


**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:** July 24, 2023

**ROW #:** 2022-DEDICATION-0000156 **SCHEDULE #:** Adjacent to 1) 0527512021000 and 0527512020000, 2) 0527512020000, and 3) 0527512020000 and 0527512021000

**TITLE:** This request is to dedicate three City-owned parcels of land as Public Right-of-Way as 1) South Broadway, located at the intersection of South Broadway and West Yale Avenue, 2) West Yale Avenue, located at the intersection of West Yale Avenue and South Broadway, and 3) Public Alley, bounded by West Yale Avenue, South Acoma Street, West Vassar Avenue, and South Broadway.

**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) South Broadway, 2) West Yale Avenue, and 3) 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, "2665-2689 S Broadway."

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 1) South Broadway, 2) West Yale Avenue, and 3) Public Alley. The land is described as follows.

**INSERT PARCEL DESCRIPTION ROW # ( 2022-DEDICATION-0000156-001, 002, 003 ) 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, Flor Alvidrez District # 7  
Councilperson Aide, N/A  
Councilperson Aide, N/A  
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-0000156

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: July 24, 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 three City-owned parcels of land as Public Right-of-Way as 1) South Broadway, located at the intersection of South Broadway and West Yale Avenue, 2) West Yale Avenue, located at the intersection of West Yale Avenue and South Broadway, and 3) Public Alley, bounded by West Yale Avenue, South Acoma Street, West Vassar Avenue, and South Broadway.

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 demolish existing structures, combine parcels and build a new mixed-use building. The developer has been asked to dedicate three parcels as 1) South Broadway, 2) West Yale Avenue, and 3) 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 Yale Avenue, South Acoma St, West Vassar Avenue and South Broadway
- 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.

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To be completed by Mayor's Legislative Team:

SIRE Tracking Number: \_\_\_\_\_

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

## EXECUTIVE SUMMARY

**Project Title:** 2022-DEDICATION-0000156

**Description of Proposed Project:** Proposing to demolish existing structures, combine parcels and build a new mixed-use building. The developer has been asked to dedicate three parcels as 1) South Broadway, 2) West Yale Avenue, and 3) 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) South Broadway, 2) West Yale Avenue, and 3) 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) South Broadway, 2) West Yale Avenue, and 3) Public Alley as part of a development project called, "2665-2689 S Broadway."



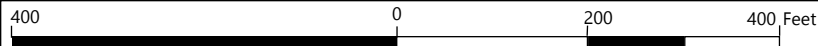
### Legend

- Streets
- Alleys
- ▭ County Boundary
- ▭ Parcels

Parcel 003 to be dedicated

Parcel 001 to be dedicated

Parcel 002 to be dedicated





Parcels of land conveyed by Special Warranty Deed to the City and County of Denver, recorded on the 28th day of June, 2023, at Reception Number 2023060713 in the City and County of Denver Clerk and Recorder's Office, State of Colorado, therein as:

Three (3) parcels of land being a portion of Lots 25 through 34, inclusive, Block 8, Fisk's Broadway Addition, located in the Southeast Quarter of the Southwest Quarter of Section 27, 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:

**PARCEL DESCRIPTION ROW-NO. 2022-DEDICATION-0000156-001:**

**LAND DESCRIPTION - STREET PARCEL NO. 1**

**Commencing** at the intersection of the 20 foot range line along South Broadway with the 15.84 foot range line along West Yale Avenue and considering said South Broadway range line to bear North 00°15'23" West, with all bearings contained herein being relative thereto;

Thence North 00°15'23" West, along said 20 foot range line, a distance of 265.86 feet to the intersection with the easterly extension of the northerly line of said Lot 34;

Thence South 89°44'15" West, along said easterly extension, a distance of 20.00 feet to the northeast corner of said Lot 34 and the **Point of Beginning**;

Thence South 00°15'23" East, along the easterly line of said Block 8, a distance of 248.02 feet to a line 2.00 feet North of and parallel with the southerly line of said Block 8;

Thence South 89°44'01" West, along said parallel line, a distance of 3.00 feet to a line 3.00 feet West of and parallel with said easterly line of Block 8;

Thence North 00°15'23" West, along last said parallel line, a distance of 248.02 feet to the northerly line of said Lot 34;

Thence North 89°44'15" East, along said northerly line, a distance of 3.00 feet to the **Point of Beginning**;

Parcel 1 contains a calculated area of 744 square feet or 0.0171 acres, more or less.

**PARCEL DESCRIPTION ROW-NO. 2022-DEDICATION-0000156-002:**

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

**Commencing** at the intersection of the 20 foot range line along South Broadway with the 15.84 foot range line along West Yale Avenue and considering said South Broadway range line to bear North 00°15'23" West, with all bearings contained herein being relative thereto;

Thence North 00°15'23" West, along said 20 foot range line, a distance of 15.84 feet to the intersection with the easterly extension of the southerly line of said Block 8;

Thence South 89°44'01" West, along last said easterly extension, a distance of 20.00 feet to the southeast corner of said Block 8 and the **Point of Beginning**;

Thence South 89°44'01" West, along the southerly line of said Block 8, a distance of 122.96 feet to a parallel line 2.00 feet East of and parallel with the westerly line of said Lot 25;

Thence North 00°15'29" West, along last said parallel line, a distance of 2.00 feet to a line 2.00 feet North of and parallel with said southerly line of Block 8;

Thence North 89°44'01" East, along last said parallel line, a distance of 122.96 feet to the easterly line of said Lot 25;

Thence South 00°15'23" East, along said easterly line, a distance of 2.00 feet to the **Point of Beginning**;

Parcel 2 contains a calculated area of 246 square feet or 0.0056 acres, more or less.

**PARCEL DESCRIPTION ROW-NO. 2022-DEDICATION-0000156-003:**

LAND DESCRIPTION - ALLEY PARCEL NO. 3

**Commencing** at the intersection of the 20 foot range line along South Broadway with the 15.84 foot range line along West Yale Avenue and considering said South Broadway range line to bear North 00°15'23" West, with all bearings contained herein being relative thereto;

Thence North 00°15'23" West, along said 20 foot range line, a distance of 15.84 feet to the intersection with the easterly extension of the southerly line of said Block 8;

Thence South 89°44'01" West, along last said easterly extension and said southerly line of Block 8, a distance of 142.96 feet to the **Point of Beginning**;

Thence continuing South 89°44'01" West, along said southerly line, a distance of 2.00 feet to the southwest corner of said Lot 25;

Thence North 00°15'29" West, along the westerly lines of said Lots 25 through 34, a distance of 250.03 feet to the northwest corner of said Lot 34;

Thence North 89°44'15" East, along the northerly line of said Lot 34, a distance of 2.00 feet to a line 2.00 East of and parallel with said westerly lines of Lots 25 through 34;

Thence South 00°15'29" East, along last said parallel line, a distance of 250.03 Feet to the **Point of Beginning**;

Parcel 3 contains a calculated area of 500 Square feet or 0.0115 acres, more or less.



06/28/2023 03:11 PM  
City & County of Denver

R \$0.00

WD

2023060713

Page: 1 of 5

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-0000156  
Asset Mgmt No.: 23-098

**SPECIAL WARRANTY DEED**

**THIS SPECIAL WARRANTY DEED** (“Deed”), made as of this 23<sup>rd</sup> day of June, 2023, by **FLYWHEEL YALE, LLC**, a Colorado limited liability company, whose address 724 S. Pearl Street, Denver, CO 80209, 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:

FLYWHEEL YALE, LLC, a Colorado limited liability company

By: [Signature]

Name: Ben Houda

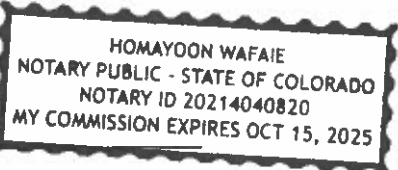
Its: manager

STATE OF Colorado )  
  ) ss.  
COUNTY OF Denver )

The foregoing instrument was acknowledged before me this 23 day of June, 2023  
by Benjamin Houda, as manager of FLYWHEEL YALE, LLC, a  
Colorado limited liability company.

Witness my hand and official seal.

My commission expires: 10/15/2025



[Signature]  
Notary Public



## **EXHIBIT A**

### **LAND DESCRIPTION**

Three (3) parcels of land being a portion of Lots 25 through 34, inclusive, Block 8, Fisk's Broadway Addition, located in the Southeast Quarter of the Southwest Quarter of Section 27, 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:

#### **Parcel 1**

**Commencing** at the intersection of the 20 foot range line along South Broadway with the 15.84 foot range line along West Yale Avenue and considering said South Broadway range line to bear North  $00^{\circ}15'23''$  West, with all bearings contained herein being relative thereto;

Thence North  $00^{\circ}15'23''$  West, along said 20 foot range line, a distance of 265.86 feet to the intersection with the easterly extension of the northerly line of said Lot 34;

Thence South  $89^{\circ}44'15''$  West, along said easterly extension, a distance of 20.00 feet to the northeast corner of said Lot 34 and the **Point of Beginning**;

Thence South  $00^{\circ}15'23''$  East, along the easterly line of said Block 8, a distance of 248.02 feet to a line 2.00 feet North of and parallel with the southerly line of said Block 8;

Thence South  $89^{\circ}44'01''$  West, along said parallel line, a distance of 3.00 feet to a line 3.00 feet West of and parallel with said easterly line of Block 8;

Thence North  $00^{\circ}15'23''$  West, along last said parallel line, a distance of 248.02 feet to the northerly line of said Lot 34;

Thence North  $89^{\circ}44'15''$  East, along said northerly line, a distance of 3.00 feet to the **Point of Beginning**;

Parcel 1 contains a calculated area of 744 square feet or 0.0171 acres, more or less.

#### **Parcel 2**

**Commencing** at the intersection of the 20 foot range line along South Broadway with the 15.84 foot range line along West Yale Avenue and considering said South Broadway range line to bear North  $00^{\circ}15'23''$  West, with all bearings contained herein being relative thereto;

Thence North  $00^{\circ}15'23''$  West, along said 20 foot range line, a distance of 15.84 feet to the intersection with the easterly extension of the southerly line of said Block 8;

Thence South  $89^{\circ}44'01''$  West, along last said easterly extension, a distance of 20.00 feet to the southeast corner of said Block 8 and the **Point of Beginning**;

Thence South  $89^{\circ}44'01''$  West, along the southerly line of said Block 8, a distance of 122.96 feet to a parallel line 2.00 feet East of and parallel with the westerly line of said Lot 25;

Thence North  $00^{\circ}15'29''$  West, along last said parallel line, a distance of 2.00 feet to a line 2.00 feet North of and parallel with said southerly line of Block 8;

Thence North 89°44'01" East, along last said parallel line, a distance of 122.96 feet to the easterly line of said Lot 25;

Thence South 00°15'23" East, along said easterly line, a distance of 2.00 feet to the **Point of Beginning**;

Parcel 2 contains a calculated area of 246 square feet or 0.0056 acres, more or less.

**Parcel 3**

**Commencing** at the intersection of the 20 foot range line along South Broadway with the 15.84 foot range line along West Yale Avenue and considering said South Broadway range line to bear North 00°15'23" West, with all bearings contained herein being relative thereto;

Thence North 00°15'23" West, along said 20 foot range line, a distance of 15.84 feet to the intersection with the easterly extension of the southerly line of said Block 8;

Thence South 89°44'01" West, along last said easterly extension and said southerly line of Block 8, a distance of 142.96 feet to the **Point of Beginning**;

Thence continuing South 89°44'01" West, along said southerly line, a distance of 2.00 feet to the southwest corner of said Lot 25;

Thence North 00°15'29" West, along the westerly lines of said Lots 25 through 34, a distance of 250.03 feet to the northwest corner of said Lot 34;

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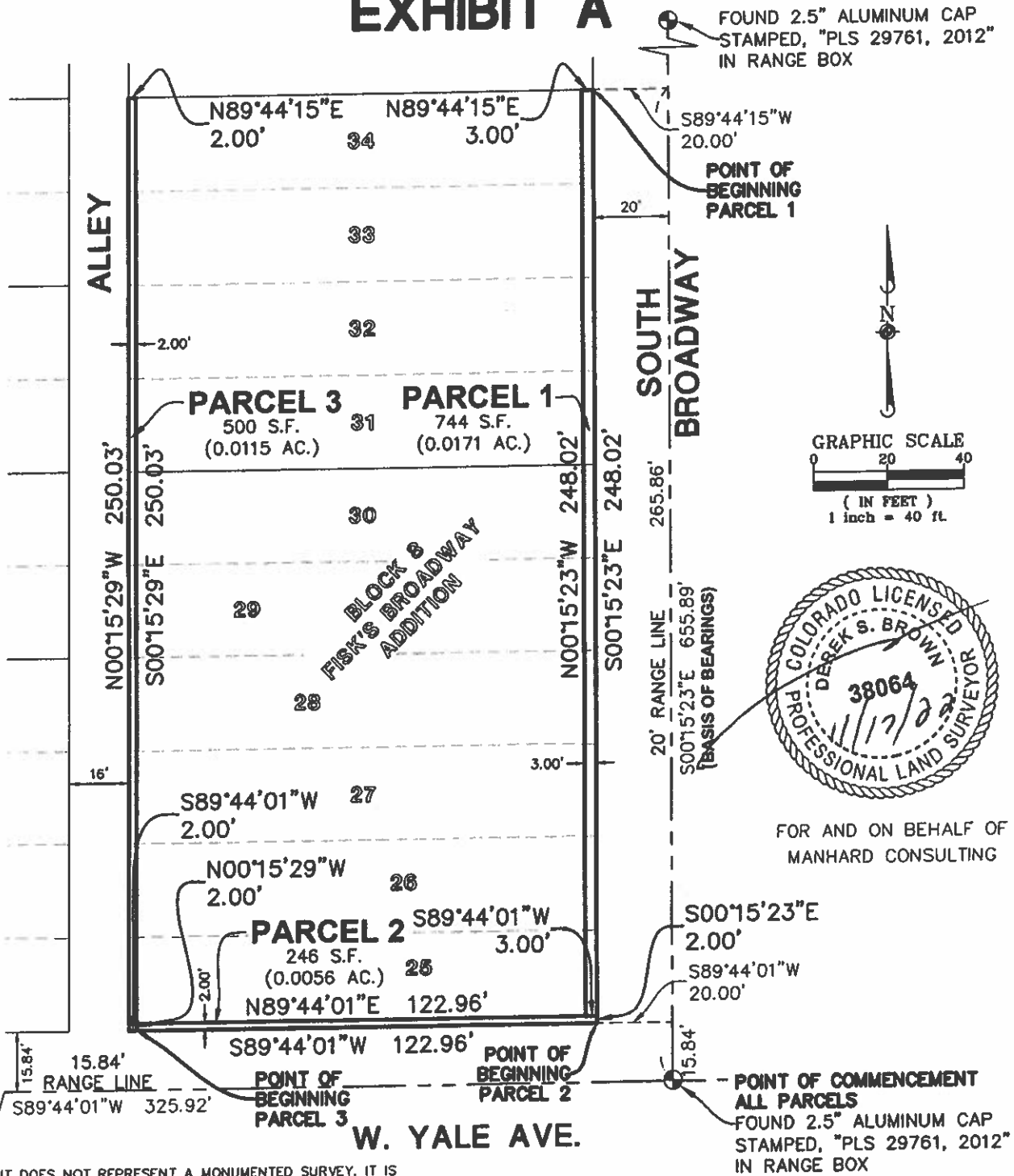
Thence South 00°15'29" East, along last said parallel line, a distance of 250.03 Feet to the **Point of Beginning**;

Parcel 3 contains a calculated area of 500 Square feet or 0.0115 acres, more or less.

Derek S. Brown, P.L.S. 38064  
for and on behalf of Manhard Consulting  
7600 E. Orchard Road, Suite 150-N  
Greenwood Village, Colorado 80111  
303.531.3216



# EXHIBIT A



Dwg Name: P:\Fwc\dnco\03\dwg\Sur\4\Final Drawings\Exhibits\_Sur\FWC\_DNCO03.03-5270.dwg Updated By: RPLight 8/31/2021 4:37 PM

**Manhard CONSULTING**

7600 East Orchard Road, Suite 160-N, Greenwood Village, CO 80111 ph:303.708.0500 manhard.com  
Civil Engineering | Surveying & Geospatial Services | GIS  
Water Resource Management | Construction Management

SOUTH BROADWAY AND W. YALE AVE.	
CITY AND COUNTY OF DENVER, COLORADO	
EXHIBIT A	
PROJ. MOR.: <u>BJP</u>	SHEET
DRAWN BY: <u>JAF</u>	<b>3</b> OF <b>3</b>
DATE: <u>08/31/21</u>	FWC.DNCO03.03
SCALE: <u>1" = 40'</u>	