


**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:** July 18, 2024

**ROW #:** 2024-DEDICATION-0000099 **SCHEDULE #:** Adjacent to 1) 0511203049000 and 2) 0511203049000

**TITLE:** This request is to dedicate two City-owned parcels as Public Right-of-Way as 1) North Downing Street, located at the intersection of North Downing Street and East 6<sup>th</sup> Avenue, and 2) Public Alley, bounded by North Downing Street, East 6<sup>th</sup> Avenue, North Marion Street and East 5<sup>th</sup> Avenue.

**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) North Downing Street, and 2) 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, “590 N Downing 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 1) North Downing Street, and 2) Public Alley. The land is described as follows.

**INSERT PARCEL DESCRIPTION ROW # (2024-DEDICATION-0000099-001, 002) HERE.**

A map of the area to be dedicated is attached.

GB/TB/DG

cc: Dept. of Real Estate, [RealEstate@denvergov.org](mailto:RealEstate@denvergov.org)  
City Councilperson, Amanda Sawyer District # 5  
Councilperson Aide, Owen Brigner  
Councilperson Aide, Matt Walter  
City Council Staff, Luke Palmisano  
Environmental Services, Andrew Ross  
DOTI, Manager’s Office, Alba Castro  
DOTI, Manager’s Office, Alaina McWhorter  
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, Thomas Breitnauer  
DOTI Ordinance  
Owner: City and County of Denver  
Project file folder 2024-DEDICATION-0000099

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

Date of Request: July 18, 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 two City-owned parcels as Public Right-of-Way as 1) North Downing Street, located at the intersection of North Downing Street and East 6th Avenue, and 2) Public Alley, bounded by North Downing Street, East 6th Avenue, North Marion Street and East 5th Avenue.

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: Dalila Gutierrez	Name: Alaina McWhorter
Email: <a href="mailto:Dalila.Gutierrez@denvergov.org">Dalila.Gutierrez@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:

Proposing a change of use, renovate and add a new addition to an existing building. The developer was asked to dedicate two parcels as 1) North Downing Street, and 2) 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?

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*To be completed by Mayor's Legislative Team:*

Resolution/Bill Number: \_\_\_\_\_

Date Entered: \_\_\_\_\_

## EXECUTIVE SUMMARY

**Project Title:** 2024-DEDICATION-0000099

**Description of Proposed Project:** Proposing a change of use, renovate and add a new addition to an existing building. The developer was asked to dedicate two parcels as 1) North Downing Street, and 2) 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 1) North Downing Street, and 2) 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

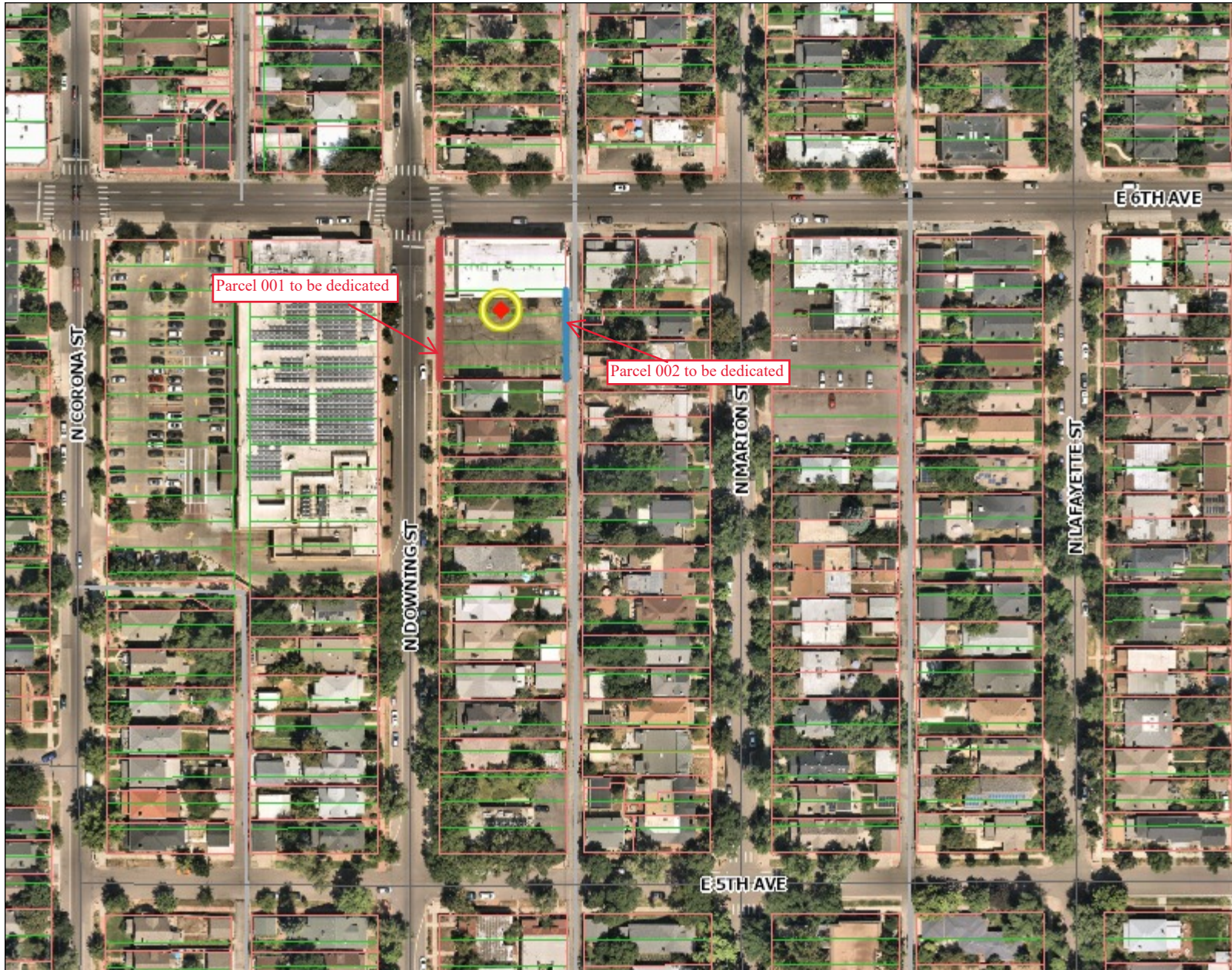
**Will land be dedicated to the City if the vacation goes through:** N/A

**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) North Downing Street, and 2) Public Alley, as part of the development project called, "590 N Downing St."





### Legend

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

289 0 144.5 289 Feet

**PARCEL DESCRIPTION ROW NO. 2024-DEDICATION-0000099-001:**

**LEGAL DESCRIPTION - STREET PARCEL NO. 1**

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 17TH DAY OF JULY, 2024, AT RECEPTION NUMBER 2024065813 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

A PORTION OF LOTS 43 THROUGH 48, BLOCK 3, DRIVING PARK PLACE, BEING A PARCEL OF LAND LOCATED IN THE NORTHWEST 1/4 OF SECTION 11, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

THE WEST 4.50 FEET OF LOTS 44 THROUGH 48 AND THE WEST 4.50 FEET OF THE NORTH ½ OF LOT 43, BLOCK 3, DRIVING PARK PLACE, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

THE ABOVE DESCRIBED PARCEL CONTAINS 619 SQUARE FEET OR 0.0142 ACRES MORE OR LESS.

**PARCEL DESCRIPTION ROW NO. 2024-DEDICATION-0000099-002:**

**LEGAL DESCRIPTION - ALLEY PARCEL NO. 2**

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 17TH DAY OF JULY, 2024, AT RECEPTION NUMBER 2024065813 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

A PORTION OF LOTS 43 THROUGH 46, BLOCK 3, DRIVING PARK PLACE, BEING A PARCEL OF LAND LOCATED IN THE NORTHWEST ¼ OF SECTION 11, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

THE EAST 2.00 FEET OF THE NORTH ½ OF LOT 43 AND THE EAST 2.00 FEET OF LOTS 44 THROUGH 46, EXCLUDING ANY PORTION WITHIN THE EXISTING BUILDING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

THE ABOVE DESCRIBED PARCEL CONTAINS 160 SQUARE FEET OR 0.0037 ACRES MORE OR LESS.



07/17/2024 01:51 PM  
City & County of Denver  
Electronically Recorded

R \$0.00

WD

D \$0.00

After signing, return to:  
Division of Real Estate  
Attn: Shannon Cruz  
City and County of Denver  
201 West Colfax Avenue, Dept. 1010  
Denver, Colorado 80202  
**Project Description: 2024-DEDICATION-0000099**  
**Asset Mgmt No.: 24-138**

## SPECIAL WARRANTY DEED

**THIS SPECIAL WARRANTY DEED** (“Deed”), made as of this 12th day of July, 2024, by **FRANKLIN 10, LLC**, a Colorado limited liability company, whose address is 303 S. Broadway, Suite 200-350, 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:

FRANKLIN 10, LLC, a Colorado limited liability company

By: [Signature]

Name: Sam Leger

Its: Manager

STATE OF Colorado  
COUNTY OF Denver ) ss.

The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of July, 2024  
by Sam Leger, as Manager of FRANKLIN 10, LLC, a Colorado  
limited liability company.

Witness my hand and official seal.

My commission expires: 11/19/25

**LISA FERRARA MCCOY**  
Notary Public - State of Colorado  
Notary ID: 20134073126  
My Commission Expires 11-19-2025

[Signature]  
Notary Public



2023 PROJSTR-0000408-ROW

**EXHIBIT A**  
**LEGAL DESCRIPTIONS**  
**PAGE 1 OF 2**

**PARCEL 1:**

A PORTION OF LOTS 43 THROUGH 48, BLOCK 3, DRIVING PARK PLACE, BEING A PARCEL OF LAND LOCATED IN THE NORTHWEST  $\frac{1}{4}$  OF SECTION 11, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

THE WEST 4.50 FEET OF LOTS 44 THROUGH 48 AND THE WEST 4.50 FEET OF THE NORTH  $\frac{1}{2}$  OF LOT 43, BLOCK 3, DRIVING PARK PLACE, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

THE ABOVE DESCRIBED PARCEL CONTAINS 619 SQUARE FEET OR 0.0142 ACRES MORE OR LESS.

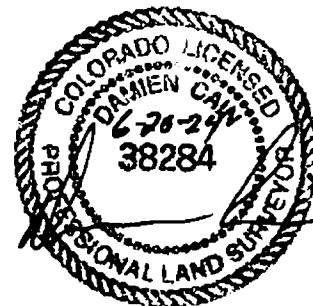
**PARCEL 2:**

A PORTION OF LOTS 43 THROUGH 46, BLOCK 3, DRIVING PARK PLACE, BEING A PARCEL OF LAND LOCATED IN THE NORTHWEST  $\frac{1}{4}$  OF SECTION 11, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

THE EAST 2.00 FEET OF THE NORTH  $\frac{1}{2}$  OF LOT 43 AND THE EAST 2.00 FEET OF LOTS 44 THROUGH 46, EXCLUDING ANY PORTION WITHIN THE EXISTING BUILDING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

THE ABOVE DESCRIBED PARCEL CONTAINS 160 SQUARE FEET OR 0.0037 ACRES MORE OR LESS.

PREPARED BY:  
DAMIEN CAIN PLS 38284  
FOR AND ON BEHALF OF  
39 NORTH ENGINEERING AND SURVEYING LLC  
4495 HALE PARKWAY  
SUITE 302  
DENVER, CO 80220



2023 PROJ MSTR 0000408 ROW

# EXHIBIT A

ILLUSTRATION

PAGE 2 OF 2

## EAST 6TH AVENUE

70' R.O.W.

