




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 20, 2024

ROW #: 2023-DEDICATION-0000267 **SCHEDULE #:** Adjacent to 0512219060000

TITLE: This request is to dedicate a City-owned parcel of land as Public Right-of-Way as Public Alley, bounded by East 3rd Avenue, North Fillmore Street, East 2nd Avenue, and North Milwaukee 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, “299 N Milwaukee St.”

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 # (2023-DEDICATION-0000267-001) HERE.

A map of the area to be dedicated is attached.

GB/BP/LRA

cc: Dept. of Real Estate, RealEstate@denvergov.org
City Councilperson, Amanda Sawyer, District # 5
Councilperson Aide, Nicole Aviles
Councilperson Aide, Owen Brigner
Councilperson Aide, Juan Sipion
Councilperson Aide, Matt Walter
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, Brian Pfohl
DOTI Ordinance
Owner: City and County of Denver
Project file folder 2023-DEDICATION-0000267

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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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: June 20, 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 Public Alley, bounded by East 3rd Avenue, North Fillmore Street, East 2nd Avenue, and North Milwaukee 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:

Proposing to scrape existing commercial structure and build a new mixed-use structure. The developer has been asked to dedicate a parcel as Public Alley.

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

7. **City Council District:** Amanda Sawyer, District # 5

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-0000267

Description of Proposed Project: Proposing to scrape existing commercial structure and build a new mixed-use structure. The developer has been asked to dedicate a parcel 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, "299 N Milwaukee St."



Legend

- Streets
- Alleys
- ▭ County Boundary
- ▭ Parcels
- ▭ Lots/Blocks

289 0 144.5 289 Feet

PARCEL DESCRIPTION ROW NO. 2023-DEDICATION-0000267-001:

LEGAL DESCRIPTION – ALLEY PARCEL

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 24TH DAY OF MAY, 2024, AT RECEPTION NUMBER 2024047255 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

A TRACT OF LAND BEING A PART OF LOTS 6 THROUGH 9, BLOCK 59, HARMAN'S SUBDIVISION, LOCATED IN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 6,
THENCE ON THE NORTH LINE OF SAID LOT 6, SOUTH 89°55'54" EAST, A DISTANCE OF 2.50 FEET;
THENCE ON A LINE BEING 2.50 FEET EASTERLY AND PARALLEL WITH THE WEST LINE OF SAID LOTS 6 THROUGH 9, SOUTH 00°02'09" WEST, A DISTANCE OF 375.12 FEET TO THE SOUTH LINE OF THE NORTH 75 FEET OF SAID LOT 9;
THENCE ON SAID SOUTH LINE, NORTH 89°53'09" WEST, A DISTANCE OF 2.50 FEET TO THE SAID WEST LINE;
THENCE ON SAID WEST LINE, NORTH 00°02'09" EAST, A DISTANCE OF 375.12 FEET TO THE POINT OF BEGINNING.

CONTAINING 938 SQUARE FEET.

BEARINGS ARE BASED ON A PORTION OF THE NORTH LINE OF LOT 6, BLOCK 59, HARMAN'S SUBDIVISION, MONUMENTED AT BOTH ENDS BY A NAIL & 1-1/2" BRASS TAG STAMPED "PLS 38495". SAID LINE BEARS SOUTH 89°55'54" EAST, FOR A DISTANCE OF 122.47 FEET.



05/24/2024 03:18 PM

R \$0.00

D \$0.00

City & County of Denver

WD

Electronically Recorded

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-0000267

Asset Mgmt No.: 24-117

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED (“Deed”), made as of this 8th day of May, 2024, by **299 MILWAUKEE OWNER LLC**, a Delaware limited liability company, whose address is 3953 Maple Avenue, Suite 300, Dallas, TX 75219, 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:

299 MILWAUKEE OWNER LLC, a Delaware limited liability company

By: [Signature]

Name: Ron J. Hoyl

Its: Vice President

Commonwealth
STATE OF Massachusetts
COUNTY OF Suffolk) ss.

The foregoing instrument was acknowledged before me this 8 day of May, 2024
by Ron J. Hoyl, as Vice President of 299 MILWAUKEE OWNER
LLC, a Delaware limited liability company.

Witness my hand and official seal.

My commission expires: _____

[Signature]
Notary Public



EXHIBIT A
LAND DESCRIPTION
SHEET 1 OF 2

2022-PROJMSTR-0000220-ROW

LAND DESCRIPTION

A TRACT OF LAND BEING A PART OF LOTS 6 THROUGH 9, BLOCK 59, HARMAN'S SUBDIVISION, LOCATED IN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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BASIL MICAH HANSON, P.L.S.
COLORADO REG. NO. 38020
FOR AND ON BEHALF OF
R&R ENGINEERS-SURVEYORS, INC.

Jan 04, 2024 - 11:01am Plotted by: jmahaffey C:\Users\jmahaffey\AppData\Local\Temp\AcPublish_16768\BM22059 ROW.dwg

LEGAL

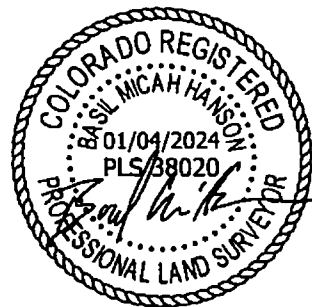
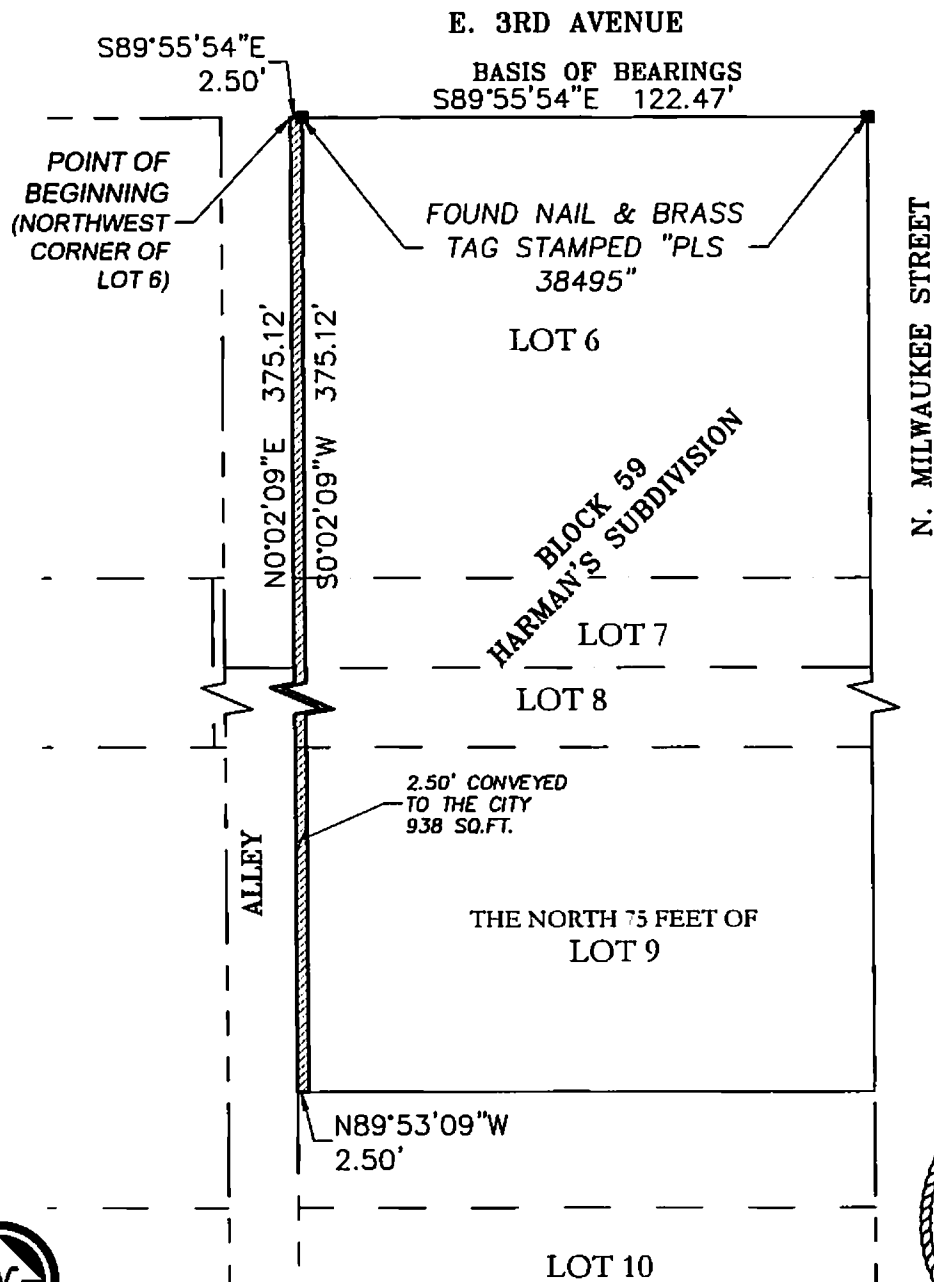
REVISIONS		Orig. Issue Date: 11/10/2023	Sheet
		Drawn By: JDM	1
		Checked By: BMH	of
		Project No. BM22059	2



R&R ENGINEERS-SURVEYORS, INC.
1635 W. 13TH AVENUE, SUITE 310
DENVER, COLORADO 80204
303-753-6730
www.rrengineers.com

EXHIBIT A ILLUSTRATION SHEET 2 OF 2

2022-PROJMSTR-0000220-ROW



0' 40'
SCALE: 1"=40'

NOTE
THIS MAP IS TO DEPICT THE ACCOMPANYING DESCRIPTION AND IS FOR INFORMATIONAL PURPOSES ONLY. IT DOES NOT REPRESENT A MONUMENTED LAND SURVEY.

ILLUSTRATION

REVISIONS	DATE	DESCRIPTION	BY	CHECKED

Orig. Issue Date:	11/10/2023	Sheet	2
Drawn By:	JDM	of	2
Checked By:	BMH		
Project No.	BM22059		



R&R ENGINEERS-SURVEYORS, INC.
1635 W. 13TH AVENUE, SUITE 310
DENVER, COLORADO 80204
303-753-6730
www.rrengineers.com

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