

1 **BY AUTHORITY**

2 RESOLUTION NO. CR17-0038
3 SERIES OF 2017

COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

4 **A RESOLUTION**

5 **Accepting and approving the plat of 40th and York Street Subdivision.**

6 **WHEREAS**, the property owner of the following described land, territory or real property
7 situate, lying and being in the City and County of Denver, State of Colorado, to wit:

8 A PARCEL OF LAND BEING A PORTION OF THE TRACTS OF LAND DESCRIBED AT RECEPTION NO.
9 2011126787 RECORDED NOVEMBER 8, 2011 AND RECEPTION NO. 2011081982 RECORDED JULY 28,
10 2011, BOTH IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, BEING A
11 PORTION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 24,
12 TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF
13 DENVER, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

14
15 COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 24 (A FOUND 3-¼" ALUMINUM
16 CAP IN RANGE BOX STAMPED "COLO. DEPT. OF TRANSPORTATION T3S R68W S23 ¼ S24 1994 PLS
17 23521"), WHENCE THE NORTHWEST CORNER OF SAID SECTION 24 (A FOUND 3-¼" ALUMINUM CAP
18 IN RANGE BOX STAMPED "LS 13155") BEARS N00°08'49"E A DISTANCE OF 2647.24 FEET (BASIS OF
19 BEARING - ASSUMED);

20 THENCE S01°16'44"E A DISTANCE OF 1263.04 FEET TO THE SOUTHWEST CORNER OF SAID TRACT
21 OF LAND DESCRIBED AT RECEPTION NO. 2011126787, AND THE POINT OF BEGINNING;

22
23 THENCE N00°04'56"E NON-TANGENT WITH THE FOLLOWING DESCRIBED CURVE, COINCIDENT WITH
24 THE WESTERLY LINE OF SAID TRACT OF LAND AND COINCIDENT WITH THE WESTERLY LINE OF
25 SAID TRACT OF LAND DESCRIBED AT RECEPTION NO. 2011081982, A DISTANCE OF 383.56 FEET;
26 THENCE THE FOLLOWING THREE (3) COURSES COINCIDENT WITH THE NORTHERLY LINE OF SAID
27 TRACT OF LAND DESCRIBED AT RECEPTION NO. 2011081982 AND THE NORTHERLY LINE OF
28 PARCEL NO. EC-28B-REV1, AS DESCRIBED AT SAID RECEPTION NO. 2011126787:

- 29 1. ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 90°00'00", A
30 RADIUS OF 10.00 FEET, A CHORD BEARING S44°52'12"E A DISTANCE OF 14.14 FEET, AND AN
31 ARC DISTANCE OF 15.71 FEET;
- 32 2. S89°52'12"E TANGENT WITH THE LAST AND FOLLOWING DESCRIBED CURVES A DISTANCE
33 OF 211.84 FEET;
- 34 3. ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 68°31'39", A
35 RADIUS OF 10.00 FEET, A CHORD BEARING N55°51'59"E A DISTANCE OF 11.26 FEET, AND AN
36 ARC DISTANCE OF 11.96 FEET;

37 THENCE N21°36'10"E, COINCIDENT WITH SAID NORTHERLY LINE OF SAID PARCEL NO. EC-28B-REV1
38 AND THE NORTHWESTERLY LINE OF PARCEL NO. EC-28A-REV1 AS DESCRIBED AT SAID
39 RECEPTION NO. 2011126787, TANGENT WITH THE LAST DESCRIBED CURVE A DISTANCE OF 95.01
40 FEET, TO THE EASTERLY LINE OF SAID TRACT OF LAND DESCRIBED AT RECEPTION NO.
41 2011126787;

42 THENCE S00°04'56"W COINCIDENT WITH SAID EASTERLY LINE A DISTANCE OF 432.59 FEET TO THE
43 SOUTHERLY LINE OF PARCEL NO. EC-28RA AS DESCRIBED AT SAID RECEPTION NO. 2011126787;
44 THENCE COINCIDENT WITH SAID SOUTHERLY LINE THE FOLLOWING FIVE (5) COURSES:

- 45 1. S81°43'27"W A DISTANCE OF 13.52 FEET;
- 46 2. S76°09'01"W A DISTANCE OF 45.25 FEET;
- 47 3. S81°24'52"W A DISTANCE OF 42.42 FEET;
- 48 4. S88°28'15"W A DISTANCE OF 49.39 FEET;
- 49 5. N88°29'21"W NON-TANGENT WITH THE FOLLOWING DESCRIBED CURVE A DISTANCE OF
50 48.55 FEET;

1 THENCE ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 2°02'22", A
2 RADIUS OF 480.00 FEET, A CHORD BEARING OF S19°16'52"W A DISTANCE OF 17.09 FEET, AND AN
3 ARC DISTANCE OF 17.09 FEET;

4 THENCE N89°51'35"W NON-TANGENT WITH THE LAST DESCRIBED CURVE, COINCIDENT WITH THE
5 SOUTHERLY LINE OF SAID TRACT OF LAND DESCRIBED AT RECEPTION NO. 2011126787 A
6 DISTANCE OF 63.25 FEET TO THE POINT OF BEGINNING.

7
8 CONTAINING 97,065 SQUARE FEET, (2.228 Acres), MORE OR LESS.

9 propose to lay out, plat and subdivide said land, territory or real property into blocks and lots, and
10 have submitted to the Council of the City and County of Denver a plat of such proposed subdivision
11 under the name and style aforesaid, showing the adjacent streets and platted territory, accompanied
12 by a certificate of title from the attorney for the City and County of Denver; and dedicating the
13 streets, avenues, and public utilities easements as shown thereon.

14 **WHEREAS**, said subdivision was surveyed by or under the direction of the City Engineer of
15 the City and County of Denver and said City Engineer has certified as to the accuracy of said survey
16 and said plat or map and their conformity with the requirements of Chapter 49, Article III of the
17 Revised Municipal Code of the City and County of Denver, and said plat has been approved by the
18 City Engineer, the Executive Director of Community Planning and Development, the Executive
19 Director of Public Works and the Executive Director of Parks and Recreation;

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

21 **Section 1.** That the Council hereby finds and determines that said land, territory, or real
22 property has been platted in strict conformity with the requirements of the Charter of the City and
23 County of Denver.

24 **Section 2.** That the said plat or map of 40th and York Street Subdivision and dedicating to
25 the City and County of Denver the streets, avenues, and public utilities easements, as shown
26 thereon, be and the same are hereby accepted by the Council of the City and County of Denver.

27
28 **REMAINDER OF PAGE INTENTIONALLY BLANK**
29

1 COMMITTEE APPROVAL DATE: January 17, 2017

2 MAYOR-COUNCIL DATE: January 24, 2017

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

9 PREPARED BY: Brent A. Eisen, Assistant City Attorney - DATE: January 26, 2017

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
15 Kristin M. Bronson, Denver City Attorney

16 BY: _____, Assistant City Attorney DATE: _____