

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

**TO:** Katherine Ehlers, City Attorney's Office

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



**DATE:** May 8, 2025

**ROW #:** 2024-DEDICATION-0000074 **SCHEDULE #:** Adjacent to 0128601001000

**TITLE:** This request is to dedicate a City-owned parcel of land as Public Right-of-Way as East 36<sup>th</sup> Avenue, located at the intersection of East 36<sup>th</sup> Avenue and North Ulster 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 East 36<sup>th</sup> Avenue. 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, "Central Park Station 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 East 36<sup>th</sup> Avenue. The land is described as follows.

**INSERT PARCEL DESCRIPTION ROW # (2024-DEDICATION-0000074-001) HERE.**

A map of the area to be dedicated is attached.

GB/KS/DG

cc: Dept. of Real Estate, [RealEstate@denvergov.org](mailto:RealEstate@denvergov.org)  
City Councilperson, Shontel M. Lewis District # 8  
City Council Staff, Luke Palmisano  
Environmental Services, Andrew Ross  
DOTI, Manager's Office, Alba Castro  
DOTI, Director, Right-of-Way Services, Glen Blackburn  
Department of Law, Martin Plate  
Department of Law, Brad Beck  
Department of Law, Katherine Ehlers  
Department of Law, Mar'quasa Maes  
DOTI Survey, Kathy Svehovsky  
DOTI Ordinance  
Owner: City and County of Denver  
Project file folder 2024-DEDICATION-0000074

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

Date of Request: May 8, 2025

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 East 36th Avenue, located at the intersection of East 36th Avenue and North Ulster 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: Dalila Gutierrez	Name: Alaina McWhorter
Email: <a href="mailto:Dalila.Gutierrez@denvergov.org">Dalila.Gutierrez@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 20 townhome structures on vacant land. The developer was asked to dedicate a parcel as East 36<sup>th</sup> Avenue.

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

7. **City Council District:** Shontel M. Lewis, District # 8

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> <i>(A)</i>	<i>Additional Funds</i> <i>(B)</i>	<i>Total Contract Amount</i> <i>(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?

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

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

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



## EXECUTIVE SUMMARY

**Project Title:** 2024-DEDICATION-0000074

**Description of Proposed Project:** Proposing to build 20 townhome structures on vacant land. The developer was asked to dedicate a parcel as East 36th Avenue.

**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 East 36<sup>th</sup> Avenue.

**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 East 36<sup>th</sup> Avenue, as part of the development project called, "Central Park Station Apartments."




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 5/8/2025

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-0000074-001:**

**LEGAL DESCRIPTION – STREET PARCEL**

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 23RD DAY OF APRIL, 2025, AT RECEPTION NUMBER 2025037980 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 1, BLOCK 1, STAPLETON FILING NO. 32, AS RECORDED AT RECEPTION NUMBER 2010138135 IN THE CLERK AND RECORDER'S OFFICE OF THE CITY AND COUNTY OF DENVER, SITUATED IN THE NORTHWEST ONE-QUARTER OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 28;

THENCE SOUTH 03°14'44" WEST, A DISTANCE OF 750.88 FEET TO THE NORTHWEST CORNER OF SAID LOT 1 AND THE POINT OF BEGINNING;

THENCE NORTH 90°00'00" EAST, COINCIDENT WITH THE NORTH LINE OF SAID LOT 1, A

DISTANCE OF 15.23 FEET; THENCE SOUTH 45°00'00" WEST, A DISTANCE OF 21.54 FEET TO A

POINT ON THE WEST LINE OF SAID LOT 1;

THENCE NORTH 00°00'00" EAST, COINCIDENT WITH SAID WEST LINE, A DISTANCE OF 15.23 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIPTION CONTAINS A CALCULATED AREA OF 116 SQUARE FEET OR (0.003 ACRES), MORE OR LESS, AND IS DEPICTED ON THE ATTACHED GRAPHICAL EXHIBIT FOR REFERENCE.

BASIS OF BEARINGS: THE BEARINGS CONTAINED IN THIS DESCRIPTION ARE REFERENCED TO THE NORTH LINE OF THE NORTHEAST ONE-QUARTER OF SECTION 28, MONUMENTED ON THE WEST END BY A 3-1/4 INCH ALUMINUM CAP IN A RANGE BOX STAMPED "URS CORP" "PLS 20683" "2012" AND ON THE EAST END BY A 3-1/4 INCH ALUMINUM CAP IN A RANGE BOX STAMPED "JACOBS" "PLS 24942" "2016", ASSUMED TO BEAR NORTH 89°40'09" EAST 2646.90 FEET.



2025037980

Page: 1 of 4

04/23/2025 05:03 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-0000074**  
**Asset Mgmt No.: 25-123**

## **SPECIAL WARRANTY DEED**

**THIS SPECIAL WARRANTY DEED** (“Deed”), made as of this 18th day of April, 2025, by **FC TOD BTR LLC**, a Delaware limited liability company, whose address is 127 Public Square, Suite 3200, Cleveland, OH 44114, 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:

**FC TOD BTR LLC**, a Delaware limited liability company

By: Ketan Patel

Name: Ketan Patel

Its: President

STATE OF OHIO                    )  
                                              ) ss.  
COUNTY OF CUYAHOGA )

The foregoing instrument was acknowledged before me this 18<sup>th</sup> day of April, 2025  
by Ketan Patel, as President of **FC TOD BTR LLC**, a Delaware limited liability company.

Witness my hand and official seal.

My commission expires: \_\_\_\_\_



Amy L. Bird  
Notary Public





2022-projmr-0000023-ROW  
Matrix Design Group, Inc.  
707 17TH Street, Suite 3150  
Denver, CO 80202  
O 303.572.0200  
F 303.572.0202  
matrixdesigngroup.com

**EXHIBIT A**  
**LEGAL DESCRIPTION**  
**PAGE 1 OF 2**

A PARCEL OF LAND, BEING A PORTION OF LOT 1, BLOCK 1, STAPLETON FILING NO. 32, AS RECORDED AT RECEPTION NUMBER 2010138135 IN THE CLERK AND RECORDER'S OFFICE OF THE CITY AND COUNTY OF DENVER, SITUATED IN THE NORTHWEST ONE-QUARTER OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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JERRY RAY BESSIE, PLS 38576  
PREPARED FOR AND ON BEHALF OF MATRIX DESIGN GROUP  
707 17TH STREET, SUITE 3150 – DENVER, COLORADO 80202

2022-projmsr-0000023-ROW

FILE LOCATION: R:\22.579.020 Central Park Station (10,11,13)\400 Survey\Legal Descriptions\Parcel 13 Land Dedication\579.020-SURV-PARCEL 13-LAND DESCRIPTION-GR.dwg

POINT OF COMMENCEMENT  
N. 1/4 COR. SEC. 28  
FOUND 3-1/4" ALUMINUM  
CAP IN A RANGE BOX  
STAMPED "URS CORP"  
"PLS 20683" "2012"

**EXHIBIT A**  
**ILLUSTRATION**  
**PAGE 2 OF 2**

N.E. COR. SEC. 28  
FOUND 3-1/4" ALUMINUM CAP IN A RANGE BOX  
STAMPED "JACOBS" "PLS 24942" "2016"

N. LINE, N.E. 1/4, SEC 28. (BASIS OF BEARINGS) N89°40'09"E 2646.90'

S3°14'44"W 750.88' (TIE)

POINT OF BEGINNING  
N.W. COR. LOT 1, BLOCK 1,  
STAPLETON FILING NO. 32

*36TH AVENUE*  
*(98' PUBLIC ROW)*

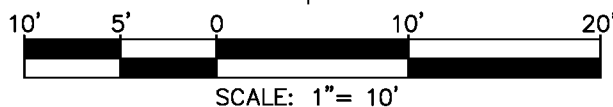
N90°00'00"E  
15.23'

N0°00'00"E  
15.23'

S45°00'00"W  
21.54'

PARCEL 13  
LOT 1, BLOCK 1,  
STAPLETON FILING NO. 32  
REC. NO. 2010138135

*N. ULSTER ST*  
*(68' PUBLIC ROW)*



AREA: 116 SQUARE FEET (0.003 ACRES), MORE OR LESS

PREPARED BY:



**Matrix**

CHECKED BY: JRB

SCALE: 1" = 10'

DATE: DEC 11, 2024

EXHIBIT A

ILLUSTRATION

SHEET: 2 OF 2