


**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:** February 29, 2024

**ROW #:** 2024-DEDICATION-0000060 **SCHEDULE #:** Six Schedule # - See Page 3

**TITLE:** This request is to dedicate six City-owned parcels of land as Public Right-of-Way as 1) East 28<sup>th</sup> Place, located at the intersection of East 28<sup>th</sup> Place and North Lima Street, 2) North Lima Street, located at the intersection of North Lima Street and North Macon Way, 3) North Macon Way, located at the intersection of North Macon Way and North Macon Street, 4) North Macon Street, located at the intersection of North Macon Street and East 27<sup>th</sup> Ave, 5) East 27<sup>th</sup> Avenue, located at the intersection of East 27<sup>th</sup> Avenue and North Lima Street, and 6) East 26<sup>th</sup> Avenue, located at the intersection of East 26<sup>th</sup> Avenue and North Kingston 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) East 28th Place, 2) North Lima Street, 3) North Macon Way, 4) North Macon Street, 5) East 27th Avenue, and 6) East 26th 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, "Stapleton Filing No. 40 – 2012D00131."

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) East 28th Place, 2) North Lima Street, 3) North Macon Way, 4) North Macon Street, 5) East 27th Avenue, and 6) East 26th Avenue. The land is described as follows.

**INSERT PARCEL DESCRIPTION ROW # ( 2024-DEDICATION-0000060-001, 002, 003, 004, 005, 006 ) HERE.**

A map of the area to be dedicated is attached.

GB/KS/LRA



cc: Dept. of Real Estate, [RealEstate@denvergov.org](mailto:RealEstate@denvergov.org)  
City Councilperson, Shontel M. Lewis, District #8  
Councilperson Aide, N/A  
Councilperson Aide, N/A  
City Council Staff, Luke Palmisano  
Environmental Services, Andrew Ross  
DOTI, Manager's Office, Alba Castro  
DOTI, Manager's Office, Nicholas Williams  
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, Janet Valdez  
DOTI Survey, Kathy Svehovsky  
DOTI Ordinance  
Owner: City and County of Denver  
Project file folder 2024-DEDICATION-0000060

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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<b>PARCEL #</b>	<b>TRACT</b>	<b>STREET NAME</b>	<b>SCHEDULE #</b>
1	A	East 28 <sup>th</sup> Place	0126300086000
2	B	North Lima Street	0126300087000
3	C	North Macon Way	0126300088000
4	D	North Macon Street	0126300089000
5	E	East 27 <sup>th</sup> Avenue	0126300090000
6	F	East 26 <sup>th</sup> Avenue	0126300091000

# 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 29, 2024

Please mark one:  Bill Request or  Resolution Request

## 1. Type of Request:

- Contract/Grant Agreement  Intergovernmental Agreement (IGA)  Rezoning/Text Amendment  
 Dedication/Vacation  Appropriation/Supplemental  DRMC Change  
 Other:

2. **Title:** Dedicate six City-owned parcels of land as Public Right-of-Way as 1) East 28th Place, located at the intersection of East 28th Place and North Lima Street, 2) North Lima Street, located at the intersection of North Lima Street and North Macon Way, 3) North Macon Way, located at the intersection of North Macon Way and North Macon Street, 4) North Macon Street, located at the intersection of North Macon Street and East 27th Ave, 5) East 27th Avenue, located at the intersection of East 27th Avenue and North Lima Street, and 6) East 26th Avenue, located at the intersection of East 26th Avenue and North Kingston 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: Lisa R. Ayala	Name: Nicholas Williams
Email: <a href="mailto:Lisa.ayala@denvergov.org">Lisa.ayala@denvergov.org</a>	Email: <a href="mailto:Nicholas.Williams@denvergov.org">Nicholas.Williams@denvergov.org</a>

5. **General description or background of proposed request. Attach executive summary if more space needed:**  
As part of Stapleton Filing No. 40, six parcels of land are to be dedicated as 1) East 28th Place, 2) North Lima Street, 3) North Macon Way, 4) North Macon Street, 5) East 27th Avenue, and 6) East 26th 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?

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

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

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

## EXECUTIVE SUMMARY

**Project Title:** 2024-DEDICATION-0000060

**Description of Proposed Project:** As part of Stapleton Filing No. 40, six parcels of land are to be dedicated as 1) East 28th Place, 2) North Lima Street, 3) North Macon Way, 4) North Macon Street, 5) East 27th Avenue, and 6) East 26th 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 1) East 28th Place, 2) North Lima Street, 3) North Macon Way, 4) North Macon Street, 5) East 27th Avenue, and 6) East 26th Avenue.

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

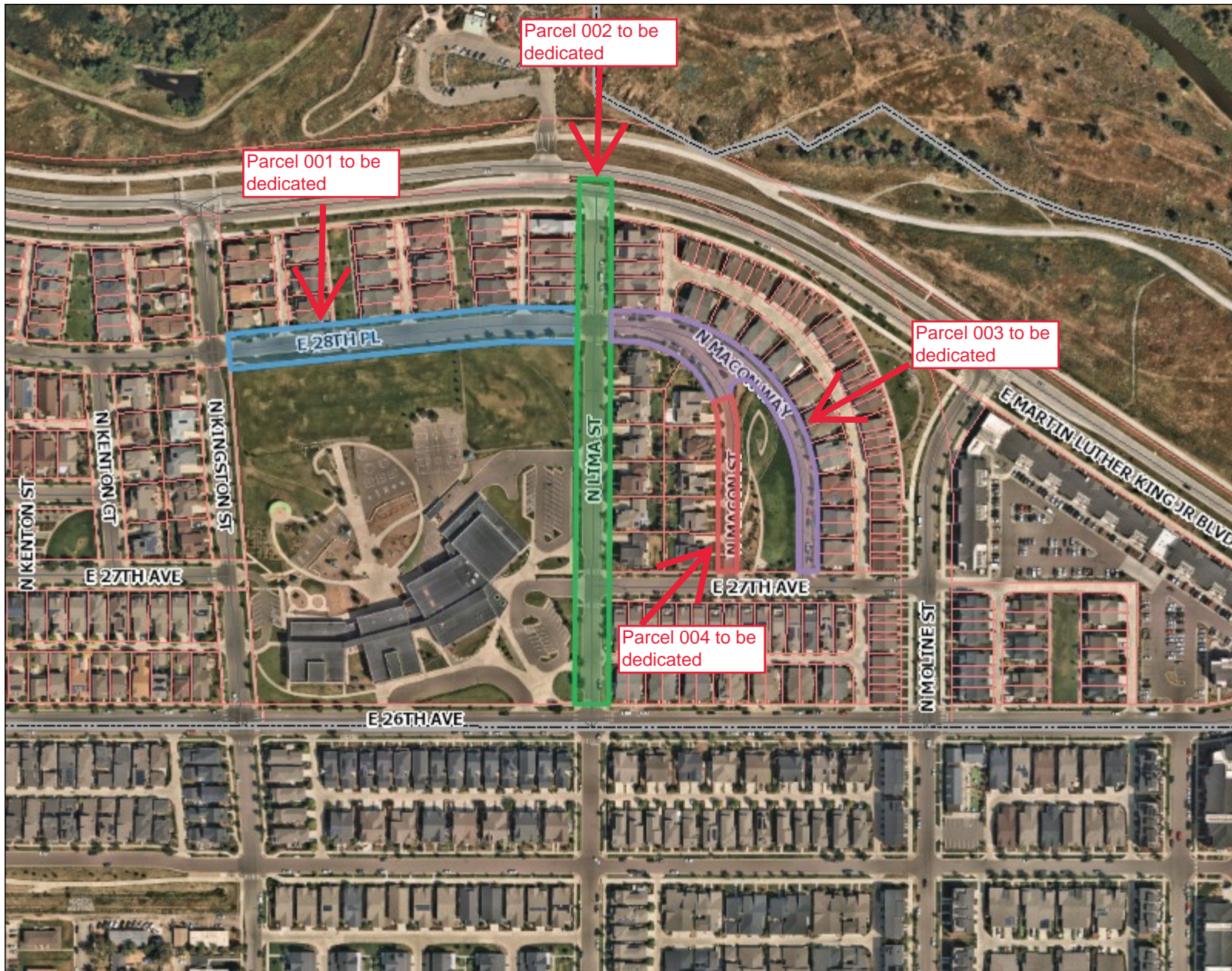
**What is the known duration of a MEP:** N/A

**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 1) East 28th Place, 2) North Lima Street, 3) North Macon Way, 4) North Macon Street, 5) East 27th Avenue, and 6) East 26th Avenue, as part of the development project called, "Stapleton Filing No. 40 – 2012D00131."



### Legend

- Streets
- Alleys
- ▭ County Boundary
- ▭ Parcels



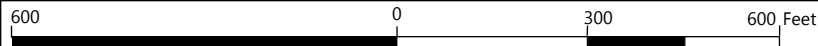


**Legend**

- Streets
- Alleys
- ▭ County Boundary
- ▭ Parcels

Parcel 006 to be dedicated

Parcel 005 to be dedicated





**PARCEL DESCRIPTION ROW NO. 2024-DEDICATION-0000060-001:**

**LEGAL DESCRIPTION – STREET PARCEL 1: - E 28<sup>TH</sup> PL**

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 29TH DAY OF JUNE, 2020, AT RECEPTION NUMBER 2020090414 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

TRACT A, STAPLETON FILING NO. 40, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

**PARCEL DESCRIPTION ROW NO. 2024-DEDICATION-0000060-002:**

**LEGAL DESCRIPTION – STREET PARCEL 2: - N LIMA ST**

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 29TH DAY OF JUNE, 2020, AT RECEPTION NUMBER 2020090414 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

TRACT B, STAPLETON FILING NO. 40, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

**PARCEL DESCRIPTION ROW NO. 2024-DEDICATION-0000060-003:**

**LEGAL DESCRIPTION – STREET PARCEL 3: - N MACON WAY**

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 29TH DAY OF JUNE, 2020, AT RECEPTION NUMBER 2020090414 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

TRACT C, STAPLETON FILING NO. 40, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

**PARCEL DESCRIPTION ROW NO. 2024-DEDICATION-0000060-004:**

**LEGAL DESCRIPTION – STREET PARCEL 4: - N MACON ST**

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 29TH DAY OF JUNE, 2020, AT RECEPTION NUMBER 2020090414 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

TRACT D, STAPLETON FILING NO. 40, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

**PARCEL DESCRIPTION ROW NO. 2024-DEDICATION-0000060-005:**

**LEGAL DESCRIPTION – STREET PARCEL 5: - E 27<sup>TH</sup> AVE**

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 29TH DAY OF JUNE, 2020, AT RECEPTION NUMBER 2020090414 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

TRACT E, STAPLETON FILING NO. 40, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

**PARCEL DESCRIPTION ROW NO. 2024-DEDICATION-0000060-006:**

**LEGAL DESCRIPTION – STREET PARCEL 6: - E 26<sup>TH</sup> AVE**

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 29TH DAY OF JUNE, 2020, AT RECEPTION NUMBER 2020090414 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

TRACT F, STAPLETON FILING NO. 40, CITY AND COUNTY OF DENVER, STATE OF COLORADO.



06/29/2020 03:36 PM  
City & County of Denver  
Electronically Recorded

R \$28.00

WD

D \$0.00

After Recording Return to:  
201 West Colfax Avenue  
Department 1010  
Denver, Colorado 80202  
Attention: Division of Real Estate

**SPECIAL WARRANTY DEED**  
**(Stapleton Filing No. 40 – Road Right-of-Way Tracts**

THIS SPECIAL WARRANTY DEED (“Deed”) is made this 10<sup>TH</sup> day of June, 2020, between **PARK CREEK METROPOLITAN DISTRICT**, a quasi-municipal corporation and political subdivision of the State of Colorado, whose address is 7350 East 29<sup>th</sup> Avenue, Suite 300, Denver, Colorado 80238 (“Grantor”) and the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (“Grantee”), whose address is 1437 Bannock Street, Denver, Colorado 80202.

WITNESSETH, that the Grantor, for and in consideration of less than Five Hundred Dollars (\$500.00), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold, and conveyed, and by these presents does hereby grant, bargain, sell, convey and confirm unto the Grantee and its successors and assigns forever, all the real property, together with all improvements thereon owned by Grantor, if any, situate, lying and being in the City and County of Denver, State of Colorado, described as follows (the “Property”):

**Stapleton Filing No. 40**

Tracts A, B, C, D, E, and F, Stapleton Filing No. 40, according to the Plat Recorded July 26, 2013, at Reception No. 2013109191, City and County of Denver, State of Colorado.

RESERVING, HOWEVER, unto Grantor, its successors and assigns, any and all minerals, oil, gas, and other hydrocarbon substances, on or under the Property, to the extent owned by Grantor.

TOGETHER with all rights, privileges and easements appurtenant to the Property, if any, including without limitation, any and all development rights, air rights, ditches and ditch rights (including shares, if any, in any ditch company) appurtenant to the Property.

TO HAVE AND TO HOLD the said Property above bargained and described with the appurtenances, unto the Grantee and its successors and assigns forever. The Grantor,

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Recording Requested by:  
FNTG-NCS Colorado

N0024855

for itself and its successors and assigns, does hereby covenant and agree that it shall and will WARRANT AND FOREVER DEFEND the above bargained Property in the quiet and peaceable possession of the Grantee, its successors and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under the Grantor, except those Permitted Exceptions set forth on Exhibit A (consisting of two pages), as attached hereto and incorporated by this reference.

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

PARK CREEK METROPOLITAN DISTRICT, a quasi-municipal corporation and political subdivision of the State of Colorado

By: [Handwritten Signature]  
Tammi Holloway, Assistant Secretary

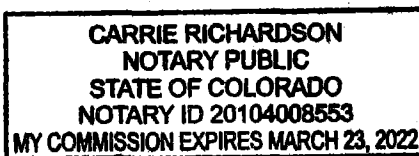
STATE OF COLORADO                      )  
  ) ss.  
CITY AND COUNTY OF DENVER        )

The foregoing Special Warranty Deed was acknowledged before me by Tammi Holloway, as Assistant Secretary of Park Creek Metropolitan District, this 10<sup>th</sup> day of June, 2020.

Witness my hand and official seal.

My commission expires: March 23, 2020

[Handwritten Signature: Carrie Richardson]  
Notary Public



**EXHIBIT A****PERMITTED EXCEPTIONS**

(Attached to and made a part of Special Warranty Deed – Stapleton Filing No. 40 – Road Right-of-Way Tracts between Park Creek Metropolitan District “Grantor” and City and County of Denver “Grantee” dated June 10<sup>th</sup>, 2020)

9. Notes, easements, restrictions and conditions as shown on the recorded plats of Stapleton Filing No. 40, recorded July 24, 2013 at Reception No. 2013109191. Note: Resolution No. CR13-0456, by the City and County of Denver approving the platting of Stapleton Filing No. 40, recorded December 18, 2017 at Reception No. 2017163761.
10. Intentionally deleted.
11. Any tax, lien, fee, or assessment by reason of inclusion of the Land in the Westerly, as evidenced by instrument(s) recorded Westerly Creek Metropolitan District at June 17, 2004 at Reception No. 2004128627, July 8, 2004 at Reception No. 2004144924 and January 19, 2011 at Reception No. 2011007098.
12. The right of a proprietor of a vein or lode to extract and remove his ore therefrom should the same be found to penetrate or intersect the premises, as reserved in United States Patent recorded February 9, 1882 in Book A24 at Page 58, Adams County Records.
13. Ordinance 13, Series of 1999, for zoning and recorded January 8, 1999 at Reception No. 9900004127.
14. Ordinance No. 929, Series of 1999, for zoning and recorded December 17, 1999 at Reception No. 9900212775.
15. Stapleton Redevelopment General Development Plan - South Area recorded March 26, 2001 at Reception No. 2001043010.
16. Intentionally deleted.
17. Ordinance No. 66, Series of 2010, for zoning and recorded February 5, 2010 at Reception No. 2010013689.
18. Reservation of mineral, water rights, and restrictive covenants as set forth in the Property Deed recorded March 7, 2012 at Reception No. 2012030480. Note: Quit Claim Deed as to the minerals, oil, gas and other hydrocarbon substances recorded March 7, 2012 at Reception No. 2012030555.
19. Intentionally deleted.
20. Terms, conditions, provision, obligations and agreements set forth in the Development Agreement recorded August 25, 2004 at Reception No. 2004176011, and Agreement Regarding Recordation of Development Agreement recorded March 7, 2012 at Reception No. 2012030552.
21. Intentionally deleted.

22. Intentionally deleted.
23. Any assessment or lien of Westerly Creek Metropolitan District, as disclosed by the instrument recorded on May 29, 2012 at Reception No. 2012068872.
24. Terms, conditions, provisions, agreements and obligations contained in the Agreement Regarding Recordation of Development Agreement as set forth below:  
Recording Date: March 15, 2013 Recording No.: Reception No. 2013037635
25. Reservation of minerals, water rights, and restrictive covenants as set forth in the Property Deed recorded March 15, 2013 at Reception No. 2013037630. Note: Quit Claim Deed as to the minerals, oil, gas and other hydrocarbon substances recorded March 15, 2013 at Reception No. 2013037638.
26. Intentionally deleted.
27. Intentionally deleted.
28. Terms, conditions, provision, obligations and agreements set forth in the Stapleton Residential Development Plan for Filing No. 40 recorded September 24, 2013 at Reception No. 2013140494.
29. Reservation of minerals, water rights, and restrictive covenants as set forth in the Property Deed recorded October 16, 2019 at Reception No. 2019144479. Note: Quit Claim Deed as to the minerals, oil, gas and other hydrocarbon substances recorded October 16, 2019 at Reception No. 2019144480.

END OF EXCEPTIONS