


**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:** October 31, 2023

**ROW #:** 2022-DEDICATION-0000068      SCHEDULE #: 1) 0228107035000, and 2) 0228107033000

**TITLE:** This request is to dedicate two City-owned parcels of land as Public Right-of-Way as 1) North Navajo Street, located at the intersection of North Navajo Street and West 37th Avenue, and 2) Public Alley, bounded by West 37th Avenue, North Navajo Street, West 38th Avenue and North Osage 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 1) North Navajo 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, "37<sup>th</sup> & Navajo."

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 Navajo Street, and 2) Public Alley. The land is described as follows.

**INSERT PARCEL DESCRIPTION ROW # ( 2022-DEDICATION-0000068-001, 002 ) HERE.**

A map of the area to be dedicated is attached.

MB/BP/LRA

cc: Dept. of Real Estate, [RealEstate@denvergov.org](mailto:RealEstate@denvergov.org)  
City Councilperson, Amanda Sandoval District # 1  
Councilperson Aide, Gina Volpe  
Councilperson Aide, Melissa Horn  
Councilperson Aide, Andrew Blanco  
Councilperson Aide, Alessandra Dominguez  
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, Brian Pfohl  
DOTI Ordinance  
Owner: City and County of Denver  
Project file folder 2022-DEDICATION-0000068

**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 Jason Gallardo  
at [Jason.Gallardo@DenverGov.org](mailto: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: October 31, 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) North Navajo Street, located at the intersection of North Navajo Street and West 37th Avenue, and 2) Public Alley, bounded by West 37th Avenue, North Navajo Street, West 38th Avenue and North Osage Street.

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

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

- **Name:** Lisa R. Ayala
- **Phone:** 720-865-3112
- **Email:** [Lisa.ayala@denvergov.org](mailto:Lisa.ayala@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](mailto:Jason.Gallardo@denvergov.org)

6. **General description/background of proposed resolution including contract scope of work if applicable:** Proposing to build a mixed-use structure on a parking lot. The developer has been asked to dedicate two parcels as 1) North Navajo Street, and 2) Public Alley.

***\*\*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:** bounded by West 37th Avenue, North Navajo Street, West 38th Avenue and North Osage Street
- d. **Affected Council District:** Amanda Sandoval District # 1
- 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:** 2022-DEDICATION-0000068

**Description of Proposed Project:** Proposing to build a mixed-use structure on a parking lot. The developer has been asked to dedicate two parcels as 1) North Navajo 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 Navajo 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 1) North Navajo Street, and 2) Public Alley, as part of a development project called, "37th & Navajo."





## Legend

-  Irrigation Ditches
-  Streets
-  Alleys
-  County Boundary
-  Parcels
-  Lots/Blocks



200 0 100 200 Feet

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

1:1,560

Map Generated 10/31/2023

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THIS IS NOT A LEGAL DOCUMENT.

**PARCEL DESCRIPTION ROW NO. 2022-DEDICATION-0000068-001:**

**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 21ST DAY OF FEBRUARY, 2023, AT RECEPTION NUMBER 2023014294 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

A 1.5 FOOT WIDE STRIP OF LAND SITUATED IN THE NORTHEAST 1/4 OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EAST 1.5 FEET OF LOTS 16 THROUGH 21, BLOCK 2, CENTRAL SUBDIVISION AN ADDITION TO THE TOWN OF HIGHLANDS, AS ORIGINALLY RECORDED ON APRIL 6TH, 1882 IN BOOK 2 AT PAGE 100, ARAPAHOE COUNTY, NOW CITY AND COUNTY OF DENVER.

CONTAINING AN AREA OF 225 SQUARE FEET OR 0.005 ACRES, MORE OR LESS.

**PARCEL DESCRIPTION ROW NO. 2022-DEDICATION-0000068-002:**

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

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 21ST DAY OF FEBRUARY, 2023, AT RECEPTION NUMBER 2023014294 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

A 4.5 FOOT WIDE STRIP OF LAND SITUATED IN THE NORTHEAST 1/4 OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 4.5 FEET OF LOTS 16 THROUGH 21, BLOCK 2, CENTRAL SUBDIVISION AN ADDITION TO THE TOWN OF HIGHLANDS, AS ORIGINALLY RECORDED ON APRIL 6TH, 1882 IN BOOK 2 AT PAGE 100, ARAPAHOE COUNTY, NOW CITY AND COUNTY OF DENVER.

CONTAINING AN AREA OF 674 SQUARE FEET OR 0.015 ACRES, MORE OR LESS.

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: 2022-DEDICATION-0000068**  
**Asset Mgmt No.: 23-021**



**2023014294**  
Page: 1 of 6  
D \$0.00

### **SPECIAL WARRANTY DEED**

**THIS SPECIAL WARRANTY DEED** ("Deed"), made as of this 10<sup>th</sup> day of February, 2023, by **THE NAVAJO37, LLC**, a Colorado limited liability company, whose address is 7400 E. Crestline Circle, Suite 125, Greenwood Village, CO 80111, 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:

**THE NAVAJO37, LLC**, a Colorado limited liability company

By: \_\_\_\_\_

Name: F. Regan Schmergel

Its: Managing Member

STATE OF Colorado )  
 ) ss.  
COUNTY OF Arapahoe )

The foregoing instrument was acknowledged before me this 14 day of February, 2023  
by F. REGAN Schmergel, as Managing Member of **THE NAVAJO37, LLC**, a  
Colorado limited liability company.

Witness my hand and official seal.

My commission expires: 31 July 2023

MARK P. VALDEZ  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20194028846  
MY COMMISSION EXPIRES JULY 31, 2023

Mark P. Valdez  
Notary Public

**LAND DESCRIPTION**

2020PM0000698-ROW-002

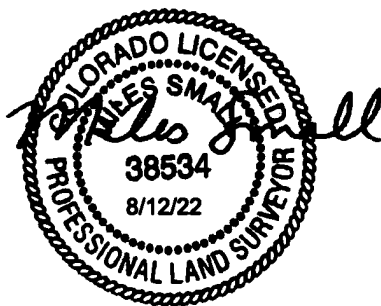
SHEET 1 OF 2

A 4.5 FOOT WIDE STRIP OF LAND SITUATED IN THE NORTHEAST 1/4 OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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MILES SMALL  
COLORADO PLS 38534  
FOR AND ON BEHALF OF  
CORE CONSULTANTS, INC.



PROJECT: 21-090  
DATE: 8/12/21  
SHEET 1 OF 2

DRAWN BY: D. BUCHHOLZ  
REVIEWED BY: M. SMALL

**CORE**

CORE CONSULTANTS, INC.  
3473 SOUTH BROADWAY  
ENGLEWOOD, CO 80113  
303.703.4444  
LIVEYOURCORE.COM



**EXHIBIT**

2020PM0000698-ROW-002

SHEET 2 OF 2

**CENTRAL SUBDIVISION**

LOT 1.

BK. 2, PG. 100

LOT 21

LOT 11

4.5'

LOT 20

LOT 12

LOT 19

LOT 13

**SUBJECT PARCEL**674 S.F.  
±0.015 Ac.

LOT 18

LOT 14

LOT 17

LOT 15

LOT 16

ALLEY  
(11.25' R.O.W.)NAVAJO STREET  
(R.O.W. VARIES)

1 inch = 20 ft.

**WEST 37TH AVENUE**  
(65' WIDE PUBLIC R.O.W.)

NOTE: THIS DOES NOT REPRESENT A MONUMENTED SURVEY.  
IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION  
PROJECT: 21-090  
DATE: 8/12/2022  
SHEET 2 OF 2

DRAWN BY: D. BUCHHOLZ  
REVIEWED BY: M. SMALL

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**LAND DESCRIPTION**

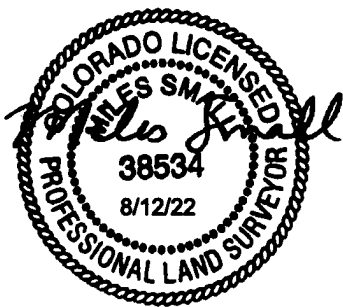
2020PM0000698-ROW-001

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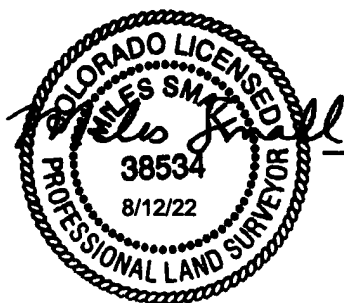
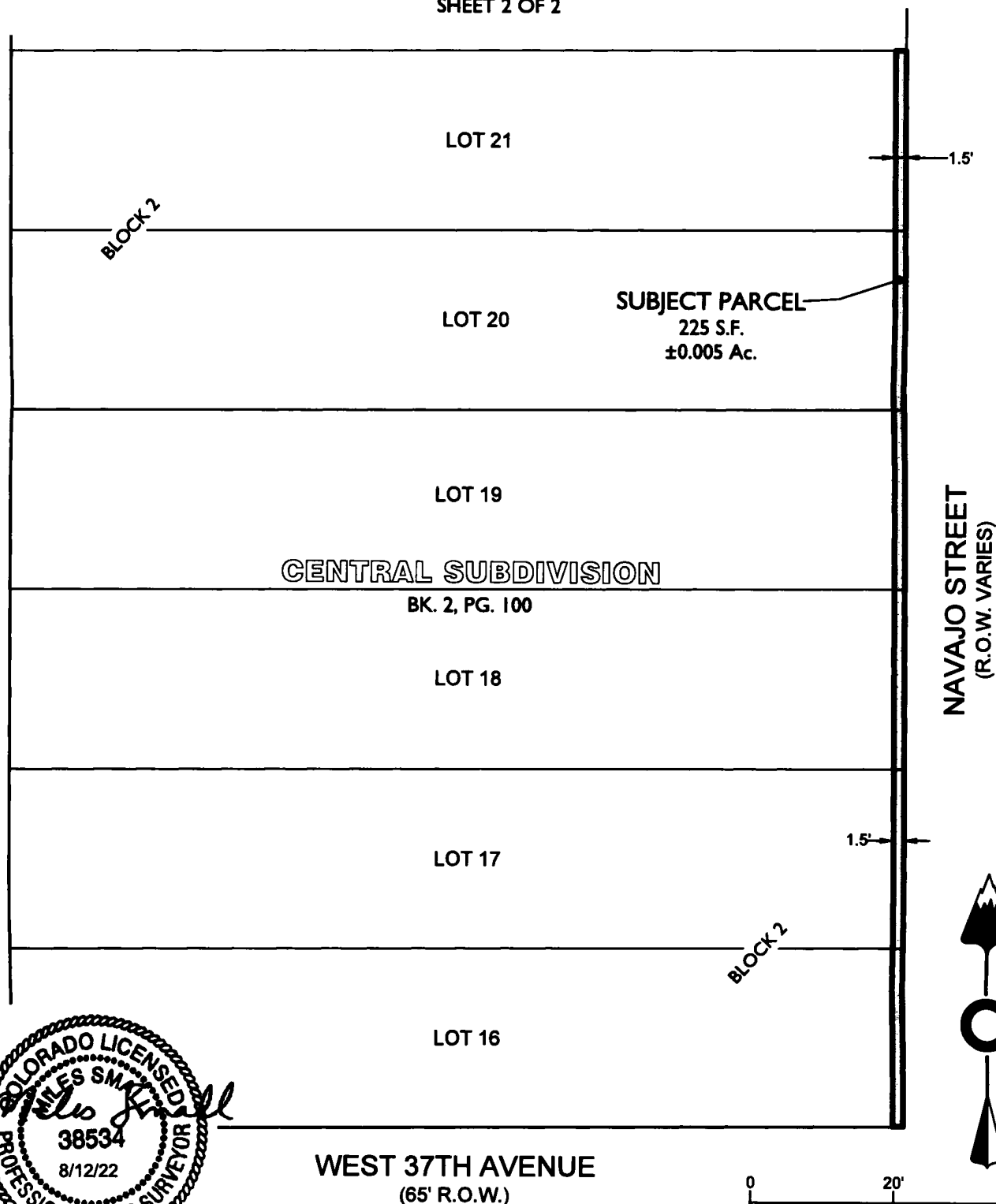
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