

1 **BY AUTHORITY**

2 RESOLUTION NO. CR16-0273
3 SERIES OF 2016

COMMITTEE OF REFERENCE:
Infrastructure & Culture

4 **A RESOLUTION**

5 **Laying out, opening and establishing as part of the City street system a parcel**
6 **of land as a public alley located near the intersection of East 3rd Avenue and**
7 **Josephine Street.**

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

14 **NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY AND COUNTY**
15 **OF DENVER:**

16
17 **PARCEL DESCRIPTION ROW NO. 2015-DEDICATION-0000096-001:**
18

19 **Section 1.** That the action of the Executive Director of Public Works in laying out,
20 opening and establishing as part of the system of thoroughfares of the municipality the following
21 described portion of real property situate, lying and being in the City and County of Denver, State
22 of Colorado, to wit:

23 TWO (2) PARCELS OF LAND CONVEYED BY WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON
24 THE 22ND DAY OF MARCH, 2016, AT RECEPTION NUMBER 2016035802 IN THE CITY AND COUNTY OF DENVER CLERK
25 AND RECORDER’S OFFICE, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

26
27 **PARCEL 1:**

28 A PARCEL BEING A PORTION OF LOTS 3 AND 4, BLOCK 63 HARMAN’S SUBDIVISION LOCATED IN THE NORTHWEST
29 QUARTER OF SECTION 12, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN BEING MORE
30 PARTICULARLY DESCRIBED AS FOLLOWS:

31
32 COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 4, BLOCK 63, HARMAN’S SUBDIVISION THENCE ALONG
33 THE EASTERLY LINE OF SAID LOT 4, BLOCK 63, HARMAN’S SUBDIVISION, S00°20’58”E A DISTANCE OF 50.00 FEET TO
34 THE POINT OF BEGINNING;
35 THENCE CONTINUING ALONG SAID EASTERLY LINE, S00°20’58”E A DISTANCE OF 88.56 FEET;
36 THENCE S89°42’25”W A DISTANCE OF 2.50 FEET;
37 THENCE N00°20’58”W A DISTANCE OF 88.56 FEET;
38 THENCE N89°42’04”E A DISTANCE OF 2.50 FEET TO THE POINT OF BEGINNING.

39
40 SAID PARCEL DESCRIBED LIES BETWEEN ONE (1) FOOT BELOW THE FINISHED GRADE OF THE ALLEY, AND FOURTEEN
41 (14) FEET ABOVE THE FINISHED GRADE OF THE ALLEY.
42

1 PARCEL 2:

2 A PARCEL BEING A PORTION OF LOTS 3 AND 4, BLOCK 63 HARMAN'S SUBDIVISION LOCATED IN THE NORTHWEST
3 QUARTER OF SECTION 12, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN BEING MORE
4 PARTICULARLY DESCRIBED AS FOLLOWS:

5
6 COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 4, BLOCK 63, HARMAN'S SUBDIVISION THENCE ALONG
7 THE EASTERLY LINE OF SAID LOT 4, BLOCK 63, HARMAN'S SUBDIVISION, S00°20'58"E A DISTANCE OF 138.56 FEET
8 TO THE POINT OF BEGINNING;

9 THENCE CONTINUING ALONG SAID EASTERLY LINE, S00°20'58"E A DISTANCE OF 11.45 FEET TO A POINT ON THE
10 NORTHERLY LINE OF ALLEY DEDICATION BY ORDINANCE 212 SERIES 1958;

11 THENCE ALONG SAID NORTHERLY LINE, S89°42'25"W A DISTANCE OF 5.50 FEET;

12 THENCE N14°20'11"E A DISTANCE OF 11.83 FEET;

13 THENCE N89°42'25"E A DISTANCE OF 2.50 FEET TO THE POINT OF BEGINNING.

14
15 SAID PARCEL DESCRIBED LIES BETWEEN ONE (1) FOOT BELOW THE FINISHED GRADE OF THE ALLEY, AND SIXTEEN
16 POINT FIVE (16.5) FEET ABOVE THE FINISHED GRADE OF THE ALLEY.

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18 ALL DIMENSIONS ARE U.S. SURVEY FEET.

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20 BASIS OF BEARINGS

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22 BEARINGS ARE BASED ON THE 20' RANGE LINE IN JOSEPHINE STREET ASSUMED TO BEAR
23 N00°19'58"W AND BEING MONUMENTED BY A FOUND 2-1/4" ALUMINUM CAP PLS #34579 IN RANGE BOX
24 AT THE INTERSECTION OF 2ND AVENUE AND JOSEPHINE STREET AND A FOUND 2-1/4" ALUMINUM CAP PLS
25 #24579 IN RANGE BOX AT THE INTERSECTION OF 3RD AVENUE AND JOSEPHINE STREET.

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27 be and the same is hereby approved and above-said real property is hereby laid out and
28 established and declared laid out, opened and established as a public alley.

29 **Section 2.** That the real property described in Section 1 hereof shall henceforth be a
30 public alley.

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1 COMMITTEE APPROVAL DATE: April 21, 2016 by Consent

2 MAYOR-COUNCIL DATE: April 26, 2016

3 PASSED BY THE COUNCIL: _____, 2016

4 _____ - PRESIDENT

5 ATTEST: _____ - CLERK AND RECORDER,
6 EX-OFFICIO CLERK OF THE
7 CITY AND COUNTY OF DENVER

8 PREPARED BY: Brent A. Eisen, Assistant City Attorney DATE: April 28, 2016

9 Pursuant to Section 13-12, D.R.M.C., this proposed resolution has been reviewed by the office of
10 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
11 resolution. The proposed resolution is not submitted to the City Council for approval pursuant to
12 § 3.2.6 of the Charter.

13 D. Scott Martinez, Denver City Attorney

14 BY: _____, Assistant City Attorney DATE: _____, 2016