



## 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 

**DATE:** February 24, 2025

**ROW #:** 2024-DEDICATION-0000071 **SCHEDULE #:** Adjacent to 0133118067000

**TITLE:** This request is to dedicate a City-owned parcel of land as Public Right-of-Way as East 23<sup>rd</sup> Avenue, located near the intersection of North Uinta Street and East 23<sup>rd</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 East 23<sup>rd</sup> Avenue. This parcel of land is being dedicated by the City and County of Denver for Public Right-of-Way, as part of the development project, "Central Park Apartments."

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 East 23<sup>rd</sup> Avenue. The land is described as follows.

**INSERT PARCEL DESCRIPTION ROW # (2024-DEDICATION-0000071-001) HERE.**

A map of the area to be dedicated is attached.

GB/KS/BVS

cc: Dept. of Real Estate, [RealEstate@denvergov.org](mailto:RealEstate@denvergov.org)  
City Councilperson, Shontel M. Lewis District #8  
Councilperson Aide, N/A  
City Council Staff, Luke Palmisano  
Environmental Services, Andrew Ross  
DOTI, Manager's Office, Alba Castro  
DOTI, Director, Right-of-Way Services, Glen Blackburn  
Department of Law, Johna Varty  
Department of Law, Martin Plate  
Department of Law, Brad Beck  
Department of Law, Matthew Mulbarger  
Department of Law, Katherine Ehlers  
Department of Law, Mar'quasa Maes  
DOTI Survey, Kathy Svehovsky  
DOTI Ordinance  
Owner: City and County of Denver  
Project file folder 2024-DEDICATION-0000071

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

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## ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor's Legislative Team

at [MailHighOrdinance@DenverGov.org](mailto:MailHighOrdinance@DenverGov.org) by 9 a.m. Friday. Contact the Mayor's Legislative team with questions

Date of Request: February 24, 2025

Please mark one: ☐ Bill Request or ☒ Resolution Request

Please 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 East 23rd Avenue, located near the intersection of North Uinta Street and East 23rd 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: Beverly J. Van Slyke	Name: Alaina McWhorter
Email: <a href="mailto:Beverly.VanSlyke@Denvergov.org">Beverly.VanSlyke@Denvergov.org</a>	Email: <a href="mailto:Alaina.McWhorter@denvergov.org">Alaina.McWhorter@denvergov.org</a>

5. Proposing to scrape two existing commercial structures and build a new apartment building. The developer was asked to dedicate a parcel of land as East 23<sup>rd</sup> Avenue.

6. **City Attorney assigned to this request (if applicable):**

7. **City Council District:** Shontel M. Lewis, District #8

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>(A)</i>	<i>Additional Funds</i> <i>(B)</i>	<i>Total Contract Amount</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?

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

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

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



## EXECUTIVE SUMMARY

**Project Title:** 2024-DEDICATION-0000071

**Description of Proposed Project:** Proposing to scrape two existing commercial structures and build a new apartment building. The developer was asked to dedicate a parcel of land as East 23rd Avenue.

**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 East 23<sup>rd</sup> Avenue.

**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 East 23<sup>rd</sup> Avenue, as part of the development project called, "Central Park Apartments."

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

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## Legend

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



Parcel 001 to be  
Dedicated

289 0 144.5 289 Feet

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

1:2,257

Map Generated 2/17/2025

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.

**PARCEL DESCRIPTION ROW NO. 2024-DEDICATION-0000071-001:**

**LEGAL DESCRIPTION – STREET PARCEL:**

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 6TH DAY OF JANUARY, 2025, AT RECEPTION NUMBER 2025000839 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

A PARCEL OF LAND BEING A PORTION LOT 3, BLOCK 3, STAPLETON FILING NO. 17, AND SITUATED IN THE NORTHEAST ONE-QUARTER OF SECTION 33, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE RANGE POINT SOUTH OF THE INTERSECTION OF EAST 25TH DRIVE AND CENTRAL PARK BOULEVARD, BEING A FOUND RED PLASTIC CAP, 0.3' BELOW GRADE IN A RANGE BOX MARKED, "URS CORP, PLS 20683", FROM WHENCE THE RANGE POINT IN THE INTERSECTION OF EAST 25TH DRIVE AND CENTRAL PARK BOULEVARD, BEING A FOUND 2.5" BRASS CAP, FLUSH IN CONCRETE MARKED, "URS CORP., 2004, PLS 20683", BEARS NORTH 00°00'45" EAST, A DISTANCE OF 255.64 FEET, WITH ALL BEARINGS HEREIN RELATIVE THERETO;

THENCE SOUTH 07°25'35" WEST, A DISTANCE OF 713.28 FEET TO THE SOUTH LINE OF SAID LOT 3 AND THE POINT OF BEGINNING;

THENCE 122.00 FEET ALONG THE SOUTH LINE OF SAID LOT 3 AND A CURVE TO THE RIGHT WITH A RADIUS OF 186.93 FEET, A DELTA OF 37°23'43", AND A CHORD WHICH BEARS SOUTH 70°25'08" WEST, A DISTANCE OF 119.85 FEET; THENCE NORTH 89°59'15" WEST CONTINUING ALONG THE SOUTH LINE OF SAID LOT 3, A DISTANCE OF 318.67 FEET TO THE SOUTHWEST CORNER OF SAID LOT 3;

THENCE NORTH 00°00'45" EAST ALONG THE WEST LINE OF SAID LOT 3, A DISTANCE OF 2.00 FEET;

THENCE PARALLEL TO AND 2 FEET NORTH OF THE SOUTH LINE OF SAID LOT 3, SOUTH 89°59'15" EAST, A DISTANCE OF 318.67 FEET;

THENCE 121.33 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 186.00 FEET, A DELTA OF 37°22'33", AND A CHORD WHICH BEARS NORTH 71°19'29" EAST A DISTANCE OF 119.19 FEET TO THE POINT OF BEGINNING.

CONTAINING 759 SQUARE FEET OR 0.017 ACRES OF LAND, MORE OR LESS.





2025000839

Page: 1 of 4

01/06/2025 09:40 AM  
City & County of Denver  
Electronically Recorded

R \$0.00

WD

D \$0.00

After signing, return to:  
City and County of Denver  
201 West Colfax Avenue, Dept. 1010  
Division of Real Estate  
Denver, Colorado 80202  
**Project Description: 2024-DEDICATION-0000071**  
**Asset Mgmt No.: 24-004**

## **SPECIAL WARRANTY DEED**

**THIS SPECIAL WARRANTY DEED** (“Deed”), made as of this 31st day of December, 2024, by **SMP STAPLETON LLC**, a Colorado limited liability company, whose address is 1800 Glenarm Place, Suite 702, 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:

SMP STAPLETON LLC, a Colorado limited liability company

By: [Signature]

Name: RE Cardwell

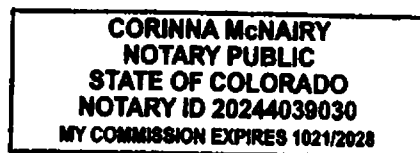
Its: Manager

STATE OF Colorado )  
 ) ss.  
COUNTY OF Jefferson )

The foregoing instrument was acknowledged before me this 31 day of December, 2024  
by RE Cardwell, as manager of SMP STAPLETON LLC, a  
Colorado limited liability company.

Witness my hand and official seal.

My commission expires: 10/21/2028



Corinna McNairy  
Notary Public



# EXHIBIT "A" LEGAL DESCRIPTION

2022-projmstr-0000417-ROW

SHEET 1 OF 2

A PARCEL OF LAND BEING A PORTION LOT 3, BLOCK 3, STAPLETON FILING NO. 17, AND SITUATED IN THE NORTHEAST ONE-QUARTER OF SECTION 33, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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CONTAINING 759 SQUARE FEET OR 0.017 ACRES OF LAND, MORE OR LESS.

PREPARED BY:  
JEFFREY J. MACKENNA, P.L.S. 34183 DATE: 08/07/2024  
FOR FALCON SURVEYING, INC.  
9940 WEST 25TH AVENUE  
LAKEWOOD COLORADO, 80215  
(303)202-1560  
JOB NO. 230416

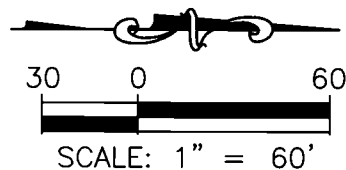
2022-projmstr-0000417-ROW

**EXHIBIT "A" ILLUSTRATION**

SITUATED IN THE NE 1/4, SECTION 33, T3S, R67W, OF THE 6TH P.M.

CITY AND COUNTY OF DENVER, STATE OF COLORADO

SHEET 2 OF 2

**LEGEND**

- (M) MEASURED  
(R) RECORDED: STAPLETON  
FILING NO. 6

BLOCK 8 STAPLETON FILING NO. 17

EAST 23RD AVENUE

68' PUBLIC RIGHT OF WAY

AFTER DEDICATION

N89°59'15"W 318.67'

S89°59'15"E 318.67'

LOT 3, BLOCK 3,  
STAPLETON FILING  
NO. 17TRACT P  
REC. NO. 2006053025DENVER WATER EASEMENT  
REC. NO. 2010073561CONTAINING  
759 SQ. FT.  
OR 0.017 AC. ±NORTH  
VALENTIA  
STREET  
60' PUBLIC  
RIGHT OF WAYDENVER WATER EASEMENT  
REC. NO. 2010073561

Δ=37°22'33"  
R=186.00'  
L=121.33'  
ChB=N71°19'29"E  
ChL=119.19'

Δ=37°23'43"  
R=186.93'  
L=122.00'  
ChB=S70°25'08"W  
ChL=119.85'

POINT OF  
BEGINNINGTIE LINE  
S07°25'35"W  
713.28'

POINT OF COMMENCEMENT

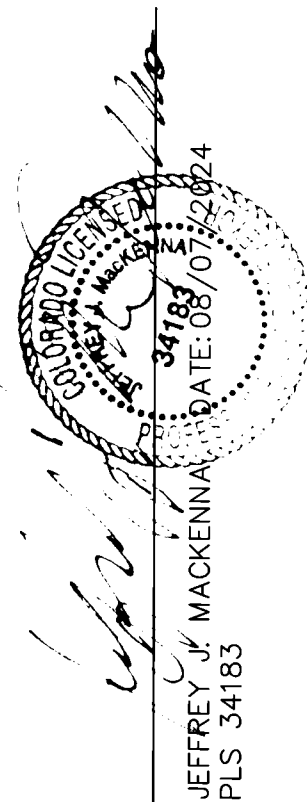
RANGE POINT: FOUND RED PLASTIC CAP  
0.3' BELOW GRADE IN RANGE BOX, "URS CORP, PLS 20683"

RANGE POINT  
INTERSECTION OF NORTH CENTRAL PARK  
BOULEVARD AND EAST 25TH DRIVE  
FOUND 2.5" BRASS CAP  
FLUSH IN CONCRETE  
"URS CORP, 2004, PLS 20683"

86' RANGE LINE  
NORTH CENTRAL PARK BOULEVARD  
BASIS OF BEARINGS:  
N00°00'00"E(R) N00°00'45"E(M)  
255.64'(M&R)

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

PREPARED BY: FALCON SURVEYING, INC., 9940 WEST 25TH AVE, LAKEWOOD CO 80215 (303)202-1560



EAST 25TH DRIVE