

**REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY**

**TO:** Ivone Avila-Ponce, City Attorney's Office

**FROM:** Glen D. Blackburn, P.E., Deputy Director, Right-of-Way Services

**DATE:** June 26, 2023

**ROW #:** 2023-DEDICATION-0000037 **SCHEDULE #:** 1) 0232326107000 and adjacent to 2) 0232326090000

**TITLE:** This request is to dedicate two City-owned parcels of land as Public Right-of-Way as 1) Public Alley, bounded by North Grove Street, West 16<sup>th</sup> Avenue, North Hooker Street and West Conejos Place and 2) Public Alley, bounded by North Grove Street, West 16<sup>th</sup> Avenue, North Hooker Street and West Conejos Place.

**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) Public Alley, and 2) 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, "3123 W Conejos - Conejos Place Apartments."

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) Public Alley, and 2) Public Alley. The land is described as follows.

**INSERT PARCEL DESCRIPTION ROW # (2023-DEDICATION-0000037-001, 002) HERE.**

A map of the area to be dedicated is attached.

MB/TS/DG

cc: Dept. of Real Estate, [RealEstate@denvergov.org](mailto:RealEstate@denvergov.org)  
City Councilperson, Jamie Torres District # 3  
Councilperson Aide, Daisy Rocha Vasquez  
Councilperson Aide, Angelina Gurule  
Councilperson Aide, Ayn Slavis  
Councilperson Aide, Jesus Lara-Jimenez  
City Council Staff, Luke Palmisano  
Environmental Services, Andrew Ross  
DOTI, Manager's Office, Alba Castro  
DOTI, Manager's Office, Jason Gallardo  
DOTI, Deputy 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, Thomas Savich  
DOTI Ordinance  
Owner: City and County of Denver  
Project file folder 2023-DEDICATION-0000037

**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: June 26, 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 two City-owned parcels of land as Public Right-of-Way as 1) Public Alley, bounded by North Grove Street, West 16th Avenue, North Hooker Street and West Conejos Place and 2) Public Alley, bounded by North Grove Street, West 16th Avenue, North Hooker Street and West Conejos Place.

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

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

- **Name:** Dalila Gutierrez
- **Phone:** 720-865-3207
- **Email:** [Dalila.Gutierrez@denvergov.org](mailto:Dalila.Gutierrez@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:** Demolition of existing structure and build a new apartment structure called, "3123 W Conejos - Conejos Place Apartments." The developer was asked to dedicate two parcels as 1) Public Alley, and 2) 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 North Grove Street, West 16th Avenue, North Hooker Street and West Conejos Place.
- d. **Affected Council District:** Jamie Torres District # 3
- 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-0000037

**Description of Proposed Project:** Demolition of existing structure and build a new apartment structure called, "3123 W Conejos - Conejos Place Apartments." The developer was asked to dedicate two parcels as 1) Public Alley, and 2) 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) Public Alley, and 2) 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

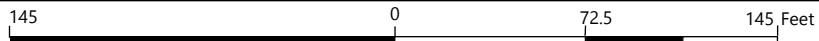
**Will an easement relinquishment be submitted at a later date:** N/A

**Additional information:** This land was deeded to the City and County of Denver for the purpose of dedicating it as 1) Public Alley, and 2) Public Alley, as part of a development project called "3123 W Conejos - Conejos Place Apartments."





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



**PARCEL DESCRIPTION ROW NO.2023-DEDICATION-0000037-001:**

LAND DESCRIPTION - ALLEY PARCEL NO. 1

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 2ND DAY OF JUNE, 2023, AT RECEPTION NUMBER 2023049476 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

A PARCEL OF LAND BEING A PORTION OF LOT 36 AND A VACATED ALLEY, BLOCK 26 CHELTENHAM HEIGHTS AS RE-SUBDIVIDED BY F.E. BUSBY, SITUATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 8 OF BLOCK 26 CHELTENHAM HEIGHTS AS RE-SUBDIVIDED BY F.E. BUSBY;

THENCE, WESTERLY, ALONG THE EXTENDED SOUTH LINE OF SAID LOT 8 THROUGH SAID VACATED ALLEY AND LOT 36, A DISTANCE OF 40.00 FEET, TO THE EASTERLY RIGHT OF WAY OF AN ALLEY DESCRIBED IN RECEPTION NO. 1964015745;

THENCE, NORTHERLY, ALONG SAID EASTERLY RIGHT-OF-WAY, A DISTANCE OF 7.00 FEET;

THENCE, EASTERLY, THROUGH SAID LOT 36 AND VACATED ALLEY AND PARALLEL WITH SOUTH LINE OF SAID LOT 8, A DISTANCE OF 40.00 FEET, TO THE WESTERLY LINE OF SAID LOT 8;

THENCE, SOUTHERLY, ALONG THE WESTERLY LINE OF SAID LOT 8 TO THE POINT OF BEGINNING.

CONTAINING 280 SQUARE FEET, MORE OR LESS.

**PARCEL DESCRIPTION ROW NO.2023-DEDICATION-0000037-002:**

LAND DESCRIPTION - ALLEY PARCEL NO. 2

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 2ND DAY OF JUNE, 2023, AT RECEPTION NUMBER 2023049476 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

A PARCEL OF LAND BEING A PORTION OF LOTS 8-10, BLOCK 26 CHELTENHAM HEIGHTS AS RE-SUBDIVIDED BY F.E. BUSBY, SITUATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 3.00 FEET OF LOTS 9 AND 10 TOGETHER WITH THE WEST 3.00 FEET OF THE SOUTH 7.00 FEET OF LOT 8, BLOCK 26 CHELTENHAM HEIGHTS AS RE-SUBDIVIDED BY F.E. BUSBY, AS RECORDED ON FEBRUARY 6TH, 1888 IN PLAT BOOK 5 AT PAGE 43, COUNTY OF ARAPAHOE, NOW CITY AND COUNTY OF DENVER, STATE OF COLORADO.

CONTAINING 171 SQUARE FEET, MORE OR LESS.



2023049476  
Page: 1 of 9  
D \$0.00

Return to:  
Division of Real Estate  
City and County of Denver  
201 West Colfax Avenue, Dept. 1010  
Denver, Colorado 80202  
Project Description: 2023-DEDICATION-0000037  
Asset Mgmt No.: 23-080

**SPECIAL WARRANTY DEED**

THIS SPECIAL WARRANTY DEED (“Deed”), made as of this 10<sup>th</sup> day of May, 2023, by Jesse Truman, having a principal address of 14818 Falcon Drive, Broomfield, CO 80023, by David Hughes, having a principal address of 1412 Sheridan Pl, Hastings, NE 68901, by Ty Mumford, having a principal address of 1780 Bellaire St Ste 402, Denver, CO 80222, by Craig Turner, principal address unknown, by 1352 Holdings, LLC, principal address 8181 Midway Dr, Littleton, CO 80215, United States (“Grantors”) 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 Grantors, 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 Grantors 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 Grantors, 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. Grantors, 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 Grantors.

No separate bill of sale with respect to improvements on the Property will be executed.

This document is being recorded to resolve all assets that the entity Spaulding 23 LLC owned.



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

ATTEST:

**Jesse Truman**

By: 

Printed Name: Jesse Truman

STATE OF CO )

) ss.

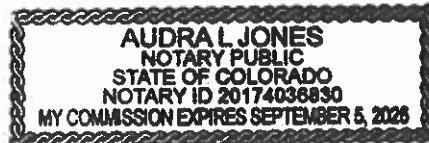
COUNTY OF Adams )

The foregoing instrument was acknowledged before me this 2 day of May, 2023  
by Jesse Truman, as \_\_\_\_\_ of \_\_\_\_\_.

Witness my hand and official seal.

My commission expires: Sept 5, 2025

  
Notary Public



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

ATTEST:

David Hughes

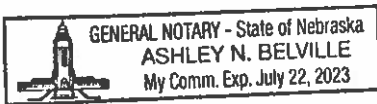
By: [Signature]  
Printed Name: David Hughes

STATE OF NE )  
 ) ss.  
COUNTY OF Adams )

The foregoing instrument was acknowledged before me this 8<sup>th</sup> day of May, 2023  
by David Hughes, as Member of Spaulding 23 LLC

Witness my hand and official seal.

My commission expires: 7-22-23



[Signature]  
Notary Public



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

ATTEST:

Ty Mumford

By: Ty Mumford

Printed Name: Ty Mumford

STATE OF Colorado )

COUNTY OF Denver ) ss.

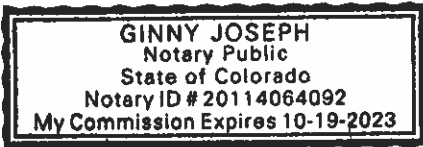
The foregoing instrument was acknowledged before me this 8th day of May, 2023

by Ty Mumford, a ~~Grantor~~ of ~~ISSA Holdings, LLC~~

Witness my hand and official seal.

My commission expires: 10/19/23

[Signature]  
Notary Public



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

ATTEST:

Craig Turner

By: [Signature]

Printed Name: CRAIG TURNER

STATE OF Colorado )  
 ) ss.  
COUNTY OF Arapahoe )

The foregoing instrument was acknowledged before me this 9 day of May, 2023  
by Craig Allen Turner, as \_\_\_\_\_ of \_\_\_\_\_.

Witness my hand and official seal.

My commission expires: 09/15/2026

**SAMANTHA MONTERO-LOPEZ**  
**NOTARY PUBLIC**  
**STATE OF COLORADO**  
**NOTARY ID 20224036288**  
**MY COMMISSION EXPIRES 09/15/2026**

[Signature]  
Notary Public



# EXHIBIT A

## LAND DESCRIPTION PARCEL 1

A PARCEL OF LAND BEING A PORTION OF LOT 36 AND A VACATED ALLEY, BLOCK 26 CHELTENHAM HEIGHTS AS RE-SUBDIVIDED BY F.E. BUSBY, SITUATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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THENCE, NORTHERLY, ALONG SAID EASTERLY RIGHT-OF-WAY, A DISTANCE OF 7.00 FEET;

THENCE, EASTERLY, THROUGH SAID LOT 36 AND VACATED ALLEY AND PARALLEL WITH SOUTH LINE OF SAID LOT 8, A DISTANCE OF 40.00 FEET, TO THE WESTERLY LINE OF SAID LOT 8;

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CONTAINING 280 SQUARE FEET, MORE OR LESS.

## LAND DESCRIPTION PARCEL 2

A PARCEL OF LAND BEING A PORTION OF LOTS 8-10, BLOCK 26 CHELTENHAM HEIGHTS AS RE-SUBDIVIDED BY F.E. BUSBY, SITUATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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CONTAINING 171 SQUARE FEET, MORE OR LESS.

I, RY PATRICK RUSK, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE ABOVE LEGAL DESCRIPTION WAS PREPARED UNDER MY RESPONSIBLE CHARGE AND ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF ARE CORRECT.

RY PATRICK RUSK  
 PLS No. 38226  
 FORESIGHT WEST SURVEYING, INC.  
 1309 S. INCA STREET  
 DENVER, CO 80223  
 303.901.0479



Revision	Date
0	05.11.22
1	03.25.23
2	03.29.23
3	04.14.23
Complied By: J. Payne	

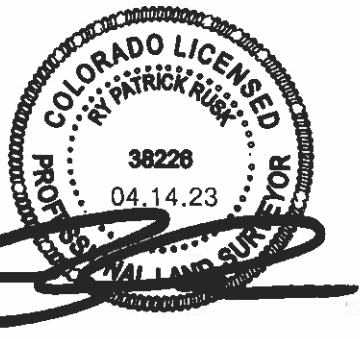
**FWS** FORESIGHT WEST SURVEYING INC.  
 1309 South Inca Street  
 Denver, Colorado 80223  
 303.504.4440

# ILLUSTRATION FOR EXHIBIT A PARCEL 1

SCALE: 1" = 20 U.S. SURVEY FEET



BLOCK 26 CHELTENHAM HEIGHTS  
 AS RE-SUBDIVIDED BY F.E.  
 BUSBY



### LEGEND



280 SQUARE FEET, MORE OR LESS

Revision	Date
0	05.11.22
1	03.25.23
2	03.29.23
3	04.14.23

Compiled By: J. Payne

Scaled for 8 1/2" x 11"

**FWS** FORESIGHT WEST  
SURVEYING INC.

1309 South Inca Street  
 Denver, Colorado 80223  
 303.504.4440

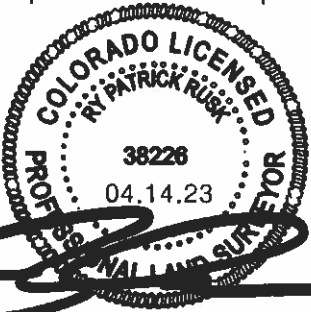
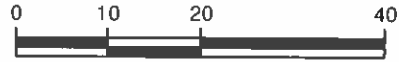
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Sheet: 2 of 3



# ILLUSTRATION FOR EXHIBIT A PARCEL 2

SCALE: 1" = 20 U.S. SURVEY FEET



### LEGEND



171 SQUARE FEET, MORE OR LESS

Revision	Date
0	05.11.22
1	03.25.23
2	03.29.23
3	04.14.23

Compiled By: J. Payne

Scaled for 8 1/2" x 11"

**FWS** FORESIGHT WEST SURVEYING INC.

1309 South Inca Street  
Denver, Colorado 80223  
303.504.4440

Job No.: 2022073

Sheet: 3 of 3