



## REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

**TO:** Katherine Ehlers, City Attorney's Office

**FROM:** Glen D. Blackburn, P.E., Director, Right-of-Way Services 

**DATE:** February 5, 2025

**ROW #:** 2023-DEDICATION-00000256      **SCHEDULE #:** 0510213028000

**TITLE:** This request is to dedicate a City-owned parcel of land as Public Right-of-Way as North Cherokee Street, located at the intersection of West 5<sup>th</sup> Avenue and North Cherokee 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 North Cherokee Street. 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, "314 W 5<sup>th</sup> Ave."

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 North Cherokee Street. The land is described as follows.

**INSERT PARCEL DESCRIPTION ROW # (2023-DEDICATION-0000256-001) HERE.**

A map of the area to be dedicated is attached.

GB/DS/BV

cc: Dept. of Real Estate, [RealEstate@denvergov.org](mailto: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, Director, Right-of-Way Services, Glen Blackburn  
Department of Law, Johna Varty  
Department of Law, Martin Plate  
Department of Law, Brad Beck  
Department of Law, Matthew Mulbarger  
Department of Law, Katherine Ehlers  
Department of Law, Mar'quasa Maes  
DOTI Survey, Dana Sperling  
DOTI Ordinance  
Owner: City and County of Denver  
Project file folder 2023-DEDICATION-0000256

City and County of Denver Department of Transportation & Infrastructure  
Right-of-Way Services  
201 W. Colfax Ave. | Denver, CO 80215  
[www.denvergov.org/doti](http://www.denvergov.org/doti)  
Phone: 720-913-1311

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## ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor's Legislative Team  
at [MileHighOrdinance@DenverGov.org](mailto:MileHighOrdinance@DenverGov.org) by 9 a.m. Friday. Contact the Mayor's Legislative team with questions

Date of Request: February 5, 2025

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 a City-owned parcel of land as Public Right-of-Way as North Cherokee Street, located at the intersection of West 5th Avenue and North Cherokee 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: Barbara Valdez	Name: Alaina McWhorter
Email: <a href="mailto:Barbara.Valdez@denvergov.org">Barbara.Valdez@denvergov.org</a>	Email: <a href="mailto:Alaina.McWhorter@denvergov.org">Alaina.McWhorter@denvergov.org</a>

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

Proposing to convert a 3-unit residence to a duplex. The developer was asked to dedicate a parcel of land as North Cherokee Street.

### 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</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?

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*To be completed by Mayor's Legislative Team:*

Resolution/Bill Number: \_\_\_\_\_

Date Entered: \_\_\_\_\_

## EXECUTIVE SUMMARY

**Project Title:** 2023-DEDICATION-0000256

**Description of Proposed Project:** Proposing to convert a 3-unit residence to a duplex. The developer was asked to dedicate a parcel of land as North Cherokee Street.

**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 North Cherokee Street.

**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

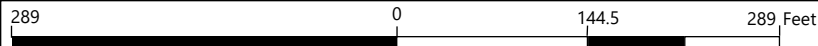
**Will an easement relinquishment be submitted at a later date:** N/A

**Additional information:** This land was deeded to the City and County of Denver for the purpose of dedicating it as North Cherokee Street, as part of the development project called, "314 W. 5<sup>th</sup> Ave."



### Legend

-  Streets
-  Alleys
-  Parcels
-  Lots/Blocks



**PARCEL DESCRIPTION ROW NO. 2023-DEDICATION-0000256-001:**

**LEGAL DESCRIPTION – STREET PARCEL:**

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 2ND DAY OF JULY, 2024, AT RECEPTION NUMBER 2024061279 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

A PORTION OF LOTS 1 AND 2, BLOCK 10, A.E. SUMNER'S ADDITION TO DENVER AND A PORTION OF LOTS 34 AND 35 AND THE NORTH HALF OF LOT 33, BLOCK 1, M. SUMNER'S ADDITION TO THE CITY OF DENVER, LOCATED IN THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

THE EAST 1.0 FOOT OF LOTS 1 AND 2, BLOCK 10, A.E. SUMNER'S ADDITION TO DENVER AND THE EAST 1.0 FOOT OF LOT 35 AND 34 AND THE EAST 1.0 FOOT OF THE NORTH HALF OF LOT 33, BLOCK 1, M. SUMNER'S ADDITION TO THE CITY OF DENVER.

CONTAINING 124 SQUARE FEET, 0.003 ACRES, MORE OR LESS.



07/02/2024 10:00 AM  
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  
Denver, Colorado 80202  
**Project Description: 2023-DEDICATION-0000256**  
**Asset Mgmt No.: 24-132**

**SPECIAL WARRANTY DEED**

**THIS SPECIAL WARRANTY DEED** (“Deed”), made as of this 24th day of June, 2024, by **PRISM REAL ESTATE & DEVELOPMENT, INC.**, a Colorado corporation, whose address is 1633 Fillmore Street, Suite 406, Denver, CO 80206, 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:

PRISM REAL ESTATE & DEVELOPMENT, INC., a Colorado corporation

By: [Signature]

Name: DANIEL R. BUSCARELLO

Its: \_\_\_\_\_

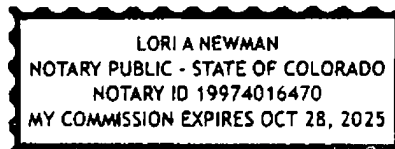
STATE OF Colorado )

COUNTY OF Denver ) ss.

The foregoing instrument was acknowledged before me this 24<sup>th</sup> day of June, 2024 by Daniel Ralph Buscarello President of PRISM REAL ESTATE & DEVELOPMENT, INC., a Colorado corporation.

Witness my hand and official seal.

My commission expires: 10-28-25



[Signature]  
Notary Public



# EXHIBIT A

## LEGAL DESCRIPTION

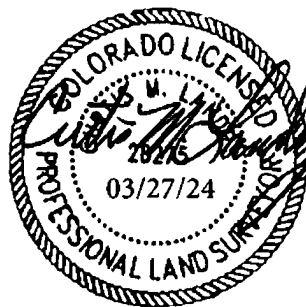
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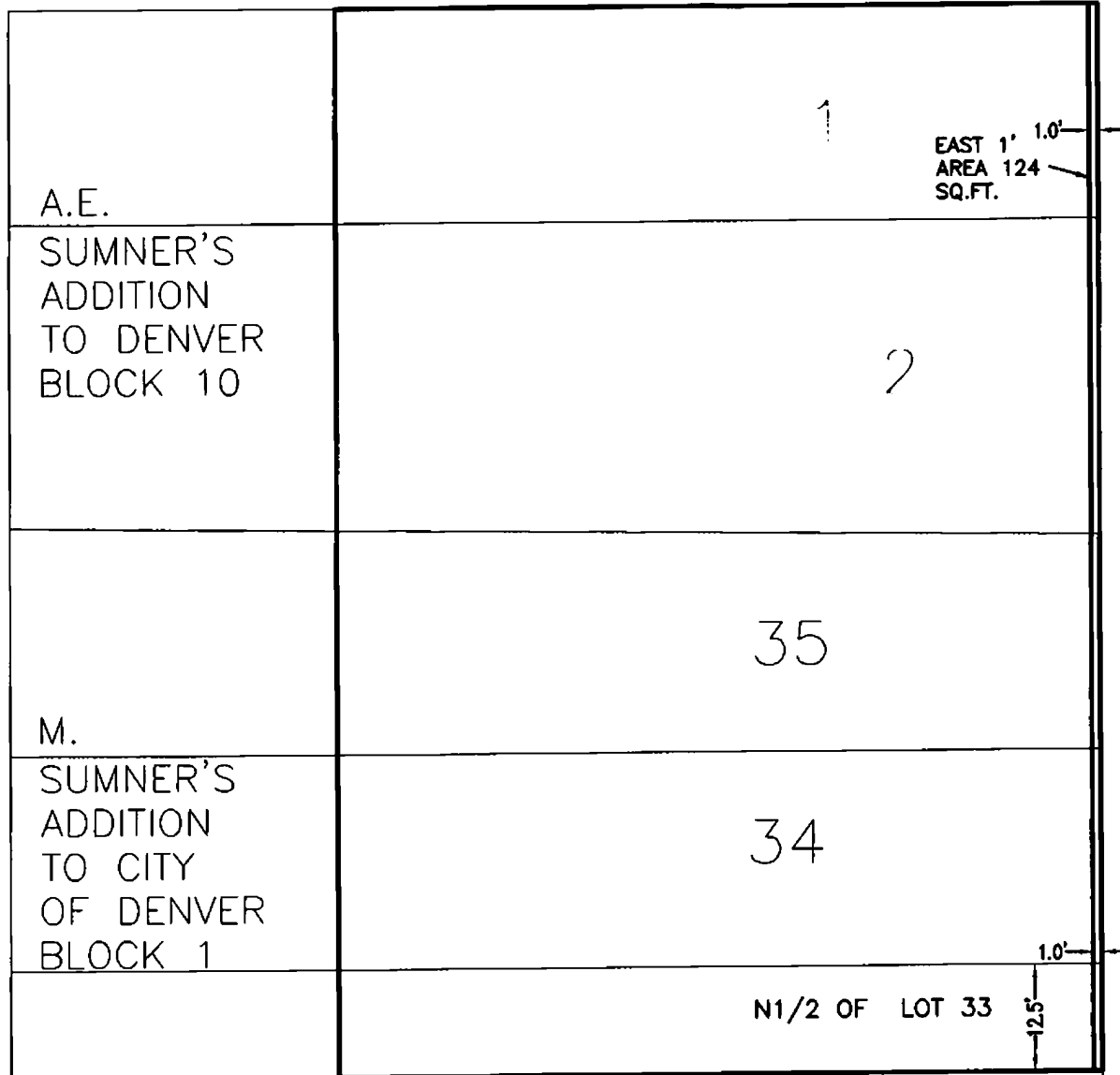
**CURTIS  
LANDRY**

Digitally signed by  
CURTIS LANDRY  
Date: 2024.03.27  
19:49:26 -06'00'



# EXHIBIT A

W.5TH AVE.- 80' R.O.W.



CHEROKEE ST.- 66' R.O.W.

CURTIS LANDRY

Digitally signed by  
CURTIS LANDRY  
Date: 2024.03.27  
19:54:48 -06'00'

32



31