

REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

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

FROM: Matt R. Bryner, P.E., Director, Right-of-Way Services 
Matt R. Bryner (Aug 26, 2022 12:16 MDT)

DATE: August 26, 2022

ROW #: 2022-DEDICATION-0000031 **SCHEDULE #:** Adjacent to 0527416001000

TITLE: This request is to dedicate two City-owned parcels of land as 1) S. Delaware St., located near the intersection of S. Delaware St. and W. Vassar Ave. 2) Public Alley, bounded by S. Delaware St., W. Yale Ave., S. Cherokee St., and W. Vassar Ave.

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) S. Delaware St. 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, "2624 S Delaware 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 1) S. Delaware St. and 2) Public Alley. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2022-DEDICATION-0000031-001, 002) HERE.

A map of the area to be dedicated is attached.

MB/MF/LRA

cc: Dept. of Real Estate, RealEstate@denvergov.org
City Councilperson, Jolon Clark District # 7
Councilperson Aide, Tate Carpenter
Councilperson Aide, Maggie Thompson
City Council Staff, Zach Rothmier
Environmental Services, Andrew Ross
DOTI, Manager's Office, Alba Castro
DOTI, Manager's Office, Jason Gallardo
DOTI, Director, Right-of-Way Engineering Services, Matt Bryner
Department of Law, Maureen McGuire
Department of Law, Martin Plate
Department of Law, Deanne Durfee
Department of Law, Ivone Avila-Ponce
Department of Law, Uyen Tran
Department of Law, Stefanie Raph
DOTI Survey, Michael Frank
DOTI Ordinance
Owner: City and County of Denver
Project file folder 2022-DEDICATION-0000031

ORDINANCE/RESOLUTION REQUEST

Please email requests to Jason Gallardo
at 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: August 26, 2022

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 1) S. Delaware St., located near the intersection of S. Delaware St. and W. Vassar Ave. 2) Public Alley, bounded by S. Delaware St., W. Yale Ave., S. Cherokee St., and W. Vassar Ave.

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

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

- **Name:** Lisa R. Ayala
- **Phone:** 720-865-3112
- **Email:** Lisa.ayala@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

6. **General description/background of proposed resolution including contract scope of work if applicable:** 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) S. Delaware St. 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, "2624 S Delaware St."

****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:** 1) S. Delaware St. and 2) Public Alley
- d. **Affected Council District:** Jolon Clark, 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: 2022-DEDICATION-0000031

Description of Proposed Project: Dedication of a parcel of land as Public Right-of-Way as 1) S. Delaware St. 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) S. Delaware St. and 2) Public Alley.

Has a Temp MEP been issued, and if so, what work is underway: N/A

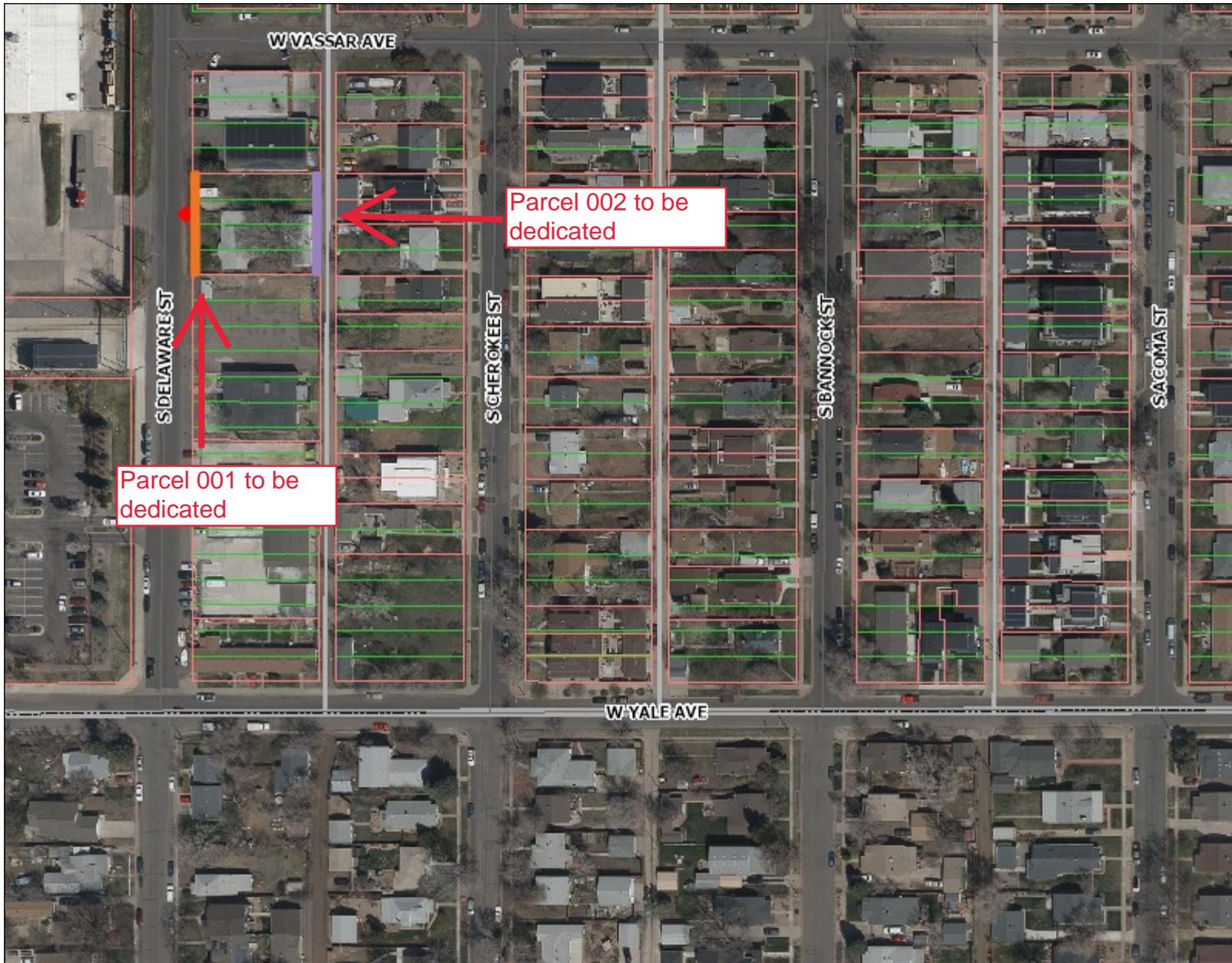
What is the known duration of a MEP: N/A

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) S. Delaware St. and 2) Public Alley, as part of a development project called, "2624 S Delaware St."



Legend

- ▲ Well Restrictions
- Barrier Restrictions
- Area Restrictions
 - Liner
 - Sheet Pile Wall Area
- Streams
- Irrigation Ditches Reconstruct (Gardeners)
- Irrigation Ditches
- Streets
- Alleys
- Railroads
 - + Main
 - + Yard
 - + Spur
 - + Siding
 - + Interchange track
 - + Other
- Bridges
- Rail Transit Stations
 - Existing
 - Planned
- ▲ Park-N-Ride Locations
- Lakes
- County Boundary
- Parcels
- Lots/Blocks
- Parks
 - All Other Parks; Linear
 - Mountain Parks



PARCEL DESCRIPTION ROW NO. 2022-DEDICATION-0000031-001:

LAND DESCRIPTION - STREET PARCEL NO. 1

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 11TH DAY OF JULY 2022, AT RECEPTION NUMBER 2022092757 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

PARCEL OF LAND LYING WITHIN LOTS 5-8, BLOCK 5, FISK'S BROADWAY ADDITION, LYING WITHIN THE SOUTHWEST 1/4 OF SECTION 27, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M., COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 4.00 FEET OF LOTS 5-8 OF BLOCK 5, FISK'S BROADWAY ADDITION.

CONTAINS 400 SQUARE FEET OR 0.009 ACRES, MORE OR LESS.

AS SHOWN ON THE EXHIBIT ATTACHED HERETO, MADE A PART HEREOF.

PARCEL DESCRIPTION ROW NO. 2022-DEDICATION-0000031-002:

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 11TH DAY OF JULY 2022, AT RECEPTION NUMBER 2022092757 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

PARCEL OF LAND LYING WITHIN LOTS 5-8, BLOCK 5, FISK'S BROADWAY ADDITION, LYING WITHIN THE SOUTHWEST 1/4 OF SECTION 27, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M., COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EAST 2.00 FEET OF LOTS 5-8 OF BLOCK 5, FISK'S BROADWAY ADDITION.

CONTAINS 200 SQUARE FEET OR 0.005 ACRES, MORE OR LESS.



07/11/2022 11:06 AM
City & County of Denver

R \$0.00

WD

2022092757

Page: 1 of 4

D \$0.00

After signing, return to:
Division of Real Estate
Attn: Jason Clements
City and County of Denver
201 West Colfax Avenue, Dept. 1010
Denver, Colorado 80202
Project Description: 2022-DEDICATION-0000031
Asset Mgmt No.: 22-113

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED (“Deed”), made as of this 10th day of July, 2022, by **1334 DEVELOPMENT GROUP, LLC**, a Delaware limited liability company, whose address is 3845 Tennyson St., Unit #146, Denver, CO 80212, 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:

1334 DEVELOPMENT GROUP, LLC, a Delaware limited liability company

By: Andrew Kemler

Name: AK

Its: President

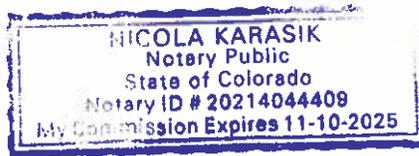
STATE OF Colorado
COUNTY OF Denver) ss.

The foregoing instrument was acknowledged before me this 27th day of July, 2022
by Andrew Kemler, as President of **1334 DEVELOPMENT GROUP, LLC**, a Delaware limited liability company.

Witness my hand and official seal.

My commission expires: 11/10/2025

Nicola Karasik
Notary Public



**EXHIBIT A
PROPERTY DESCRIPTION**

PARCEL 1:

PARCEL OF LAND LYING WITHIN LOTS 5-8, BLOCK 5, FISK'S BROADWAY ADDITION, LYING WITHIN THE SOUTHWEST 1/4 OF SECTION 27, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M., COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 4.00 FEET OF LOTS 5-8 OF BLOCK 5, FISK'S BROADWAY ADDITION.

CONTAINS 400 SQUARE FEET OR 0.009 ACRES, MORE OR LESS.

AS SHOWN ON THE EXHIBIT ATTACHED HERETO, MADE A PART HEREOF.

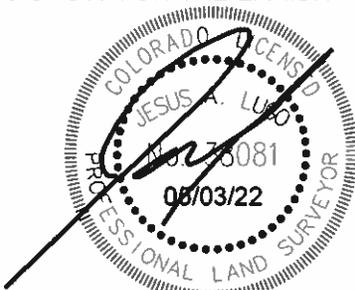
PARCEL 2:

PARCEL OF LAND LYING WITHIN LOTS 5-8, BLOCK 5, FISK'S BROADWAY ADDITION, LYING WITHIN THE SOUTHWEST 1/4 OF SECTION 27, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M., COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EAST 2.00 FEET OF LOTS 5-8 OF BLOCK 5, FISK'S BROADWAY ADDITION.

CONTAINS 200 SQUARE FEET OR 0.005 ACRES, MORE OR LESS.

AS SHOWN ON THE EXHIBIT ATTACHED HERETO, MADE A PART HEREOF.



JESUS A. LUGO, PLS 38081
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR
FOR AND ON BEHALF OF ALTURA LAND CONSULTANTS, LLC
6950 SOUTH TUCSON WAY, UNIT C
CENTENNIAL, COLORADO 80112

EXHIBIT A

W. Vassar Ave.

S. Delaware St.

Alley

LOT 5

LOT 6

LOT 7

BLOCK 5
FISK'S BROADWAY ADDITION
COUNTY OF DENVER
COLORADO

LOT 8

LOT 9

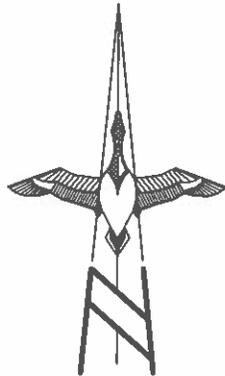
LOT 10

Parcel 1
Contains: 400 Sq. Ft.±

Parcel 2
Contains: 200 Sq. Ft.±

4'

2'



GRAPHIC SCALE



FEET

NOTE:
THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED LAND SURVEY. THE PURPOSE OF THIS EXHIBIT IS SOLELY TO DEPICT THE ATTACHED PROPERTY DESCRIPTION.



SHEET 2 OF 2

JOB NO. 21208

DATE: 12/3/21

SCALE: 1" = 20'