

**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*  
Matt R. Bryner (Feb 7, 2023 08:15 MST)

**DATE:** February 6, 2023

**ROW #:** 2022-DEDICATION-0000041 **SCHEDULE #:** 1) 0606306084000, 2) 0606306085000,  
3) 0606306085000, and 4) 0606306083000

**TITLE:** This request is to dedicate four City-owned parcels of land as 1) E. 9<sup>th</sup> Ave., located at the intersection of E. 9<sup>th</sup> Ave. and N. Cherry St., 2) E. 9<sup>th</sup> Ave., located at the intersection of E. 9<sup>th</sup> Ave. and N. Dexter St., 3) N. Dexter St., located at the intersection of N. Dexter St. and E. 9<sup>th</sup> Ave., and 4) N. Dexter St., located near the intersection of N. Dexter St. and E. 9<sup>th</sup> 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) E. 9<sup>th</sup> Ave., 2) E. 9<sup>th</sup> Ave., 3) N. Dexter St., and 4) N. Dexter St. 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, "880 N Cherry 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) E. 9<sup>th</sup> Ave., 2) E. 9<sup>th</sup> Ave., 3) N. Dexter St., and 4) N. Dexter St. The land is described as follows.

**INSERT PARCEL DESCRIPTION ROW # ( 2022-DEDICATION-0000041-001, 002, 003, 004) HERE.**

A map of the area to be dedicated is attached.

MB/BP /LRA

cc: Dept. of Real Estate, [RealEstate@denvergov.org](mailto:RealEstate@denvergov.org)  
City Councilperson, Amanda Sawyer District # 5  
Councilperson Aide, Owen Brigner  
Councilperson Aide, Logan Fry  
Councilperson Aide, Jennifer Gross  
City Council Staff, Luke Palmisano  
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, Johna Varty  
Department of Law, Martin Plate  
Department of Law, Deanne Durfee  
Department of Law, Ivone Avila-Ponce  
Department of Law, Joann Tristani  
Department of Law, Stefanie Raph  
DOTI Survey, Brian Pfohl  
DOTI Ordinance  
Owner: City and County of Denver  
Project file folder 2022-DEDICATION-0000041

**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:** February 6, 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 four City-owned parcels of land as 1) E. 9th Ave., located at the intersection of E. 9th Ave. and N. Cherry St., 2) E. 9th Ave., located at the intersection of E. 9th Ave. and N. Dexter St., 3) N. Dexter St., located at the intersection of N. Dexter St. and E. 9th Ave., and 4) N. Dexter St., located near the intersection of N. Dexter St. and E. 9th 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](mailto: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](mailto:Jason.Gallardo@denvergov.org)

6. **General description/background of proposed resolution including contract scope of work if applicable:** Proposing to build a new medical office building at 4600 E. 9<sup>th</sup> Ave. The developer was asked to dedicate four parcels as 1) E. 9th Ave., 2) E. 9th Ave., 3) N. Dexter St., and 4) N. Dexter 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:** Located at the intersections of E. 9th Ave., N. Cherry St., and N. Dexter St.
- d. **Affected Council District:** Amanda Sawyer District # 5
- 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-0000041

**Description of Proposed Project:** Proposing to build a new medical office building at 4600 E 9th Ave. The developer was asked to dedicate four parcels as 1) E. 9th Ave., 2) E. 9th Ave., 3) N. Dexter St., and 4) N. Dexter St.

**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) E. 9th Ave., 2) E. 9th Ave., 3) N. Dexter St., and 4) N. Dexter St.

**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

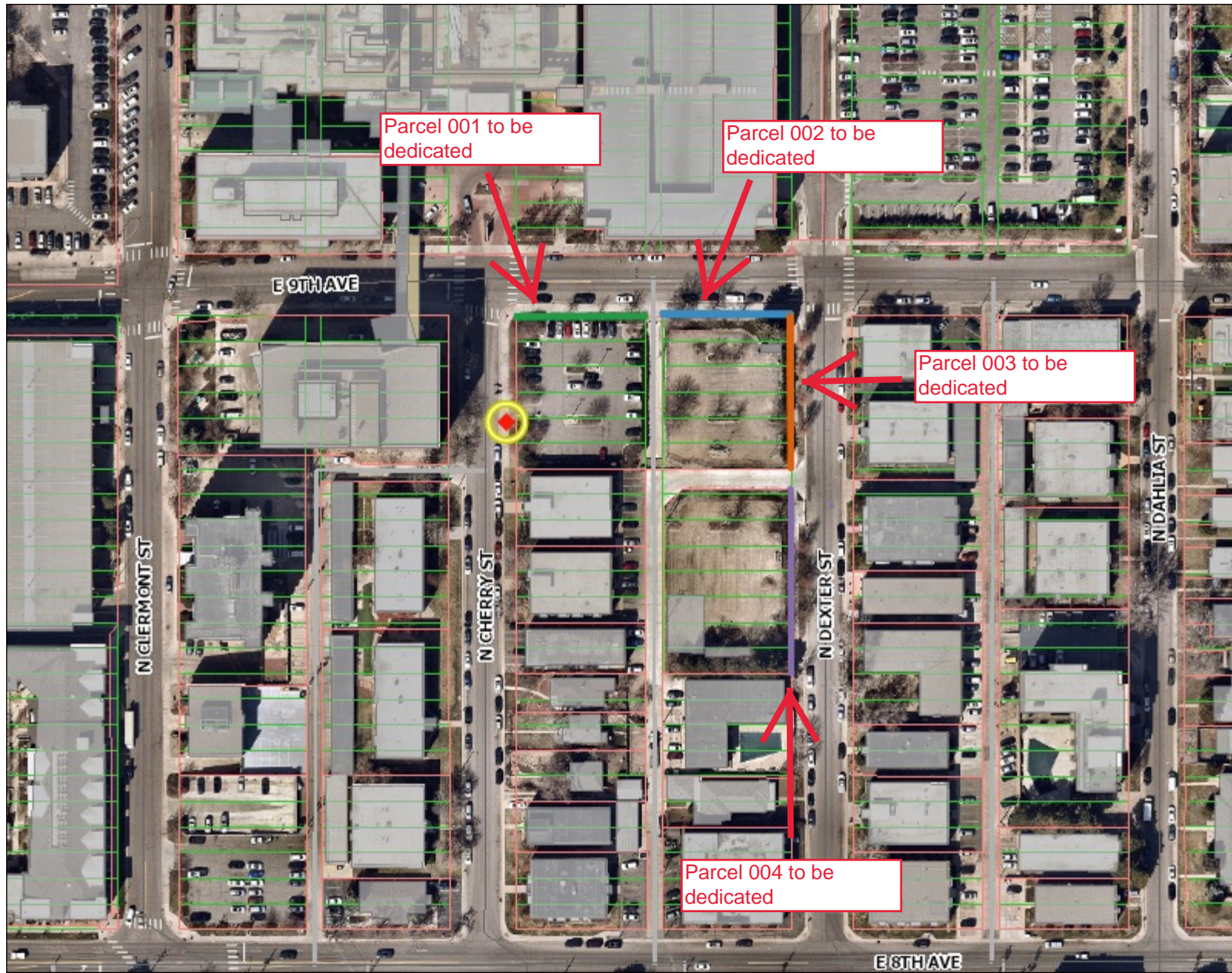
**Will land be dedicated to the City if the vacation goes through:** N/A

**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) E. 9th Ave., 2) E. 9th Ave., 3) N. Dexter St., and 4) N. Dexter St. as part of a development project called, "880 N Cherry St."





## Legend

- ▲ Well Restrictions
- Barrier Restrictions
- Area Restrictions
  - Liner
  - Sheet Pile Wall Area
- Streams
- Irrigation Ditches Reconstruct (Gardeners)
- Irrigation Ditches
- Buildings
- 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

289 0 144.5 289 Feet

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

1:2,257

Map Generated 2/2/2023

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. 2022-DEDICATION-0000041-001:**

**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 2ND DAY OF NOVEMBER, 2022, AT RECEPTION NUMBER 2022137315 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

A PORTION OF LOT 1, BLOCK 3, CHAMBERLIN'S COLFAX PLACE LOCATED IN THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH 2.00 FEET OF SAID LOT 1 EXCEPT THE EAST 8.0 FEET THEREOF.

SAID PARCEL CONTAINS 0.006 ACRES OR 254 SQUARE FEET MORE OR LESS.

**PARCEL DESCRIPTION ROW NO. 2022-DEDICATION-0000041-002:**

**LAND DESCRIPTION - STREET 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 NOVEMBER, 2022, AT RECEPTION NUMBER 2022137315 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

A PORTION OF LOT 48, BLOCK 3, CHAMBERLIN'S COLFAX PLACE LOCATED IN THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH 2.00 FEET OF SAID LOT 48 EXCEPT THE WEST 8.0 FEET THEREOF.

SAID PARCEL CONTAINS 0.006 ACRES OR 254 SQUARE FEET MORE OR LESS.

**PARCEL DESCRIPTION ROW NO. 2022-DEDICATION-0000041-003:**

**LAND DESCRIPTION - STREET PARCEL NO. 3**

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 2ND DAY OF NOVEMBER, 2022, AT RECEPTION NUMBER 2022137315 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

A PORTION OF LOTS 43 THROUGH 48, BLOCK 3, CHAMBERLIN'S COLFAX PLACE LOCATED IN THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF

THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO,  
MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EAST 2.00 FEET OF SAID LOTS 43 THROUGH 48, EXCEPT THE NORTH 2.00 FEET OF  
SAID LOT 48.

SAID PARCEL CONTAINS 0.007 ACRES OR 296 SQUARE FEET MORE OR LESS.

**PARCEL DESCRIPTION ROW NO. 2022-DEDICATION-0000041-004:**

**LAND DESCRIPTION - STREET PARCEL NO. 4**

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND  
COUNTY OF DENVER, RECORDED ON THE 2ND DAY OF NOVEMBER, 2022, AT RECEPTION  
NUMBER 2022137315 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S  
OFFICE, STATE OF COLORADO, THEREIN AS:

A PORTION OF LOTS 35 THROUGH 42, BLOCK 3, CHAMBERLIN'S COLFAX PLACE LOCATED  
IN THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF  
THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO,  
MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EAST 1.00 FOOT OF SAID LOTS 35 THROUGH 42, EXCEPT THAT PORTION OF LOT 42  
DESCRIBED IN SPECIAL WARRANTY DEED RECEPTION NUMBER 2021180029.

SAID PARCEL CONTAINS 0.004 ACRES OR 180 SQUARE FEET MORE OR LESS.

ALL LINEAR DIMENSIONS ARE IN U.S. SURVEY FEET.



Return to:  
Division of Real Estate  
City and County of Denver  
201 West Colfax Avenue, Dept. 1010  
Denver, Colorado 80202  
**Project Description: 2022-Dedication-0000041**  
**Asset Mgmt No.: 22-210**



**2022137315**  
Page: 1 of 7  
D \$0.00

### **SPECIAL WARRANTY DEED**

**THIS SPECIAL WARRANTY DEED ("Deed")**, made as of this 26<sup>th</sup> day of OCTOBER, 2022, by **HCA-HEALTHONE LLC, A COLORADO LIMITED LIABILITY COMPANY FORMERLY KNOWN AS COLUMBIA-HEALTHONE LLC**, a Colorado limited liability company, whose address is 4900 S MONACO ST STE 380, DENVER, CO 80237, 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:

**HCA-HEALTHONE LLC**, a Colorado limited liability company, **FORMERLY KNOWN AS COLUMBIA-HEALTHONE LLC**, a Colorado limited liability company.

By: Sylvia Young

Name: Sylvia Young

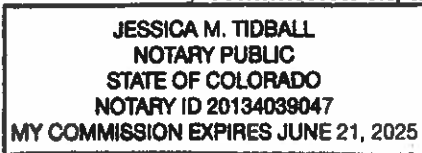
Its: CEO

STATE OF Colorado )  
 ) ss.  
COUNTY OF Denver )

The foregoing instrument was acknowledged before me this 26 day of October, 2022 by Sylvia Young, as CEO of **HCA-HEALTHONE LLC**, a Colorado limited liability company **FORMERLY KNOWN AS COLUMBIA-HEALTHONE LLC**, a Colorado limited liability company.

Witness my hand and official seal.

My commission expires: June 21, 2025



Jessica M. Tidball  
Notary Public



EXHIBIT A  
SHEET 1 OF 5

LAND DESCRIPTION:

PARCEL A:

A PORTION OF LOT 1, BLOCK 3, CHAMBERLIN'S COLFAX PLACE LOCATED IN THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH 2.00 FEET OF SAID LOT 1 EXCEPT THE EAST 8.0 FEET THEREOF.

SAID PARCEL CONTAINS 0.006 ACRES OR 254 SQUARE FEET MORE OR LESS.

PARCEL B:

A PORTION OF LOT 48, BLOCK 3, CHAMBERLIN'S COLFAX PLACE LOCATED IN THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH 2.00 FEET OF SAID LOT 48 EXCEPT THE WEST 8.0 FEET THEREOF.

SAID PARCEL CONTAINS 0.006 ACRES OR 254 SQUARE FEET MORE OR LESS.

PARCEL C:

A PORTION OF LOTS 43 THROUGH 48, BLOCK 3, CHAMBERLIN'S COLFAX PLACE LOCATED IN THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EAST 2.00 FEET OF SAID LOTS 43 THROUGH 48, EXCEPT THE NORTH 2.00 FEET OF SAID LOT 48.

SAID PARCEL CONTAINS 0.007 ACRES OR 296 SQUARE FEET MORE OR LESS.

PARCEL D:

A PORTION OF LOTS 35 THROUGH 42, BLOCK 3, CHAMBERLIN'S COLFAX PLACE LOCATED IN THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

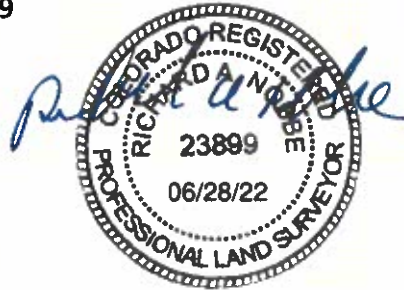
THE EAST 1.00 FOOT OF SAID LOTS 35 THROUGH 42, EXCEPT THAT PORTION OF LOT 42 DESCRIBED IN SPECIAL WARRANTY DEED RECEPTION NUMBER 2021180029.

SAID PARCEL CONTAINS 0.004 ACRES OR 180 SQUARE FEET MORE OR LESS.

ALL LINEAR DIMENSIONS ARE IN U.S. SURVEY FEET.

SHEET 2 OF 5

PREPARED BY ALECSANDER GUEVARA  
REVIEWED BY RICHARD A. NOBBE, PLS #23899  
FOR AND ON BEHALF OF  
MARTIN/MARTIN, INC.  
12499 WEST COLFAX AVENUE  
LAKEWOOD, COLORADO 80215  
303-431-6100  
JUNE 16, 2022

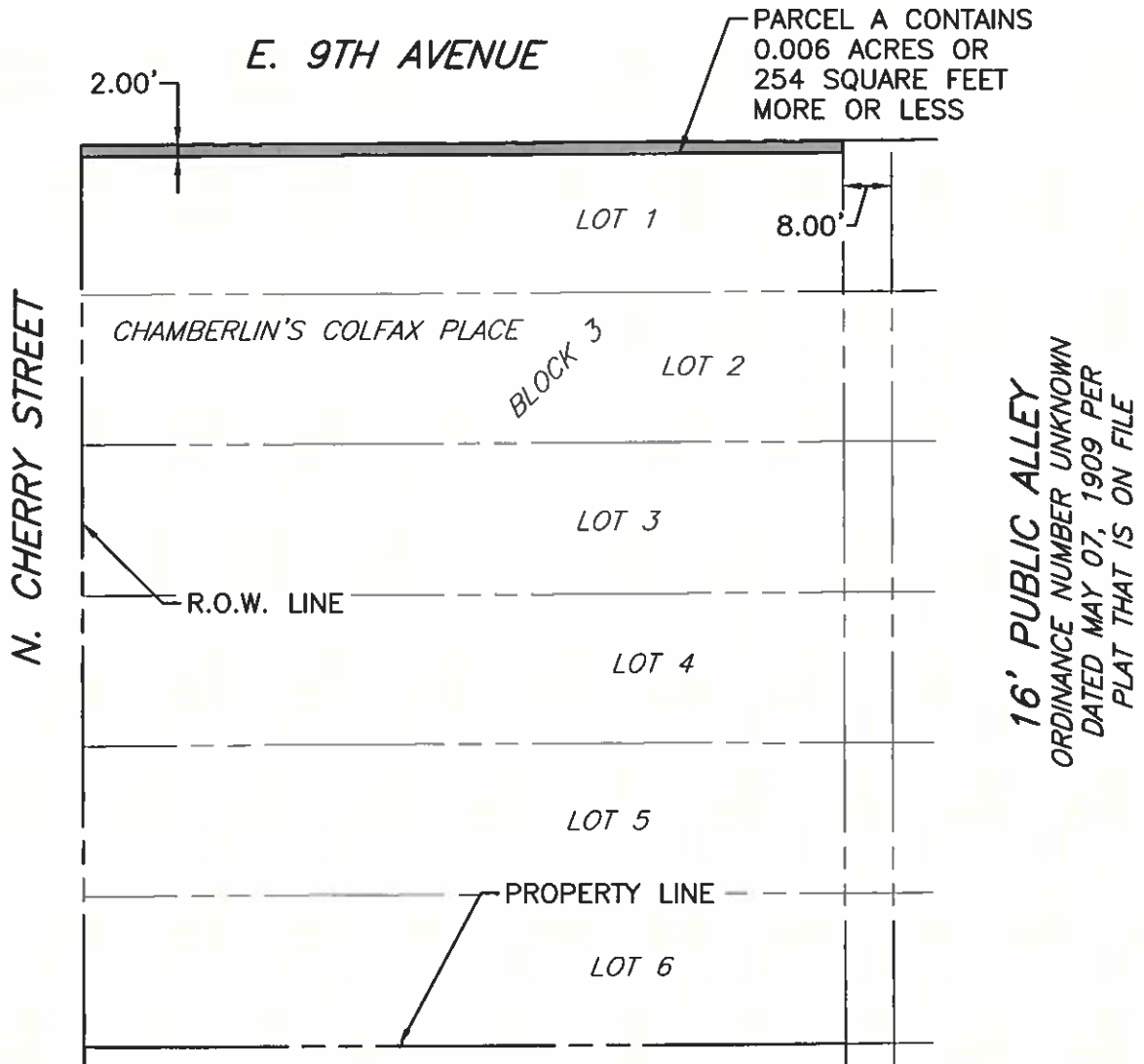


Richard A. Nobbe PLS

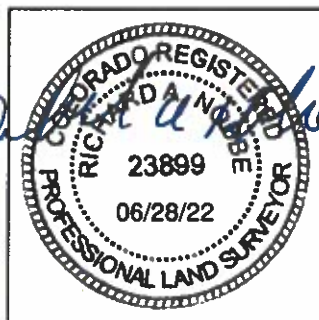
Digitally signed by Richard A. Nobbe PLS  
DN: C=US,  
E=rnobb@martinmartin.com,  
O=Martin/Martin Inc.,  
CN=Richard A. Nobbe PLS  
Date: 2022.06.28  
06:48:14-06'00'

# EXHIBIT A

## SHEET 3 OF 5



0 15 30  
SCALE: 1"=30'  
ALL DIMENSIONS ARE  
U.S. SURVEY FEET



PREPARED BY:  
MARTIN/MARTIN, INC.  
12499 W. COLFAX AVE.  
LAKEWOOD, CO 80215

06/16/22  
05/04/22  
03/01/22

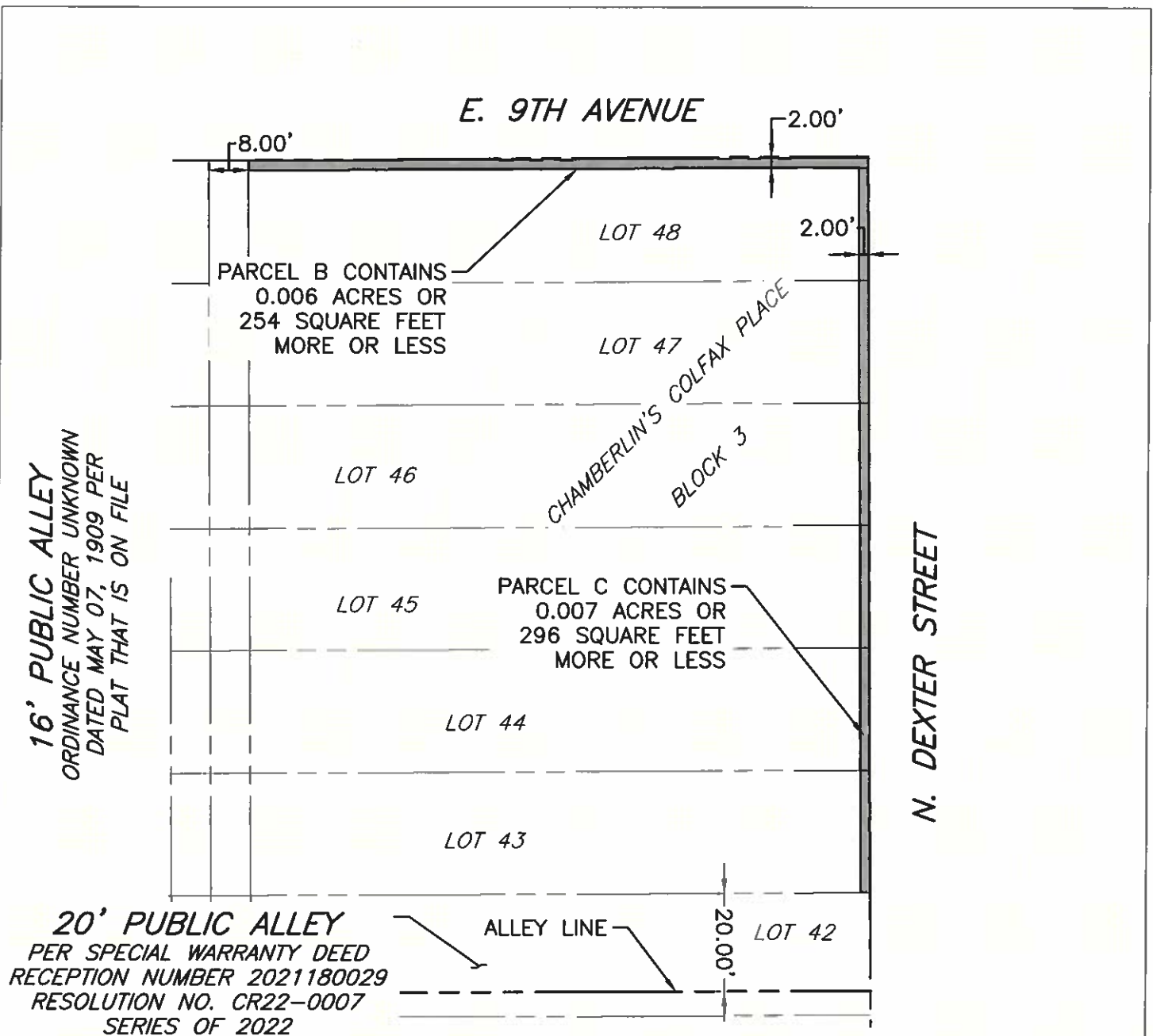
THIS EXHIBIT DOES NOT REPRESENT A  
MONUMENTED LAND SURVEY. IT IS ONLY  
TO DEPICT THE ATTACHED DESCRIPTION.

**MARTIN/MARTIN**  
CONSULTING ENGINEERS

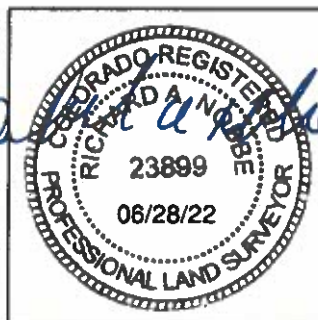
12499 WEST COLFAX AVENUE, LAKEWOOD, COLORADO 80215  
303.431.6100 MARTINMARTIN.COM

# EXHIBIT A

## SHEET 4 OF 5



0 15 30  
SCALE: 1"=30'  
ALL DIMENSIONS ARE  
U.S. SURVEY FEET



PREPARED BY:  
MARTIN/MARTIN, INC.  
12499 W. COLFAX AVE.  
LAKEWOOD, CO 80215

06/16/22  
05/04/22  
03/01/22

**MARTIN/MARTIN**  
CONSULTING ENGINEERS

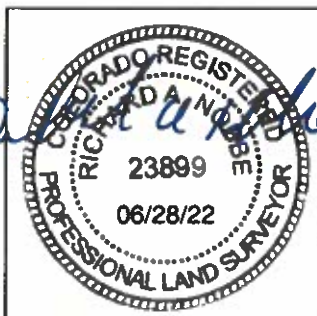
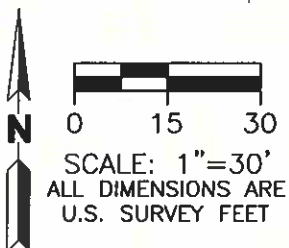
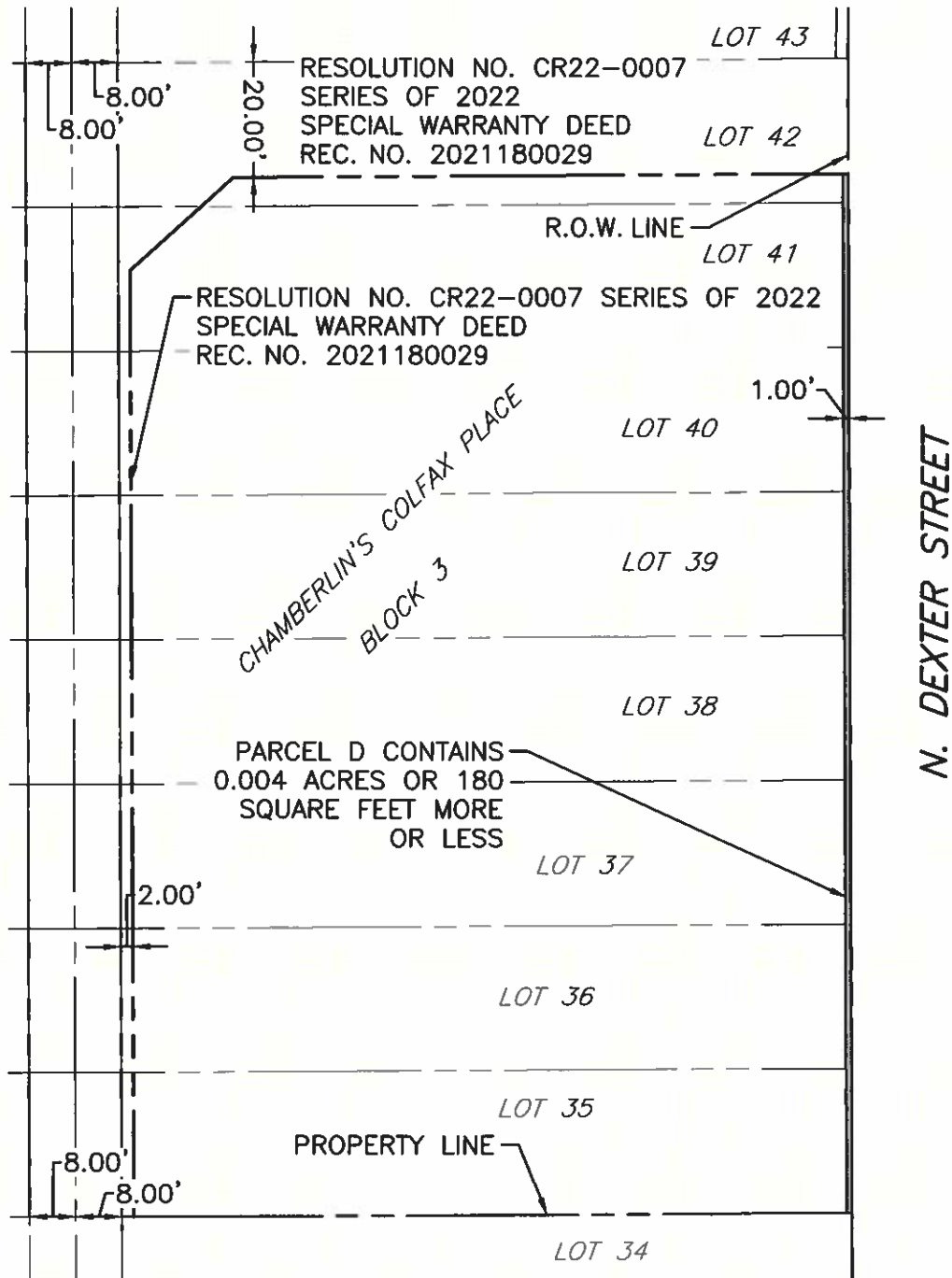
12499 WEST COLFAX AVENUE, LAKEWOOD, COLORADO 80215  
303.431.6100 MARTINMARTIN.COM

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MONUMENTED LAND SURVEY. IT IS ONLY  
TO DEPICT THE ATTACHED DESCRIPTION.

# EXHIBIT A

## SHEET 5 OF 5

16' PUBLIC ALLEY  
ORDINANCE NUMBER UNKNOWN  
DATED MAY 07, 1909 PER  
PLAT THAT IS ON FILE



PREPARED BY:  
MARTIN/MARTIN, INC.  
12499 W. COLFAX AVE.  
LAKEWOOD, CO 80215

06/16/22  
05/04/22  
03/01/22

**MARTIN/MARTIN**  
CONSULTING ENGINEERS

12499 WEST COLFAX AVENUE, LAKEWOOD, COLORADO 80215  
303.431.6100 MARTINMARTIN.COM

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