

**REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY**

**TO:** Katherine Ehlers, City Attorney's Office

**FROM:** Matt Bryner, P.E., DOTI Engineer-Architect Executive Matt R. Bryner  
Matt R. Bryner (May 22, 2025 17:10 MDT)

**DATE:** May 21, 2025

**ROW #:** 2020-DEDICATION-0000047 **SCHEDULE #:** 0221237036000

**TITLE:** This request is to dedicate a City-owned parcel of land as Public Right-of-Way as Public Alley, bounded by West 45<sup>th</sup> Avenue, North Tejon Street, West 44th Avenue, and North Umatilla 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 Public Alley. 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, "2040 W 45<sup>th</sup> Ave."

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 Public Alley. The land is described as follows.

**INSERT PARCEL DESCRIPTION ROW # (2020-DEDICATION-0000047-001) HERE.**

A map of the area to be dedicated is attached.

MB/TB/BVS

cc: Dept. of Real Estate, [RealEstate@denvergov.org](mailto:RealEstate@denvergov.org)  
City Councilperson, Amanda P. Sandoval District #1  
Councilperson Aide, Gina Volpe  
Councilperson Aide, Melissa Horn  
Councilperson Aide, Alessandra Dominguez  
City Council Staff, Luke Palmisano  
Environmental Services, Andrew Ross  
DOTI, Manager's Office, Alba Castro  
DOTI Engineer-Architect Executive, Matt Bryner  
Department of Law, Martin Plate  
Department of Law, Brad Beck  
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 2020-DEDICATION-0000047

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 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

Please mark one: ☐ Bill Request or ☒ Resolution Request

Date of Request: May 21, 2025

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 Public Alley, bounded by West 45th Avenue, North Tejon Street, West 44th Avenue, and North Umatilla 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: Beverly J. Van Slyke	Name: Alaina McWhorter
Email: <a href="mailto:Beverly.VanSlyke@Denvergov.org">Beverly.VanSlyke@Denvergov.org</a>	Email: <a href="mailto:Alaina.McWhorter@denvergov.org">Alaina.McWhorter@denvergov.org</a>

5. **General description or background of proposed request. Attach executive summary if more space needed:**  
A new single-family home was constructed. The developer was asked to dedicate a parcel of land as Public Alley.

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

7. **City Council District:** Amanda P. Sandoval, District #1

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> <i>(A)</i>	<i>Additional Funds</i> <i>(B)</i>	<i>Total Contract Amount</i> <i>(A+B)</i>
<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:** 2020-DEDICATION-0000047

**Description of Proposed Project:** A new single-family home was constructed. The developer was asked to dedicate a parcel of land as Public Alley.

**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 Public Alley.

**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 Public Alley, as part of the development project called, "2040 W 45<sup>th</sup> Ave."



## Legend

- Streets
- Alleys
-  County Boundary
-  Parcels
-  Lots/Blocks
- Parks**
  -  All Other Parks; Linear
  -  Mountain Parks

145 0 72.5 145 Feet

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
© City and County of Denver

1:1,128

Map Generated 5/21/2025

The City and County of Denver shall not be liable for damages of any kind arising out of the use of this information. The information is provided "as is" without warranty of any kind, express or implied, including, but not limited to, the fitness for a particular use.

**THIS IS NOT A LEGAL DOCUMENT.**

**PARCEL DESCRIPTION ROW NO. 2020-DEDICATION-0000047-001:**

**LAND DESCRIPTION – ALLEY PARCEL:**

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 13TH DAY OF JULY, 2020, AT RECEPTION NUMBER 2020098898 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

THAT PART OF LOTS 28, 29 AND 30, BLOCK 4, CASEY'S SUBDIVISION OF A PORTION OF NORTH HIGHLANDS, BEING A PART OF THE A PART OF THE N.W. 1/4 OF SECTION 21, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 1.50 FEET OF THE WEST 66.00 FEET OF LOTS 29 AND 30, AND THE WEST 1.50 FEET OF THE NORTH 5.5 FEET OF LOT 28, BLOCK 4, CASEY'S SUBDIVISION OF A PORTION OF NORTH HIGHLANDS, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

CONTAINS 80 SQUARE FEET MORE OR LESS.





07/13/2020 03:23 PM  
City & County of Denver

R \$0.00

WD

2020098898

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: 2020-Dedication-0000047  
Asset Mgmt No.: 20-097

### SPECIAL WARRANTY DEED

July THIS SPECIAL WARRANTY DEED ("Deed"), made as of this 9th day of July, 2020, by **Shane Smith**, an individual, whose address is 2040 W 45<sup>th</sup> Ave., Denver, CO 80211, 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.

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

ATTEST:

Shane Smith

By: [Signature]

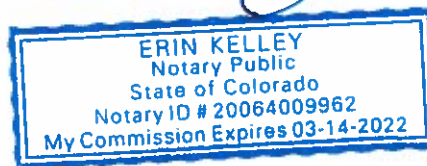
STATE OF Colorado )  
COUNTY OF Denver ) ss.

The foregoing instrument was acknowledged before me this 9<sup>th</sup> day of July, 2020  
by Shane Smith.

Witness my hand and official seal.

My commission expires: 03.14.2022

[Signature]  
Notary Public





# EXHIBIT A

## LEGAL DESCRIPTION:

THAT PART OF LOTS 28, 29 AND 30, BLOCK 4, CASEY'S SUBDIVISION OF A PORTION OF NORTH HIGHLANDS, BEING A PART OF THE A PART OF THE N.W. 1/4 OF SECTION 21, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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CONTAINS 80 SQUARE FEET MORE OR LESS.



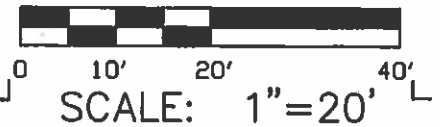
RAYMOND W. BAYER.  
REG. P.L.S. NO. 6973

Prepared By:

R. W. BAYER & ASSOCIATES, INC.  
12170 TEJON STREET, UNIT 700  
WESTMINSTER, COLORADO 80234  
(303) 452-4433 [rwbsurveying@hotmail.com](mailto:rwbsurveying@hotmail.com)  
CAD FILE: 19112DED/19112DED.DWG  
PAGE 1 OF 2  
Date Prepared: MARCH 06, 2020

THIS MAP IS NOT INTENDED TO REPRESENT  
A BOUNDARY SURVEY OR LAND SURVEY PLAT.  
IT IS ONLY INTENDED TO DEPICT THE  
ATTACHED LEGAL DESCRIPTION.

EXHIBIT A



- DENOTES: FOUND NAIL & BRASS TAG, P. L. S. 16116, UNLESS OTHERWISE NOTED  
● DENOTES: SET #5 REBAR & YELLOW CAP, BAYER - P. L. S. 6973, FLUSH W/GROUND  
⊗ DENOTES: SET NAIL & BRASS TAG, BAYER - P. L. S. 6973

# WEST 45TH AVENUE

(66' RIGHT-OF-WAY PER CITY AND COUNTY OF  
DENVER OFFICIAL CITY SURVEY)

