

1 **BY AUTHORITY**

2 RESOLUTION NO. CR18-0968
3 SERIES OF 2018

COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

4 **A RESOLUTION**

5 **Laying out, opening and establishing as part of the City street system parcels of**
6 **land as East 40th Avenue near the intersection of East 40th Avenue and North**
7 **Colorado Boulevard.**

8 **WHEREAS**, the Executive Director of Public Works of the City and County of Denver has
9 found and determined that the public use, convenience and necessity require the laying out, opening
10 and establishing as a public street designated as part of the system of thoroughfares of the
11 municipality those portions of real property hereinafter more particularly described, and, subject to
12 approval by resolution has laid out, opened and established the same as a public street;

13 **BE IT RESOLVED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**

14 **Section 1.** That the action of the Executive Director of Public Works in laying out, opening
15 and establishing as part of the system of thoroughfares of the municipality the following described
16 portions of real property situate, lying and being in the City and County of Denver, State of Colorado,
17 to wit:

18 **PARCEL DESCRIPTION ROW NO. 2018-DEDICATION-0000135-001:**

19 A Parcel No. RTD-CCD-16 conveyed to the City and County of Denver by Quit Claim Deed recorded
20 at Reception No. 2018082023 on July 3, 2018 in the City and County of Denver Clerk and Recorder’s
21 Office, located in the Southeast Quarter of Section 24, Township 3 South, Range 68 West of the
22 Sixth Principal Meridian, City and County of Denver, State of Colorado, being more particularly
23 described as follows:

24 COMMENCING at the Southeast Corner of said Section 24, (being a found 3-1/4 inch aluminum cap
25 in range box, stamped: “COLO DEPT OF HIGHWAYS T3S S24 S19 S25 S30 1990 PLS 11434”);
26 WHENCE the South 1/4 Corner of said Section 24 (being a found 3-1/4 inch aluminum cap, 7 inches
27 below surface, stamped: “MOLLENHAUER 2008 T3S R68W ¼ S24 S25 LS 38033”) bears
28 N89°51’23”W (Basis of Bearing-Assumed), a distance of 2654.03 feet;

29 THENCE N02°30’09”W a distance of 1384.23 feet to the intersection of the north right of way line of
30 East 40th Avenue, as established by Ordinance Number 264-1955, with the west right of way line of
31 Colorado Boulevard, as described at Ordinance Number 529-2000 at the City and County of Denver
32 Clerk and Recorder’s Office, and to the POINT OF BEGINNING;

33 THENCE N89°51’37”W coincident with said north right of way line a distance of 566.62 feet to the
34 east right of way line of Jackson Street, also being the west line of said Block 11;
35 THENCE N00°04’26”W coincident with said east right of way line a distance of 12.00 feet;

1 THENCE S51°10'43"E a distance of 8.00 feet;
2 THENCE S89°51'37"E coincident with a line 7.00 feet northerly of and parallel with said north right
3 of way line of East 40th Avenue a distance of 547.86 feet;
4 THENCE N25°10'35"E a distance of 15.44 feet;
5 THENCE S89°56'08"E a distance of 6.00 feet to said west right of way line of Colorado Boulevard;
6 THENCE S00°03'52"W coincident with said west right of way line a distance of 21.00 feet to the
7 POINT OF BEGINNING

8
9 and

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11

PARCEL DESCRIPTION ROW NO. 2018-DEDICATION-0000135-002:

12 A portion of Parcel No. RTD-CCD-18 Rev1 conveyed to the City and County of Denver by Quit
13 Claim Deed recorded at Reception No. 2018082023 on July 3, 2018 in the City and County of
14 Denver Clerk and Recorder's Office, located in the Southwest Quarter of Section 19, Township 3
15 South, Range 67 West of the Sixth Principal Meridian, City and County of Denver, State of
16 Colorado, being more particularly described as follows:

17
18 COMMENCING at the South Sixteenth Corner common to said Section 19 and to Section 24,
19 Township 3 South, Range 68 West, (being a found 3-1/4 inch aluminum cap in range box,
20 stamped: "COLO DEPT OF HIGHWAYS S1/16 S24 S19 R68W R67W T3S 1990 PLS 11434");
21 WHENCE the Southwest Corner of said Section 19, (being a found 3-1/4 inch aluminum cap in
22 range box, stamped: "COLO DEPT OF HIGHWAYS T3S S24 S19 S25 S30 1990 PLS 11434")
23 bears S00°03'52"W (Basis of Bearing-Assumed), a distance of 1322.58 feet;
24 THENCE S39°20'04"E a distance of 94.53 feet to a point on the southerly Right of Way line of East
25 40th Avenue as shown on Albion Street Subdivision Filing No. 1 at Reception No. 2003197552,
26 recorded September 19, 2003, in the City and County of Denver Clerk and Recorder's Office, and
27 the POINT OF BEGINNING;

28
29 THENCE coincident with said southerly line the following four (4) courses:
30 1) Along the arc of a curve to the right, having a central angle of 90°00'02", a radius of 50.00
31 feet, a chord bearing of N45°03'53"E a distance of 70.71 feet, and an arc distance of 78.54
32 feet;
33 2) S89°56'06"E, tangent with the last described curve and non-tangent with the following
34 described curve, a distance of 66.31 feet;
35 3) Along the arc of a curve to the left, having a central angle of 51°28'05", a radius of 210.00
36 feet, a chord bearing of N64°19'50"E a distance of 182.36 feet, and an arc distance of
37 188.64 feet;
38 4) Along the arc of a curve to the right, non-tangent with the last described curve, having a
39 central angle of 7°10'30", a radius of 95.00 feet, a chord bearing of N42°11'15"E a distance
40 of 11.89 feet, and an arc distance of 11.90 feet;

41 THENCE S89°56'06"E, non-tangent with the last described curve and tangent with the following
42 described curve, a distance of 44.61 feet;

43 THENCE along the arc of a curve to the left, having a central angle of 29°01'23", a radius of
44 215.00 feet, a chord bearing of N75°33'13"E a distance of 107.75 feet, and an arc distance of
45 108.91 feet to said southerly Right of Way line;

46 THENCE coincident with said southerly line the following two (2) courses:

47 1) S89°56'08"E, non-tangent with the last and following described curves, a distance of 14.87
48 feet;

1 2) Along the arc of a curve to the left, having a central angle of 78°32'29", a radius of 160.00
2 feet, a chord bearing of N50°43'46"E a distance of 202.56 feet, and an arc distance of
3 219.33 feet;
4 THENCE S08°05'44"W, non-tangent with the last and following described curves, a distance of
5 14.58 feet;
6 THENCE along the arc of a curve to the right, having a central angle of 79°01'49", a radius of
7 284.00 feet, a chord bearing of S50°33'00"W a distance of 361.41 feet, and an arc distance of
8 391.73 feet;
9 THENCE N89°56'06"W, tangent with the last described curve, a distance of 20.00 feet;
10 THENCE S00°03'54"W a distance of 8.00 feet;
11 THENCE N89°56'06"W, tangent with the following described curve, a distance of 241.47 feet;
12 THENCE along the arc of a curve to the left, having a central angle of 16°08'37", a radius of 82.32
13 feet, a chord bearing of S81°59'34"W a distance of 23.12 feet, and an arc distance of 23.19 feet;
14 THENCE S46°14'21"W, non-tangent with the last described curve, a distance of 33.00 feet;
15 THENCE S53°22'44"W, a distance of 24.94 feet;
16 To the Point of Beginning

17 be and the same is hereby approved and said real property is hereby laid out and established and
18 declared laid out, opened and established as East 40th Avenue.

19 **Section 2.** That the real property described in Section 1 hereof shall henceforth be known
20 as East 40th Avenue.

21 COMMITTEE APPROVAL DATE: September 11, 2018 by Consent

22 MAYOR-COUNCIL DATE: September 18, 2018 by Consent

23 PASSED BY THE COUNCIL: _____

24 _____ - PRESIDENT

25 ATTEST: _____ - CLERK AND RECORDER,
26 EX-OFFICIO CLERK OF THE
27 CITY AND COUNTY OF DENVER

28 PREPARED BY: Bradley A. Beck, Assistant City Attorney DATE: September 20, 2018

29 Pursuant to section 13-12, D.R.M.C., this proposed resolution has been reviewed by the Office of
30 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
31 resolution. The proposed resolution is not submitted to the City Council for approval pursuant to §
32 3.2.6 of the Charter.

33
34 Kristin M. Bronson, Denver City Attorney

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36 BY: _____, Assistant City Attorney DATE: _____