

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:** March 5, 2024**ROW #:** 2024-DEDICATION-0000059 **SCHEDULE #:** 10 Schedule # - See Page 3

TITLE: This request is to dedicate ten 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 Kingston Street, 2) North Kingston Street, located at the intersection of North Kingston Street and East 28th Place, 3) North Kingston Street, located at the intersection of North Kingston Street and East 28th Place, 4) North Kenton Court, located at the intersection of North Kenton Court and East 28th Place, 5) East 28th Avenue, located at the intersection of East 28th Avenue and North Joliet Street, 6) North Joliet Street, located at the intersection of North Joliet Street and East 27th Avenue, 7) North Kenton Street, located at the intersection of North Kenton Street and East 27th Avenue, 8) East 27th Avenue, located at the intersection of East 27th Avenue and North Kingston Street, 9) North Kingston Street, located at the intersection of North Kingston Street and East 26th Avenue, and 10) East 26th Avenue, located at the intersection of East 26th 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 Kingston Street, 3) North Kingston Street, 4) North Kenton Court, 5) East 28th Avenue, 6) North Joliet Street, 7) North Kenton Street, 8) East 27th Avenue, 9) North Kingston Street, and 10) 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. 35 - 2011D00276."

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 Kingston Street, 3) North Kingston Street, 4) North Kenton Court, 5) East 28th Avenue, 6) North Joliet Street, 7) North Kenton Street, 8) East 27th Avenue, 9) North Kingston Street, and 10) East 26th Avenue. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2024-DEDICATION-0000059-001, 002, 003, 004, 005, 006, 007, 008, 009, 010) HERE.

A map of the area to be dedicated is attached.

GB/KS/LRA



cc: Dept. of Real Estate, 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-0000059

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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PARCEL #	TRACT	STREET NAME	SCHEDULE #
1	A	East 28 th Place	0126300063000
2	B	North Kingston Street	0126300060000
3	E	North Kingston Street	0126300068000
4	F	North Kenton Court	0126300067000
5	G	East 28 th Avenue	0126300070000
6	H	North Joliet Street	0126300065000
7	J	North Kenton Street	0126300072000
8	K	East 27 th Avenue	0126300073000
9	M	North Kingston Street	0126300074000
10	N	East 26 th Avenue	0126300076000

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 5, 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 ten 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 Kingston Street, 2) North Kingston Street, located at the intersection of North Kingston Street and East 28th Place, 3) North Kingston Street, located at the intersection of North Kingston Street and East 28th Place, 4) North Kenton Court, located at the intersection of North Kenton Court and East 28th Place, 5) East 28th Avenue, located at the intersection of East 28th Avenue and North Joliet Street, 6) North Joliet Street, located at the intersection of North Joliet Street and East 27th Avenue, 7) North Kenton Street, located at the intersection of North Kenton Street and East 27th Avenue, 8) East 27th Avenue, located at the intersection of East 27th Avenue and North Kingston Street, 9) North Kingston Street, located at the intersection of North Kingston Street and East 26th Avenue, and 10) 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: Lisa.ayala@denvergov.org	Email: Nicholas.Williams@denvergov.org

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

As part of Stapleton Filing No. 35, ten parcels of land are to be dedicated as 1) East 28th Place, 2) North Kingston Street, 3) North Kingston Street, 4) North Kenton Court, 5) East 28th Avenue, 6) North Joliet Street, 7) North Kenton Street, 8) East 27th Avenue, 9) North Kingston Street, and 10) 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?

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____

EXECUTIVE SUMMARY

Project Title: 2024-DEDICATION-0000059

Description of Proposed Project: As part of Stapleton Filing No. 35, ten parcels of land are to be dedicated as 1) East 28th Place, 2) North Kingston Street, 3) North Kingston Street, 4) North Kenton Court, 5) East 28th Avenue, 6) North Joliet Street, 7) North Kenton Street, 8) East 27th Avenue, 9) North Kingston Street, and 10) 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 Kingston Street, 3) North Kingston Street, 4) North Kenton Court, 5) East 28th Avenue, 6) North Joliet Street, 7) North Kenton Street, 8) East 27th Avenue, 9) North Kingston Street, and 10) East 26th Avenue.

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

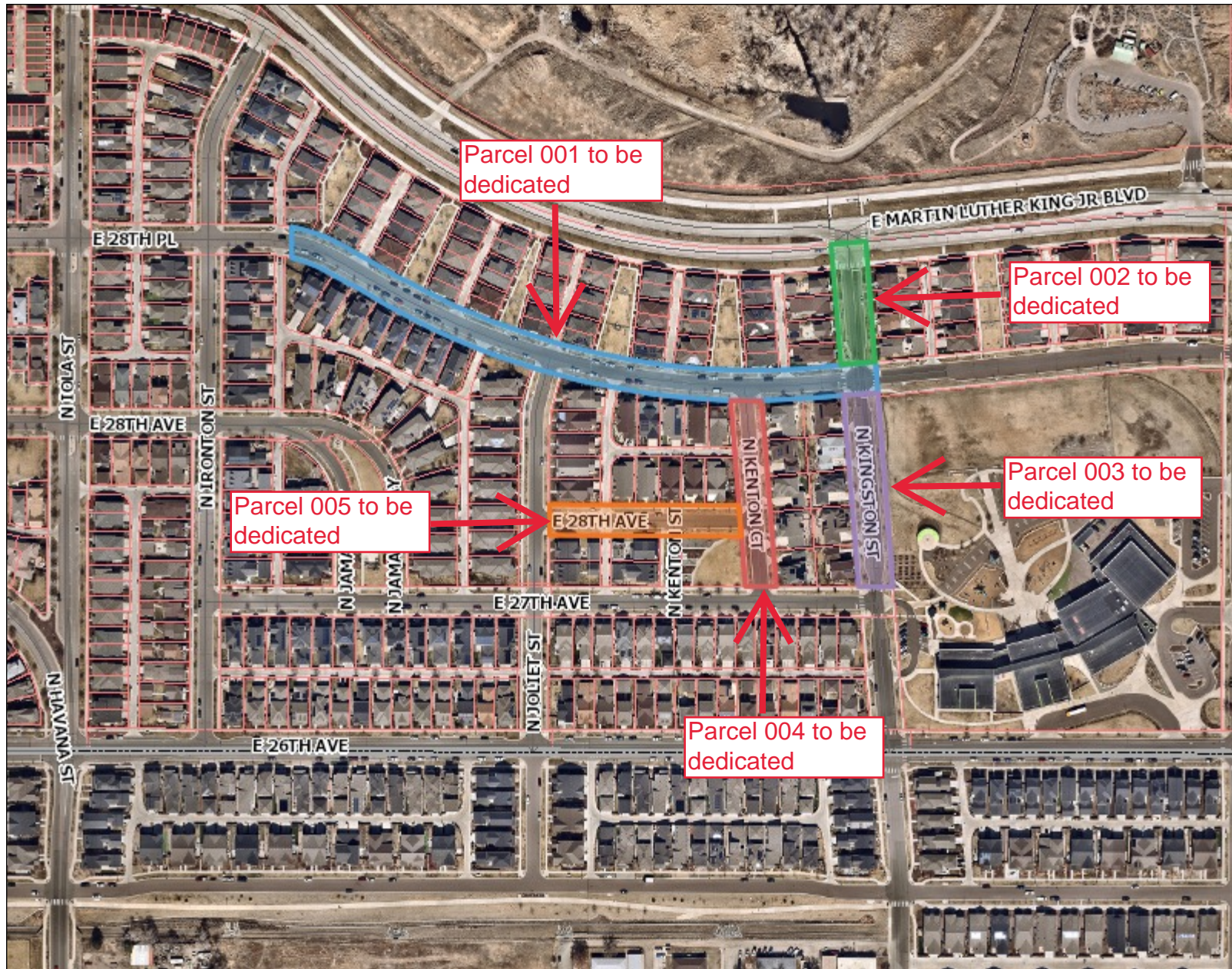
What is the known duration of a MEP: N/A

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

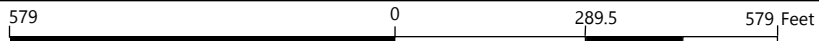
Will an easement relinquishment be submitted at a later date: N/A

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 Kingston Street, 3) North Kingston Street, 4) North Kenton Court, 5) East 28th Avenue, 6) North Joliet Street, 7) North Kenton Street, 8) East 27th Avenue, 9) North Kingston Street, and 10) East 26th Avenue, as part of the development project called, "Stapleton Filing No. 35."



Legend

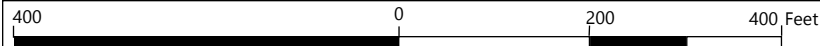
-  Streets
-  Alleys
-  County Boundary
-  Parcels





Legend

-  Streets
-  Alleys
-  County Boundary
-  Parcels



PARCEL DESCRIPTION ROW NO. 2024-DEDICATION-0000059-001:

LEGAL DESCRIPTION – STREET PARCEL 1: - E 28TH PL

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 9TH DAY OF MARCH, 2020, AT RECEPTION NUMBER 2020034479 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

TRACT A, STAPLETON FILING NO. 35, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

PARCEL DESCRIPTION ROW NO. 2024-DEDICATION-0000059-002:

LEGAL DESCRIPTION – STREET PARCEL 2: - N KINGSTON ST

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 9TH DAY OF MARCH, 2020, AT RECEPTION NUMBER 2020034479 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

TRACT B, STAPLETON FILING NO. 35, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

PARCEL DESCRIPTION ROW NO. 2024-DEDICATION-0000059-003:

LEGAL DESCRIPTION – STREET PARCEL 3: - N KINGSTON ST

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 9TH DAY OF MARCH, 2020, AT RECEPTION NUMBER 2020034479 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

TRACT E, STAPLETON FILING NO. 35, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

PARCEL DESCRIPTION ROW NO. 2024-DEDICATION-0000059-004:

LEGAL DESCRIPTION – STREET PARCEL 4: - N KENTON CT

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 9TH DAY OF MARCH, 2020, AT RECEPTION NUMBER 2020034479 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

TRACT F, STAPLETON FILING NO. 35, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

PARCEL DESCRIPTION ROW NO. 2024-DEDICATION-0000059-005:

LEGAL DESCRIPTION – STREET PARCEL 5: - E 28TH AVE

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 9TH DAY OF MARCH, 2020, AT RECEPTION NUMBER 2020034479 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

TRACT G, STAPLETON FILING NO. 35, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

PARCEL DESCRIPTION ROW NO. 2024-DEDICATION-000059-006:

LEGAL DESCRIPTION – STREET PARCEL 6: - N JOLIET ST

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 9TH DAY OF MARCH, 2020, AT RECEPTION NUMBER 2020034479 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

TRACT H, STAPLETON FILING NO. 35, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

PARCEL DESCRIPTION ROW NO. 2024-DEDICATION-000059-007:

LEGAL DESCRIPTION – STREET PARCEL 7: - N KENTON ST

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 9TH DAY OF MARCH, 2020, AT RECEPTION NUMBER 2020034479 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

TRACT J, STAPLETON FILING NO. 35, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

PARCEL DESCRIPTION ROW NO. 2024-DEDICATION-000059-008:

LEGAL DESCRIPTION – STREET PARCEL 8: - E 27TH AVE

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 9TH DAY OF MARCH, 2020, AT RECEPTION NUMBER 2020034479 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

TRACT K, STAPLETON FILING NO. 35, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

PARCEL DESCRIPTION ROW NO. 2024-DEDICATION-000059-009:

LEGAL DESCRIPTION – STREET PARCEL 9: - N KINGSTON ST

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 9TH DAY OF MARCH, 2020, AT RECEPTION NUMBER 2020034479 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

TRACT M, STAPLETON FILING NO. 35, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

PARCEL DESCRIPTION ROW NO. 2024-DEDICATION-000059-010:

LEGAL DESCRIPTION – STREET PARCEL 10: - E 26TH AVE

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 9TH DAY OF MARCH, 2020, AT RECEPTION NUMBER 2020034479 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

TRACT N, STAPLETON FILING NO. 35, CITY AND COUNTY OF DENVER, STATE OF COLORADO.



03/09/2020 03:49 PM
City & County of Denver
Electronically Recorded

R \$23.00

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. 35 – Road Right-of-Way Tracts)

THIS SPECIAL WARRANTY DEED (“Deed”) is made this 3rd day of March, 2020 between **PARK CREEK METROPOLITAN DISTRICT**, a quasi-municipal corporation and political subdivision of the State of Colorado, whose address is 7350 East 29th 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. 35

Tracts A, B, E, F, G, H, J, K, M, and N, Stapleton Filing No. 35, 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, 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

{00713727.DOCX / 2 }

Recording Requested by:
FNTG-NCS Colorado

N0021031

EXHIBIT A**PERMITTED EXCEPTIONS**

(Attached to and made a part of Special Warranty Deed – Stapleton Filing No. 35 – Road Right-of-Way Tracts between Park Creek Metropolitan District “Grantor” and City and County of Denver “Grantee” dated March 3, 2020)

9. Stapleton Redevelopment General Development Plan – South Area recorded March 26, 2001 at Reception No. 2001043010.
11. Reservations of mineral rights, water rights, and restrictive covenants as set forth in the Property Deed recorded March 7, 2012 at Reception No. 2012030480.

NOTE: Quit Claim Deeds as to the minerals, oil, gas and other hydrocarbon substances in connection therewith recorded March 7, 2012 at Reception No. 2012030555.

12. Intentionally Deleted.
13. Terms, conditions, provisions, obligations, easements and agreements as set forth in the Development Agreement, as recorded against the property by the Recordation of Agreement Regarding Recordation of Development Agreement recorded March 7, 2012 at Reception No. 2012030552.
14. Any taxes or assessments by reason of the inclusion of the Land in the Westerly Creek Metropolitan District, as evidenced by an Order of Inclusion, recorded May 29, 2012 at Reception NO. 2012068872.
16. Notes, easements, covenants and restrictions as shown on the plat map of Stapleton Filing No. 35, recorded May 21, 2012 at Reception No. 2012065645.
23. Terms, conditions, provisions, obligations, easements and agreements as set forth on the Stapleton Residential Development Plan for Filing No. 35, recorded October 8, 2012 at Reception NO. 2012137014.
24. Reservations of mineral rights, water rights, and restrictive covenants as set forth in the Special Warranty Deed recorded January 12, 2015 at Reception No. 2015003642.

NOTE: Quit Claim Deeds as to the minerals, oil, gas and other hydrocarbon substances in connection therewith recorded January 12, 2015 at Reception No. 2015003643.