

1 **BY AUTHORITY**

2 RESOLUTION NO. CR15-0221
3 SERIES OF 2015
4

COMMITTEE OF REFERENCE:
Infrastructure & Culture

5 **A RESOLUTION**

6 **Laying out, opening and establishing as part of the City street system parcels**
7 **of land as Mississippi Avenue near its intersection with South Broadway.**
8

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

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

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

21 **PARCEL DESCRIPTION ROW NO. 2014-1079-03-001**
22

23 **Parcel 1 (RW-107)**
24

25 The most easterly 55.86 feet of that parcel of land conveyed to the City and County
26 of Denver by Quit Claim Deed recorded on March 18, 2015 in the Office of the Clerk
27 and Recorder at Reception No. 2015034018, said parcel being described therein as
28 follows:

29 A parcel of land No. RW-107 of the City and County of Denver, State of Colorado,
30 Project Number CE-93007, Colorado Department of Transportation Project No.
31 18453, and Federal Aid Project No. STU M320-074, containing 4,371 square feet or
32 0.100 acre, more or less, within a parcel of land as described by Deed in Book 2907
33 at Page 4, records of the City and County of Denver, State of Colorado, also being a
34 portion of Lots 1 through 4, inclusive, all of Block 8 of the Official Survey of Sherman
35 Subdivision as adopted by Ordinance No. 3 of 1895 passed January 12, 1895,
36 except for that parcel of land condemned in Book 2191 at Page 394, records of the
37 City and County of Denver, State of Colorado, in the Northeast Quarter of Section

38 [continued on next page]

1 22, Township 4 South, Range 68 West, of the Sixth Principal Meridian, City and
2 County of Denver, Colorado, said parcel being more particularly described as follows:

3 **Bearings** are based upon the 20-foot range line in Mississippi Avenue (width varies)
4 that defines the north line of said Block 8 as monumented by a 3.25-inch aluminum
5 cap stamped "PLS 35583" in a range box at the west end and monumented by a 1-
6 inch axle in a range box at the east end, said 20-foot range line is assumed to bear
7 North 89°54'28" East;

8 **Beginning** at the intersection of the north line of said parcel of land described by
9 Deed, also being the north line of said Lot 1, also being the southerly right of way line
10 of Mississippi Avenue, and the east line of said condemned parcel of land, whence
11 said 3.25-inch aluminum cap bears North 45°18'00" West a distance of 28.39 feet;

12 Thence North 89°54'28" East along said north line of Lot 1 a distance of 124.32 feet
13 to the east line of said parcel of land described by Deed, also being the east line of
14 said Lot 1;

15 Thence departing said north line South 00°26'00" East along said east line of a
16 parcel of land described by Deed a distance of 6.50 feet;

17 Thence departing said east line the following three (3) courses:

- 18 1) South 89°54'28" West a distance of 55.86 feet;
- 19 2) South 45°05'31" West a distance of 53.37 feet;
- 20 3) South 00°05'31" West a distance of 56.01 feet to the south line of said parcel of
21 land described by Deed, also being the south line of said Lot 4;

22 Thence South 89°53'11" West along said south line a distance of 30.19 feet to said
23 east line of the condemned parcel of land;

24 Thence departing said south line North 00°15'15" West along said east line of the
25 condemned parcel of land a distance of 100.14 feet to said north line of a parcel of
26 land described by Deed, also being the **Point of Beginning**;

27 and

28 **Parcel 2 (RW-108)**

29
30 A parcel of land conveyed to the City and County of Denver by Quit Claim Deed
31 recorded on March 18, 2015 in the Office of the Clerk and Recorder at Reception No.
32 2015034020, being described therein as follows:

33 A parcel of land No. RW-108 of the City and County of Denver, State of Colorado,
34 Project Number CE-93007, Colorado Department of Transportation Project No.
35 18453, and Federal Aid Project No. STU M320-074, containing 813 square feet or
36 0.019 acre, more or less, within a parcel of land as described by Deed in Book 1727
37 at Page 112, records of the City and County of Denver, State of Colorado, also being
38 a portion of Lots 45 through 48, inclusive, all of Block 8 of the Official Survey of
39 Sherman Subdivision as adopted by Ordinance No. 3 of 1895 passed January 12,

40 [continued on next page]

1 1895, in the Northeast Quarter of Section 22, Township 4 South, Range 68 West, of
2 the Sixth Principal Meridian, City and County of Denver, Colorado, said parcel being
3 more particularly described as follows:

4 **Bearings** are based upon the 20-foot range line in Mississippi Avenue that defines
5 the north line of said Block 8 as monumented by a 3.25-inch aluminum cap stamped
6 "PLS 35583" in a range box at the west end and monumented by a 1-inch axle in a
7 range box at the east end, said 20-foot range line is assumed to bear North
8 89°54'28" East;

9 **Beginning** at the northwest corner of said parcel of land described by Deed, also
10 being the northwest corner of said Lot 48, whence said 3.25-inch aluminum cap
11 bears North 82°48'30" West a distance of 157.74 feet;

12 Thence North 89°54'28" East along the north line of said parcel of land described by
13 Deed, also being the north line of said Lot 48, also being the southerly right-of-way
14 line of Mississippi Avenue (width varies) a distance of 125.07 feet to the east line of
15 said parcel of land described by Deed, also being the east line of said Lot 48, also
16 being the westerly right-of-way line of South Lincoln Street (60.00 feet wide);

17 Thence departing said north line South 00°25'38" East along said east line a distance
18 of 6.50 feet;

19 Thence departing said east line South 89°54'28" West a distance of 125.06 feet to
20 the west line of said parcel of land described by Deed, also being the west line of
21 said Lot 48;

22 Thence North 00°26'00" West along said west line a distance of 6.50 feet to said
23 north line, also being the **Point of Beginning**;

24 and

25 **Parcel 3 (PE-117)**
26

27 That Permanent Easement Area described in document recorded on March 3, 2015
28 in the Office of the Clerk and Recorder at Reception No. 2015026592 described
29 therein as follows:
30

31 A Permanent Easement No. PE-117 of the City and County of Denver, State of
32 Colorado, Project Number CE-93007, containing 2,403 square feet or 0.055 acre,
33 more or less, within a parcel of land as described as "PARCEL 21" by Deed at
34 Reception No. 2009115337, records of the City and County of Denver, State of
35 Colorado, also being a portion of Lots 23 and 24 both of Block 1 of Lawrence's
36 Broadway Addition, in Engineering Book 19 at Page 37, records of the City and
37 County of Denver, and in Book 5 at Page 10, records of the County of Arapahoe,
38 both of the State of Colorado, in the Southwest Quarter of Section 15, Township 4
39 South, Range 68 West, of the Sixth Principal Meridian, City and County of Denver,
40 Colorado, said parcel being more particularly described as follows:

41 **Bearings** are based upon the east line of said Southwest Quarter of Section 15, as
42 monumented by a stone with a notch in a range box at the north end and
43

[continued on next page]

1 monumented by a 3.25-inch brass cap stamped "Greiner Eng, 1/4, 15/22, LS 19611,
2 1986" at the south end, said east line is assumed to bear North 00°44'35" West;

3 **Beginning** at the southeast corner of a parcel of land described as "PARCEL 2I",
4 also being the southeast corner of said Lot 24, also being at the intersection of the
5 westerly right-of-way line of South Broadway (width varies) and the northerly right-of-
6 way line of Mississippi Avenue (width varies), whence said 3.25-inch brass cap bears
7 South 51°35'20" East a distance of 64.48 feet;

8 Thence North 89°55'50" West along the south line of said Lot 24, also being the
9 south line of said parcel of land described as "PARCEL 2I", also being said northerly
10 right-of-way line a distance of 57.01 feet to the southeast corner of a parcel of land
11 described as "No. 5" by Deed in Book 2642 at Page 291, records of the City and
12 County of Denver, State of Colorado;

13 Thence departing said south line of Lot 24 North 73°36'25" West along the northerly
14 line of said parcel of land described as "No. 5", also being the south line of said
15 parcel of land described as "PARCEL 2I", also being said northerly right-of-way line,
16 a distance of 71.15 feet to a point on the west line of said Lot 24 that is 5.00 feet
17 south of the northwest corner of said Lot 24, also being the west line of said parcel of
18 land described as "No. 5";

19 Thence continuing along said northerly right-of-way line, also being said south line of
20 a parcel of land described as "PARCEL 2I", South 80°45'16" West a distance of 7.58
21 feet to a point 7.50 feet west of said west line of Lot 24;

22 Thence departing said northerly right-of-way line, also being the south line of a parcel
23 of land described as "PARCEL 2I", North 00°44'35" West along a line parallel with
24 and 7.50 feet west of said west line of Lot 24 a distance of 1.64 feet;

25 Thence departing said parallel line the following four (4) courses:

- 26 1) North 70°04'07" East a distance of 1.73 feet;
- 27 2) South 89°55'53" East a distance of 101.25 feet;
- 28 3) North 44°15'24" East a distance of 37.65 feet;
- 29 4) North 00°44'35" West a distance of 2.00 feet to the north line of said Lot 23;

30 Thence South 89°55'53" East along said north line of Lot 23 a distance of 3.00 feet to
31 the east line of said Lot 23, also being the east line of said parcel of land described
32 as "PARCEL 2I", also being said westerly right-of-way line;

33 Thence South 00°44'35" East along said east line of Lot 23 and continuing along the
34 east line of said Lot 24, also being the east line of said parcel of land described as
35 "PARCEL 2I", also being said westerly right-of-way line, a distance of 50.01 feet to
36 said southeast corner of Lot 24, also being the **Point of Beginning**;

37 and

38 **Parcel 4 (PE-118 SOUTH)**

39
40 That Permanent Easement Area described in document recorded on March 3, 2015
41 in the Office of the Clerk and Recorder at Reception No. 2015026592 described
42 therein as follows:

43 [continued on next page]

1 **Commencing** at the intersection of the westerly right-of-way line of South Broadway
2 (width varies) and the northerly right-of-way line of Mississippi Avenue (width varies),
3 whence said 3.25-inch brass cap bears South 51°35'20" East a distance of 64.48
4 feet;

5 Thence the following three (3) courses along the south line of said parcel of land
6 described as "PARCEL 2I", also being said northerly right-of-way line:

- 7 1) North 89°55'50" West a distance of 57.01 feet;
- 8 2) North 73°36'25" West a distance of 71.15 feet;
- 9 3) South 80°45'16" West a distance of 7.58 feet to the **Point of Beginning**;

10 Thence continuing along said south line South 80°45'16" West a distance of 7.63
11 feet;

12 Thence continuing along said south line North 89°55'50" West a distance of 0.39
13 feet;

14 Thence departing said south line North 70°04'07" East a distance of 8.40 feet;

15 Thence South 00°44'35" East a distance of 1.64 feet to said south line, also being the
16 **Point of Beginning**;

17
18 be and the same is hereby approved and said real property is hereby laid out and established and
19 declared laid out, opened and established as Mississippi Avenue.

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

22 COMMITTEE APPROVAL DATE: April 23, 2015 by consent

23 MAYOR-COUNCIL DATE: April 28, 2015

24 PASSED BY THE COUNCIL: _____, 2015

25 _____ - PRESIDENT

26 ATTEST: _____ - CLERK AND RECORDER,
27 EX-OFFICIO CLERK OF THE
28 CITY AND COUNTY OF DENVER

29 PREPARED BY: Brent A. Eisen, Assistant City Attorney DATE: April 30, 2015

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

34 D. Scott Martinez, Denver City Attorney

35
36 BY: _____, Assistant City Attorney DATE: _____, 2015