

1 **BY AUTHORITY**

2 RESOLUTION NO. CR16-1191  
3 SERIES OF 2016

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 East 45<sup>th</sup> Avenue located between Pearl Street and Washington Street.**

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

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

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

17 **PARCEL DESCRIPTION ROW NO. 2016-DEDICATION-0000231-001:**

18 THE SOUTHERLY 6.00 FEET OF THAT PARCEL OF LAND DESCRIBED AS PARCEL "A", CONVEYED BY WARRANTY DEED TO  
19 THE CITY & COUNTY OF DENVER, RECORDED ON THE 3<sup>RD</sup> OF NOVEMBER 2016, BY RECEPTION NUMBER 2016153651  
20 IN THE CITY AND COUNTY OF DENVER, CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, BEING DESCRIBED AS  
21 FOLLOWS:

22  
23 **LAND DESCRIPTION PARCEL A**

24  
25 A PARCEL OF LAND BEING A PORTION OF LOTS 1, 2, 3, 4, BLOCK 3, GARDEN PLACE AND LOTS 41, 42, 43, 44, LEETS  
26 SUBDIVISION A PART OF BLOCK 3, GARDEN PLACE LOCATED IN THE NORTHEAST QUARTER OF SECTION 22,  
27 TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF  
28 COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

29  
30 COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 41, LEETS SUBDIVISION A PART OF BLOCK 3, GARDEN  
31 PLACE SAID POINT BEING THE POINT OF BEGINNING;  
32 THENCE ALONG THE NORTHERLY LINE OF SAID LOT 41, N89°56'56"E A DISTANCE OF 4.00 FEET;  
33 THENCE ALONG A LINE 4.00 FEET EASTERLY OF AND PARALLEL WITH WESTERLY LINE OF SAID LOTS 1, 2, 3, 4, 41, 42,  
34 43, AND 44, S00°10'50"E A DISTANCE OF 193.99 FEET;  
35 THENCE ALONG A LINE 6.00 FEET NORTHERLY OF AND PARALLEL WITH SOUTHERLY LINE OF SAID LOT 1, N89°45'26"E  
36 A DISTANCE OF 153.99 FEET;  
37 THENCE N45°14'25"E A DISTANCE OF 6.81 FEET TO A POINT ON THE EASTERLY LINE OF SAID LOT 1;

1 THENCE ALONG THE SAID EASTERLY LINE OF LOT 1, S09°35'56"W A DISTANCE OF 1.72 FEET TO A POINT ON THE  
2 WESTERLY RIGHT-OF-WAY LINE OF WASHINGTON STREET RECORDED AT RECEPTION NO. 9700107156; THENCE  
3 ALONG SAID WESTERLY LINE S45°14'25"W A DISTANCE OF 12.96 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID  
4 LOT 1;  
5 THENCE ALONG THE SAID SOUTHERLY LINE, S89°45'26"W A DISTANCE OF 153.32 FEET TO THE SOUTHWEST CORNER  
6 OF SAID LOT 1;  
7 THENCE ALONG THE SAID WESTERLY LINE OF LOTS 1, 2, 3, 4, 41, 42, 43, AND 44, N00°10'50"W A DISTANCE OF 200.00  
8 FEET TO THE POINT OF BEGINNING.

9  
10 SAID PARCEL CONTAINS 0.039 ACRES OR 1,720 SQUARE FEET MORE OR LESS.

11  
12 BASIS OF BEARINGS

13  
14 AN ASSUMED BEARING OF N89°45'30"E BEING A 16 FOOT RANGE LINE LOCATED WITHIN 45<sup>TH</sup> AVENUE BETWEEN  
15 TWO MONUMENTS 518.53 FEET APART; ONE MONUMENT BEING A 1" SQUARE BAR IN A RANGE BOX AT THE  
16 INTERSECTION OF PENNSYLVANIA STREET AND 45<sup>TH</sup> AVENUE AND THE OTHER MONUMENT BEING A FOUND 2"  
17 DIAMETER ALUMINUM CAP STAMPED "JACOBS ENG" FLUSH WITH ROADWAY AT THE INTERSECTION OF  
18 WASHINGTON STREET AND 45<sup>TH</sup> AVENUE.

19  
20 be and the same is hereby approved and said real property is hereby laid out and established and  
21 declared laid out, opened and established as East 45<sup>th</sup> Avenue.

22 **Section 2.** That the real property described in Section 1 hereof shall henceforth be known  
23 as East 45<sup>th</sup> Avenue.

24 COMMITTEE APPROVAL DATE: November 29, 2016, by Consent

25 MAYOR-COUNCIL DATE: December 6, 2016

26 PASSED BY THE COUNCIL: \_\_\_\_\_ December 12, 2016

27 \_\_\_\_\_ - PRESIDENT

28 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
29 EX-OFFICIO CLERK OF THE  
30 CITY AND COUNTY OF DENVER

31 PREPARED BY: Brent A. Eisen, Assistant City Attorney DATE: December 8, 2016

32 Pursuant to Section 13-12, D.R.M.C., this proposed resolution has been reviewed by the office of  
33 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed  
34 resolution. The proposed resolution is not submitted to the City Council for approval pursuant to §  
35 3.2.6 of the Charter.

36 Kristin M. Bronson, Denver City Attorney

37 BY: \_\_\_\_\_, Assistant City Attorney DATE: Dec 8, 2016