




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: August 21, 2024

ROW #: 2024-DEDICATION-0000070 **SCHEDULE #:** Adjacent to 0227119028000

TITLE: This request is to dedicate a City-owned parcel of land as Public Right-of-Way as Public Alley, bounded by 34th Street, Blake Street, 35th Street, and Walnut 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 Public Alley. 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, “3425 Walnut.”

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 # (2024-DEDICATION-0000070-001) HERE.

A map of the area to be dedicated is attached.

GB/TS/BVS

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, Alaina McWhorter
DOTI, Director, Right-of-Way Services, Glen Blackburn
Department of Law, Johna Varty
Department of Law, Martin Plate
Department of Law, Kwali Farbes
Department of Law, Ivone Avila-Ponce
Department of Law, Katherine Ehlers
Department of Law, Mar’quasa Maes
DOTI Survey, Thomas Savich
DOTI Ordinance
Owner: City and County of Denver
Project file folder 2024-DEDICATION-0000070

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: August 21, 2024

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 Public Alley, bounded by 34th Street, Blake Street, 35th Street, and Walnut 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: Beverly Van Slyke	Name: Alaina McWhorter
Email: Beverly.VanSlyke@Denvergov.org	Email: Alaina.McWhorter@denvergov.org

5. General description or background of proposed request. Attach executive summary if more space needed:

Scrape off a commercial building and build a new mixed-use structure. The developer was asked to dedicate a parcel of land 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 (A)</i>	<i>Additional Funds (B)</i>	<i>Total Contract Amount (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?

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____



EXECUTIVE SUMMARY

Project Title: 2024-DEDICATION-0000070

Description of Proposed Project: Scrape off a commercial building and build a new mixed-use structure. The developer was 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, "3425 Walnut."

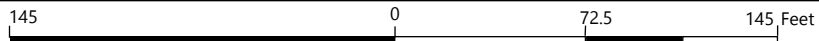
City and County of Denver Department of Transportation & Infrastructure
Right-of-Way Services
201 W. Colfax Ave | Denver, CO 80215
www.denvergov.org/doti
Phone: 720-913-1311

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



- Legend**
- Streets
 - Alleys
 - ▭ County Boundary
 - ▭ Parcels
 - ▭ Lots/Blocks

Parcel 001 to be dedicated



PARCEL DESCRIPTION ROW NO. 2024-DEDICATION-0000070-001:

LEGAL DESCRIPTION – ALLEY PARCEL:

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 13TH DAY OF AUGUST, 2024, AT RECEPTION NUMBER 2024076040 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO, KNOWN AS THE NORTHWESTERLY 2.00 FEET OF LOTS 17-22, BLOCK 9, H. WITTER'S ADDITION TO DENVER COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE NORTHWESTERTLY LINE OF SAID LOTS TO BEAR NORTH 44°34'57" EAST, A DISTANCE OF 150.03 FEET BETWEEN FOUND 1" BRASS TAGS STAMPED "FLATSURV LS 29038 AT THE WESTERLY CORNER OF LOT 17 AND NORTHERLY CORNER OF LOT 22, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

BEGINNING AT THE WESTERLY CORNER OF LOT 17; THENCE ALONG SAID NORTHWESTERLY LINE, NORTH 44°34'57" EAST, A DISTANCE OF 150.03 FEET TO THE NORTHERLY CORNER OF LOT 22;
THENCE ALONG THE NORTHEASTERLY LINE OF SAID LOT 22, SOUTH 45°25'03" EAST, A DISTANCE OF 2.00 FEET;
THENCE SOUTH 44°34'57" WEST, A DISTANCE OF 150.03 FEET TO A POINT ON THE SOUTHWESTERLY LINE OF SAID LOT 17, ALSO BEING A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF 34TH STREET;
THENCE ALONG LAST SAID LINE, NORTH 45°25'03" WEST, A DISTANCE OF 2.00 FEET, MORE OR LESS, TO THE POINT OF BEGINNING;

SAID PARCEL CONTAINING 300 SQUARE FEET, MORE OR LESS.



08/13/2024 01:14 PM

R \$0.00

D \$0.00

City & County of Denver

WD

Electronically Recorded

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-0000070

Asset Mgmt No.: 24-150

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED (“Deed”), made as of this 7th day of August, 2024, by **3405 WALNUT DEVELOPMENT, LLC**, a Colorado limited liability company, whose address is 3827 N Lafayette Street, Suite 219, Denver, CO 80205, 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:

3405 WALNUT DEVELOPMENT, LLC, a Colorado limited liability company

By: 

Name: Jon W. Dwight

Its: Authorized Signatory

STATE OF Colorado)
) ss.
COUNTY OF Denver)

The foregoing instrument was acknowledged before me this 7th day of August, 2024
by Jon Dwight, as Authorized Signatory of 3405 WALNUT DEVELOPMENT, LLC, a Colorado limited liability company.

Witness my hand and official seal.

My commission expires: March 5, 2028

AUTUMN PENNY
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20164007898
MY COMMISSION EXPIRES MARCH 5, 2028

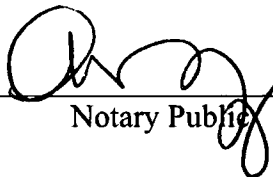

Notary Public

EXHIBIT "A"

2022-PROJMSTR-0000315-ROW

LEGAL DESCRIPTION

SHEET 1 OF 2

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO, KNOWN AS THE NORTHWESTERLY 2.00 FEET OF LOTS 17-22, BLOCK 9, H. WITTER'S ADDITION TO DENVER COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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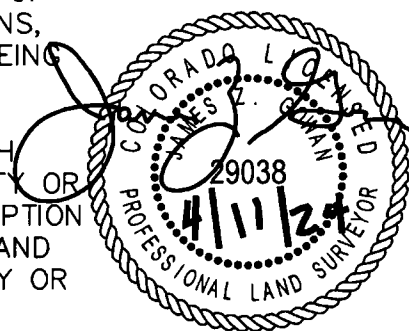
THENCE ALONG THE NORTHEASTERLY LINE OF SAID LOT 22, SOUTH 45°25'03" EAST, A DISTANCE OF 2.00 FEET;

THENCE SOUTH 44°34'57" WEST, A DISTANCE OF 150.03 FEET TO A POINT ON THE SOUTHWESTERLY LINE OF SAID LOT 17, ALSO BEING A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF 34TH STREET;

THENCE ALONG LAST SAID LINE, NORTH 45°25'03" WEST, A DISTANCE OF 2.00 FEET, MORE OR LESS, TO THE POINT OF BEGINNING;

SAID PARCEL CONTAINING 300 SQUARE FEET, MORE OR LESS.

I, JAMES Z. GOWAN, A LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY STATE FOR AND ON BEHALF OF FLATIRONS, INC., THAT THIS PARCEL DESCRIPTION AND ATTACHED EXHIBIT, BEING MADE A PART THEREOF, WERE PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE, ARE ACCURATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, ARE IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE AND ARE NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED. SAID PARCEL DESCRIPTION AND EXHIBIT WERE PREPARED AT THE REQUEST OF THE CLIENT AND ARE NOT INTENDED TO REPRESENT A MONUMENTED LAND SURVEY OR SUBDIVIDE LAND IN VIOLATION OF STATE STATUTE.



JAMES Z. GOWAN
COLORADO P.L.S. #29038
VICE PRESIDENT, FLATIRONS, INC.

JOB NUMBER: 23-80,150
DRAWN BY: T. HENDERSON
DATE: FEBRUARY 19, 2024
REVISED: APRIL 11, 2024

Flatirons, Inc.
Land Surveying Services

655 FOURTH AVE
LONGMONT, CO 80501
(303) 776-1733

www.FlatironsInc.com



THIS IS NOT A "LAND SURVEY PLAT" OR "IMPROVEMENT SURVEY PLAT" AND THIS EXHIBIT IS NOT INTENDED FOR PURPOSES OF TRANSFER OF TITLE OR SUBDIVISIONS OF LAND. RECORD INFORMATION SHOWN HEREON IS BASED ON INFORMATION PROVIDED BY CLIENT.

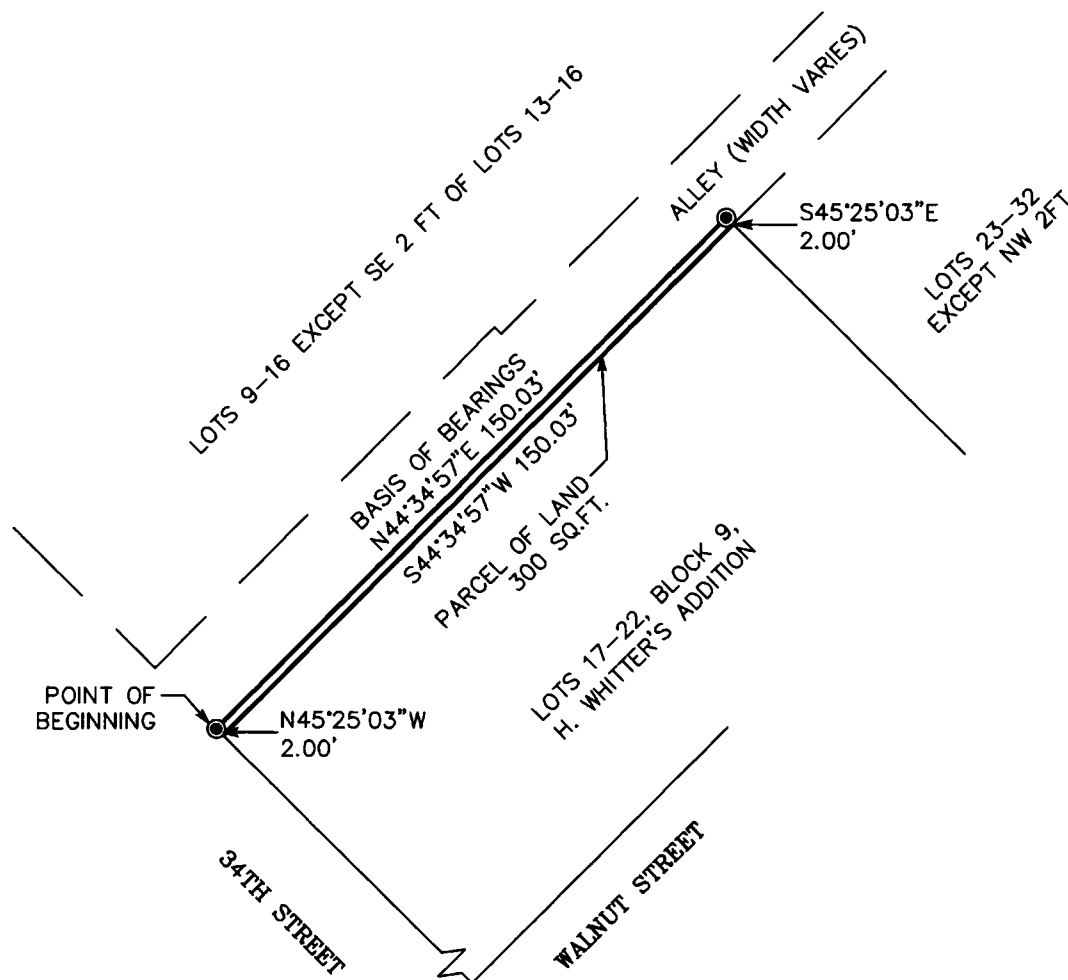
BY:T.HENDERSON FILE:80150-SDP.DWG DATE:4/11/2024 11:21 AM

EXHIBIT "A"

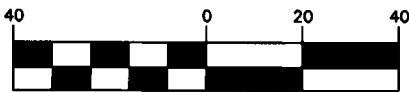
2022-PROJMSTR-0000315-ROW

ILLUSTRATION

SHEET 2 OF 2



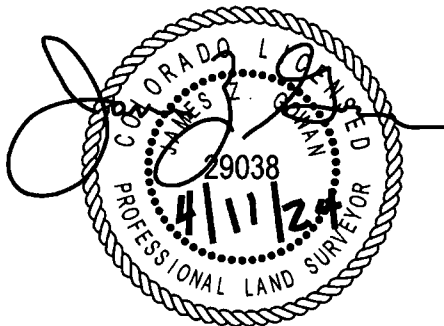
GRAPHIC SCALE



(IN FEET)

1 inch = 40 ft.

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 DRAWN BY: T. HENDERSON
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