




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: December 14, 2023

ROW #: 2021-DEDICATION-0000136 **SCHEDULE #:** 1) 0222129022000, and 2) 0222129024000

TITLE: This request is to dedicate two City-owned parcels of land as Public Right-of-Way as 1) East 45th Avenue, located at the intersection of East 45th Avenue and North Leaf Court, and 2) North Leaf Court, located at the intersection of North Leaf Court and East 45th 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) East 45th Avenue, and 2) North Leaf Court. 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, “4500 Broadway Renovations.”

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) East 45th Avenue, and 2) North Leaf Court. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2021-DEDICATION-0000136-001, 002) HERE.

A map of the area to be dedicated is attached.

GB/TB /DG

cc: Dept. of Real Estate, RealEstate@denvergov.org
City Councilperson, Darrell Watson District # 9
City Council Staff, Luke Palmisano
Environmental Services, Andrew Ross
DOTI, Manager’s Office, Alba Castro
DOTI, Manager’s Office, Jason Gallardo
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, Joann Tristani
DOTI Survey, Thomas Breitnauer
DOTI Ordinance
Owner: City and County of Denver
Project file folder 2021-DEDICATION-0000136

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 Jason Gallardo
at Jason.Gallardo@DenverGov.org by **12:00 pm on Monday.**

****All fields must be completed.****

Incomplete request forms will be returned to sender which may cause a delay in processing.

Date of Request: December 14, 2023

Please mark one: Bill Request or Resolution Request

1. Has your agency submitted this request in the last 12 months?

Yes No

If yes, please explain:

2. **Title:** This request is to dedicate two City-owned parcels of land as Public Right-of-Way as 1) East 45th Avenue, located at the intersection of East 45th Avenue and North Leaf Court, and 2) North Leaf Court, located at the intersection of North Leaf Court and East 45th Avenue.

3. **Requesting Agency:** DOTI, Right-of-Way Services
Agency Section: Survey

4. **Contact Person:** (With actual knowledge of proposed ordinance/resolution.)

- **Name:** Dalila Gutierrez
- **Phone:** 720-865-3207
- **Email:** Dalila.gutierrez@denvergov.org

5. **Contact Person:** (With actual knowledge of proposed ordinance/resolution who will present the item at Mayor-Council and who will be available for first and second reading, if necessary.)

- **Name:** Jason Gallardo
- **Phone:** 720-865-8723
- **Email:** Jason.Gallardo@denvergov.org

6. **General description/background of proposed resolution including contract scope of work if applicable:** This project proposes the renovation of an existing commercial structure called, "4500 Broadway Renovations." The developer was asked to dedicate two parcels as 1) East 45th Avenue, and 2) North Leaf Court.

****Please complete the following fields:** (Incomplete fields may result in a delay in processing. If a field is not applicable, please enter N/A for that field – please do not leave blank.)

- a. **Contract Control Number:** N/A
- b. **Contract Term:** N/A
- c. **Location:** At the intersection of E. 45th Ave., and N. Leaf Ct.
- d. **Affected Council District:** Darrell Watson, District # 9
- e. **Benefits:** N/A
- f. **Contract Amount (indicate amended amount and new contract total):** N/A

7. **Is there any controversy surrounding this resolution?** (Groups or individuals who may have concerns about it?) **Please explain.**

None.

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: _____

Date Entered: _____

EXECUTIVE SUMMARY

Project Title: 2021-DEDICATION-0000136

Description of Proposed Project: This project proposes the renovation of an existing commercial structure called, "4500 Broadway Renovations." The developer was asked to dedicate two parcels as 1) East 45th Avenue, and 2) North Leaf Court.

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) East 45th Avenue, and 2) North Leaf Court.

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

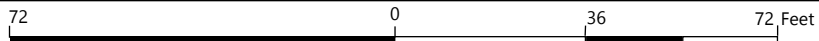
Will an easement relinquishment be submitted at a later date: N/A

Additional information: This land was deeded to the City and County of Denver for the purpose of dedicating it as 1) East 45th Avenue, and 2) North Leaf Court, as part of a development project called, "4500 Broadway Renovations."



Legend

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



PARCEL DESCRIPTION ROW NO. 2021-DEDICATION-0000136-001:

LAND DESCRIPTION - STREET PARCEL NO. 1

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 22TH DAY OF APRIL, 2022, AT RECEPTION NUMBER 2022054911 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

A PORTION OF LOT 1 OF BLOCK 17 OF GARDEN PLACE, LYING WITHIN THE NORTHEAST QUARTER (NE 1/4) OF SECTION 22, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY & COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER (NE 1/4), FROM WHENCE THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER (NE 1/4) BEARS NORTH 89°55'35" EAST A DISTANCE OF 2642.25 FEET, WITH ALL BEARINGS HEREIN RELATED THERETO;

THENCE SOUTH 00°58'23" EAST, 1953.73 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1, AND BEING THE POINT OF BEGINNING;

THENCE NORTH 00°13'48" WEST, ALONG THE WEST LINE OF SAID LOT 1, 6.00 FEET TO A POINT 6.00 FEET NORTH OF THE SOUTH LINE OF SAID LOT 1, WHEN MEASURED AT RIGHT ANGLES;

THENCE DEPARTING SAID WEST LINE, PARALLEL WITH SAID SOUTH LINE, NORTH 89°45'02" EAST, 125.05 FEET TO A POINT ON THE EAST LINE OF SAID LOT 1;

THENCE SOUTH 00°13'48" EAST, ALONG THE EAST LINE OF SAID LOT 1, 6.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1, BLOCK 17 OF GARDEN PLACE;

THENCE SOUTH 89°45'02" WEST, ALONG THE SOUTH LINE OF SAID LOT 1, 125.05 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1 AND THE POINT OF BEGINNING.

CONTAINING 750 SQUARE FEET OR 0.017 ACRES OF LAND, MORE OR LESS.

BASIS OF BEARINGS:

NORTH 89°55'35" EAST, BEING THE BEARING OF THE NORTH LINE OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 22, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, AS DEFINED AND MEASURED BETWEEN A FOUND 3-1/4" DIAMETER ALUMINUM CAP IN RANGE BOX, PLS 38432 AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER (NE 1/4) AND A FOUND 3-1/4" DIAMETER ALUMINUM CAP IN RANGE BOX, PLS 16401 AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER (NE 1/4).

PARCEL DESCRIPTION ROW NO. 2021-DEDICATION-0000136-002:

LAND DESCRIPTION - STREET PARCEL NO. 2

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 22TH DAY OF APRIL, 2022, AT RECEPTION NUMBER 2022054911 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

A PORTION OF LOT 1 THROUGH 6 INCLUSNE OF BLOCK 17 OF GARDEN PLACE, LYING WITHIN THE NORTHEAST QUARTER (NE 1/4) OF SECTION 22, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY & COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER (NE 1/4), FROM WHENCE THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER (NE 1/4) BEARS NORTH 89°55'35" EAST A DISTANCE OF 2642.25 FEET, WITH ALL BEARINGS HEREIN RELATED THERETO;

THENCE SOUTH 04°59'41" EAST, 1809.78 FEET TO THE NORTHEAST CORNER OF SAID LOT 6, SAID POINT ALSO BEING ON THE SOUTH LINE OF E. 46TH AVENUE, AND BEING THE POINT OF BEGINNING;

THENCE ALONG THE EAST LINE OF SAID BLOCK 17, SOUTH 00°13'48" EAST, 144.00 FEET TO A POINT 6.00' FEET NORTH OF THE SOUTH LINE OF SAID BLOCK 17, WHEN MEASURED AT RIGHT ANGLES;

THENCE LEAVING SAID EAST LINE, PARALLEL WITH SAID SOUTH LINE OF SAID BLOCK 17, SOUTH 89°45'02" WEST, 3.00 FEET TO A POINT;

THENCE PARALLEL WITH SAID EAST LINE OF SAID BLOCK 17, NORTH 00°13'48" WEST, 141.89 FEET TO A POINT ON THE SOUTH LINE OF E. 46TH AVENUE;

THENCE ALONG SAID SOUTH LINE, NORTH 54°37'24" EAST, 3.67 FEET TO THE POINT OF BEGINNING.

CONTAINING 429 SQUARE FEET OR 0.010 ACRES OF LAND, MORE OR LESS.

BASIS OF BEARINGS:

NORTH 89°55'35" EAST, BEING THE BEARING OF THE NORTH LINE OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 22, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, AS DEFINED AND MEASURED BETWEEN A FOUND 3-1/4" DIAMETER ALUMINUM CAP IN RANGE BOX, PLS 38432 AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER (NE 1/4) AND A FOUND 3-1/4" DIAMETER ALUMINUM CAP IN RANGE BOX, PLS 16401 AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER (NE 1/4).



2022054911

Page: 1 of 6

D \$0.00

After signing, return to:
Division of Real Estate
Attn: Jason Clements
City and County of Denver
201 West Colfax Avenue, Dept. 1010
Denver, Colorado 80202
Project Description: 2021-DEDICATION-0000136
Asset Mgmt No.: 22-040

SPECIAL WARRANTY DEED

April **THIS SPECIAL WARRANTY DEED** (“Deed”), made as of this 20th day of April, 2022, by **4500 BROADWAY, LLC**, a Colorado limited liability company, whose address is 3070 Blake Street, Unit 200, Denver, CO 80205, 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.

2020PM296-ROW

EXHIBIT A
Land Description
Sheet 1 of 2

A PORTION OF LOT 1 OF BLOCK 17 OF GARDEN PLACE, LYING WITHIN THE NORTHEAST QUARTER (NE 1/4) OF SECTION 22, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY & COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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 THENCE SOUTH 00°58'23" EAST, 1953.73 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1, AND BEING THE POINT OF BEGINNING;

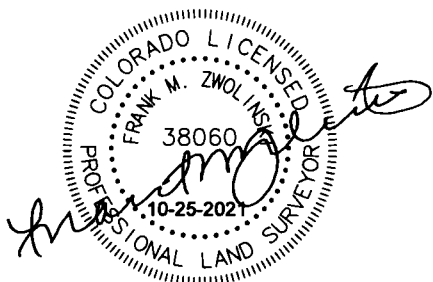
THENCE NORTH 00°13'48" WEST, ALONG THE WEST LINE OF SAID LOT 1, 6.00 FEET TO A POINT 6.00 FEET NORTH OF THE SOUTH LINE OF SAID LOT 1, WHEN MEASURED AT RIGHT ANGLES;
 THENCE DEPARTING SAID WEST LINE, PARALLEL WITH SAID SOUTH LINE, NORTH 89°45'02" EAST, 125.05 FEET TO A POINT ON THE EAST LINE OF SAID LOT 1;
 THENCE SOUTH 00°13'48" EAST, ALONG THE EAST LINE OF SAID LOT 1, 6.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1, BLOCK 17 OF GARDEN PLACE;
 THENCE SOUTH 89°45'02" WEST, ALONG THE SOUTH LINE OF SAID LOT 1, 125.05 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1 AND THE POINT OF BEGINNING.

Containing 750 Square Feet or 0.017 Acres of Land, more or less.

Basis of Bearings:

North 89°55'35" East, being the bearing of the north line of the Northeast Quarter (NE 1/4) of Section 22, Township 3 South, Range 68 West of the 6th Principal Meridian, as defined and measured between a found 3-1/4" diameter aluminum cap in range box, PLS 38432 at the northwest corner of said Northeast Quarter (NE 1/4) and a found 3-1/4" diameter aluminum cap in range box, PLS 16401 at the northeast corner of said Northeast Quarter (NE 1/4).

End of Legal Description.



Frank M. Zwolinski, P.L.S.
 Colorado License #38060
 For and on behalf of Power Surveying Company, Inc.
 303-702-1617



DRAWING BY: FMZ DATE: 9/27/2021
 PROJECT NO. 501-17-334

2020PM296-ROW

EXHIBIT A Land Description Exhibit Sheet 2 of 2

(BASIS OF BEARINGS)
N89°55'35"E 2642.25'(M)
NORTH LINE NE 1/4 SECTION 22, T.3S., R.68W. OF THE 6TH P.M.

FOUND 3-1/4" DIAM. ALUM. CAP IN RANGE
BOX, PLS 16401 (ACCEPTED AS NE COR SEC
22, T. 3S., R. 68W., 6th P.M.)

POINT OF COMMENCEMENT
FOUND 3-1/4" DIAM. ALUM. CAP IN RANGE
BOX, PLS 38432 (ACCEPTED AS N 1/4 COR
SEC 22, T. 3S., R. 68W., 6th P.M.)

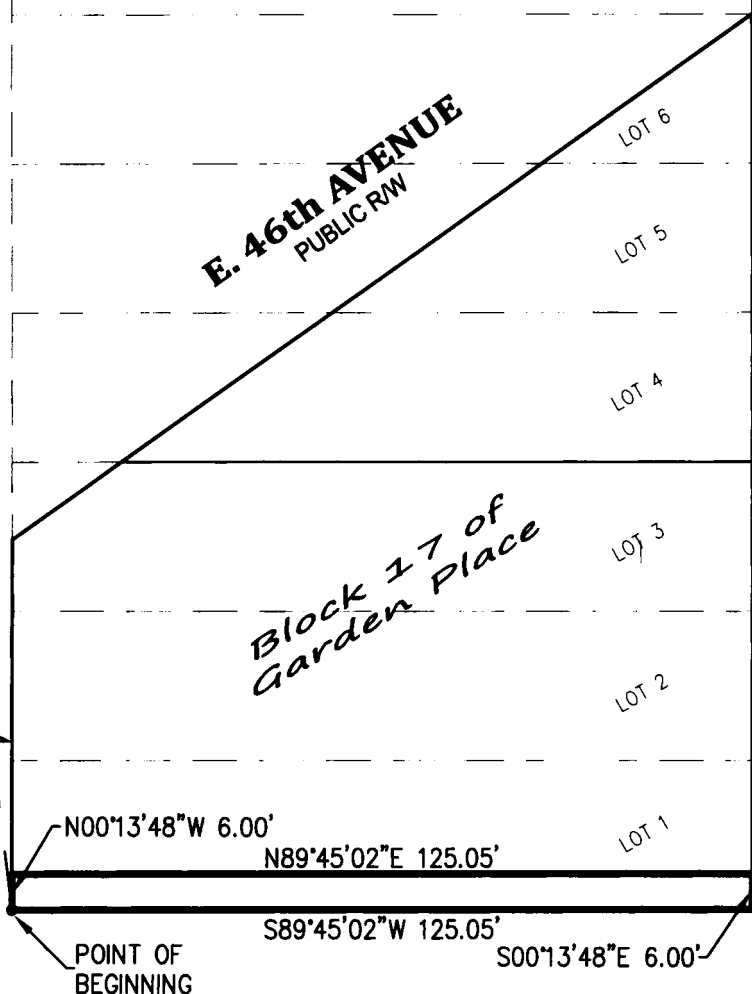
WEST LINE NE 1/4 SECTION 22, T.3S., R.68W. OF THE 6TH P.M.

BROADWAY
PUBLIC R/W

S00°58'23"E 1953.73'

E. 46th AVENUE
PUBLIC R/W

LEAF COURT
50' WIDE PUBLIC R/W

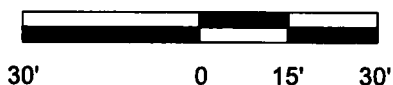


N00°13'48"W 6.00'
N89°45'02"E 125.05'
S89°45'02"W 125.05'
S00°13'48"E 6.00'

E. 45th AVENUE
60' WIDE PUBLIC R/W



SCALE: 1" = 30'



6911 BROADWAY
Denver, CO 80221

Surveying Company, Inc.

Established 1948

PH. 303-702-1817
FAX. 303-702-1488
www.powerurveying.com

DRAWING BY: FMZ
PROJECT NO.

DATE: 9/27/2021
501-17-334

2020PM296-ROW

EXHIBIT B
Land Description
Sheet 1 of 2

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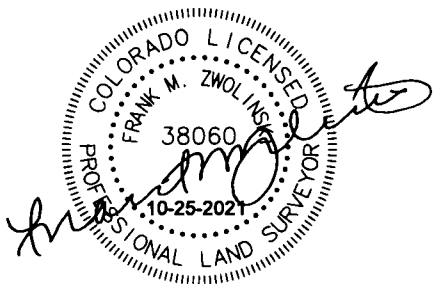
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End of Legal Description.



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 For and on behalf of Power Surveying Company, Inc.
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8911 BROADWAY
 Denver, CO 80221

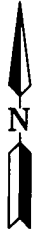
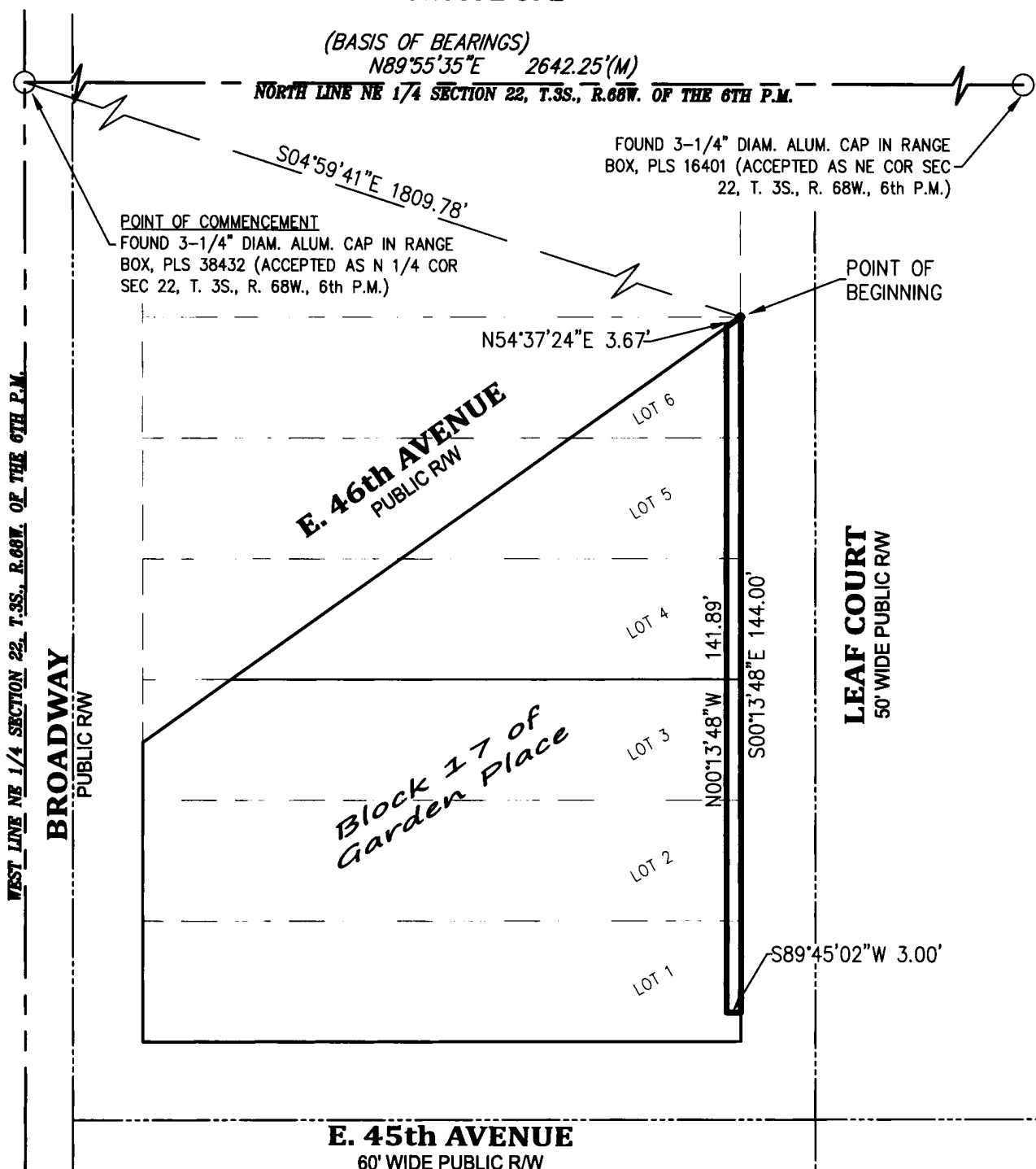
Established 1948
 PH. 303-702-1817
 FAX. 303-702-1488
 www.powerurveying.com

DRAWING BY: FMZ
 PROJECT NO.

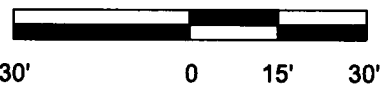
DATE: 9/27/2021
 501-17-334

EXHIBIT B Land Description Exhibit Sheet 2 of 2

2020PM296-ROW



SCALE: 1" = 30'



POWERTM
 Surveying Company, Inc.
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 6911 BROADWAY
 Denver, CO 80221
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