

1 **BY AUTHORITY**

2 RESOLUTION NO. CR19-0723
3 SERIES OF 2019

COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

4 **A RESOLUTION**

5 **Laying out, opening and establishing as part of the City street system a parcel**
6 **of land as North Xavier Street located near the intersection of West 13th Avenue**
7 **and North Xavier Street.**

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 that portion 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 portion 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. 2019-DEDICATION-0000082-001:**

19
20 A PARCEL OF LAND LOCATED IN THE SOUTH HALF OF THE NORTHWEST QUARTER OF
21 SECTION 6, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN IN
22 THE CITY AND COUNTY OF DENVER, COLORADO, ACQUIRED AS PARCEL NO. 3 IN A QUIT
23 CLAIM DEED RECORDED APRIL 23, 1941 AT BOOK 5481, PAGE 535 IN THE CLERK AND
24 RECORDER'S OFFICE OF SAID CITY AND COUNTY OF DENVER, COLORADO, MORE
25 PARTICULARLY DESCRIBED AS FOLLOWS:

26
27 COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF THE SOUTH HALF (S ½)
28 OF THE NORTHWEST QUARTER (NW ¼) OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 68
29 WEST OF THE 6TH PRINCIPAL MERIDIAN AND THE EXTENDED WEST LINE OF XAVIER
30 STREET PRODUCED SOUTH;
31 THENCE SOUTH ON SAID EXTENDED WEST LINE OF XAVIER STREET 49.87 FEET TO THE
32 TRUE POINT OF BEGINNING;
33 THENCE CONTINUING SOUTH ON SAID EXTENDED WEST LINE OF SAID XAVIER STREET
34 PRODUCED SOUTH APPROXIMATELY 535 FEET, TO THE NORTHERLY LINE OF THE RIGHT
35 OF WAY OF THE DENVER AND INTERMOUNTAIN RAILROAD COMPANY;
36 THENCE EASTERLY ON SAID RIGHT OF WAY LINE TO A POINT 52.54 FEET EAST AT RIGHT
37 ANGLES FROM AFORESAID PRODUCED WEST LINE OF XAVIER STREET, SAID POINT

1 BEING THE POINT OF INTERSECTION OF SAID RIGHT OF WAY LINE AND THE EXTENDED
2 EAST LINE OF SAID XAVIER STREET PRODUCED SOUTH;
3 THENCE NORTH ON THE PRODUCED EAST LINE OF SAID XAVIER STREET, EXTENDED
4 FROM THE NORTH TO A POINT 49.35 FEET SOUTH OF THE NORTH LINE OF AFORESAID
5 SOUTH HALF (S ½) OF THE NORTHWEST QUARTER (NW ¼) OF SECTION 6;
6 THENCE WEST 52.54 FEET, MORE OR LESS TO THE TRUE POINT OF BEGINNING.

7
8 EXCEPT

9
10 A PARCEL OF LAND CALLED PARCEL V-22 IN ORDINANCE NO. 681, SERIES OF 2009,
11 RECORDED NOVEMBER 30, 2009 AT RECEPTION NUMBER 2009154954 IN THE CLERK AND
12 RECORDER'S OFFICE OF THE CITY AND COUNTY OF DENVER, COLORADO, MORE
13 PARTICULARLY DESCRIBED AS FOLLOWS:

14
15 COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE
16 NORTHWEST QUARTER OF SAID SECTION 6, WHENCE THE NORTHEAST CORNER OF THE
17 SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 6 BEARS
18 S89°38'18"E, A DISTANCE OF 1279.22 FEET;
19 THENCE S63°32'22"E, A DISTANCE OF 1041.05 FEET TO A POINT ON THE WEST RIGHT-OF-
20 WAY LINE OF XAVIER STREET EXTENDED SOUTHERLY, BEING THE POINT OF BEGINNING;
21 THENCE S89°38'18"E, A DISTANCE OF 52.54 FEET TO A POINT ON THE EAST RIGHT-OF-
22 WAY LINE OF SAID XAVIER STREET EXTENDED SOUTHERLY;
23 THENCE S00°13'26"E ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 129.23 FEET
24 TO A POINT ON THE NORTH LINE OF A 50 FOOT RAILROAD RIGHT-OF-WAY;
25 THENCE N87°23'00"W, ALONG SAID NORTH LINE, A DISTANCE OF 52.60 FEET TO THE WEST
26 RIGHT-OF-WAY LINE OF SAID XAVIER STREET EXTENDED SOUTHERLY;
27 THENCE N00°13'26"W, ALONG SAID WEST RIGHT-OF-WAY LINE EXTENDED SOUTHERLY, A
28 DISTANCE OF 127.16 FEET TO THE POINT OF BEGINNING.

29
30 be and the same is hereby approved and said real property is hereby laid out and established and
31 declared laid out, opened and established as North Xavier Street.

32 **Section 2.** That the real property described in Section 1 hereof shall henceforth be known
33 as North Xavier Street.

34
35 **REMAINDER OF PAGE INTENTIONALLY LEFT BLANK**

1 COMMITTEE APPROVAL DATE: July 23, 2019 by Consent

2 MAYOR-COUNCIL DATE: July 30, 2019

3 PASSED BY THE COUNCIL: August 5, 2019 _____

4 _____ - PRESIDENT

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

8 PREPARED BY: Martin A. Plate, Assistant City Attorney DATE: August 1, 2019

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
14 Kristin M. Bronson, Denver City Attorney

15 BY:  _____, Assistant City Attorney DATE: Jul 30, 2019
16