




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: March 5, 2024

ROW #: 2024-DEDICATION-0000062 **SCHEDULE #:** 0133238002000

TITLE: This request is to dedicate a City-owned parcel of land as Public Right-of-Way as East 23rd Avenue, located at the intersection of East 23rd Avenue and North Syracuse Street.

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 23rd Avenue. 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, "Stapleton Filing No. 8 - 2002-PROJMSTR-0001183."

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 23rd Avenue. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2024-DEDICATION-0000062-001) HERE.

A map of the area to be dedicated is attached.

GB/KS/LRA

- cc: Dept. of Real Estate, RealEstate@denvergov.org
- City Councilperson, Shontel M. Lewis, District # 8
- 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, 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, Janet Valdez
- DOTI Survey, Kathy Svehovsky
- DOTI Ordinance
- Owner: City and County of Denver
- Project file folder 2024-DEDICATION-0000062

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

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: March 5, 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 East 23rd Avenue, located at the intersection of East 23rd Avenue and North Syracuse Street.

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:**
As part of Stapleton Filing No. 8, a parcel of land to be dedicated as East 23rd 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> (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: 2024-DEDICATION-0000062

Description of Proposed Project: As part of Stapleton Filing No. 8, a parcel of land to be dedicated 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 23rd 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 23rd Avenue, as part of the development project called, "Stapleton Filing No. 8 - 2002-PROJMSTR-0001183."

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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Legend

-  Streets
-  Alleys
-  County Boundary
-  Parcels



PARCEL DESCRIPTION ROW NO. 2024-DEDICATION-0000062-001:

LEGAL DESCRIPTION – STREET PARCEL 1: - E 23RD AVE

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 30TH DAY OF JUNE, 2021, AT RECEPTION NUMBER 2021124398 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

TRACT A, STAPLETON FILING NO. 8, EXCEPT THAT PORTION DESCRIBED IN PROPERTY DEED RECORDED MARCH 24, 2003 AT RECEPTION NO. 2003051641, CITY AND COUNTY OF DENVER, STATE OF COLORADO.



06/30/2021 01:22 PM R \$28.00 WD
 City & County of Denver
 Electronically Recorded

SPECIAL WARRANTY DEED
(Stapleton Filing No. 8, Roadway Tract A)

THIS DEED (“Deed”) is made this 10TH day of June, 2021, between PARK CREEK METROPOLITAN DISTRICT, a quasi-municipal corporation and political subdivision of the State of Colorado, whose address is 7350 East 29th Avenue, Suite 200, Denver, Colorado 80238 (“Grantor”) and the CITY AND COUNTY OF DENVER, a municipal corporation of the State of Colorado (“Grantee”), whose address is 1437 Bannock Street, Denver, Colorado 80202.

WITNESSETH, that the Grantor, for and in consideration of less than Five Hundred Dollars (\$500.00), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold, and conveyed, and by these presents does hereby grant, bargain, sell, convey and confirm unto the Grantee and its successors and assigns forever, all the real property, together with all improvements thereon owned by Grantor, if any, situate, lying and being in the City and County of Denver, State of Colorado, described as follows (the “Property”):

Stapleton Filing No. 8, Roadway Tract A

Tract A, Stapleton Filing No. 8, EXCEPT that portion described in Property Deed recorded March 24, 2003 at Reception No. 2003051641, City and County of Denver, State of Colorado.

RESERVING, however, unto Grantor, its successors and assigns any and all minerals, oil, gas and other hydrocarbon substances on or under the Property, to the extent owned by Grantor.

TOGETHER WITH all rights, privileges and easements appurtenant to the Property, if any.

TO HAVE AND TO HOLD the said Property above bargained and described with the appurtenances, unto the Grantee and its successors and assigns forever. The Grantor, for itself and its successors and assigns, does hereby covenant and agree that it shall and will WARRANT AND FOREVER DEFEND the above bargained Property in the quiet and peaceable possession of the Grantee, its successors and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under the Grantor, except those Permitted Exceptions set forth on Exhibit A (consisting of two pages), as attached hereto and incorporated by this reference.

Recording Requested by:
 FNTG-NCS Colorado

00024478

IN WITNESS WHEREOF, the Grantor has executed this Deed on the date set forth above.

PARK CREEK METROPOLITAN DISTRICT, a quasi-municipal corporation and political subdivision of the State of Colorado

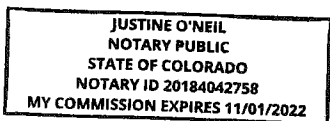
By: *Tammi Holloway*
Tammi Holloway, Assistant Secretary

STATE OF COLORADO)
) ss.
CITY AND COUNTY OF DENVER)

The foregoing instrument was acknowledged before me this 10th day of JUNE, 2021, by Tammi Holloway, as Assistant Secretary of the Park Creek Metropolitan District, a quasi-municipal corporation and political subdivision of the State of Colorado.

Witness my hand and official seal.

My commission expires: 11/01/2022



Justine O'Neil
Notary Public

EXHIBIT A**PERMITTED EXCEPTIONS**

9. Terms, conditions, provisions, agreements and obligations contained in the Stapleton Redevelopment General Development Plan – South Area as set forth below.

Recording Date: March 26, 2001
Recording No.: Reception No. 2001043010

10. Any taxes or assessments by reason of the inclusion of the Land in the Westerly Creek Metropolitan District:

Recording Date: July 6, 2001
Recording No.: Reception NO. 2001110529

Order of Inclusion:

Recording Date: September 12, 2002
Recording No.: Reception No. 2002159930

11. Intentionally deleted.

12. Terms, conditions, provisions, agreements and obligations contained in the Property Deed as set forth below:

Recording Date: July 31, 2002
Recording No.: Reception No. 2002134336

Quit Claim Deed (in regards thereto):

Recording Date: July 31, 2002
Recording No.: Reception No. 2002134337

And

Recording Date: March 24, 2003
Recording No.: Reception No. 2003051642

Partial Release of Open Space Use Restrictions:

Recording Date: October 4, 2002
Recording No.: Reception No. 2002178659

13. Terms, conditions, provisions, agreements and obligations contained in the Property Deed as set forth below:

Recording Date: October 4, 2002
Recording No.: Reception No. 2002178657
Quit Claim Deed (in regards thereto):
Recording Date: October 4, 2002
Recording No.: Reception No. 2002178662
And
Recording No.: Reception No. 2002178666

14. Intentionally deleted.

15. Terms, conditions, provisions, agreements and obligations contained in the Development Agreement as set forth below:

Recording Date: October 4, 2002
Recording No.: Reception No. 2002178668

16. Intentionally deleted.

17. Easements, notes, terms, conditions, provisions, agreements and obligations as shown on the plat of Stapleton Filing No. 8:

Recording Date: July 9, 2003
Recording No.: Reception No. 2003140942

18. Intentionally deleted.

19. Intentionally deleted.

20. Intentionally deleted.