

1 **BY AUTHORITY**

2 RESOLUTION NO. CR17-0951
3 SERIES OF 2017

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 North York Street and East 40th Avenue near the intersection of East 40th**
7 **Avenue and North York 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 public streets 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 public streets;

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. 2017-DEDICATION-0000150-001:**

19 A PART THE LAND CONVEYED TO THE CITY AND COUNTY OF DENVER BY QUIT CLAIM
20 DEED RECORDED JULY 26, 2017 AT RECEPTION NO. 2017097314, LOCATED IN THE
21 SOUTHEAST QUARTER OF SECTION 23 AND THE SOUTHWEST QUARTER OF SECTION 24,
22 TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND
23 COUNTY OF DENVER, STATE OF COLORADO BEING THAT PORTION OF PARCEL NO. RTD-
24 CCD-10 DESCRIBED AS FOLLOWS:

25 COMMENCING AT THE SOUTH SIXTEENTH CORNER OF SAID SECTIONS 23 AND 24, (A 3-1/4"
26 ALUMINUM CAP STAMPED "PLS 24942"); WHENCE THE CENTER-SOUTH SIXTEENTH
27 CORNER OF SAID SECTION 24, (A 3-1/4" ALUMINUM CAP STAMPED "PLS 24942), BEARS
28 S89°51'35"E (BASIS OF BEARINGS-ASSUMED) A DISTANCE OF 2653.52 FEET;

29 THENCE S63°03'15"E A DISTANCE OF 44.35 FEET TO THE INTERSECTION OF THE
30 EASTERLY LINE OF THE YORK STREET RIGHT-OF-WAY DESCRIBED IN BOOK 2290 AT PAGE
31 121 RECORDED JUNE 8, 1912 IN THE CITY AND COUNTY OF DENVER CLERK AND
32 RECORDER'S OFFICE, AND THE SOUTHERLY LINE OF THE EAST 40TH AVENUE RIGHT-OF-
33 WAY DESCRIBED IN ORDINANCE NO. 264-1955, AND TO THE POINT OF BEGINNING;

1 THENCE S89°51'35"E COINCIDENT WITH SAID SOUTHERLY RIGHT-OF-WAY LINE A
2 DISTANCE OF 54.81 FEET;

3 THENCE S15°36'08"W A DISTANCE OF 249.34 FEET;

4 THENCE S21°18'46"W A DISTANCE OF 209.54 FEET;

5 THENCE THE FOLLOWING TWO (2) COURSES COINCIDENT WITH THE EASTERLY LINE OF
6 THE YORK STREET RIGHT-OF-WAY DESCRIBED IN BOOK 2310 AT PAGE 99, RECORDED
7 OCTOBER 11, 1912 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S
8 OFFICE:

9 1) N00°02'18"W TANGENT WITH THE FOLLOWING DESCRIBED CURVE A DISTANCE OF
10 111.00 FEET;

11 2) ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF
12 28°33'43", A RADIUS OF 320.00 FEET, A CHORD BEARING OF N14°14'34"E A DISTANCE
13 OF 157.87 FEET, AND AN ARC DISTANCE OF 159.52 FEET;

14 THENCE ALONG THE ARC OF A CURVE TO THE LEFT, COINCIDENT WITH SAID EASTERLY
15 RIGHT-OF-WAY LINE DESCRIBED AT BOOK 2290, PAGE 12, NON-TANGENT WITH THE LAST
16 DESCRIBED CURVE, HAVING A CENTRAL ANGLE OF 25°47'17", A RADIUS OF 400.00 FEET, A
17 CHORD BEARING OF N16°08'47"E A DISTANCE OF 178.52 FEET, AND AN ARC DISTANCE OF
18 180.03 FEET TO THE POINT OF BEGINNING

19 be and the same is hereby approved and said real property is hereby laid out and established and
20 declared laid out, opened and established as North York Street.

21 **Section 2.** That the real property described in Section 1 hereof shall henceforth be known
22 as North York Street.

23 **Section 3.** That the action of the Executive Director of Public Works in laying out, opening
24 and establishing as part of the system of thoroughfares of the municipality the following described
25 portion of real property situate, lying and being in the City and County of Denver, State of Colorado,
26 to wit:

27 **PARCEL DESCRIPTION ROW NO. 2017-DEDICATION-0000150-002:**

28 A part the land conveyed to the City and County of Denver by Quit Claim Deed recorded July 26,
29 2017 at Reception No. 2017097314, located in the Southeast Quarter of Section 24, Township 3
30 South, Range 68 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado
31 being all of Parcel No. RTD-CCD-10 except that portion described as follows:

32 COMMENCING at the South Sixteenth Corner of Sections 23 and 24, (a 3-¼" aluminum cap
33 stamped "PLS 24942"); WHENCE the Center-South Sixteenth Corner of said Section 24, (a 3-¼"
34 aluminum cap stamped "PLS 24942), bears S89°51'35"E (Basis of Bearings-assumed) a distance
35 of 2653.52 feet;

1 THENCE S63°03'15"E a distance of 44.35 feet to the intersection of the easterly line of the York
2 Street right-of-way described in Book 2290 at Page 121 recorded June 8, 1912 in the City and County
3 of Denver Clerk and Recorder's Office, and the southerly line of the East 40th Avenue right-of-way
4 described in Ordinance No. 264-1955, and to the POINT OF BEGINNING;

5 THENCE S89°51'35"E coincident with said southerly right-of-way line a distance of 54.81 feet;

6 THENCE S15°36'08"W a distance of 249.34 feet;

7 THENCE S21°18'46"W a distance of 209.54 feet;

8 THENCE the following two (2) courses coincident with the easterly line of the York Street right-of-
9 way described in Book 2310 at Page 99, recorded October 11, 1912 in the City and County of Denver
10 Clerk and Recorder's Office:

11 1) N00°02'18"W tangent with the following described curve a distance of 111.00 feet;

12 2) Along the arc of a curve to the right, having a central angle of 28°33'43", a radius of 320.00
13 feet, a chord bearing of N14°14'34"E a distance of 157.87 feet, and an arc distance of 159.52
14 feet;

15 THENCE along the arc of a curve to the left, coincident with said easterly right-of-way line described
16 at Book 2290, Page 12, non-tangent with the last described curve, having a central angle of
17 25°47'17", a radius of 400.00 feet, a chord bearing of N16°08'47"E a distance of 178.52 feet, and an
18 arc distance of 180.03 feet to the POINT OF BEGINNING

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

21 **Section 4.** That the real property described in Section 3 hereof shall henceforth be known
22 as East 40th Avenue.

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1 COMMITTEE APPROVAL DATE: August 29, 2017 by Consent

2 MAYOR-COUNCIL DATE: September 5, 2017 by Consent

3 PASSED BY THE COUNCIL: _____

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: September 7, 2017

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 Kristin M. Bronson, Denver City Attorney

14 BY: _____, Assistant City Attorney DATE: _____