


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: January 26, 2024

ROW #: 2023-DEDICATION-0000097 **SCHEDULE #:** Adjacent to 1) 0527506032000, 2) 0527506032000 and 3) 0527506032000

TITLE: This request is to dedicate three City-owned parcels of land as 1) West Harvard Avenue, located at the intersection of South Broadway and West Harvard Avenue, 2) Public Alley, bounded by South Broadway, West Harvard Avenue, South Acoma Street and West Wesley Avenue, and 3) South Broadway, located near the intersection of South Broadway and West Harvard 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 1) West Wesley Avenue, and 2) Public Alley, and 3) South Broadway. 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, "Harvard Town Home – 2493 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 1) West Harvard Avenue, 2) Public Alley, and 3) South Broadway. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2023-DEDICATION-0000097-001, 002, 003) HERE.

A map of the area to be dedicated is attached.

GB/BP /BV

cc: Dept. of Real Estate, RealEstate@denvergov.org
City Councilperson, Flor Alvidrez, District # 7
City Council Aide, Semper Harkness
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, Brian Pfohl
DOTI Ordinance
Owner: City and County of Denver
Project file folder 2023-DEDICATION-0000097

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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ORDINANCE/RESOLUTION REQUEST

Please email requests to Nicholas Williams
at Nicholas.Williams@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: January 26, 2024

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 1) West Harvard Avenue, located at the intersection of South Broadway and West Harvard Avenue, 2) Public Alley, bounded by South Broadway, West Harvard Avenue, South Acoma Street and West Wesley Avenue, and 3) South Broadway, located near the intersection of South Broadway and West Harvard Avenue.

3. **Requesting Agency:** DOTI, Right-of-Way Services
Agency Section: Survey

4. **Contact Person:** (With actual knowledge of proposed ordinance/resolution.)

- **Name:** Barbara Valdez
- **Phone:** 720 865-3153
- **Email:** Barbara.valdez@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:** Nicholas Williams
- **Phone:** 720-865-8709
- **Email:** Nicholas.Williams@denvergov.org

6. **General description/background of proposed resolution including contract scope of work if applicable:** Demolition of existing mixed-use structure and build a new 13-unit townhome project with attached garages called, "Harvard Town Home." The developer was asked to dedicate three parcels as 1) West Harvard Avenue, 2) Public Alley, and 3) South Broadway.

****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 South Broadway, West Harvard Avenue, South Acoma Street and West Wesley Avenue.
- 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.

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: _____

Date Entered: _____



EXECUTIVE SUMMARY

Project Title: 2023-DEDICATION-0000097

Description of Proposed Project: Demolition of existing mixed-use structure and build a new 13-unit townhome project with attached garages called, "Harvard Town Home." The developer was asked to dedicate three parcels as 1) West Harvard Avenue, 2) Public Alley, and 3) South Broadway.

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) West Harvard Avenue, 2) Public Alley, and 3) South Broadway.

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

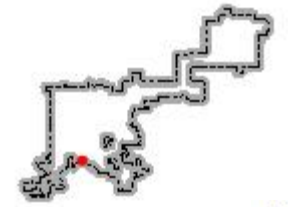
Will an easement be placed over a vacated area, and if so explain: N/A

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) West Harvard Avenue, 2) Public Alley and 3) South Broadway, as part of the development project called, "Harvard Town Home."

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
-  Parcels
-  Lots/Blocks

289 0 144.5 289 Feet

PARCEL DESCRIPTION ROW NO. 2023-DEDICATION-0000097-001:

LEGAL DESCRIPTION - STREET PARCEL #1:

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 23RD DAY OF JANUARY, 2024, AT RECEPTION NUMBER 2024004913 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 OF LOT 25, BLOCK 9, BREENLOW SUBDIVISION OF SOUTH DENVER, LOCATED WITHIN THE NORTHEAST ONE QUARTER (NE1/4) OF THE SOUTHWEST ONE QUARTER (SW1/4) OF SECTION 27, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 4.00 FEET OF SAID LOT 25, BLOCK 9, BREENLOW SUBDIVISION OF SOUTH DENVER.

CONTAINS: +/-500 SQ. FT.

PARCEL DESCRIPTION ROW NO, 2023-DEDICATION-0000097-002:

LEGAL DESCRIPTION - ALLEY PARCEL #2:

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 23RD DAY OF JANUARY, 2024, AT RECEPTION NUMBER 2024004913 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 OF LOTS 25, 26, 27, AND 28, BLOCK 9, BREENLOW SUBDIVISION OF SOUTH DENVER, LOCATED WITHIN THE NORTHEAST ONE QUARTER (NE1/4) OF THE SOUTHWEST ONE QUARTER (SW1/4) OF SECTION 27, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOW:

THE WEST 2.00 FEET OF SAID LOTS 25, 26, 27, AND 28, BLOCK 9, EXCEPTING THE WEST 2.00 FEET OF THE SOUTH 4.00 FEET OF SAID LOT 25, BLOCK 9, BREENLOW SUBDIVISION OF SOUTH DENVER.

CONTAINS: +/-192 SQ. FT.

PARCEL DESCRIPTION ROW NO, 2023-DEDICATION-0000097-003:

LEGAL DESCRIPTION - STREET PARCEL #3:

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 23RD DAY OF JANUARY, 2024, AT RECEPTION NUMBER 2024004913 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 OF LOT 28, BLOCK 9, BREENLOW SUBDIVISION OF SOUTH DENVER, LOCATED WITHIN THE NORTHEAST ONE QUARTER (NE1/4) OF THE SOUTHWEST ONE QUARTER (SW1/4)

OF SECTION 27, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH 20.81 FEET OF THE EAST 4.00 FEET OF SAID LOT 28, BLOCK 9, BREENLOW SUBDIVISION OF SOUTH DENVER.

CONTAINS: +/-83 SQ. FT.



01/23/2024 04:48 PM
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
Attn: Jason Clements
Denver, Colorado 80202
Project Description: 2023-DEDICATION-0000097
Asset Mgmt No.: 23-278

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED (“Deed”), made as of this 24th day of December, 2023, by **THE 83-93 LIMITED LIABILITY COMPANY**, a Colorado limited liability company, whose address is 325 East 18th Street Apt. 202, Denver, Colorado, 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.

THE 83-93 LIMITED LIABILITY COMPANY, a Colorado limited liability company

By: [Signature]

Name: Adam Rubeley

Its Successor Trustee for DWR LLC a Managing Member
of The 83-93 Limited Liability Company, a Colorado
limited liability company

ATTEST:

STATE OF Colorado)
) ss.
COUNTY OF Denver)

The foregoing instrument was acknowledged before me this 24th day of December, 2023

by Adam Rubeley, as Successor Trustee of THE 83-93 LIMITED
of The 83-93 Limited Liability Company
LIABILITY COMPANY, a Colorado limited liability company.

Witness my hand and official seal.

My commission expires: CBS ~~12-11-2025~~ 12-11-25

[Signature]

Notary Public

CANDACE S. BENSON
Notary Public
State of Colorado
Notary ID # 19974018551
My Commission Expires 12-11-2025

EXHIBIT A
PAGE 1 OF 2
LAND DESCRIPTION

2022-PROJMSTR-0000480-ROW

PARCEL 1:

A PARCEL OF LAND BEING A PORTION OF LOT 25, BLOCK 9, BREENLOW SUBDIVISION OF SOUTH DENVER, LOCATED WITHIN THE NORTHEAST ONE QUARTER (NE1/4) OF THE SOUTHWEST ONE QUARTER (SW1/4) OF SECTION 27, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 4.00 FEET OF SAID LOT 25, BLOCK 9, BREENLOW SUBDIVISION OF SOUTH DENVER.

CONTAINS: ±500 SQ. FT.

PARCEL 2:

A PARCEL OF LAND BEING A PORTION OF LOTS 25, 26, 27, AND 28, BLOCK 9, BREENLOW SUBDIVISION OF SOUTH DENVER, LOCATED WITHIN THE NORTHEAST ONE QUARTER (NE1/4) OF THE SOUTHWEST ONE QUARTER (SW1/4) OF SECTION 27, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOW:

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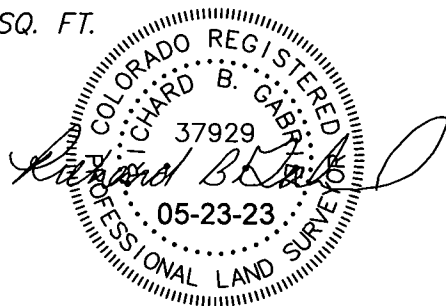
CONTAINS: ±192 SQ. FT.

PARCEL 3:

A PARCEL OF LAND BEING A PORTION OF LOT 28, BLOCK 9, BREENLOW SUBDIVISION OF SOUTH DENVER, LOCATED WITHIN THE NORTHEAST ONE QUARTER (NE1/4) OF THE SOUTHWEST ONE QUARTER (SW1/4) OF SECTION 27, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH 20.81 FEET OF THE EAST 4.00 FEET OF SAID LOT 28, BLOCK 9, BREENLOW SUBDIVISION OF SOUTH DENVER.

CONTAINS: ±83 SQ. FT.



RICHARD B. GABRIEL
COLORADO PLS #37929
FOR AND ON BEHALF OF
POWER SURVEYING CO. INC.



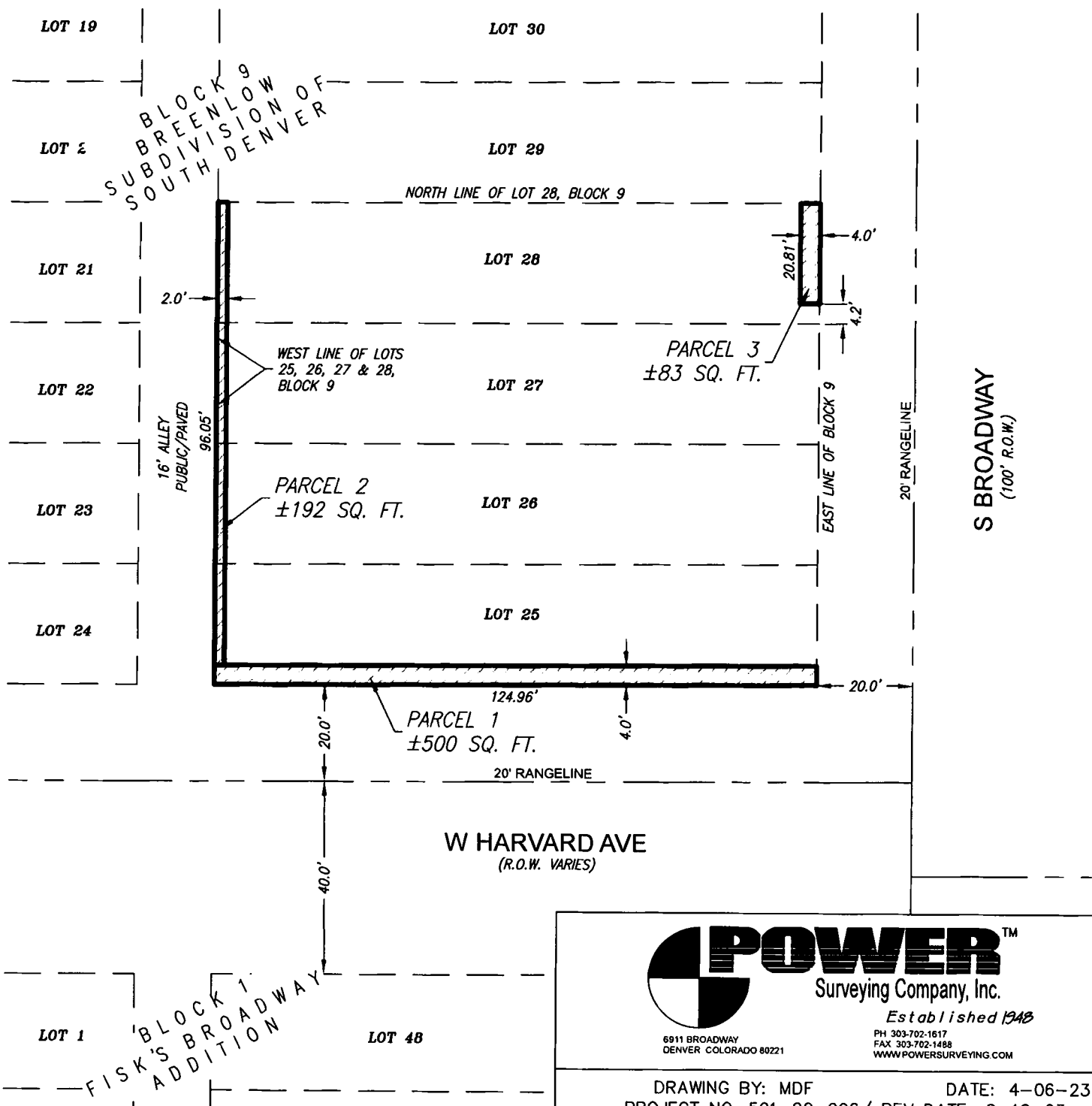
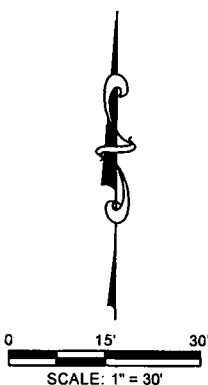
6811 BROADWAY
DENVER COLORADO 80221

Established 1948
PH 303-702-1617
FAX 303-702-1488
WWW.POWERSURVEYING.COM

DRAWING BY: MDF DATE: 4-06-23
PROJECT NO. 501-22-096/ REV DATE: 9-12-23

EXHIBIT A
PAGE 2 OF 2
EXHIBIT OF LAND DESCRIPTION

2022-PROJMSTR-0000480-ROW



Established 1948
PH 303-702-1617
FAX 303-702-1488
WWW.POWERSURVEYING.COM

DRAWING BY: MDF DATE: 4-06-23
PROJECT NO. 501-22-096/ REV DATE: 9-12-23