




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: April 25, 2024

ROW #: 2021-DEDICATION-0000046 **SCHEDULE #:** 0222205034000

TITLE: This request is to dedicate a City-owned parcel of land as Public Right-of-Way as Public Alley, bounded by North Cherokee Street, West 45th Avenue, North Delaware Street, and West 44th 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, "4411-4415 N Cherokee St."

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-0000046-001) HERE.

A map of the area to be dedicated is attached.

GB/TB/LRA

cc: Dept. of Real Estate, RealEstate@denvergov.org
City Councilperson, Darrell Watson, District # 9
Councilperson Aide, Bonnie Guillen
Councilperson Aide, Darius Shelby
Councilperson Aide, Lynne Lombard
City Council Staff, Luke Palmisano
Environmental Services, Andrew Ross
DOTI, Manager's Office, Alba Castro
DOTI, Manager's Office, Nicholas Williams
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, Katherine Ehlers
Department of Law, Mar'quasa Maes
DOTI Survey, Thomas Breitnauer
DOTI Ordinance
Owner: City and County of Denver
Project file folder 2021-DEDICATION-0000046

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

CONNECT WITH US | 311 | DENVERGOV.ORG | DENVER 8 TV

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 questions

Date of Request: April 25, 2024

Please mark one: Bill Request or Resolution Request

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 Cherokee Street, West 45th Avenue, North Delaware Street, and West 44th 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: Lisa R. Ayala	Name: Nicholas Williams
Email: Lisa.ayala@denvergov.org	Email: Nicholas.Williams@denvergov.org

5. **General description or background of proposed request. Attach executive summary if more space needed:**
Proposing to build a new commercial structure on vacant land. The developer has been asked to dedicate a parcel as Public Alley.

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

7. **City Council District:** Darrell Watson, District # 9

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> (A)	<i>Additional Funds</i> (B)	<i>Total Contract Amount</i> (A+B)
<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-0000046

Description of Proposed Project: Proposing to build a new commercial structure on vacant land. The developer has been asked to dedicate a parcel 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

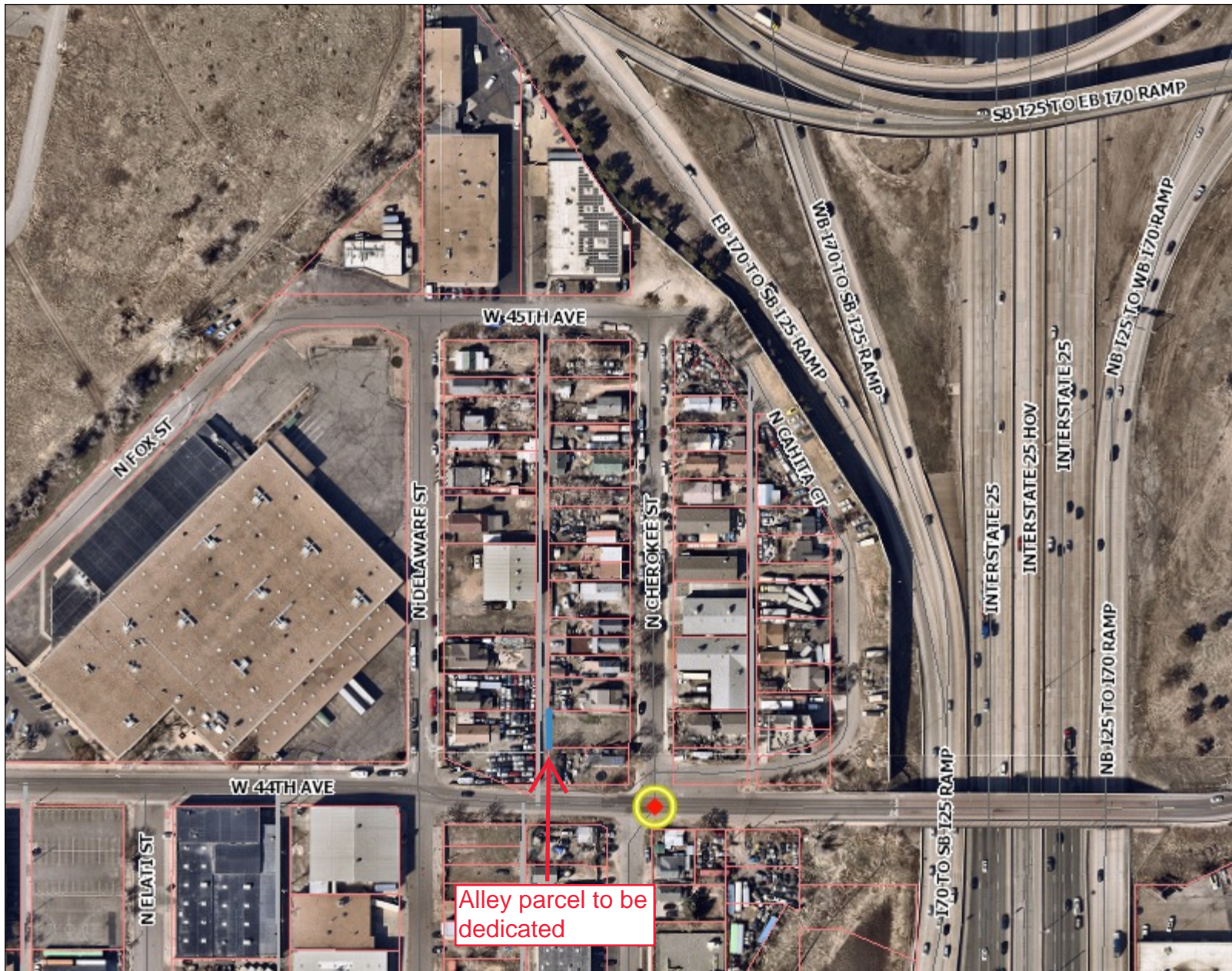
Will an easement be placed over a vacated area, and if so explain: N/A

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

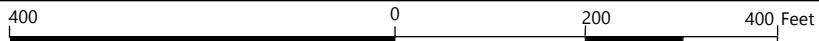
Additional information: This land was deeded to the City and County of Denver for the purpose of dedicating it as Public Alley, as part of the development project called, "4411-4415 N Cherokee St."

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

CONNECT WITH US | 311 | DENVERGOV.ORG | DENVER 8 TV



- Legend**
- Streets
 - Alleys
 - ▭ County Boundary
 - ▭ Parcels



PARCEL DESCRIPTION ROW NO. 2021-DEDICATION-0000046-001:

LAND DESCRIPTION - ALLEY PARCEL

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 10TH DAY OF MAY, 2021, AT RECEPTION NUMBER 2021089705 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

A PORTION OF LOTS 27 AND 28 BLOCK 1, HORNE'S SUBDIVISION SECOND FILING, LOCATED IN THE NORTHWEST 1/4 OF SECTION 22, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 2.00 FEET OF LOT 27 & 28 BLOCK 1 HORNE'S SUBDIVISION SECOND FILING.

CONTAINING 100 SQUARE FEET OR 0.002 ACRES MORE OR LESS



05/10/2021 12:07 PM
City & County of Denver

R \$0.00

WD

2021089705

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: 2021-Dedication-0000046
Asset Mgmt No.: 21-067

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED ("Deed"), made as of this 6th day of May, 2021, by 4411-4415 CHEROKEE STREET LLC, a Colorado limited liability company, whose address is 1992 S. Marion Street, Denver, CO 80210, 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:

4411-4415 CHEROKEE STREET LLC, a Colorado limited liability company

By: [Signature]

Name: Eric Hall

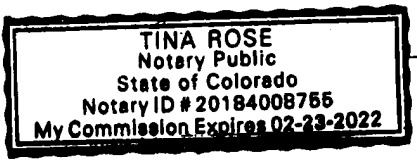
Its: Member

STATE OF Colorado)
COUNTY OF Park) ss.

The foregoing instrument was acknowledged before me this 6th day of May, 2021
by Eric Hall, as Member of 4411-4415 CHEROKEE STREET
LLC, a Colorado limited liability company.

Witness my hand and official seal.

My commission expires: 2/23/2022



[Signature]
Notary Public

2021-DEDICATION-0000046

EXHIBIT A

NW 1/4 SECTION 22, TOWNSHIP 3 SOUTH, RANGE 68 WEST 6th P.M.

----- CITY & COUNTY OF DENVER -----

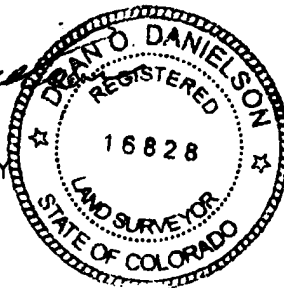
LAND DESCRIPTION

A PORTION OF LOTS 27 AND 28 BLOCK 1, HORNE'S SUBDIVISION SECOND FILING, LOCATED IN THE NORTHWEST 1/4 OF SECTION 22, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 2.00 FEET OF LOT 27 & 28 BLOCK 1 HORNE'S SUBDIVISION SECOND FILING. CONTAINING 100 SQUARE FEET OR 0.002 ACRES MORE OR LESS

I, DEAN O. DANIELSON, A LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS LAND DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION.

Dean O. Danielson
 DEAN O. DANIELSON
 P.L.S. NO. 16828
 BELL SURVEYING COMPANY
 500 KALAMATH ST.
 DENVER, CO. 80204
 303-629-0165



THIS LAND DESCRIPTION IS NOT THE RESULT OF A MONUMENTED LAND SURVEY. IT IS INTENDED ONLY TO DEFINE THE DEDICATION DESCRIBED HEREON.

CITY & COUNTY OF DENVER		
LAND DESCRIPTION		
PART OF LOTS 27 & 28 BLOCK 1 HORNE'S SUBDIVISION SECOND FILING		
SCALE: 1"=10'	DATE: MAY 4, 2020	
REV:	SHEET 1 OF 2 SHEETS	
DRN. DD	APPR.	DWG. 20205-101

2021-DEDICATION-0000046

EXHIBIT A

NW 1/4 SECTION 22, TOWNSHIP 3 SOUTH, RANGE 68 WEST 6th P.M.

----- CITY & COUNTY OF DENVER -----

BLOCK 1

HORNE'S SUBDIVISION SECOND FILING

LOT 29

LOT 28

LOT 27

LOT 26

16' PUBLIC ALLEY

(R) 50' (M) 50.02'

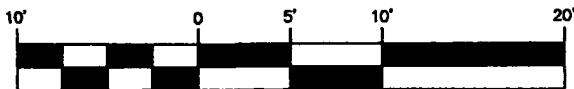
2.00'

NOT TO SCALE

N CHEROKEE ST.
60' PUBLIC ROW



GRAPHIC SCALE



(IN FEET)
1 inch = 10 ft.

CITY & COUNTY OF DENVER

LAND DESCRIPTION

PART OF LOTS 27 & 28 BLOCK 1
HORNE'S SUBDIVISION SECOND FILING

SCALE: 1"=10'

DATE: MAY 4, 2020

REV:

SHEET 2 OF 2 SHEETS

DRN. DD

APPR.

DWG. 20205-101