




## 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:** August 7, 2023

**ROW #:** 2023-DEDICATION-0000027 **SCHEDULE #:** 0128602034000

**TITLE:** This request is to dedicate a City-owned parcel of land as Public Right-of-Way as North Uinta Street, located at the intersection of North Uinta Street and East 36<sup>th</sup> 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 North Uinta 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, "NWC 36<sup>th</sup> & Uinta."

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 Uinta Street. The land is described as follows.

**INSERT PARCEL DESCRIPTION ROW # ( 2023-DEDICATION-0000027-001 ) HERE.**

A map of the area to be dedicated is attached.

MB/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, 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, Kathy Svechovsky  
DOTI Ordinance  
Owner: City and County of Denver  
Project file folder 2023-DEDICATION-0000027

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

## ORDINANCE/RESOLUTION REQUEST

Please email requests to Jason Gallardo  
at [Jason.Gallardo@DenverGov.org](mailto: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: August 7, 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 North Uinta Street, located at the intersection of North Uinta Street and East 36th 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](mailto: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](mailto:Jason.Gallardo@denvergov.org)

6. **General description/background of proposed resolution including contract scope of work if applicable:** Proposing to build an 8-unit townhome on vacant land. The developer has been asked to dedicate a parcel of land as North Uinta Street.

**\*\*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:** At the intersection of North Uinta Street and East 36th Avenue
- d. **Affected Council District:** Shontel M. Lewis District # 8
- 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:** 2023-DEDICATION-0000027

**Description of Proposed Project:** Proposing to build an 8-unit townhome on vacant land. The developer has been asked to dedicate a parcel of land as North Uinta 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 Uinta 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

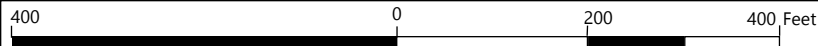
**Will an easement relinquishment be submitted at a later date:** N/A

**Additional information:** This land was deeded to the City and County of Denver for the purpose of dedicating it as North Uinta Street, as part of a development project called, "NWC 36th & Uinta."



### Legend

-  Irrigation Ditches
-  Streets
-  Alleys
-  County Boundary
-  Parcels



**PARCEL DESCRIPTION ROW NO. 2023 DEDICATION-0000027-001:**

LAND DESCRIPTION – STREET PARCEL

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 24TH DAY OF JULY, 2023, AT RECEPTION NUMBER 2023068872 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 LOT 1, BLOCK 2, STAPLETON FILING NO. 32, AND SITUATED IN THE NORTHEAST 1/4 OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A RANGE POINT IN THE INTERSECTION OF NORTH UINTA STREET AND EAST 36TH AVENUE, BEING A FOUND 2.5" BRASS DISK FLUSH IN CONCRETE, FROM WHENCE A RANGE POINT IN THE INTERSECTION OF NORTH UINTA STREET AND EAST 35TH AVENUE, BEING A FOUND NO. 8 REBAR IN RANGE BOX, BEARS SOUTH 00°00'23" EAST, A DISTANCE OF 790.81 FEET, WITH ALL BEARINGS HEREIN RELATIVE THERETO:

THENCE SOUTH 40°34'39" EAST, A DISTANCE OF 64.51 FEET TO THE NORTHWEST CORNER OF SAID LOT 1 AND THE POINT OF BEGINNING;

THENCE NORTH 89°59'34" EAST ALONG THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 5.08 FEET;

THENCE SOUTH 26°33'54" WEST, A DISTANCE OF 11.36 FEET TO THE WEST LINE OF SAID LOT 1;  
THENCE NORTH 00°00'23" WEST ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 10.16 FEET TO THE NORTHWEST CORNER OF SAID LOT 1 AND THE POINT OF BEGINNING;

CONTAINING 26 SQUARE FEET, 0.001 ACRES OF LAND, MORE OR LESS.



07/24/2023 02:25 PM  
City & County of Denver  
Electronically Recorded

R \$0.00

WD

D \$0.00

After signing, return to:  
Division of Real Estate  
Attn: Jason Clements  
City and County of Denver  
201 West Colfax Avenue, Dept. 1010  
Denver, Colorado 80202  
**Project Description: 2023-DEDICATION-0000027**  
**Asset Mgmt No.: 23-169**

**SPECIAL WARRANTY DEED**

**THIS SPECIAL WARRANTY DEED** (“Deed”), made as of this 14th day of July, 2023, by **ALINE TOWNHOMES, LLC**, a Colorado limited liability company, whose address is 5750 DTC Parkway, Suite 130, Greenwood Village, CO 80111 (“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 **Exhibit A** attached hereto and incorporated herein (the “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, subject to all matters listed on **Exhibit B**, attached hereto and incorporated herein.

No separate bill of sale with respect to improvements on the Property will be executed.

[Signature Page Follows]

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

ATTEST:

ALINE TOWNHOMES, LLC, a Colorado limited liability company

By: [Signature]

Name: David Friedman

Its: MANAGER

STATE OF Colorado )  
 ) ss.  
COUNTY OF Arapahoe )

The foregoing instrument was acknowledged before me this 17 day of July, 2023  
by David Friedman, as Manager of ALINE TOWNHOMES, LLC, a  
Colorado limited liability company.

Witness my hand and official seal.

My commission expires: 1/30/24

[Signature]  
Notary Public

JENNA DELAAT  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20084003556  
My Commission Expires: January 30, 2024

23 DED-027

2020PM640 ROW

# EXHIBIT "A" LAND DESCRIPTION

SHEET 1 OF 2

A PARCEL OF LAND BEING A PORTION OF LOT 1, BLOCK 2, STAPLETON FILING NO. 32, AND SITUATED IN THE NORTHEAST 1/4 OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A RANGE POINT IN THE INTERSECTION OF NORTH UINTA STREET AND EAST 36TH AVENUE, BEING A FOUND 2.5" BRASS DISK FLUSH IN CONCRETE, FROM WHENCE A RANGE POINT IN THE INTERSECTION OF NORTH UINTA STREET AND EAST 35TH AVENUE, BEING A FOUND NO. 8 REBAR IN RANGE BOX, BEARS SOUTH 00°00'23" EAST, A DISTANCE OF 790.81 FEET, WITH ALL BEARINGS HEREIN RELATIVE THERETO:

THENCE SOUTH 40°34'39" EAST, A DISTANCE OF 64.51 FEET TO THE NORTHWEST CORNER OF SAID LOT 1 AND THE POINT OF BEGINNING;

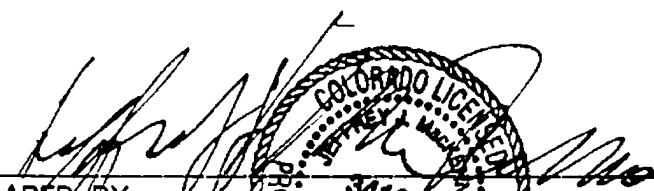
THENCE NORTH 89°59'34" EAST ALONG THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 5.08 FEET;

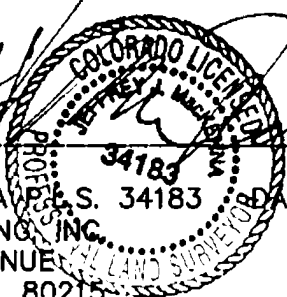
THENCE SOUTH 26°33'54" WEST, A DISTANCE OF 11.36 FEET TO THE WEST LINE OF SAID LOT 1;

THENCE NORTH 00°00'23" WEST ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 10.16 FEET TO THE NORTHWEST CORNER OF SAID LOT 1 AND THE POINT OF BEGINNING;

CONTAINING 26 SQUARE FEET, 0.001 ACRES OF LAND, MORE OR LESS.

\\Fs1s1\field and drawings\JOBS\2021\2-0220\DWG\PDF\_2023 01 30 ROW EXHB V1\210220-ROW DED V1.dwg

  
 PREPARED BY:  
 JEFFREY J. MACKENNA, P.E. S. 34183 DATE: 01/30/2023  
 FOR FALCON SURVEYING, INC.  
 9940 WEST 25TH AVENUE  
 LAKEWOOD COLORADO, 80215  
 (303)202-1560  
 JOB NO. 210220





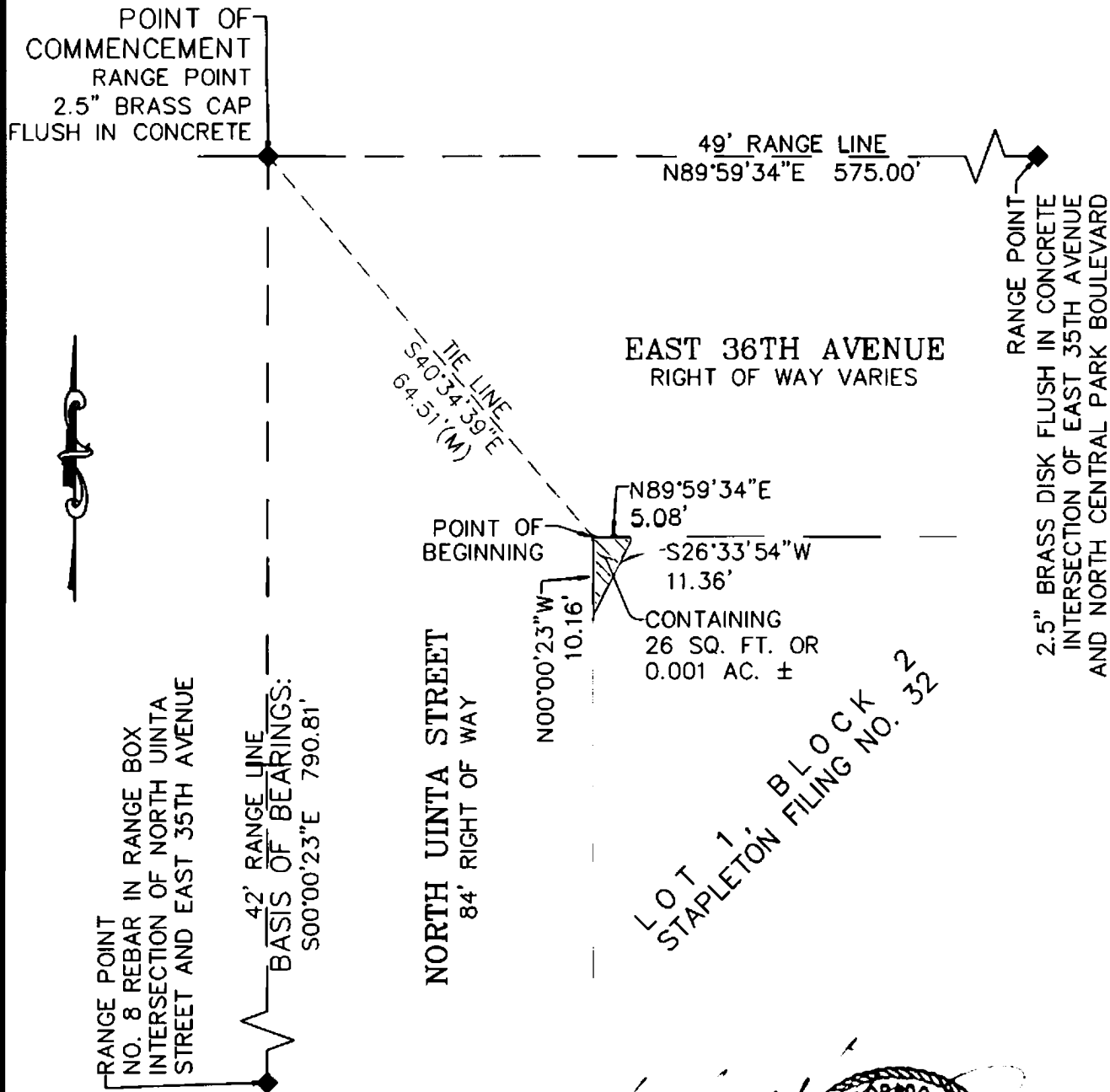
23-DED-027

2020PM640 ROW

# EXHIBIT "A"

SHEET 2 OF 2

SITUATED IN THE NE 1/4, SECTION 28, T3S, R67W, OF THE 6TH P.M.  
CITY AND COUNTY OF DENVER, STATE OF COLORADO



RANGE POINT  
NO. 8 REBAR IN RANGE BOX  
INTERSECTION OF NORTH UINTA  
STREET AND EAST 35TH AVENUE

42' RANGE LINE  
BASIS OF BEARINGS:  
S00°00'23"E 790.81'

NORTH UINTA STREET  
84' RIGHT OF WAY

EAST 36TH AVENUE  
RIGHT OF WAY VARIES

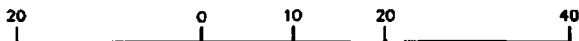
RANGE POINT  
2.5" BRASS DISK FLUSH IN CONCRETE  
INTERSECTION OF EAST 35TH AVENUE  
AND NORTH CENTRAL PARK BOULEVARD

LOT 1, BLOCK NO. 32  
STAPLETON FILING NO. 32

JEFFREY J. MACKENNA  
PLS 34183



GRAPHIC SCALE



( IN US SURVEY FEET )  
1 inch = 20 ft.

THIS ILLUSTRATION DOES NOT REPRESENT A MONUMENTED SURVEY.  
IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION.

**Exhibit B**

**(Exceptions listed on Title Commitment effective May 30<sup>th</sup>, 2023)**

9. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN GENERAL DEVELOPMENT PLAN-SOUTH AREA RECORDED MARCH 26, 2001 UNDER RECEPTION NO. **2001043010**.
  
10. RESTRICTIVE COVENANTS, WHICH DO NOT CONTAIN A FORFEITURE OR REVERTER CLAUSE, BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW, AS CONTAINED IN INSTRUMENT RECORDED OCTOBER 04, 2001, UNDER RECEPTION NO. **2001167472**.  
  
FIRST AMENDED AND RESTATED COMMUNITY DECLARATION RECORDED MAY 10, 2002 UNDER RECEPTION NO. **2002086362**.  
  
FIRST AMENDMENT TO FIRST AMENDED AND RESTATED COMMUNITY DECLARATION RECORDED DECEMBER 22, 2005 UNDER RECEPTION NO. **2005217062**.  
  
SECOND AMENDMENT TO FIRST AMENDED AND RESTATED COMMUNITY DECLARATION RECORDED JANUARY 9, 2007 UNDER RECEPTION NO. **2007003744**.  
  
SUPPLEMENTAL DECLARATION SUBJECTING PROPERTY TO THE COMMUNITY DECLARATION RECORDED APRIL 18, 2018 UNDER RECEPTION NO. **2018045416**
  
11. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN HOME DEPOT LETTER RECORDED FEBRUARY 04, 2002 UNDER RECEPTION NO. **2002023239**.
  
12. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN RECORDATION OF DEVELOPMENT AGREEMENT RECORDED AUGUST 25, 2004 UNDER RECEPTION NO. **2004176011**.
  
13. NOTES AS SET FORTH ON THE PLAT OF STAPLETON FILING NO. 32 RECORDED NOVEMBER 29, 2010 UNDER RECEPTION NO. **2010138135**.

14. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN AMENDED AND RESTATED DESIGN AND ARCHITECTURAL DECLARATION RECORDED MARCH 15, 2011 UNDER RECEPTION NO. **2011028773**

SUPPLEMENTAL DECLARATION SUBJECTING PROPERTY TO THE AMENDED AND RESTATED DESIGN AND ARCHITECTURAL DECLARATION RECORDED APRIL 18, 2018 UNDER RECEPTION NO. **2018045412**

15. RESTRICTIVE COVENANTS AND RESERVATIONS BY THE CITY AND COUNTY OF DENVER OF MINERAL RIGHTS, UNDERGROUND WATER RIGHTS AS SET FORTH IN PROPERTY DEED RECORDED APRIL 18, 2018 UNDER RECEPTION NO. **2018045410**.
16. QUIT CLAIM DEED OF ALL MINERALS, OIL, GAS AND OTHER HYDROCARBON SUBSTANCES TO STAPLETON DEVELOPMENT CORPORATION RECORDED APRIL 18, 2018 UNDER RECEPTION NO. **2018045411**.
17. QUIT CLAIM DEED OF ALL MINERALS, OIL, GAS AND OTHER HYDROCARBON SUBSTANCES TO FC STAPLETON II, LLC RECORDED APRIL 18, 2018 UNDER RECEPTION NO. **2018045414**
18. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN AGREEMENT REGARDING RECORDATION OF DEVELOPMENT AGREEMENT RECORDED APRIL 18, 2018 UNDER RECEPTION NO. **2018045415**.
19. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN DEVELOPER COVENANTS, CONDITIONS AND RESTRICTIONS FOR STAPLETON RECORDED MAY 31, 2018 UNDER RECEPTION NO. **2018064518**  
  
FIRST AMENDMENT RECORDED MARCH 26, 2019 UNDER RECEPTION NO. **2019033749** AND SECOND AMENDMENT RECORDED OCTOBER 02, 2020 UNDER RECEPTION NO. **2020161947**.
20. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS, COVENANTS, AND EASEMENTS AS SET FORTH AND RESERVED IN SPECIAL WARRANTY DEED RECORDED MAY 31, 2018 UNDER RECEPTION NO. **2018064553**.  
  
PARTIAL RELEASE OF SPECIAL WARRANTY DEED RESTRICTIONS RECORDED MAY 24, 2023 UNDER RECEPTION NO. **2023047171**.
21. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN LICENSE AGREEMENT RECORDED MAY 31, 2018 UNDER RECEPTION NO. **2018064555**.

22. DEVELOPMENT GUIDELINES AS SET FORTH IN VILLAGE AT CENTRAL PARK SITE DEVELOPMENT PLAN RECORDED JUNE 07, 2018 UNDER RECEPTION NO. **2018067003**.

AMENDMENT #1 RECORDED JANUARY 3, 2020 UNDER RECEPTION NO. **2020001060**.

AMENDMENT #2 RECORDED JULY 9, 2020 UNDER RECEPTION NO. **2020095952**.

AMENDMENT #4 RECORDED JANUARY 21, 2022 UNDER RECEPTION NO. **2022009903**.

23. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN DENVER ASSESSOR'S RECONFIGURATION FORM RECORDED JUNE 21, 2018 UNDER RECEPTION NO. **2018076574** AND RERECORDED NOVEMBER 1, 2018 UNDER RECEPTION NO. **2018141671** AND RECORDED APRIL 29, 2019 UNDER RECEPTION NO. **2019050663**.

24. ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE WESTERLY CREEK METROPOLITAN DISTRICT, AS EVIDENCED BY INSTRUMENT RECORDED OCTOBER 30, 2018, UNDER RECEPTION NO. **2018140432**.

SPECIAL DISTRICT PUBLIC DISCLOSURE RECORDED SEPTEMBER 5, 2019 UNDER RECEPTION NO. **2019119435**.

25. (THIS ITEM WAS INTENTIONALLY DELETED)

26. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN PERMANENT NON-EXCLUSIVE EASEMENT RECORDED NOVEMBER 23, 2021 UNDER RECEPTION NO. **2021216591**.

NOTE: ITEM 26 ABOVE WILL BE DELETED UPON COMPLIANCE OF REQUIREMENT NO. 2 ON SCHEDULE B-1.

27. (THIS ITEM WAS INTENTIONALLY DELETED)

**(REMAINDER OF PAGE LEFT INTENTIONALLY BLANK)**