterprises West Holden LLC,
a Colorado limited liability company,
its Manager

By: Modular Enterprises LLC, a
Colorado limited liability company,
its Manager

By:

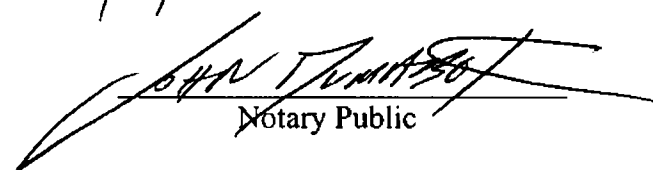

Adam Berger, Manager

STATE OF Colorado)
COUNTY OF Denver) ss.

The foregoing instrument was acknowledged before me this fourth day of December, 2023
by Adam Berger, as Manager of **MODULAR ENTERPRISES LLC**, as
Manager of **MODULAR ENTERPRISES WEST HOLDEN LLC**, as Manager of **WEST
HOLDEN PLACE LLC**, a Colorado limited liability company.

Witness my hand and official seal.

My commission expires: 04/28/2025


Notary Public

JOHN DUMABOK
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20054009830
MY COMMISSION EXPIRES 04/28/2025

2021-PROJMSTR 0000063 ROW

EXHIBIT "A"

LOCATED IN THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 4 SOUTH,
RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN,
CITY AND COUNTY OF DENVER, STATE OF COLORADO
SHEET 1 OF 2

LAND DESCRIPTION

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THE NORTHERLY 2.0 FEET OF LOTS 46 THROUGH 52, BLOCK 5, FAIRVIEW SUBDIVISION.
CONTAINING 350 SQ. FT. OR 0.01 ACRES, MORE OR LESS.

I, JOSHUA BREEDLOVE, A LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY STATE FOR AND ON BEHALF OF FLATIRONS, INC., THAT THIS PARCEL DESCRIPTION AND ATTACHED EXHIBIT, BEING MADE A PART THEREOF, WERE PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE, ARE ACCURATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, ARE IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE AND ARE NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED. SAID PARCEL DESCRIPTION AND EXHIBIT WERE PREPARED AT THE REQUEST OF THE CLIENT AND ARE NOT INTENDED TO REPRESENT A MONUMENTED LAND SURVEY OR SUBDIVIDE LAND IN VIOLATION OF STATE STATUTE.

JOSHUA BREEDLOVE
COLORADO P.L.S. #38174
VICE PRESIDENT, FLATIRONS, INC.

JOB NUMBER: 21-77,248
DRAWN BY: P. KLUPAR
DATE: OCTOBER 5, 2023

THIS IS NOT A "LAND SURVEY PLAT" OR "IMPROVEMENT SURVEY PLAT." RECORD
INFORMATION SHOWN HEREON IS BASED ON INFORMATION PROVIDED BY CLIENT.



Flatirons, Inc.
Land Surveying Services



4501 LOGAN ST.
DENVER, CO 80216
PH: (303) 936-6997
FAX: (303) 923-3180

www.FlatironsInc.com

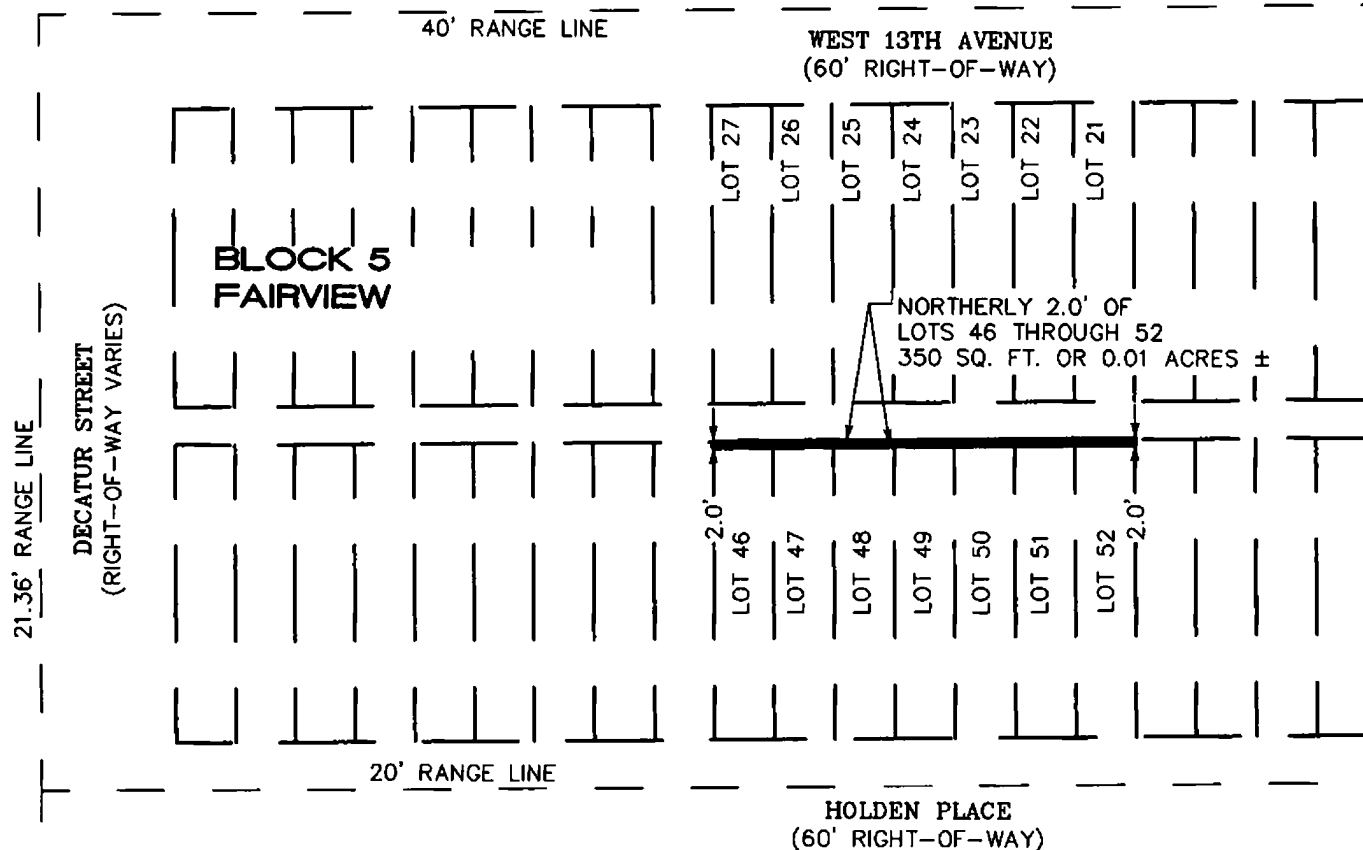
BY: J. STEPHENSON FILE: 77248-SP UPDATE-C2-REV.1.DWG DATE: 10/5/2023 11:59 AM

2021-PROJMSTR-0000063-ROW

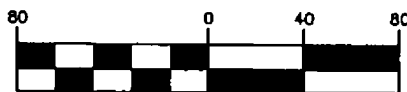
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CITY AND COUNTY OF DENVER, STATE OF COLORADO

SHEET 2 OF 2



GRAPHIC SCALE



(IN FEET)

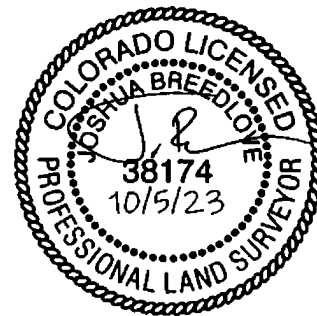
1 inch = 80 ft.

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