

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: June 21, 2024

ROW #: 2023-DEDICATION-0000013 **SCHEDULE #:** 0506300198000

TITLE: This request is to dedicate a City-owned parcel of land as Public Right-of-Way as West 11th Avenue, located near the intersection of West 11th Avenue and North Xavier 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 West 11th 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, "AHRT – 11th Avenue Townhomes."

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 West 11th Avenue. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2023-DEDICATION-0000013-001) HERE.

A map of the area to be dedicated is attached.

GB/DS/BV

cc: Dept. of Real Estate, RealEstate@denvergov.org
City Councilperson, Jamie Torres District # 3
Councilperson Aide, Daisy Rocha Vasquez
Councilperson Aide, Angelina Gurule
Councilperson Aide, Ayn Tougaard
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, Kwali Farbes
Department of Law, Ivone Avila-Ponce
Department of Law, Katherine Ehlers
Department of Law, Mar'quasa Maes
DOTI Survey, Dana Sperling
DOTI Ordinance
Owner: City and County of Denver
Project file folder 2023-DEDICATION-0000013

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

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 June 21, 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 West 11th Avenue, located near the intersection of West 11th Avenue and North Xavier 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: Barbara.Valdez@denvergov.org	Email: Nicholas.Williams@denvergov.org

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

This project is to build four new townhome buildings on vacant land. The developer was asked to dedicate a parcel of land as West 11th Avenue.

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

7. **City Council District:** Jamie Torres District #3

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: 2023-DEDICATION-0000013

Description of Proposed Project: This project is to build four new townhome buildings on vacant land. The developer was asked to dedicate a parcel of land as West 11th 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 West 11th 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 West 11th Avenue, as part of the development project called, "AHRT – 11th Avenue Townhomes."

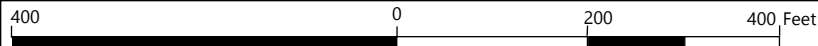
City and County of Denver Department of Transportation & Infrastructure
Right-of-Way Services
201 W. Colfax Ave | Denver, CO 80215
www.denvergov.org/doti
Phone: 720-913-1311

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Legend

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



PARCEL DESCRIPTION ROW NO. 2023-DEDICATION-0000013-001:**LEGAL DESCRIPTION – STREET PARCEL:**

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 27TH DAY OF DECEMBER, 2023, AT RECEPTION NUMBER 2023119717 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

A portion of the Northwest Quarter of Section 6, Township 4 South, Range 68 West of the 6th P.M. and also being a portion of the land described in Deed recorded December 4, 2015 under Reception No. 2015168055 and being more particularly described as follows:

The Basis of Bearings of this legal description is the south line of the North Half of Section 6, monumented by a 3-1/4" aluminum cap in range box, PLS 28286, on the west end and by a 3-1/4" aluminum cap in range box, PLS 20699, on the east end. Said line is assumed to bear North 89 degrees 39 minutes 43 seconds West.

Commencing at the West Quarter Corner of Section 6, Township 4 South, Range 68 West of the 6th P.M., being monumented by a 3-1/4" aluminum cap in range box, PLS 28286, thence South 89 degrees 39 minutes 43 seconds East along the south line of the north half of Section 6, 470.80 feet to a point; thence North 0 degrees 20 minutes 17 seconds East, 30.00 feet to a point on the north right-of-way line of W. 10th Ave. being monumented by a No. 5 rebar with pink cap, PLS 38556; thence North 0 degrees 05 minutes 24 seconds West, 290.09 feet along the west line of a parcel of land described in Deed recorded on October 14, 1953 under Reception No. 1953271434 also being the east line of a parcel of land described in Deed recorded April 3, 2020 under Reception No. 2020046842 to the northeast corner of a parcel of land described in Deed recorded April 3, 2020 under Reception No. 2020046842 to the Point of Beginning;

Thence along the north line of a parcel of land described in Deed recorded April 3, 2020 under Reception No. 2020046842, North 89 degrees 30 minutes 06 seconds West, 150.84 feet to the northwest corner of a parcel of land described in Deed recorded April 3, 2020 under Reception No. 2020046842; thence along the west line of a parcel of land described in Deed recorded April 3, 2020 under Reception No. 2020046842 South 0 degrees 03 minutes 24 seconds East, 38.76 feet; thence along a non-tangent curve concave to the southeasterly, said curve having a central angle of 243 degrees 52 minutes 55 seconds, a radius of 59.00 feet, for an arc length of 251.14 feet, the center of said curve bears North 4 degrees 52 minutes 38 seconds West; thence along a curve concave to the northeasterly, said curve having a central angle of 58 degrees 40 minutes 04 seconds, a radius of 11.00 feet, for an arc length of 11.26 feet; thence South 89 degrees 39 minutes 47 seconds East, 95.85 feet to a point on the east line of the land described in Deed recorded December 4, 2015 under Reception No. 2015168055; thence South 0 degrees 18 minutes 08 seconds West, 7.00 feet; thence South 0 degrees 05 minutes 24 seconds East, 38.82 feet along the west line of a parcel of land described in Deed recorded on October 14, 1953 under Reception No. 1953271434 to the Point of Beginning.

Containing a calculated area of 14,064 square feet or 0.3229 acres, more or less.



12/27/2023 01:05 PM
City & County of Denver
Electronically Recorded

R \$0.00

WD

D \$0.00

After signing, return to:
City and County of Denver
201 West Colfax Avenue, Dept. 1010
Division of Real Estate
Denver, Colorado 80202
Project Description: 2023-DEDICATION-0000013
Asset Mgmt No.:

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED ("Deed"), made as of this 19th day of December, 2023, by SHERIDAN HOUSING LLC, a Colorado limited liability company, whose address is 735 S Clayton St., Denver, CO 80209, 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:

SHERIDAN HOUSING LLC, a Colorado limited liability company

By: The Morrison Group, Inc., a Colorado corporation, its Member

Name: Lynn Crist-Culman 

Its: President

STATE OF CO.
COUNTY OF Arapahoe ss.

The foregoing instrument was acknowledged before me this 19th day of Dec, 2023
by Lynn Crist-Culman, as President of SHERIDAN HOUSING LLC, a
Colorado limited liability company.

Witness my hand and official seal.

My commission expires:

4/18/23


Notary Public

SUSAN T. KLOS
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20234014761
MY COMMISSION EXPIRES 04/18/2027

EXHIBIT A SHEET 1 OF 2

LEGAL DESCRIPTION:

A portion of the Northwest Quarter of Section 6, Township 4 South, Range 68 West of the 6th P.M. and also being a portion of the land described in Deed recorded December 4, 2015 under Reception No. 2015168055 and being more particularly described as follows:

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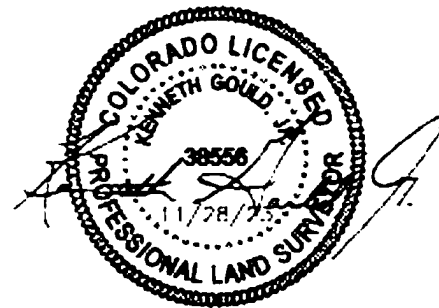
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Containing a calculated area of 14,064 square feet or 0.3229 acres, more or less.

This land description and exhibit was prepared by me or under my direct supervision and checking and is true and correct to the best of my knowledge, information and belief.

The above statement is neither a warranty or guarantee, either expressed or implied



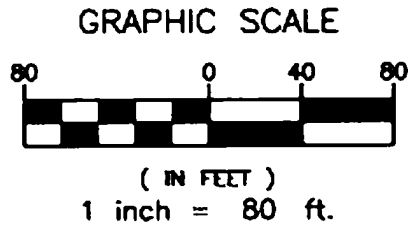
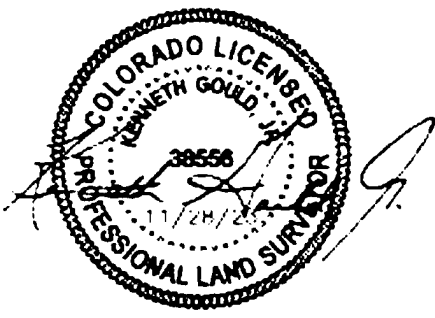
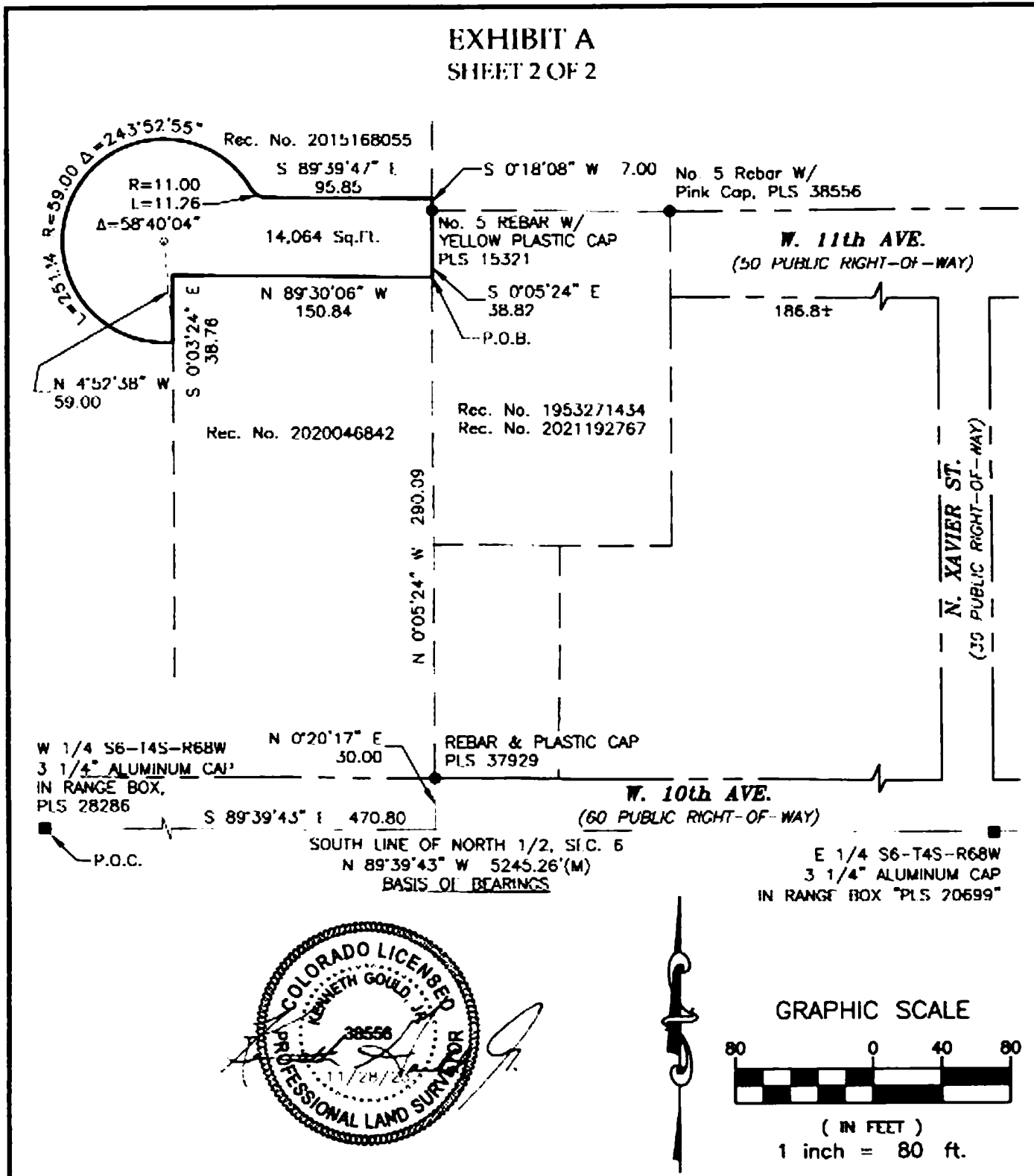
Kenneth Gould, Jr., PLS
Colorado Professional Land Surveyor No. 38556
For and on behalf of Gould Land Surveying, LLC.



P.O. Box 7123
Woodland Park, CO 80863
(719) 687-8385
info@gouldls.com
www.GouldLandSurveying.com

Project No.: 21085
October 17, 2023
Rev.: Nov. 28, 2023

EXHIBIT A SHEET 2 OF 2



GOULD
LAND SURVEYING

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