




**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:** November 6, 2023

**ROW #:** 2023-DEDICATION-0000140 **SCHEDULE #:** Adjacent to 0506300162000

**TITLE:** This request is to dedicate a City-owned parcel of land as West 10th Avenue, located near the intersection of West 10<sup>th</sup> Avenue and North Xavier 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 West 10<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, “AHRT – 5035 W 10<sup>th</sup> Ave.”

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 West 10<sup>th</sup> Avenue. The land is described as follows.

**INSERT PARCEL DESCRIPTION ROW # (2023-DEDICATION-0000140-001) HERE.**

A map of the area to be dedicated is attached.

MB/DS /DG

- cc: Dept. of Real Estate, [RealEstate@denvergov.org](mailto: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, 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, Dana Sperling
- DOTI Ordinance
- Owner: City and County of Denver
- Project file folder 2023-DEDICATION-0000140

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: November 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 a City-owned parcel of land as West 10th Avenue, located near the intersection of West 10th Avenue and North Xavier Street.

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

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

- **Name:** Dalila Gutierrez
- **Phone:** 720-865-3207
- **Email:** [Dalila.Gutierrez@denvergov.org](mailto:Dalila.Gutierrez@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:** This project proposes the demolition of an existing single-family structure, a parcel reconfiguration and build one new apartment building and two new townhomes called, "AHRT – 5035 W 10th Ave." The developer was asked to dedicate a parcel as West 10th Avenue.

**\*\*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 W. 10<sup>th</sup> Ave and N. Xavier St.
- d. **Affected Council District:** Jamie Torres, District #3
- 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-0000140

**Description of Proposed Project:** This project proposes the demolition of an existing single-family structure, a parcel reconfiguration and build one new apartment building and two new townhomes called, "AHRT – 5035 W 10th Ave." The developer was asked to dedicate a parcel as West 10th 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 West 10<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 West 10<sup>th</sup> Avenue, as part of a development project called, "AHRT – 5035 W 10th Ave."



### Legend

- Streets
- Alleys
- ▭ County Boundary
- ▭ Parcels
- Block Numbers
- ▭ Lots/Blocks



**PARCEL DESCRIPTION ROW NO. 2023-DEDICATION-0000140-001**

**LAND 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 October, 2023, at Reception Number 2023101346 in the City and County of Denver Clerk and Recorder's Office, State of Colorado, described as follows:

A portion of the Northwest Quarter of Section 6, Township 4 South, Range 68 West of the 6th P.M. and also being a portion of the land described in Deed recorded October 12, 2021 under Reception No. 2021192326 and being more particularly described as follows:

The Basis of Bearings of this legal description is the south line of the North Half of Section 6, monumented by a by a 3-1/4" aluminum cap in range box, PLS 28286, on the west end and by a 3-1/4" aluminum cap in range box, PLS 20699, on the east end. Said line is assumed to bear North 89 degrees 39 minutes 43 seconds West.

Commencing at the West Quarter Corner of Section 6, Township 4 South, Range 68 West of the 6th P.M., being monumented by a 3-1/4" aluminum cap in range box, PLS 28286; thence South 89 degrees 39 minutes 43 seconds East along the south line of the North Half of Section 6, 470.80 feet; thence North 0 degrees 20 minutes 17 seconds East, 30.00 feet to the southwest corner of of the tract of land described in Deed, recorded under Reception No. 2021192326 and the Point of Beginning:

thence North 0 degrees 05 minutes 24 seconds West, 6.00 feet along the west line of said tract of land;

thence South 89 degrees 39 minutes 43 seconds East, 72.36 feet to a point on the east line of said tract of land;

thence South 0 degrees 23 minutes 59 seconds West, 6.00 feet along the east line of said tract of land to the southeast corner of said tract of land;

thence North 89 degrees 39 minutes 43 seconds West, 72.30 feet along the south line of said tract of land to the Point of Beginning.

Containing a calculated area of 434 square feet or 0.0099 acres, more or less.



10/23/2023 12:00 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  
Attn: Shannon Cruz  
Denver, Colorado 80202  
**Project Description: 2023-DEDICATION-0000140**  
**Asset Mgmt No.: 23-257**

**SPECIAL WARRANTY DEED**

**THIS SPECIAL WARRANTY DEED** (“Deed”), made as of this 4th day of October, 2023, by **4 RIGHT, LLC**, a Colorado limited liability company, whose address is 2724 Federal Blvd, Unit 1, 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:

4 RIGHT, LLC, a Colorado limited liability company

By: [Signature]

Name: Ben Greene

Its: Member

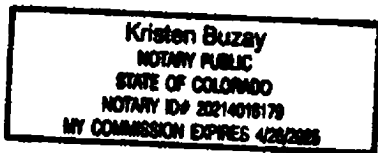
STATE OF Colorado )  
 ) ss.  
COUNTY OF Jefferson

The foregoing instrument was acknowledged before me this 4<sup>th</sup> day of October, 2023  
by Ben Greene, as member of 4 RIGHT, LLC, a Colorado limited liability company.

Witness my hand and official seal.

My commission expires: 4/26/2025

[Signature]  
Notary Public



## EXHIBIT A SHEET 1 OF 2

### LAND DESCRIPTION:

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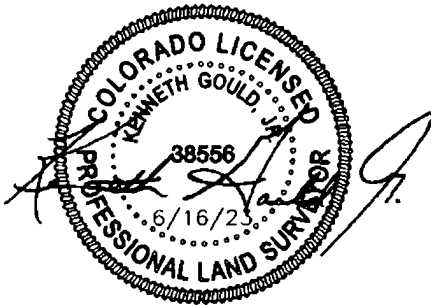
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thence North 89 degrees 39 minutes 43 seconds West, 72.30 feet along the south line of said tract of land to the Point of Beginning.

Containing a calculated area of 434 square feet or 0.0099 acres, more or less.

This legal description and exhibit was prepared by me or under my direct supervision and checking and is true and correct to the best of my knowledge, information and belief.

The above statement is neither a warranty or guarantee, either expressed or implied



Kenneth Gould, Jr., PLS  
 Colorado Professional Land Surveyor No. 38556  
 For and on behalf of Gould Land Surveying, LLC.



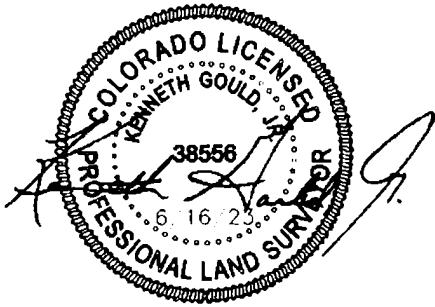
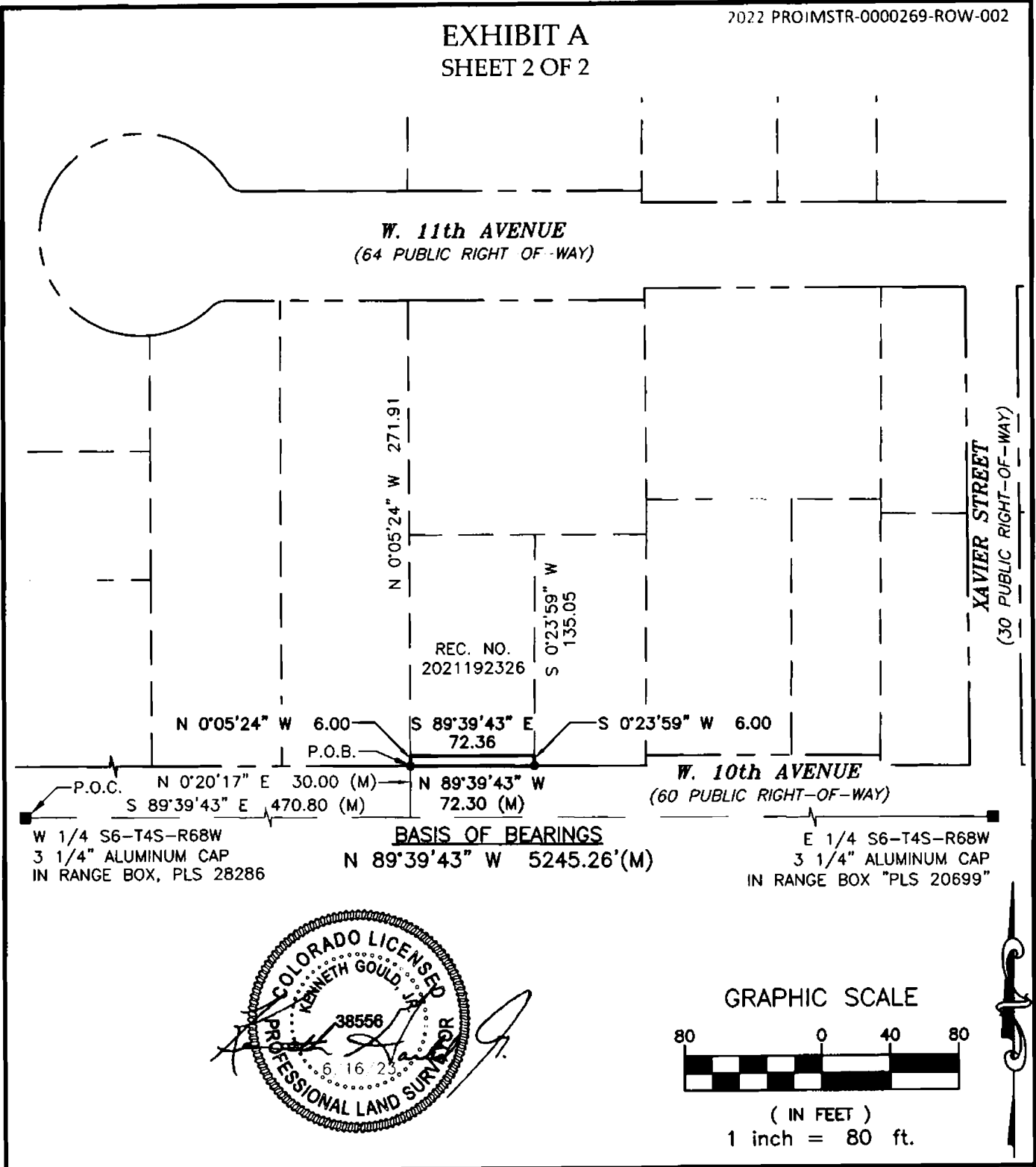
P.O. Box 7123  
 Woodland Park, CO 80863  
 (719) 687-8385  
 info@gouldls.com  
 www.GouldLandSurveying.com

Project No.: 21085  
 April 24, 2023  
 Rev: June 16, 2023



EXHIBIT A  
SHEET 2 OF 2

2022 PROIMSTR-0000269-ROW-002



**GOULD**  
LAND SURVEYING

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