




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: January 4, 2024

ROW #: 2022-DEDICATION-0000021 **SCHEDULE #:** 0510106050000

TITLE: This request is to dedicate a City-owned parcel of land as Public Right-of-Way as Public Alley, bounded by North Lincoln Street, East 4th Avenue, North Sherman Street and East 5th 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, "5th & Lincoln."

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 # (2022-DEDICATION-0000021-001) HERE.

A map of the area to be dedicated is attached.

GB/TB/LRA

cc: Dept. of Real Estate, RealEstate@denvergov.org
City Councilperson, Flor Alvidrez, District # 7
Councilperson Aide, Semper Harkness
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 2022-DEDICATION-0000021

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 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: January 4, 2024

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 a City-owned parcel of land as Public Right-of-Way as Public Alley, bounded by North Lincoln Street, East 4th Avenue, North Sherman Street and East 5th Avenue.

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

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:** Scrape off existing commercial structure and build a new apartment structure. The developer has been asked to dedicate a parcel of land as 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 North Lincoln Street, East 4th Avenue, North Sherman Street and East 5th Avenue
- d. **Affected Council District:** Flor Alvidrez, District # 7
- 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-0000021

Description of Proposed Project: Scrape off existing commercial structure and build a new apartment structure. The developer has been 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, "5th & Lincoln."



Legend

-  Streets
-  Alleys
-  Parcels



400 0 200 400 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere
© City and County of Denver

1:3,120

Map Generated 1/4/2024

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THIS IS NOT A LEGAL DOCUMENT.

PARCEL DESCRIPTION ROW NO. 2022-DEDICATION-0000021-001:

LAND DESCRIPTION - ALLEY PARCEL

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 26TH DAY OF MAY, 2022, AT RECEPTION NUMBER 2022071356 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

A PARCEL OF LAND BEING A PORTION OF LOTS 1 THROUGH 11, INCLUSIVE, BLOCK 6, EAST BROADWAY TERRACE, LOCATED IN THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EASTERLY 2.00 FEET OF LOTS 1 THROUGH 11, INCLUSIVE, BLOCK 6, EAST BROADWAY TERRACE, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

CONTAINING A CALCULATED AREA OF 550 SQUARE FEET OR 0.0126 ACRES, MORE OR LESS.



05/26/2022 02:38 PM
City & County of Denver

R \$0.00

WD

2022071356

Page: 1 of 4

D \$0.00

After recording, return to:
Division of Real Estate
City and County of Denver
201 West Colfax Avenue, Dept. 1010
Denver, Colorado 80202
Project Description: 2022-Dedication-000021
Asset Mgmt No.: 22-115

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED ("Deed"), made as of this 24th day of May, 2022, by **LINDEN LAND JV, LLC**, a Colorado limited liability company whose address 1615 Platte St., Suite 200, Denver, CO 80202, 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:

LINDEN LAND JV, LLC, a Colorado
limited liability company

By: Chase Hill

STATE OF Texas)
) ss.
COUNTY OF Tarrant)

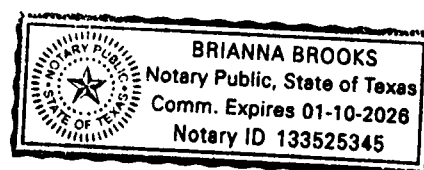
The foregoing instrument was acknowledged before me this 24 day of may, 2022
by Chase Hill, as Manager of Linden Land JV, LLC,
a Colorado limited liability company.

Witness my hand and official seal.

My commission expires: 11/7/23



Notary Public





2021-PROJMSTR-0000424-ROW Civil Engineering

Surveying

Water Resources Management

Construction Management

EXHIBIT A

LAND DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF LOTS 1 THROUGH 11, INCLUSIVE, BLOCK 6, EAST BROADWAY TERRACE, LOCATED IN THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EASTERLY 2.00 FEET OF LOTS 1 THROUGH 11, INCLUSIVE, BLOCK 6, EAST BROADWAY TERRACE, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

CONTAINING A CALCULATED AREA OF 550 SQUARE FEET OR 0.0126 ACRES, MORE OR LESS.

BRIAN J. PFOHL, P.L.S. 38445
FOR AND ON BEHALF OF MANHARD CONSULTING
7600 E. ORCHARD ROAD, SUITE 150-N
GREENWOOD VILLAGE, COLORADO 80111
303.531.3216



2021-PROJMSTR-0000424-ROW

E. 5TH AVENUE
(80' PUBLIC R.O.W.)

EXHIBIT A

GRAPHIC SCALE
0 20 40
(IN FEET)
1 inch = 40 ft.



LINCOLN STREET
(80' PUBLIC R.O.W.)

PARCEL
550 S.F. (0.0126 AC.)±

PUBLIC ALLEY

2.00'

16.00'

18.00'

274.96'
274.96'

2.00'



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



7600 East Orchard Road, Suite 150-N, Greenwood Village, CO 80111 ph:303.708.0500 manhard.com
Civil Engineering | Surveying & Geospatial Services | GIS
Water Resource Management | Construction Management

5TH AND LINCOLN

CITY AND COUNTY OF DENVER, COLORADO

RIGHT-OF-WAY EXHIBIT

PROJ. MGR.: BJP

DRAWN BY: JLM

DATE: 03/02/22

SCALE: 1" = 40'

SHEET

2 OF 2
KHA.DNCO12.00