




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 25, 2024

ROW #: 2021-DEDICATION-0000082 **SCHEDULE #:** 1) 0631219009000, and 2) 0631219010000

TITLE: This request is to dedicate two City-owned parcels of land as Public Right-of-Way as 1) East Amherst Avenue, located at the intersection of East Amherst Avenue and South Colorado Boulevard, and 2) South Colorado Boulevard, located at the intersection of South Colorado Boulevard and East Amherst 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 1) East Amherst Avenue, and 2) South Colorado Boulevard. 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, "University Hills."

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) East Amherst Avenue, and 2) South Colorado Boulevard. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2021-DEDICATION-0000082-001, 002) HERE.

A map of the area to be dedicated is attached.

GB/TB/BVS

cc: Dept. of Real Estate, RealEstate@denvergov.org
City Councilperson, Diana Romero District # 4
Councilperson Aide, Macy Conant
Councilperson Aide, Adetilewa Andrew
Councilperson Aide, Kathy Gile
City Council Staff, Luke Palmisano
Environmental Services, Andrew Ross
DOTI, Manager's Office, Alba Castro
DOTI, Manager's Office, Alaina McWhorter
DOTI, Director, Right-of-Way Services, Glen Blackburn
Department of Law, Johna Varty
Department of Law, Martin Plate
Department of Law, Kwali Farbes
Department of Law, Ivone Avila-Ponce
Department of Law, Katherine Ehlers
Department of Law, Mar'quasa Maes
DOTI Survey, Thomas Breitnauer
DOTI Ordinance
Owner: City and County of Denver
Project file folder 2021-DEDICATION-0000082

City and County of Denver Department of Transportation & Infrastructure
Right-of-Way Services
201 W. Colfax Ave. | Denver, CO 80215
www.denvergov.org/doti
Phone: 720-913-1311

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ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor's Legislative Team
at MileHighOrdinance@DenverGov.org by 9 a.m. Friday. Contact the Mayor's Legislative team with questions

Date of Request: September 25, 2024

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 two City-owned parcels of land as Public Right-of-Way as 1) East Amherst Avenue, located at the intersection of East Amherst Avenue and South Colorado Boulevard, and 2) South Colorado Boulevard, located at the intersection of South Colorado Boulevard and East Amherst Avenue.

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: Beverly J. Van Slyke	Name: Alaina McWhorter
Email: Beverly.VanSlyke@Denvergov.org	Email: Alaina.McWhorter@denvergov.org

5. **General description or background of proposed request. Attach executive summary if more space needed:**
Redeveloped an existing commercial building into a retail building. Developer was asked to dedicate two parcels of land as 1) East Amherst Avenue and 2) South Colorado Boulevard.

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

7. **City Council District:** Diana Romero, District #4

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

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____

EXECUTIVE SUMMARY

Project Title: 2021-DEDICATION-0000082

Description of Proposed Project: Redeveloped an existing commercial building into a retail building. Developer was asked to dedicate two parcels of land as 1) East Amherst Avenue, and 2) 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 1) East Amherst Avenue, and 2) 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

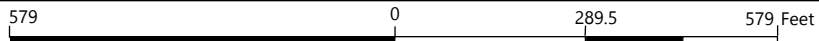
Will an easement be placed over a vacated area, and if so explain: N/A

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 1) East Amherst Avenue, and 2) South Colorado Boulevard, as part of the development project called, "University Hills."



- Legend**
- Streets
 - Alleys
 - ▭ County Boundary
 - ▭ Parcels



PARCEL DESCRIPTION ROW NO. 2021-DEDICATION-0000082-001:

LAND DESCRIPTION - STREET PARCEL #1:

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 7TH DAY OF DECEMBER, 2021, AT RECEPTION NUMBER 2021223445 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 LOT 4, BLOCK 1, UNIVERSITY HILLS CENTER SUBDIVISION RECORDED IN MAP BOOK 32, AT PAGE 44 IN THE OFFICIAL RECORDS OF THE CLERK AND RECORDER, CITY AND COUNTY OF DENVER, STATE OF COLORADO, SITUATED IN THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 4 SOUTH, RANGE 67 WEST, SIXTH PRINCIPAL MERIDIAN, SAID CITY, COUNTY AND STATE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 4, WHENCE THE WESTERLY BOUNDARY OF SAID LOT 4, BLOCK 1 BEARS NORTH 00°18'21" WEST, A DISTANCE OF 226.73 FEET, WITH ALL BEARINGS REFERENCED HEREIN RELATIVE THERETO;

THENCE ALONG SAID WESTERLY BOUNDARY, NORTH 00°18'21" WEST, A DISTANCE OF 2.01 FEET TO A LINE PARALLEL WITH AND 2.00 FEET NORTHERLY OF THE SOUTHERLY BOUNDARY OF SAID LOT 4;

THENCE DEPARTING SAID WESTERLY BOUNDARY, ALONG SAID PARALLEL LINE, THE FOLLOWING TWO (2) COURSES:

1. SOUTH 84°41'13" EAST, A DISTANCE OF 222.04 FEET;
2. NORTH 89°29'19" EAST, A DISTANCE OF 12.56 FEET TO THE EASTERLY BOUNDARY OF SAID LOT 4;

THENCE DEPARTING SAID PARALLEL LINE ALONG THE EASTERLY AND SOUTHERLY BOUNDARY OF SAID LOT 4, THE FOLLOWING THREE (3) COURSES:

1. SOUTH 00°18'21" EAST, A DISTANCE OF 2.00 FEET;
2. SOUTH 89°29'19" WEST, A DISTANCE OF 12.66 FEET;
3. NORTH 84°41'13" WEST, A DISTANCE OF 221.94 FEET TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 0.011 ACRES, (469 SQUARE FEET), MORE OR LESS.

PARCEL DESCRIPTION ROW NO. 2021-DEDICATION-0000082-002:

LAND DESCRIPTION - STREET PARCEL #2:

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 7TH DAY OF DECEMBER, 2021, AT RECEPTION NUMBER 2021223445 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 LOT 4, BLOCK 1, UNIVERSITY HILLS CENTER SUBDIVISION RECORDED IN MAP BOOK 32, AT PAGE 44 IN THE OFFICIAL RECORDS OF THE CLERK AND RECORDER, CITY AND COUNTY OF DENVER, STATE OF COLORADO, SITUATED IN

THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 4 SOUTH, RANGE 67 WEST, SIXTH PRINCIPAL MERIDIAN, SAID CITY, COUNTY AND STATE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 4, BLOCK 1, WHENCE THE WESTERLY BOUNDARY OF SAID LOT 4, BEARS SOUTH 00°18'21" EAST, A DISTANCE OF 226.73 FEET WITH ALL BEARINGS REFERENCED HEREIN RELATIVE THERETO;

THENCE ALONG THE NORTHERLY BOUNDARY OF SAID LOT 4, BLOCK 1, NORTH 89°41'40" EAST, A DISTANCE OF 3.00 FEET TO A LINE PARALLEL WITH AND 3.00 FEET EASTERLY OF THE WESTERLY BOUNDARY OF SAID LOT 4;

THENCE DEPARTING SAID NORTHERLY BOUNDARY ALONG SAID PARALLEL LINE, SOUTH 00°18'21" EAST, A DISTANCE OF 45.12 FEET;

THENCE DEPARTING SAID PARALLEL LINE, SOUTH 02°42'49" WEST, A DISTANCE OF 56.96 FEET TO THE WESTERLY BOUNDARY OF SAID LOT 4;

THENCE ALONG SAID WESTERLY BOUNDARY, NORTH 00°18'21" WEST, A DISTANCE OF 101.99 FEET TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 0.005 ACRES, (221 SQUARE FEET), MORE OR LESS.



12/07/2021 12:30 PM
City & County of Denver

R \$0.00

WD

2021223445

Page: 1 of 8

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: 2021-Dedication-0000082
Asset Mgmt No.: 21-213

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED (“Deed”), made as of this 2nd day of December, 2021, by **BLACK CHERRY, LLC**, a Colorado limited liability company, whose address is 3300 Enterprise Parkway, Beachwood, OH 44122, 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:

Black Cherry LLC, a Colorado limited liability company

By: [Signature]

Name: Joseph E. Chura

Its: Senior Vice President of Property Operations

STATE OF Arizona)
) ss.
COUNTY OF Maricopa)

The foregoing instrument was acknowledged before me this 2 day of December, 2021
by Joe Chura, as Authorized Signer Black Cherry LLC.,
a Colorado limited liability company.

Witness my hand and official seal.

My commission expires: Jan 31 2025

[Signature]
Notary Public

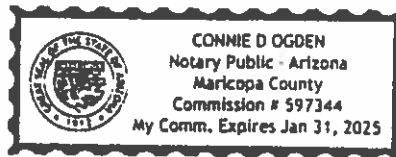


EXHIBIT A
LAND DESCRIPTION

PARCEL A

2020-PROJMSTR-0000454-ROW-001

A PARCEL OF LAND BEING A PORTION OF LOT 4, BLOCK 1, UNIVERSITY HILLS CENTER SUBDIVISION RECORDED IN MAP BOOK 32, AT PAGE 44 IN THE OFFICIAL RECORDS OF THE CLERK AND RECORDER, CITY AND COUNTY OF DENVER, STATE OF COLORADO, SITUATED IN THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 4 SOUTH, RANGE 67 WEST, SIXTH PRINCIPAL MERIDIAN, SAID CITY, COUNTY AND STATE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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CONTAINING AN AREA OF 0.011 ACRES, (469 SQUARE FEET), MORE OR LESS.

PARCEL B

2020-PROJMSTR-0000454-ROW-002

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CONTAINING AN AREA OF 0.005 ACRES, (221 SQUARE FEET), MORE OR LESS.

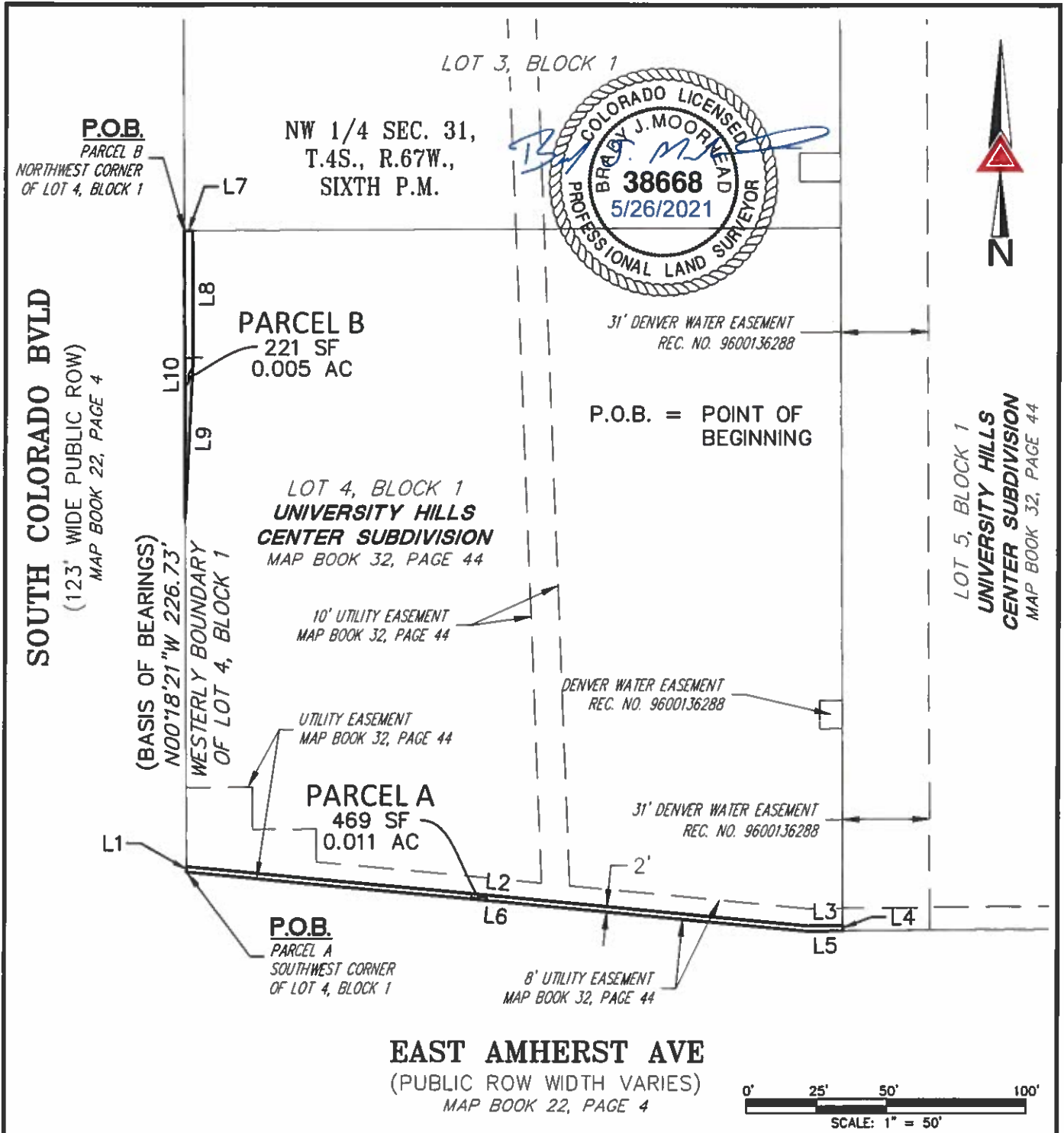
EXHIBIT ATTACHED AND MADE A PART HEREOF.

BRADY J. MOORHEAD, PLS NO. 38668
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVENUE, SUITE 1
LITTLETON, CO 80122



EXHIBIT A

2020-PROJMSTR-0000454-ROW-001 & 002



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

PATH: Q:\54820-19\DWG\EXHIBITS\
 DWG NAME: _____
 DWG: BAM CHK: BJM
 DATE: 2021-05-26
 SCALE: 1" = 50'

AZTEC
CONSULTANTS, INC.

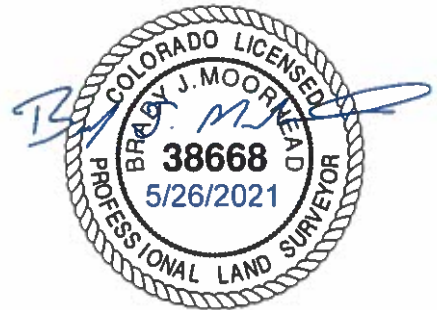
300 East Mineral Ave.
Suite J
Littleton, Colorado 80122
Phone: (303) 713-1898
Fax: (303) 713-1897
www.aztecconsultants.com

EXHIBIT A
 NW 1/4, SEC. 31, T.4S., R.67W., 6TH P.M.
 CITY & COUNTY OF DENVER, COLORADO
 JOB NUMBER 54820-19 3 OF 4 SHEETS

EXHIBIT A

LINE TABLE		
LINE	BEARING	LENGTH
L1	N00°18'21"W	2.01'
L2	S84°41'13"E	222.04'
L3	N89°29'19"E	12.56'
L4	S00°18'21"E	2.00'
L5	S89°29'19"W	12.66'
L6	N84°41'13"W	221.94'

LINE TABLE		
LINE	BEARING	LENGTH
L7	N89°41'40"E	3.00'
L8	S00°18'21"E	45.12'
L9	S02°42'49"W	56.96'
L10	N00°18'21"W	101.99'



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

PATH: Q:54820-19\DWG\EXHIBITS\
 DWG NAME: _____
 DWG: BAM CHK: BJM
 DATE: 2021-05-26
 SCALE: N/A



300 East Mineral Ave.
 Suite 1
 Littleton, Colorado 80122
 Phone: (303)713-1898
 Fax: (303)713-1897
 www.aztecconsultants.com

EXHIBIT A
 NW 1/4, SEC. 31, T.4S., R.67W., 6TH P.M.
 CITY & COUNTY OF DENVER, COLORADO
 JOB NUMBER 54820-19 4 OF 4 SHEETS