




**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 20, 2024

**ROW #:** 2021-DEDICATION-0000016 **SCHEDULE #:** 0506102057000

**TITLE:** This request is to dedicate a City-owned parcel of land as Public Right-of-Way as Public Alley, bounded by North Newton Street, West 14<sup>th</sup> Avenue, North Meade Street and West Colfax 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, “1472-1478 Newton 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 # ( 2021-DEDICATION-0000016-001 ) HERE.**

A map of the area to be dedicated is attached.

GB/TB/LRA

cc: Dept. of Real Estate, RealEstate@denvergov.org  
City Councilperson, Jamie Torres, District # 3  
Councilperson Aide, Daisy Rocha Vasquez  
Councilperson Aide, Angelina Gurule  
Councilperson Aide, Ayn Tougaard Slavis  
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, Katie Ehlers  
Department of Law, Mar’quasa Maes  
DOTI Survey, Thomas Breitnauer  
DOTI Ordinance  
Owner: City and County of Denver  
Project file folder 2021-DEDICATION-0000016

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: March 20, 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 Public Alley, bounded by North Newton Street, West 14th Avenue, North Meade Street and West Colfax 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: Nicholas Williams
Email: <a href="mailto:Lisa.ayala@denvergov.org">Lisa.ayala@denvergov.org</a>	Email: <a href="mailto:Nicholas.Williams@denvergov.org">Nicholas.Williams@denvergov.org</a>

5. **General description or background of proposed request. Attach executive summary if more space needed:**  
The developer has constructed two duplexes and was asked to dedicate a parcel as Public Alley.

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

7. **City Council District:** Jamie Torres, District # 3

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:** 2021-DEDICATION-0000016

**Description of Proposed Project:** The developer has constructed two duplexes and was asked to dedicate a parcel 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

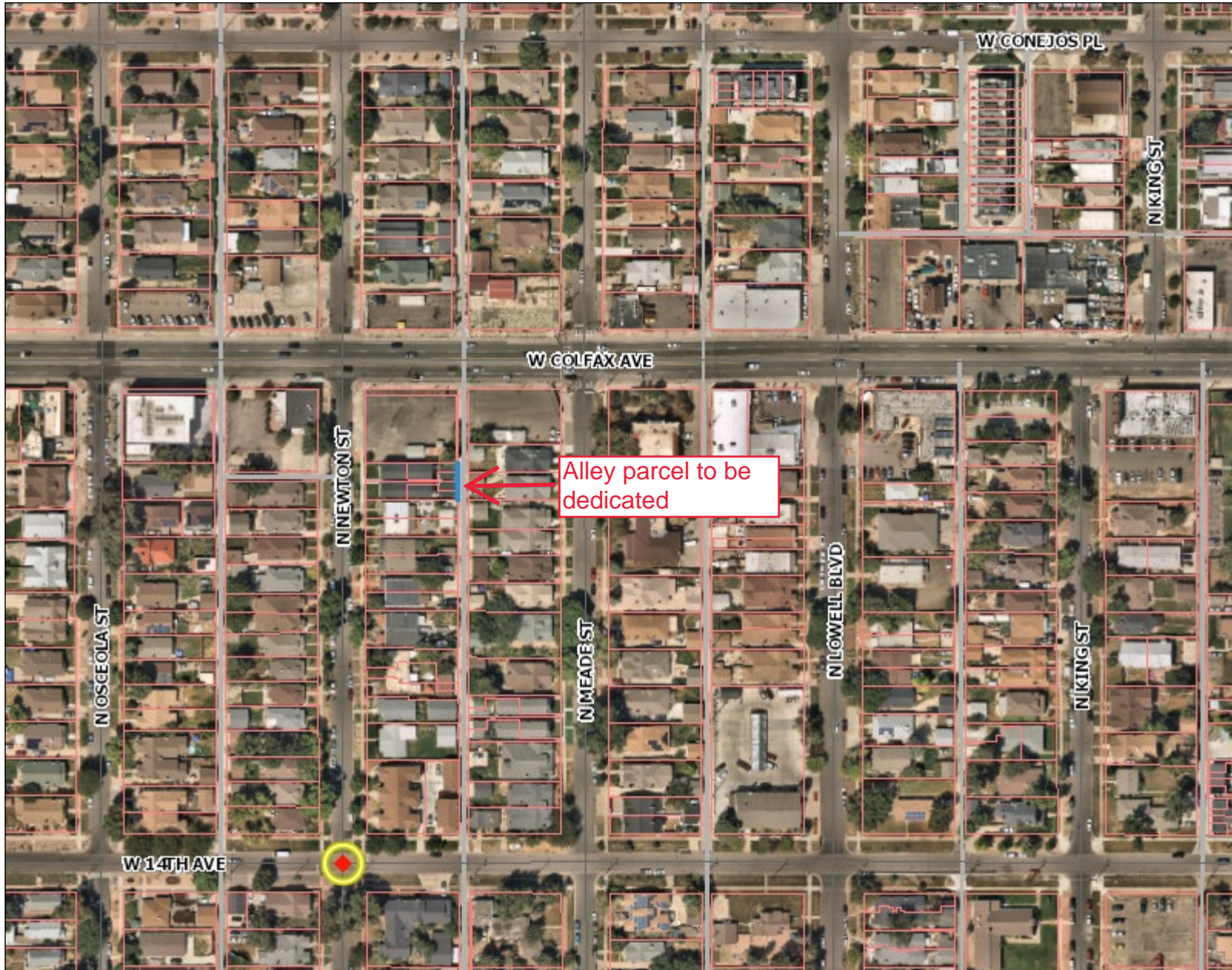
**Will an easement relinquishment be submitted at a later date:** N/A

**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, "1472-1478 Newton 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

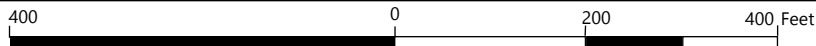
**CONNECT WITH US | 311 | DENVERGOV.ORG | DENVER 8 TV**





### Legend

-  Streets
-  Alleys
-  County Boundary
-  Parcels



**PARCEL DESCRIPTION ROW NO. 2021-DEDICATION-0000016-001:**

LAND DESCRIPTION - ALLEY PARCEL

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 12TH DAY OF MARCH, 2021, AT RECEPTION NUMBER 2021046213 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 5 AND 6, BLOCK 6, COLFAX AVENUE SUBDIVISION OF MAPLE GROVE SUBDIVISION, LOCATED WITHIN THE NORTHWEST QUARTER (NW 1/4) OF SECTION 5, 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 EAST 1 FOOT OF SAID LOTS 5 AND 6, BLOCK 6, COLFAX AVENUE SUBDIVISION OF MAPLE GROVE SUBDIVISION, CITY AND COUNTY OF DENVER, STATE OF COLORADO

CONTAINING: ±50 SQ FT. OR ±0.001, ACRES.



2021046213

Page: 1 of 4

D \$0.00

After recording, return to:  
Division of Real Estate  
City and County of Denver  
201 West Colfax Avenue, Dept. 1010  
Denver, Colorado 80202  
**Project Description: 2021-Dedication-0000016**  
**Asset Mgmt No.: 21-037**

### SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED ("Deed"), made as of this 1<sup>st</sup> day of March, 2021, by **GEARHART MOORE HOLDINGS, LLC**, a Colorado limited liability company, whose address is 2079 West 44<sup>th</sup> Ave Suite 70, Denver, CO 80211, 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:

GEARHART MOORE HOLDINGS, LLC, a Colorado limited liability company

By: Ben Gearhart

Name: Ben Gearhart

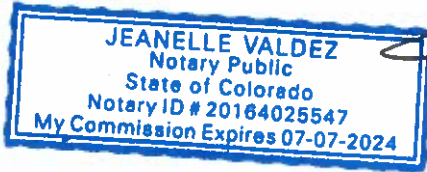
Its: Manager

STATE OF Colorado )  
COUNTY OF Denver ) ss.

The foregoing instrument was acknowledged before me this 1 day of March, 2021  
by Ben Gearhart, as Manager of Gearhart Moore Holdings LLC  
a Colorado limited liability company.

Witness my hand and official seal.

My commission expires: 07-07-2024



[Signature]  
Notary Public



EXHIBIT A  
LAND DESCRIPTION  
SHEET 1 OF 2

*LAND DESCRIPTION:*

*A PARCEL OF LAND BEING A PORTION OF LOTS 5 AND 6, BLOCK 6, COLFAX AVENUE SUBDIVISION OF MAPLE GROVE SUBDIVISION, LOCATED WITHIN THE NORTHWEST QUARTER (NW 1/4) OF SECTION 5, 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 EAST 1 FOOT OF SAID LOTS 5 AND 6, BLOCK 6, COLFAX AVENUE SUBDIVISION OF MAPLE GROVE SUBDIVISION, CITY AND COUNTY OF DENVER, STATE OF COLORADO.*

*CONTAINING: ±50 SQ. FT. OR ±0.001 ACRES.*

RICHARD B. GABRIEL, P.L.S.  
Colorado License No. 37929  
For and on behalf of  
Power Surveying Company, Inc.



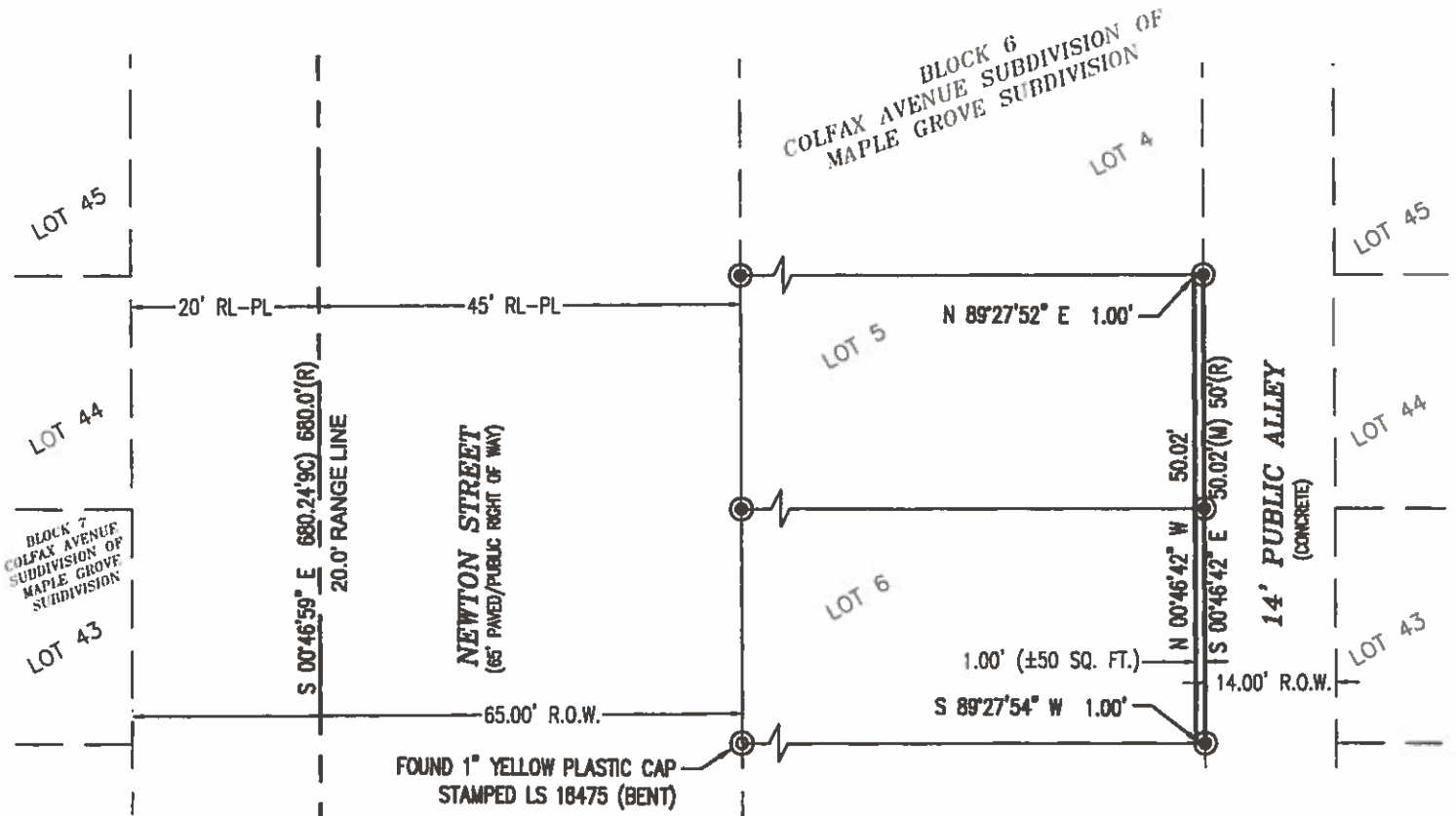
8911 BROADWAY  
DENVER, COLORADO 80280

*Established 1948*  
PH. 303-702-1817  
FAX. 303-702-1488  
WWW.POWERSURVEYING.COM

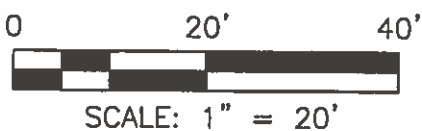
DRAWING BY: MB  
PROJECT NO. 20-339

DATE: FEBRUARY 8, 2021

EXHIBIT A  
EXHIBIT OF LAND DESCRIPTION  
SHEET 2 OF 2



- ⊙ FOUND NAIL & BRASS TAG OR 1.25" YELLOW PLASTIC CAP STAMPED "PLS 37929"
- ⊙ FOUND MONUMENT AS NOTED
- (M) AS MEASURED
- (R) RECORD



8911 BROADWAY  
DENVER, COLORADO 80260

Established 1948

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FAX. 303-702-1488  
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DRAWING BY: MB  
PROJECT NO. 20-339

DATE: FEBRUARY 8, 2021