




## 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:** September 29, 2023

**ROW #:** 2023-DEDICATION-0000006 **SCHEDULE #:** Adjacent to 0525413001000

**TITLE:** This request is to dedicate a privately-owned easement parcel of land as Public Right-of-Way as South Colorado Boulevard, located near the intersection of South Colorado Boulevard and East 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 South Colorado Boulevard. This easement 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, "2425 S Colorado."

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 an easement parcel of land for Public Right-of-Way purposes as South Colorado Boulevard. The land is described as follows.

**INSERT PARCEL DESCRIPTION ROW # ( 2023-DEDICATION-0000006-001 ) HERE.**

A map of the area to be dedicated is attached.

MB/JC/LRA

cc: Dept. of Real Estate, [RealEstate@denvergov.org](mailto:RealEstate@denvergov.org)  
City Councilperson, Paul Kashmann District # 6  
Councilperson Aide, Elise Bupp  
Councilperson Aide, Claire Kelly  
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 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, Joann Tristani  
DOTI Survey, John Clarke  
DOTI Ordinance  
Owner: City and County of Denver  
Project file folder 2023-DEDICATION-0000006

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: September 29, 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 a privately-owned easement parcel of land as Public Right-of-Way as South Colorado Boulevard, located near the intersection of South Colorado Boulevard and East Wesley Avenue.

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:** Demolish existing commercial structure and build a new commercial structure as Clear Home Self Storage. The developer has been asked to dedicate an easement parcel as South Colorado Boulevard.

**\*\*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:** Near the intersection of South Colorado Boulevard and East Wesley Avenue
- d. **Affected Council District:** Paul Kashmann, District # 6
- 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.

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To be completed by Mayor's Legislative Team:

SIRE Tracking Number: \_\_\_\_\_

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

## EXECUTIVE SUMMARY

**Project Title:** 2023-DEDICATION-0000006

**Description of Proposed Project:** Demolish existing commercial structure and build a new commercial structure as Clear Home Self Storage. The developer has been asked to dedicate an easement parcel as South Colorado Boulevard.

**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 South Colorado Boulevard.

**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

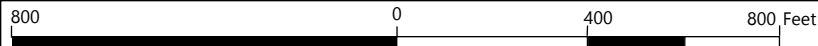
**Will an easement relinquishment be submitted at a later date:** N/A

**Additional information:** This land was deeded to the City and County of Denver for the purpose of dedicating it as South Colorado Boulevard, as part of a development project called, "2425 S Colorado."



### Legend

-  Streets
-  Alleys
-  County Boundary
-  Parcels



**EASEMENT PARCEL DESCRIPTION NO. 2023-DEDICATION-0000006-001:**

LAND DESCRIPTION – STREET PARCEL

A PARCEL OF LAND CONVEYED BY PERMANENT EASEMENT FOR RIGHT-OF-WAY AREA TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 2ND DAY OF MAY, 2023, AT RECEPTION NUMBER 2023039338 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 BLOCK 6, UNIVERSITY GARDENS AND THAT TRACT DESCRIBED UNDER RECEPTION NO. 2013097261, SITUATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BASIS OF BEARINGS:**

ALL BEARINGS ARE GRID BEARINGS OF THE COLORADO STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NORTH AMERICAN DATUM 1983. THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 25 BEARS S00°22'48"E, MONUMENTED BY THE EAST QUARTER CORNER OF SAID SECTION 25, BEING A 3-1/4" ALUMINUM CAP STAMPED "COLORADO DEPARTMENT OF HIGHWAYS, T4S, 1/4, R68W R67W, S25 S30, 1991, PLS 11434" IN A RANGE BOX, AND BY THE SOUTHEAST CORNER OF SAID SECTION 25, BEING A 3-1/4" ALUMINUM CAP STAMPED "COLORADO DEPARTMENT OF HIGHWAYS, T4S, R68W R67W, S25/S30/S36/S31, 1991, PLS 11434" IN A RANGE BOX, WITH ALL BEARINGS HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 25;

THENCE N 00°22'48" W, COINCIDENT WITH THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 25, A DISTANCE OF 1,820.50 FEET;

THENCE S 89°46'23" W, DEPARTING SAID EAST LINE, A DISTANCE OF 50.00 FEET, TO A POINT BEING THE SOUTHEAST CORNER OF SAID TRACT DESCRIBED UNDER RECEPTION NO. 2013097261 AND A POINT ON THE WEST RIGHT-OF-WAY LINE OF SOUTH COLORADO BOULEVARD, AND BEING THE POINT OF BEGINNING;

THENCE S 89°46'23" W, COINCIDENT WITH THE SOUTH LINE OF SAID TRACT, A DISTANCE OF 14.00 FEET;

THENCE N 00°22'48" W, DEPARTING SAID SOUTH LINE, A DISTANCE OF 161.50 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT;

THENCE N 89°46'23" E, COINCIDENT WITH SAID NORTH LINE, A DISTANCE OF 14.00 FEET TO THE NORTHEAST CORNER OF SAID TRACT AND A POINT ON THE WEST RIGHT-OF-WAY LINE OF SOUTH COLORADO BOULEVARD;

THENCE S 00°22'48" E, COINCIDENT WITH SAID RIGHT-OF-WAY LINE, A DISTANCE OF 161.50 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIPTION CONTAINS 2,261 SQUARE FEET, MORE OR LESS.



05/02/2023 08:40 AM  
City & County of Denver

R \$0.00

EAS

2023039338

Page: 1 of 5

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: 2023-DEDICATION-0000006**  
**Asset Mgmt No.: 23-063**

**PERMANENT EASEMENT FOR RIGHT-OF-WAY AREA**

THIS PERMANENT EASEMENT, made this 28<sup>th</sup> day of April, 2023, between, PRWP Colorado Blvd Storage, LLC, a Delaware limited liability company (“Grantor”) and the CITY AND COUNTY OF DENVER, a Colorado municipal corporation and a home rule city (“Grantee”).

**WITNESSETH:**

That for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor has this day bargained and sold and by these presents does bargain and sell and convey and transfer and deliver unto the Grantee a permanent easement, including the perpetual right to enter upon the lands hereinafter described at all times to construct, reconstruct, maintain, service, operate, use, and repair a right-of-way, traffic control devices, street lights, landscaping, utilities, sidewalks and any necessary appurtenances thereto and to the right-of-way (“Improvements”), upon, over, through and across the lands hereinafter described, together with the right to remove trees, bushes, undergrowth and other obstructions interfering with the location, construction, use, and maintenance of said Improvements. Nothing herein shall require the City to construct, reconstruct, maintain, service or repair such Improvements.

The permanent easement granted herein is located in the City and County of Denver, State of Colorado, and is over, across, under, below and through the land described as follows (the “Property”):

**SEE EXHIBIT A  
ATTACHED HERETO AND INCORPORATED HEREIN**

To have and hold such easement unto the Grantee and unto its successors and assigns forever, or until fee title to alternative right-of-way is conveyed to Grantee by Grantor.

The Grantor does hereby covenant with the Grantee that it is lawfully seized and possessed of the Property, and that it has a good and lawful right to grant this Permanent Easement in the

Property. Grantor further covenants and agrees that no building, structure, or other above or below ground obstruction that may interfere with the purposes for which this Easement is granted may be placed, erected, installed or permitted upon the Property. Grantor further agrees that in the event the terms of this Easement are violated, such violation shall immediately be corrected by the Grantor upon receipt of written notice from the City, or the City may itself elect to correct or eliminate such violation at the Grantor's expense. The Grantor shall promptly reimburse the City for any costs or expenses incurred by the City in enforcing the terms of this paragraph.

Grantor further understands and agrees that with respect to the Property, all laws, ordinances, and regulations pertaining to streets, sidewalks, and public places shall apply so that the public use of the Improvements and the Property is consistent with the use and enjoyment of any dedicated public right-of-way.

The Grantor further grants to the Grantee the right of ingress to and egress over and across adjacent lands owned by Grantor by such route or routes as shall occasion the least practical damage and inconvenience to the Grantor, for the purpose of constructing, repairing, maintaining and operating the Improvements.

Each and every term, condition, or covenant herein is subject to and shall be construed in accordance with the provisions of Colorado law, any applicable State or federal law, the Charter of the City and County of Denver and the ordinances, regulations, and Executive Orders enacted and/or promulgated pursuant thereto. Such applicable law, together with the Charter, Revised Municipal Code and regulations of the City and County of Denver, as the same may be amended from time to time, is hereby expressly incorporated into this Agreement as if fully set out herein by this reference. Venue for any action arising hereunder shall be in the Denver District Court in the City and County of Denver, Colorado.

Grantor shall indemnify, defend and hold harmless the City from any and all claims, damages, fines, judgments, penalties, costs, liabilities or losses arising from the environmental condition of the Property, including the existence of any hazardous material, substance or waste.



The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto and all covenants herein shall apply to and run with the land.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and official seals on this 28<sup>th</sup> day of April, 2023.

**PRWP COLORADO BLVD STORAGE, LLC,**  
a Delaware limited liability company

By: PRWP JJAW I, LLC,  
a Delaware limited liability company,  
its sole member

By: 2425 S Colorado Investors, LLC,  
a Colorado limited liability company,  
its manager

By: JJAW Manager, LLC,  
a Colorado limited liability company,  
its manager

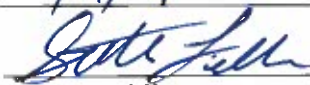
By: JJAW Capital, LLC,  
a Colorado limited liability  
company,  
its sole member

By:   
Name: Jon C. Suddarth  
Title: Manager

STATE OF COLORADO )  
CITY AND ) ss.  
COUNTY OF DENVER )

The foregoing instrument was acknowledged before me this 28<sup>th</sup> day of April, 2023, by Jon C. Suddarth, as manager of JJAW Capital, LLC, a Colorado limited liability company, as sole member of JJAW Manager, LLC, a Colorado limited liability company, as manager of 2425 S Colorado Investors, LLC, a Colorado limited liability company, as manager of PRWP JJAW I, LLC, a Delaware limited liability company, as sole member of PRWP Colorado Blvd Storage, LLC, a Delaware limited liability company.

Witness my hand and official seal.

My commission expires: 1/21/24  
  
Notary Public

**ERIC SCOTT FISHER JR.**  
**NOTARY PUBLIC**  
**STATE OF COLORADO**  
NOTARY ID 20204002636  
MY COMMISSION EXPIRES 01/21/2024

**EXHIBIT 'A'**

**Land Description:**

A parcel of land being a portion of Block 6, University Gardens and that Tract described under Reception No. 2013097261, situated in the Northeast Quarter of the Southeast Quarter of Section 25, Township 4 South, Range 68 West of the Sixth Principal Meridian, City and County of Denver, Colorado, more particularly described as follows:

**BASIS OF BEARINGS:**

All bearings are grid bearings of the Colorado State Plane Coordinate System, Central Zone, North American Datum 1983. The East line of the Southeast Quarter of Section 25 bears S00°22'48"E, monumented by the East Quarter corner of said Section 25, being a 3-1/4" aluminum cap stamped "Colorado Department of Highways, T4S, 1/4, R68W R67W, S25 S30, 1991, PLS 11434" in a range box, and by the Southeast corner of said Section 25, being a 3-1/4" aluminum cap stamped "Colorado Department of Highways, T4S, R68W R67W, S25/S30/S36/S31, 1991, PLS 11434" in a range box, with all bearings herein relative thereto;

**COMMENCING** at the Southeast corner of said Section 25;

Thence **N 00°22'48" W**, coincident with the east line of the Southeast Quarter of said Section 25, a distance of **1,820.50 feet**;

Thence **S 89°46'23" W**, departing said east line, a distance of **50.00 feet**, to a point being the Southeast corner of said Tract described under Reception No. 2013097261 and a point on the west Right-of-Way line of South Colorado Boulevard, and being the **POINT OF BEGINNING**;

Thence **S 89°46'23" W**, coincident with the south line of said Tract, a distance of **14.00 feet**;

Thence **N 00°22'48" W**, departing said south line, a distance of **161.50 feet** to a point on the north line of said Tract;

Thence **N 89°46'23" E**, coincident with said north line, a distance of **14.00 feet** to the northeast corner of said Tract and a point on the west Right-of-Way line of South Colorado Boulevard;

Thence **S 00°22'48" E**, coincident with said Right-of-Way line, a distance of **161.50 feet** to the **POINT OF BEGINNING**.

The above description contains 2,261 square feet, more or less.



William Brooks, PLS  
Colorado Professional Land Surveyor No. 37928  
For and on behalf of Galloway & Company, Inc.  
PRJ. NO.: VWP000003.10

2021-PROJMSTR-0000734-EASE

LOT 11, BLOCK 2,  
LUFF GARDENS NO. 2

EAST QUARTER CORNER, SECTION 25.  
FOUND: 3-1/4" ALUMINUM CAP STAMPED,  
"COLORADO DEPARTMENT OF HIGHWAYS,  
T4S, 1/4, R68W R67W, S25 S30, 1991,  
PLS 11434" IN A RANGE BOX

N89°46'23"E 14.00'

PARCEL  
(2,261 SQUARE FEET)

SPECIAL WARRANTY DEED  
REC. NO. 2013097261  
SCHEDULE NO. 0525413001000

N00°22'48"W 161.50'

S00°22'48"E 161.50'

S. COLORADO BLVD.  
90' PUBLIC RIGHT OF WAY

EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 25

BASIS OF BEARINGS  
S00°22'48"E 2,642.80'



S89°46'23"W 50.00'

S89°46'23"W 14.00'

POINT OF BEGINNING

A PORTION OF BLOCKS 5 & 6,  
UNIVERSITY GARDENS

1,820.50'

POINT OF COMMENCEMENT  
SOUTHEAST CORNER, SECTION 25.  
FOUND: 3-1/4" ALUMINUM CAP STAMPED,  
"COLORADO DEPARTMENT OF HIGHWAYS,  
T4S, R68W R67W, S25/S30/S36/S31,  
1991, PLS 11434" IN A RANGE BOX

N



SCALE 1"=30'

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

EXHIBIT A

SOUTH COLORADO BOULEVARD  
DENVER, COLORADO

SHEET 2 OF 2

Project No: VWP03.10

Drawn By: MNB

Checked By: BB

Date: 01/10/2023

**Galloway**

1156 Kelly Johnson Blvd., Suite 305  
Colorado Springs, CO 80920  
719.900.7270 • GallowayUS.com