




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, 2024

ROW #: 2023-DEDICATION-0000049 **SCHEDULE #:** 0510232096000

TITLE: This request is to dedicate a City-owned parcel of land as Public Right-of-Way as Public Alley, bounded by West 2nd Avenue, North Acoma Street, West 3rd Avenue, and North Broadway.

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 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, "2nd & Acoma."

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 Public Alley. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2023-DEDICATION-0000049-001) HERE.

A map of the area to be dedicated is attached.

GB/DS/DG

cc: Dept. of Real Estate, RealEstate@denvergov.org
City Councilperson, Flor Alvidrez, District # 7
Councilperson Aide, Mark Montoya
Councilperson Aide, Caleb Todd
Councilperson Aide, Jake Yolles
Councilperson Aide, Jonathan Serrano
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, Dana Sperling
DOTI Ordinance
Owner: City and County of Denver
Project file folder 2023-DEDICATION-0000049

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

CONNECT WITH US | 311 | DENVERGOV.ORG | DENVER 8 TV

ORDINANCE/RESOLUTION REQUEST

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

Date of Request: November 6, 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 a City-owned parcel of land as Public Right-of-Way as Public Alley, bounded by West 2nd Avenue, North Acoma Street, West 3rd Avenue, and North Broadway.

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: Dalila Gutierrez	Name: Alaina McWhorter
Email: Dalila.Gutierrez@denvergov.org	Email: Alaina.McWhorter@denvergov.org

5. **General description or background of proposed request. Attach executive summary if more space needed:**
Proposing to demolish two existing single-family residences, reconfigure parcels and build two townhome structures. The developer was asked to dedicate a parcel as Public Alley.

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

7. **City Council District:** Flor Alvidrez, District # 7

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</i> (A)	<i>Additional Funds</i> (B)	<i>Total Contract Amount</i> (A+B)
<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: 2023-DEDICATION-0000049

Description of Proposed Project: Proposing to demolish two existing single-family residences, reconfigure parcels and build two townhome structures. The developer was asked to dedicate a parcel as 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 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

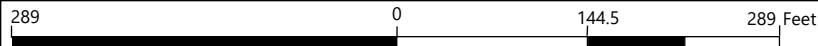
Will an easement relinquishment be submitted at a later date: N/A

Additional information: This land was deeded to the City and County of Denver for the purpose of dedicating it as Public Alley, as part of the development project called, "2nd & Acoma."



Legend

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



PARCEL DESCRIPTION ROW NO. 2023-DEDICATION-0000049-001:

LEGAL DESCRIPTION – ALLEY PARCEL

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 18TH DAY OF OCTOBER, 2023, AT RECEPTION NUMBER 2023100517 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

A PARCEL OF LAND BEING THE EAST 1.50 FEET OF LOTS 7 AND 8, BLOCK 12, BROADWAY TERRACE AND SITUATED IN THE NORTHWEST 1/4 OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A RANGE POINT IN THE INTERSECTION OF NORTH ACOMA STREET AND WEST SECOND AVENUE BEING A DRAGTOOTH FROM WHENCE THE RANGE POINT IN THE INTERSECTION OF NORTH BROADWAY AND WEST SECOND AVENUE BEING A 3" BRASS CAP "ILLEGIBLE" BEARS NORTH 89°35'44" EAST, A DISTANCE OF 452.93 FEET WITH ALL BEARINGS HEREIN RELATIVE THERETO;

THENCE NORTH 63°21'06" EAST, A DISTANCE OF 270.38 FEET TO THE SOUTH LINE OF SAID LOT 8 AND THE POINT OF BEGINNING.

THENCE NORTH 00°22'54" WEST PARALLEL AND 1.50 FEET WEST OF THE EAST LINES OF SAID LOTS 7 AND 8, A DISTANCE OF 100.05 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 7;

THENCE NORTH 89°35'44" EAST ALONG THE NORTH LINE OF SAID LOT 7, A DISTANCE OF 1.50 FEET TO THE NORTHEAST CORNER OF SAID LOT 7;

THENCE SOUTH 00°22'54" EAST ALONG THE EAST LINES OF SAID LOTS 7 AND 8, A DISTANCE OF 100.05 FEET TO THE SOUTHEAST CORNER OF SAID LOT 8;

THENCE SOUTH 89°35'44" WEST ALONG THE SOUTH LINE OF SAID LOT 8, A DISTANCE OF 1.50 FEET TO THE POINT OF BEGINNING.

CONTAINING: 150 SQUARE FEET, 0.0034 ACRES OF LAND, MORE OR LESS.



10/18/2023 12:47 PM
City & County of Denver
Electronically Recorded

R \$0.00

WD

D \$0.00

Return to:
Division of Real Estate
City and County of Denver
201 West Colfax Avenue, Dept. 1010
Denver, Colorado 80202
Project Description: 2023-DEDICATION-0000049
Asset Mgmt No.: 23-254

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED (“Deed”), made as of this 11th day of October, 2023, by **JOHNSON PROPERTIES, L.L.C.**, a Colorado limited liability company, having a principal address of 7009 S Jordan Rd, Centennial, CO 80112, 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:

JOHNSON PROPERTIES, L.L.C., a Colorado limited liability company

By: 

Name: Mark K. Johnson

Its: Managing Member

STATE OF Colorado)
) ss.
COUNTY OF Arapahoe)

The foregoing instrument was acknowledged before me this 11th day of October, 2023 by Mark K. Johnson, as Managing Member of Johnson Properties, LLC, a Colorado limited liability company.

Witness my hand and official seal.

TARA MICHELLE ROMNEY
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20154016502
MY COMMISSION EXPIRES APRIL 27, 2027

My commission expires: April 27, 2027


Notary Public

2020-PROJMSTR-0000086-ROW

EXHIBIT "A"

LAND DESCRIPTION

SHEET 1 OF 2

A PARCEL OF LAND BEING THE EAST 1.50 FEET OF LOTS 7 AND 8, BLOCK 12, BROADWAY TERRACE AND SITUATED IN THE NORTHWEST 1/4 OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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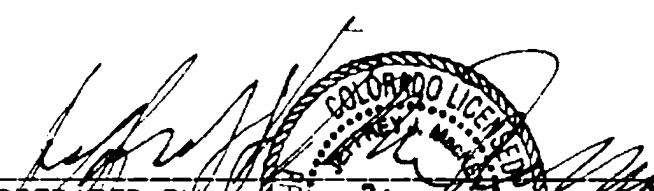
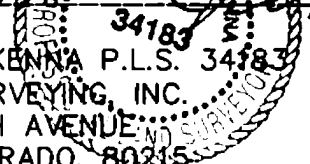
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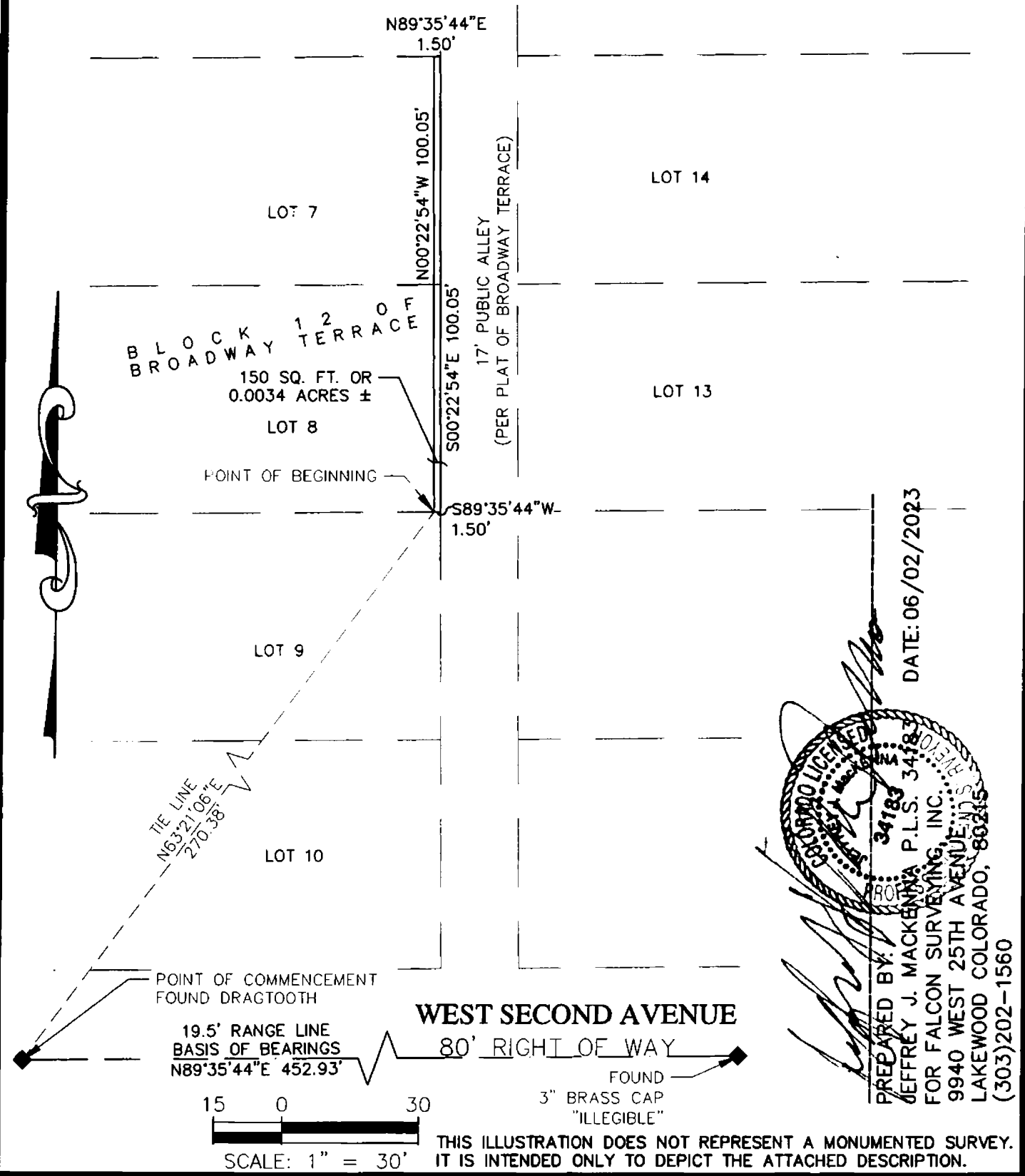

 PREPARED BY: 
 JEFFREY J. MACKENNA P.L.S. 34183 DATE: 06/02/2023
 FOR FALCON SURVEYING, INC.
 9940 WEST 25TH AVENUE
 LAKEWOOD COLORADO, 80215
 (303)202-1560

2020-PROJMSTR-0000086-ROW

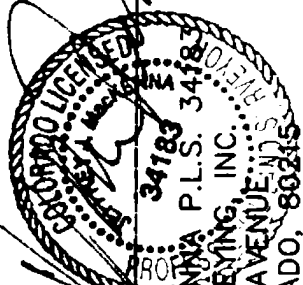
EXHIBIT "A"

SITUATED IN THE NW 1/4, SECTION 10, T4S, R68W, OF THE 6TH P.M.
CITY AND COUNTY OF DENVER, STATE OF COLORADO

SHEET 2 OF 2



DATE: 06/02/2023


 PREPARED BY: *Jeffrey J. Mackenna*
 JEFFREY J. MACKENNA P.L.S. 34183
 FOR FALCON SURVEYING, INC.
 9940 WEST 25TH AVENUE, SUITE 100
 LAKEWOOD COLORADO, 80215
 (303)202-1560

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