




REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Katherine Ehlers, City Attorney's Office

FROM: Glen D. Blackburn, P.E., Director, Right-of-Way Services

Signed by:

DF13EBC85E48471...

DATE: September 25, 2025

ROW #: 2021-DEDICATION-0000184

SCHEDULE #: 0511403197000

TITLE: This request is to dedicate a City-owned parcel of land as Public Right-of-Way as Public Alley, bounded by North Emerson Street, East 1st Avenue, North Ogden Street, and East Ellsworth 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 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, "MorningStar at Cherry Creek."

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 # (2021-DEDICATION-0000184-001) HERE.

A map of the area to be dedicated is attached.

GB/BP/BV

cc: Dept. of Real Estate, RealEstate@denvergov.org
City Councilperson, Flor Alvidrez, District # 7
Councilperson Aide, Mark Montoya
Councilperson Aide, Caleb Todd
City Council Staff, Luke Palmisano
Environmental Services, Andrew Ross
DOTI, Manager's Office, Alba Castro
DOTI, Director, Right-of-Way Services, Glen Blackburn
DOTI, Deputy Director, Right-of-Way Services, Darion Mayhorn
Department of Law, Martin Plate
Department of Law, Brad Beck
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 2021-ADRS-0000184

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: 720-865-3002

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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 questionsPlease mark one: ☐ Bill Request or ☒ Resolution RequestDate of Request: September 25, 2025Please mark one: The request directly impacts developments, projects, contracts, resolutions, or bills that involve property and impact within .5 miles of the South Platte River from Denver's northern to southern boundary? (Check map [HERE](#))☐ Yes ☒ No**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 North Emerson Street, East 1st Avenue, North Ogden Street, and East Ellsworth Ave.**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: Alaina McWhorter
Email: Barbara.Valdez@denvergov.org	Email: Alaina.McWhorter@denvergov.org

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

Project proposes to demolish four existing single-family residences and an apartment building, combine parcels, and build a new 5-story assisted living and memory care center. The developer was asked to dedicate a parcel of land as Public Alley.

6. City Attorney assigned to this request (if applicable):**7. City Council District:** Flor Alvidrez District #7**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>	<i>Additional Funds</i>	<i>Total Contract Amount</i>
<i>(A)</i>	<i>(B)</i>	<i>(A+B)</i>

<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: 2021-DEDICATION-0000184

Description of Proposed Project: Project proposes to demolish four existing single-family residences and an apartment building, combine parcels, and build a new 5-story assisted living and memory care center. The developer was asked to dedicate a parcel of land 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, "MorningStar at Cherry Creek."

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: 720-865-3002

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City and County of Denver



Legend

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



289 0 144.5 289 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere
© City and County of Denver

1:2,257

Map Generated 9/25/2025

The City and County of Denver shall not be liable for damages of any kind arising out of the use of this information. The information is provided "as is" without warranty of any kind, express or implied, including, but not limited to, the fitness for a particular use.

THIS IS NOT A LEGAL DOCUMENT.

2020-PROJMSTR-0000301-ROW

PARCEL DESCRIPTION ROW NO. 2021-DEDICATION-0000184-001:

LAND 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 OCTOBER, 2022, AT RECEPTION NUMBER 2022133588 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

A PARCEL OF LAND BEING THE EASTERLY 2.50 FEET OF THE SOUTHERLY 15.18 FEET OF LOT 10, TOGETHER WITH THE EASTERLY 2.50 FEET OF ALL OF LOT 11 TOGETHER WITH THE EASTERLY 2.50 FEET OF THE NORTH HALF OF LOT 12 OF RILEY'S SUBDIVISION OF LOT 2 SHACKELTON PLACE, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

PARCEL CONTAINS 0.003 ACRES (133 SQUARE FEET), MORE OR LESS



10/24/2022 11:00 AM
City & County of Denver

R \$0.00

WD

2022133588

Page: 1 of 4

D \$0.00

After signing, return to:
Division of Real Estate
City and County of Denver
201 West Colfax Avenue, Dept. 1010
Denver, Colorado 80202
Project Description: 2021-Dedication-0000184
Asset Mgmt No.: 22-041

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED ("Deed"), made as of this 11TH day of OCTOBER, 2022, by **HM SL CHERRY CREEK CO OWNER LLC**, a Delaware limited liability company, whose address is 2800 Post Oak Blvd., Suite 4800, Houston, TX 77056-6123, 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:

HM SL CHERRY CREEK CO OWNER LLC, a Delaware limited liability company

By: **HM SL Cherry Creek Partners LLC**, a Delaware limited liability company, its managing member

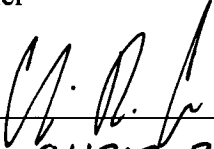
By: **Hines SL Cherry Creek Associates LP**, a Texas limited partnership, its managing member

By: **Hines Investment Management Holdings Limited Partnership**, a Texas limited partnership, its general partner

By: **HIMH GP LLC**, a Delaware limited liability company, its general partner

By: **Hines Real Estate Holdings Limited Partnership**, a Texas limited partnership, its sole member

By: **JCH Investments, Inc.**, a Texas corporation, its general partner

By: 

Name: CHRIS R. CRAWFORD

Its: SENIOR MANAGING DIRECTOR

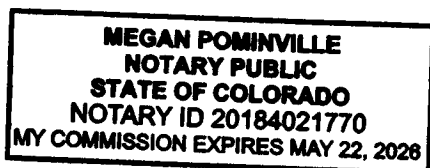
STATE OF COLORADO)
) ss.

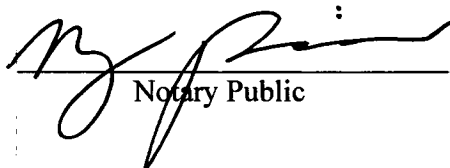
COUNTY OF DENVER)

The foregoing instrument was acknowledged before me this 11th day of OCTOBER, 2022
by CHRIS R. CRAWFORD.

Witness my hand and official seal.

My commission expires: MAY 22, 2026




Notary Public

2020-PROJMSTR-0000301-ROW-001

EXHIBIT A
SHEET 1 OF 2

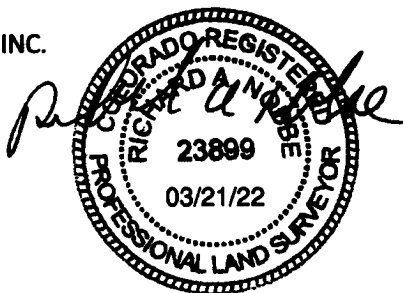
LAND DESCRIPTION

PARCEL A

A PARCEL OF LAND BEING THE EASTERLY 2.50 FEET OF THE SOUTHERLY 15.18 FEET OF LOT 10, TOGETHER WITH THE EASTERLY 2.50 FEET OF ALL OF LOT 11 TOGETHER WITH THE EASTERLY 2.50 FEET OF THE NORTH HALF OF LOT 12 OF RILEY'S SUBDIVISION OF LOT 2 SHACKELTON PLACE, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

PARCEL CONTAINS 0.003 ACRES (133 SQUARE FEET), MORE OR LESS

PREPARED BY MATTHEW CHAPA
REVIEWED BY RICHARD A. NOBBE, PLS
FOR AND ON BEHALF OF MARTIN/MARTIN, INC.
12499 WEST COLFAX AVENUE
LAKEWOOD, COLORADO 80215
(303) 431-6100
MARCH 21, 2022



2020-PROJMSTR-0000301-ROW-001

EXHIBIT A
SHEET 2 OF 2

W/4 COR SEC. 11,
T4S, R68W 6TH P.M.
A FOUND 3-1/4"
ALUM. CAP PLS 16398
IN RANGE BOX

NE COR NW/4 SW/4 SEC. 11,
T4S, R68W 6TH P.M.
ESTABLISHED AT MIDPOINT

N LINE SW/4 SEC 11 N89°31'08"E 1320.99' 1320.72'(R)

E. 1ST AVENUE
(60' PUBLIC R.O.W.)

18' RANGE LINE 329.75'(C) 329.68'(R)

20' RANGE LINE 641.37'(C) 642.70'(R)

N. EMERSON STREET
(60' PUBLIC R.O.W.)

ALLEY
15' WIDTH

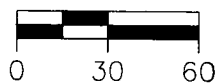
BLOCK 2

RILEY'S SUBDIVISION OF
LOT 2, SHACKELTON PLACE

PARCEL A
133 SQFT

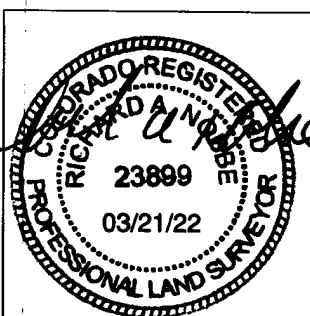
PARCEL 10 2.50

48
47
46
45
44
43
42
41
40
39
38
37



SCALE: 1"=60'
ALL LINEAL
DIMENSIONS ARE IN
U.S. SURVEY FEET

THIS EXHIBIT DOES NOT REPRESENT A
MONUMENTED SURVEY. IT IS INTENDED ONLY
TO DEPICT THE ATTACHED DESCRIPTION.



MARCH 21, 2022

MARTIN/MARTIN
CONSULTING ENGINEERS

12499 WEST COLFAX AVENUE, LAKEWOOD, COLORADO 80215
303.431.6100 MARTINMARTIN.COM