




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: March 13, 2025

ROW #: 2019-DEDICATION-0000126 **SCHEDULE #:** 0120426017000

TITLE: This request is to dedicate a City-owned parcel of land as Public Right-of-Way as East 38th Avenue, located at the intersection of East 38th Avenue and North Olive 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 East 38th 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, "Olive Street Towns."

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 East 38th Avenue. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2019-DEDICATION-0000126-001) HERE.

A map of the area to be dedicated is attached.

GB/TB/DG

cc: Dept. of Real Estate, RealEstate@denvergov.org
City Councilperson, Shontel M. Lewis, District # 8
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, Thomas Breitnauer
DOTI Ordinance
Owner: City and County of Denver
Project file folder 2019-DEDICATION-0000126

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

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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: March 13, 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 East 38th Avenue, located at the intersection of East 38th Avenue and North Olive 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: Dalila Gutierrez	Name: Alaina McWhorter
Email: Dalila.Gutierrez@denvergov.org	Email: Alaina.McWhorter@denvergov.org

5. **General description or background of proposed request. Attach executive summary if more space needed:**
Three townhome structures were built. The developer was asked to dedicate a parcel as East 38th Avenue.

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

7. **City Council District:** Shontel M. Lewis, District # 8

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: 2019-DEDICATION-0000126

Description of Proposed Project: Three townhome structures were built. The developer was asked to dedicate a parcel as East 38th 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 East 38th 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

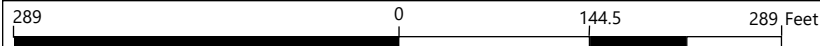
Will an easement relinquishment be submitted at a later date: N/A

Additional information: This land was deeded to the City and County of Denver for the purpose of dedicating it as East 38th Avenue, as part of the development project called, "Olive Street Towns."



Legend

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



PARCEL DESCRIPTION ROW NO. 2019-DEDICATION-0000126-001:

LAND DESCRIPTION - STREET PARCEL

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 28TH DAY OF JANUARY, 2020, AT RECEPTION NUMBER 2020011753 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

BEING A PORTION OF LOT 24, BLOCK 21, LYING WITHIN THE SOUTHEAST $\frac{1}{4}$ OF SECTION 20, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTHERLY FOUR FEET (4') OF LOT 24, BLOCK 21, OF FIRST ADDTION TO EAST SWANSEA, CITY & COUNTY OF DENVER, STATE OF COLORADO

CONTAINING 473 SQUARE FEET, OR (\pm 0.0106 ACRES) OF LAND, MORE OR LESS.



01/28/2020 11:36 AM
City & County of Denver

R \$0.00

WD

2020011753

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: 2019-Dedication-0000126

Asset Mgmt No.: 20-014

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED ("Deed"), made as of this 27TH day of JANUARY, 2020, by **OLIVE PARTNERS LLC**, a Colorado limited liability company, whose address is 1489 S. Broadway, Denver, CO 80210, 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.

2019-Dedication-0000126

IN WITNESS WHEREOF, Grantor has executed this Deed on the date set forth above.

ATTEST:

OLIVE PARTNERS LLC, a Colorado Limited Liability Company

By: Todd J. Kilkenny

Name: TODD J KILKENNY

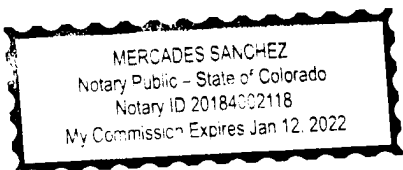
Its: MANAGER

STATE OF Colorado)
) ss.
COUNTY OF Denver)

The foregoing instrument was acknowledged before me this 27 day of January, 2020
by Todd Kilkenny, as Manager of **OLIVE PARTNERS LLC**, a
Colorado Limited Liability Company.

Witness my hand and official seal.

My commission expires: Jun 12 2022



Mercedes Sanchez
Notary Public

EXHIBIT A

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LAND DESCRIPTION

2018-PROJMSTR-0000467-ROW-01

BEING A PORTION OF LOT 24, BLOCK 21, LYING WITHIN THE SOUTHEAST $\frac{1}{4}$ OF SECTION 20, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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Prepared By:
Altitude Land Consultants, Inc
Karl W. Franklin, PE-PLS-EXW
Colorado PLS 37969

Date: 11/14/2019
Job No. 18-131

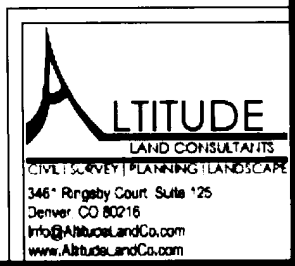


EXHIBIT A

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