



## 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:** May 10, 2024

**ROW #:** 2019-DEDICATION-0000134    **SCHEDULE #:** 0223314079000

**TITLE:** This request is to dedicate a City-owned parcel of land as Public Right-of-Way as North Lafayette Street, located at the intersection of North Lafayette Street and North Franklin 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 Lafayette 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, "40<sup>th</sup> and Walnut."

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 Lafayette Street. The land is described as follows.

**INSERT PARCEL DESCRIPTION ROW # (2019-DEDICATION-0000134-001) HERE.**

A map of the area to be dedicated is attached.

GB/TB/BV

cc: Dept. of Real Estate, [RealEstate@denvergov.org](mailto:RealEstate@denvergov.org)  
City Councilperson, Darrell Watson District # 9  
Councilperson Aide, Bonnie Guillen  
Councilperson Aide, Darius Shelby  
Councilperson Aide, Lynne Lombard  
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, Katherine Ehlers  
Department of Law, Mar'quasa Maes  
DOTI Survey, Tom Breitnauer  
DOTI Ordinance  
Owner: City and County of Denver  
Project file folder 2019-DEDICATION-0000134

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: May 10, 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 a City-owned parcel of land as Public Right-of-Way as North Lafayette Street, located at the intersection of North Lafayette Street and North Franklin 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: Nicholas Williams
Email: <a href="mailto:Barbara.Valdez@denvergov.org">Barbara.Valdez@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:**  
Proposing to demolish existing buildings and storage yard and build a 12-story mixed-use building. The developer was asked to dedicate a parcel of land as North Lafayette Street.

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

7. **City Council District:** Darrell Watson, District #9

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:** 2019-DEDICATION-0000134

**Description of Proposed Project:** Proposing to demolish existing buildings and storage yard and build a 12-story mixed-use building. The developer was asked to dedicate a parcel of land as North Lafayette 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 Lafayette 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

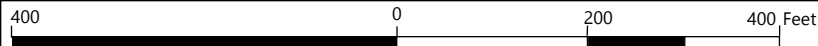
**Will an easement relinquishment be submitted at a later date:** N/A

**Additional information:** This land was deeded to the City and County of Denver for the purpose of dedicating it as North Lafayette Street, as part of the development project called, "40<sup>th</sup> and Walnut."



### Legend

- Streets
- Alleys
- ▭ County Boundary
- ▭ Parcels
- Parks
  - All Other Parks; Linear
  - Mountain Parks





After recording return to:

Joshua Breedlove, PLS  
Vice President  
Flatirons, Inc.  
7000 N. Broadway, Suite 209  
Denver, CO 80221

**AFFIDAVIT OF CORRECTION**

On the 6th day of May, 2024, I Joshua Breedlove, of lawful age, and having no ownership interest in the after described lands, being first duly sworn upon oath, deposes and states, as provided in C.R.S. §38-51-111 as follows:

1. Affiant is a Licensed Professional Land Surveyor in the State of Colorado;
2. Affiant prepared the Legal Description for the Special Warranty Deed between Chermet, LLC, a Colorado Limited Liability Company (“Grantor”) and the City and County of Denver (“Grantee”);
3. Said Deed was recorded on January 28, 2021, at Reception # 2021015335, in the Records of the City and County of Denver;
4. After said Special Warranty Deed was recorded, Affiant discovered a scrivener’s error therein;
5. Said scrivener’s error is an error in bearing label as addressed in C.R.S. § 38-51-111 (2)(a); and

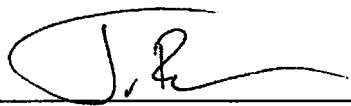
a. The error is more particularly described as follows:

In the 11<sup>th</sup> line of the 4<sup>th</sup> paragraph of the legal description, the bearing labeled “SOUTH 44°51’49” EAST,” is in error. Therefore, the bearing which reads “SOUTH 44°51’49” EAST” is hereby corrected to read “**SOUTH 44°51’49” WEST**”

6. Affiant further states that the aforementioned Legal Description in the Special Warranty Deed recorded at Reception # 2021015335, is hereby corrected to conform to the above described assignment in the same manner as if said assignment had been re-recorded with the proper notations contained thereon.

The undersigned has read the foregoing Affidavit and states that the facts stated therein are true and correct under penalty of perjury.

FURTHER AFFIANT SAITH NAUGHT.



\_\_\_\_\_  
Joshua Breedlove, Colorado P.L.S. # 38174

STATE OF COLORADO     )  
  )  
COUNTY OF BOULDER    )     ss:

The Foregoing was acknowledged before me this 7 day of May, 2024 by Joshua Breedlove, Licensed Professional Land Surveyor.

WITNESS my hand and seal.

My commission expires Dec 27, 2027

**Kelly Ann Brenner**  
**NOTARY PUBLIC**  
**STATE OF COLORADO**  
**NOTARY ID 20194047919**  
**MY COMMISSION EXPIRES December 27, 2027**

Notary 

**PARCEL DESCRIPTION ROW NO. 2019-DEDICATION-0000134-001:**

**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 2021, AT RECEPTION NUMBER 2021015335 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

A PORTION OF PARCELS I & J, BLAKE RESUBDIVISION, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE 19.5' RANGE LINE OF WALNUT STREET TO BEAR S44°50'00"W. A DISTANCE OF 620.01 FEET BETWEEN A 2.5" ALUMINUM CAP STAMPED "PLS 24942" IN RANGE BOX FOUND DURING FIELD WORK COMPLETED OCTOBER 2014 (SINCE OBLITERATED) AT THE INTERSECTION OF WALNUT STREET AND 40TH STREET AND A FOUND AXLE IN RANGE BOX AT THE INTERSECTION OF THE 19.5' RANGE LINE OF WALNUT STREET AND THE 0' RANGE LINE ALONG THE SOUTHWESTERLY EDGE OF BLAKE RESUBDIVISION;

COMMENCING AT SAID AXLE IN RANGE BOX; THENCE SOUTH 81°16'18" EAST, A DISTANCE OF 604.96 FEET TO THE SOUTHERLY MOST CORNER OF A PROPERTY DESCRIBED IN DEED RECORDED OCTOBER 29, 2010 AT RECEPTION NO. 2010125588 AND THE POINT OF BEGINNING;

THENCE ALONG THE SOUTHWESTERLY LINE OF SAID PROPERTY, NORTH 45°55'14" WEST, A DISTANCE OF 8.00 FEET; THENCE PARALLEL WITH, AND 8.0' NORTHERLY FROM, THE NORTHERLY RIGHT-OF-WAY LINE OF LAFAYETTE STREET THE FOLLOWING TWO (2) COURSES:

- 1) NORTH 44°51'49" EAST, A DISTANCE OF 149.90 FEET;
- 2) THENCE NORTH 90°00'00" EAST, A DISTANCE OF 102.60 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF FRANKLIN STREET; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE, SOUTH 00°00'00" EAST, A DISTANCE OF 8.00 FEET TO THE INTERSECTION OF THE FRANKLIN STREET AND LAFAYETTE STREET RIGHTS-OF-WAY; THENCE ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID LAFAYETTE STREET THE FOLLOWING TWO (2) COURSES:

- 1) SOUTH 90°00'00" WEST, A DISTANCE OF 99.28 FEET;
- 2) THENCE SOUTH 44°51'49" WEST, A DISTANCE OF 146.47 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 1,993 SQ. FT. OR 0.05 ACRES, MORE OR LESS.





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-0000134**  
**Asset Mgmt No.: 21-014**

**SPECIAL WARRANTY DEED**

**THIS SPECIAL WARRANTY DEED** (“Deed”), made as of this 20 day of January, 2021, by **CHERMET, LLC**, a Colorado limited liability company, whose address is 3535 Larimer Street, Denver, CO, 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, subject to statutory exceptions.

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

[Signature Page Follows]



# EXHIBIT "A"

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 3 SOUTH,  
RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN,  
CITY AND COUNTY OF DENVER, STATE OF COLORADO

SHEET 1 OF 2

A PORTION OF PARCELS I & J, BLAKE RESUBDIVISION, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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SAID PARCEL CONTAINING 1,993 SQ. FT. OR 0.05 ACRES, MORE OR LESS.

I, JOSHUA BREEDLOVE, A LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY STATE FOR AND ON BEHALF OF FLATIRONS, INC., THAT THIS PARCEL DESCRIPTION AND ATTACHED EXHIBIT, BEING MADE A PART THEREOF, WERE PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE AT THE REQUEST OF THE CLIENT AND IS NOT INTENDED TO REPRESENT A MONUMENTED LAND SURVEY OR SUBDIVIDE LAND IN VIOLATION OF STATE STATUTE.

JOSHUA BREEDLOVE  
COLORADO P.L.S. #38174  
BRANCH MANAGER, FLATIRONS, INC.

JOB NUMBER: 19-72,006  
DRAWN BY: M. LUND  
DATE: JANUARY 14, 2020

THIS IS NOT A "LAND SURVEY PLAT" OR "IMPROVEMENT SURVEY PLAT" AND THIS EXHIBIT IS NOT INTENDED FOR PURPOSES OF TRANSFER OF TITLE OR SUBDIVISIONS OF LAND. RECORD INFORMATION SHOWN HEREON IS BASED ON INFORMATION PROVIDED BY CLIENT.



**Flatirons, Inc.**  
Surveying, Engineering & Geomatics

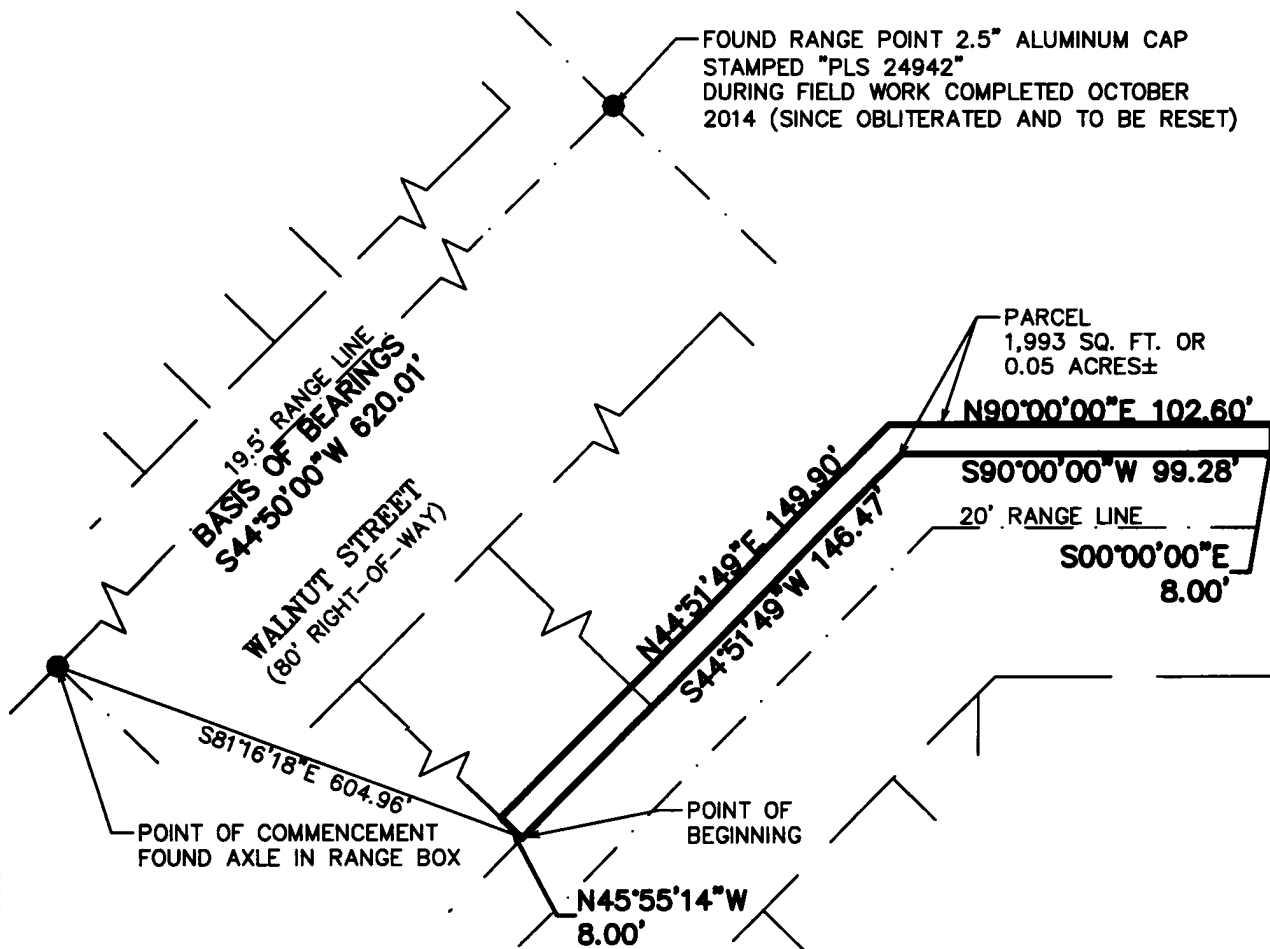
4501 LOGAN ST.  
DENVER, CO 80216  
PH: (303) 936-6997  
FAX: (303) 923-3180  
[www.FlatironsInc.com](http://www.FlatironsInc.com)

BY:MLUND FILE:72006-ALTA-ESMT VAC.DWG DATE:1/14/2020 3:41 PM

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RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN,  
CITY AND COUNTY OF DENVER, STATE OF COLORADO

SHEET 2 OF 2



BY:MLUND FILE:72006-ALTA-ESMT VAC.DWG DATE:1/14/2020 3:41 PM

JOB NUMBER: 19-72,006  
DRAWN BY: M. LUND  
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**Flatirons, Inc.**  
Surveying, Engineering & Geomatics



4501 LOGAN ST.  
DENVER, CO 80216  
PH: (303) 936-6997  
FAX: (303) 923-3180  
[www.FlatironsInc.com](http://www.FlatironsInc.com)