

1 BY AUTHORITY

2 RESOLUTION NO. CR10-0674  
3 SERIES OF 2010

COMMITTEE OF REFERENCE:  
PUBLIC WORKS

4  
5 A RESOLUTION

6 **Laying out, opening and establishing as part of the city street system certain**  
7 **parcels of land as a public alley located at 46<sup>th</sup> Ave., between Sherman St. and**  
8 **Grant St.**  
9

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

15 **NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY AND COUNTY OF**  
16 **DENVER:**  
17

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

**Two parcels of land located in the Northeast 1/4 of Section 22, Township 3 South, Range 68 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado.**

**Parcel 1**

**A parcel of land conveyed by Warranty Deed to the City & County of Denver, recorded on the 28th of September 1990 by reception number R-90-0090234 in the City and County of Denver Clerk & Records Office being more particularly described as follows:**

**A tract or parcel of land No. 5A of the State Department of Highways, Division of Highways, State of Colorado, Project No. IR 25-2(193) UNIT 2 containing 16 square feet more or less, in Lot 24, Block 19 of PLATTEFARM, a subdivision lying in the N ½ of the NE ¼ of Section 22, Township 3 South, Range 68 West, of the Sixth Principal Meridian, in the City and County of Denver, Colorado, said tract or parcel being more particularly described as follows:**

21

Commencing at the SE corner of said Lot 24; Thence S. 89° 33' 20" W., along the south line of said Lot 24, also being along the north right of way line of 46<sup>th</sup> Ave. North Service Road (December 1989) a distance of 7.00 feet to the true point of beginning;

1. Thence N. 56° 48' 26" E., a distance of 8.23 feet to the east line of said Lot 24;
2. Thence S. 0° 29' 22" E along said east line of Lot 24, a distance of 4.50 feet, to the SE corner of said Lot 24;
3. Thence S. 89° 33' 20" W., along said south lot line, also along said north right of way line, a distance of 7.00 feet, more or less, to the true point of beginning.

The above described parcel contains 16 square feet, more or less.

**Basis of Bearing.** Along the north line of the south half of the NE ¼ Section 22, T. 3 S., R. 68 W., 6<sup>th</sup> PM., is S. 89° 51' 02.6" E. The east corner of said north line being a "+" on top of a stone in range box in a machine shop yard. The west corner of said north line is a calculated position using the north quarter corner.

#### Parcel 2

A parcel of land conveyed by Warranty Deed to the City & County of Denver, recorded on the 18th of June 1990 by reception number R-90-0052721 in the City and County of Denver Clerk & Records Office being more particularly described as follows:

A tract or parcel of land No. 6 of the State Department of Highways, Division of Highways, State of Colorado, Project No. IR 25-2(193) UNIT 2 containing 5 square feet more or less, in Lot 25, Block 19 of PLATTEFARM, a subdivision lying in the N ½ of the NE ¼ of Section 22, Township 3 South, Range 68 West, of the Sixth Principal Meridian, in the City and County of Denver, Colorado, said tract or parcel being more particularly described as follows:

Commencing at the SW corner of said Lot 25; Thence N. 89° 33' 20" E., along the south line of said Lot 25 also being the north right of way line of 46<sup>th</sup> Ave. North Service Road (December 1989) a distance of 3.50 feet to the true point of beginning;

1. Thence S. 89° 33' 20" W., along said south Lot line and also being along the said north right of way line a distance of 3.50 feet to said SW corner of said Lot 25;
2. Thence N. 0° 29' 22" W along the west line of said Lot 25, a distance of 3.00 feet;
3. Thence S. 49° 51' 44" E., a distance of 4.61 feet, more or less to the true point of beginning.

The above described parcel contains 5 square feet, more or less.

**Basis of Bearing.** Along the north line of the south half of the NE ¼ Section 22, T. 3 S., R. 68 W., 6<sup>th</sup> PM., is S. 89° 51' 02.6" E. The east corner of said north line being a "+" on top of a stone in range box in a machine shop yard. The west corner of said north line is a calculated position using the north quarter corner.

be and the same is hereby approved and said portions of real property are hereby laid out and established and declared laid out, opened and established as an alley at 46<sup>th</sup> Avenue between Sherman Street and Grant Street.

**Section 2.** That the real property described in Section 1 hereof shall henceforth be known as

1 an alley at 46<sup>th</sup> Avenue between Sherman Street and Grant Street.

2 COMMITTEE APPROVAL DATE: N/A

3 MAYOR-COUNCIL DATE: August 3, 2010

4 PASSED BY THE COUNCIL: \_\_\_\_\_, 2010

5 \_\_\_\_\_ - PRESIDENT

6 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
7 EX-OFFICIO CLERK OF THE  
8 CITY AND COUNTY OF DENVER

9 PREPARED BY: KAREN A. AVILES, ASSISTANT CITY ATTORNEY, August 4, 2010

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

14 David R. Fine, City Attorney

15 BY: \_\_\_\_\_, Assistant City Attorney      DATE: \_\_\_\_\_, 2010