


**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:** October 8, 2024

**ROW #:** 2024-DEDICATION-0000054 **SCHEDULE #:** Adjacent to 0527402008000

**TITLE:** This request is to dedicate a City-owned parcel of land as Public Right-of-Way as Public Alley, bounded by South Cherokee Street, West Iliff Avenue, South Delaware Street, and West Wesley 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 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, "2395-2399 S Cherokee St."

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-0000054-001 ) HERE.**

A map of the area to be dedicated is attached.

**GB/BP/LRA**

cc: Dept. of Real Estate, [RealEstate@denvergov.org](mailto:RealEstate@denvergov.org)  
City Councilperson, Flor Alvidrez District # 7  
Councilperson Aide, Mark Montoya  
Councilperson Aide, Caleb Todd  
Councilperson Aide, Jake Yolles  
Councilperson Aide, Jonathan Serrano  
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, Brian Pfohl  
DOTI Ordinance  
Owner: City and County of Denver  
Project file folder 2024-DEDICATION-0000054

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 the Mayor's Legislative Team  
at [MileHighOrdinance@DenverGov.org](mailto:MileHighOrdinance@DenverGov.org) by 9 a.m. Friday. Contact the Mayor's Legislative team with questions

Date of Request: October 8, 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 South Cherokee Street, West Iliff Avenue, South Delaware Street, and West Wesley Avenue.

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: Alaina McWhorter
Email: <a href="mailto:Lisa.ayala@denvergov.org">Lisa.ayala@denvergov.org</a>	Email: <a href="mailto:Alaina.McWhorter@denvergov.org">Alaina.McWhorter@denvergov.org</a>

5. **General description or background of proposed request. Attach executive summary if more space needed:**  
Proposing to build a new duplex. The developer has been asked to dedicate a parcel of land as Public Alley.

6. **City Attorney assigned to this request (if applicable):**

7. **City Council District:** Flor Alvidrez District # 7

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?**

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*To be completed by Mayor's Legislative Team:*

**Resolution/Bill Number:** \_\_\_\_\_

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



## EXECUTIVE SUMMARY

**Project Title:** 2024-DEDICATION-0000054

**Description of Proposed Project:** Proposing to build a new duplex. The developer has been 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, "2395-2399 S Cherokee St."




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

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





## Legend

- Streets
- Alleys
-  County Boundary
-  Parcels
-  Lots/Blocks



289 0 144.5 289 Feet

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
© City and County of Denver

1:2,257

Map Generated 10/8/2024

The City and County of Denver shall not be liable for damages of any kind arising out of the use of this information. The information is provided "as is" without warranty of any kind, express or implied, including, but not limited to, the fitness for a particular use.

**THIS IS NOT A LEGAL DOCUMENT.**

**PARCEL DESCRIPTION ROW NO. 2024-DEDICATION-0000054-001:**

**LEGAL DESCRIPTION – ALLEY PARCEL**

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 24TH DAY OF SEPTEMBER, 2024, AT RECEPTION NUMBER 2024089223 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

THE WEST 2.00 FEET OF LOTS 25 AND 26, BLOCK 5, BREENLOW SUBDIVISION OF SOUTH DENVER, BEING IN THE SOUTHWEST 1/4 OF SECTION 27, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO

CONTAINING 100 SQUARE FEET OR 0.002 ACRES MORE OR LESS,



2024089223

Page: 1 of 4

09/24/2024 12:26 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  
Denver, Colorado 80202  
**Project Description: 2024-Dedication-0000054**  
**Asset Mgmt No.: 24-199**

## **SPECIAL WARRANTY DEED**

**THIS SPECIAL WARRANTY DEED** ("Deed"), made as of this 19th day of September, 2024, by **2399 S CHEROKEE LLC**, a Colorado limited liability company, whose address is 2936 S. Sherman Street, Englewood, CO 80113, 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:

2399 S CHEROKEE LLC, a Colorado limited liability company

By: 

Name: STEVE GIRARD

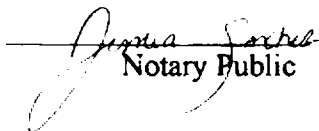
Its: MANAGING MEMBER

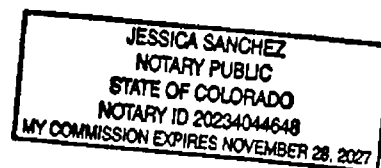
STATE OF COLORADO )  
 ) ss  
COUNTY OF WYOMING )

The foregoing instrument was acknowledged before me this 19 day of September, 2024  
by STEVEN FREDERICK GIRARD as MANAGING MEMBER of 2399 S CHEROKEE LLC, a  
Colorado limited liability company.

Witness my hand and official seal.

My commission expires: November 28, 2027

  
Notary Public





## EXHIBIT A

2024-PROJMSTR-0000071-ROW

## LAND DESCRIPTION

THE WEST 2.00 FEET OF LOTS 25 AND 26, BLOCK 5, BREENLOW SUBDIVISION OF SOUTH DENVER, BEING IN THE SOUTHWEST 1/4 OF SECTION 27, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO

CONTAINING 100 SQUARE FEET OR 0.002 ACRES MORE OR LESS,

## SURVEYOR'S STATEMENT:

I, ELIJAH FRANE, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THIS EASEMENT DESCRIPTION AND ACCOMPANYING EXHIBIT WERE PREPARED UNDER MY SUPERVISION AND THAT THE EASEMENT LOCATION SHOWN HEREON IS CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF AND IS NOT A LAND SURVEY PLAT OR IMPROVEMENT SURVEY PLAT.



Elijah  
Frane

Digitally signed  
by Elijah Frane  
Date: 2024.05.07  
14:19:32 -05'00'

ELIJAH FRANE, CO PS #38376  
FOR AND ON BEHALF OF ENCOMPASS ENERGY SERVICES, LLC

## NOTES:

1. THIS EXHIBIT AND LEGAL DESCRIPTION WERE PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT AND THEREFORE ENCOMPASS ENERGY SERVICES HAS NOT RESEARCHED OR SHOWN ANY OTHER EASEMENTS, RIGHTS-OF-WAY, VARIANCES AND OR AGREEMENTS OF RECORD EXCEPT AS SHOWN HEREON
2. THIS EXHIBIT AND LEGAL DESCRIPTION ARE NOT A LAND SURVEY PLAT, OR AN IMPROVEMENT SURVEY PLAT.
3. SEE ATTACHED LEGAL DESCRIPTION WHICH BY THIS REFERENCE IS MADE PART HEREOF
4. THIS EXHIBIT IS FOR A PROPOSED LOCATION AND IS NOT INTENDED TO REPRESENT AN EXISTING EASEMENT LOCATION
5. NOTICE: ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

REV: 3-28-24-CITY COMMENTS

**encompass**

2750 S. WADSWORTH BLVD, SUITE C 202  
DENVER, COLORADO 80227  
303 955 6080  
WWW.ENCOMPASSSERVICES.COM

DRW: MBB,CHK,ERF DATE: 1/31/2024  
PROJECT NO. 65563 SCALE:

EXHIBIT A

IN A PART OF THE SW 1/4 OF SECTION 27, TOWNSHIP 4 SOUTH,  
RANGE 68 WEST, 6TH P.M., CITY AND COUNTY OF DENVER, COLORADO

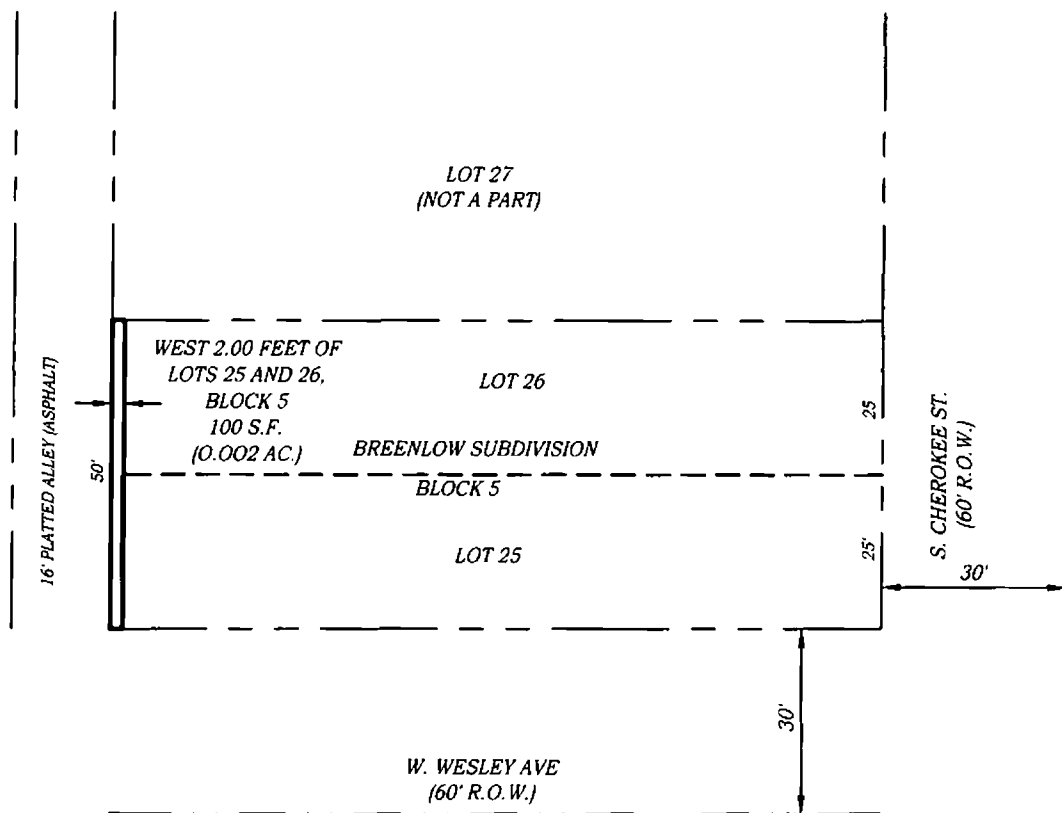
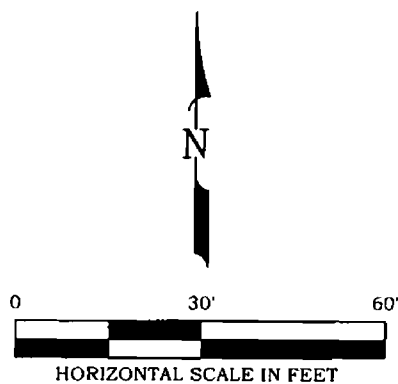
SHEET 1 OF 2

DRAWING NO. 65563 ALLEY DEDICATION.DWG

Z:\SHARED\PROJECTS\00000 - CIVIL PROJECTS\65563 - STEVE GIRARD - 2395-2399 S CHEROKEE\04 - DRAWINGS\01 - WORKING\65563 - ALLEY DEDICATION.DWG

# EXHIBIT A ILLUSTRATION

2024-PROJMSTR-0000071-ROW

**NOTE:**

1. THIS EXHIBIT IS ONLY INTENDED TO DEPICT SUBJECT LEGAL DESCRIPTION AND DOES NOT REPRESENT A LAND SURVEY PLAT.

REV: 3-28-24-CITY COMMENTS

**encompass**

2750 S. WADSWORTH BLVD, SUITE C-202  
DENVER, COLORADO 80227  
303-955-6080  
WWW.ENCOMPASSSERVICES.COM

DRW: MBB/CHK: ERF DATE: 1/31/2024

PROJECT NO: 65563 SCALE: 1" = 30'

**EXHIBIT A**

IN A PART OF THE SW 1/4 OF SECTION 27, TOWNSHIP 4 SOUTH,  
RANGE 68 WEST, 6TH P.M., CITY AND COUNTY OF DENVER, COLORADO

SHEET 2 OF 2

DRAWING NO. 65563 - ALLEY DEDICATION DWG

Z:\SHARED\PROJECTS\00000 - CIVIL PROJECTS\65563 - STEVE GIRARD - 2395-2399 S CHEROKEE\04 - DRAWINGS\01 - WORKING\65563 - ALLEY DEDICATION.DWG