

1 **BY AUTHORITY**

2 RESOLUTION NO. CR15-0998  
3 SERIES OF 2016

COMMITTEE OF REFERENCE:  
Infrastructure & Culture

4 **A RESOLUTION**

5 **Laying out, opening, and establishing certain real property as part of the City**  
6 **street system a parcel of land as East 39<sup>th</sup> Avenue near its intersection with**  
7 **Paris Street.**

8  
9 **WHEREAS**, the Executive Director of Public Works of the City and County of Denver has  
10 found and determined that the public use, convenience, and necessity require the laying out,  
11 opening, and establishing as public streets designated as part of the system of thoroughfares of  
12 the municipality those portions of real property hereinafter more particularly described and, subject  
13 to approval by 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 Executive Director of Public Works in laying out,  
18 opening, and establishing as part of the system of thoroughfares of the municipality the following  
19 described portion of real property situate, lying, and being in the City and County of Denver, State  
20 of Colorado, to wit:

21 **PARCEL DESCRIPTION ROW # 2015-DEDICATION-0000116-001:**

22 A tract or parcel of land No. ROW-3 of the City and County of Denver, State of Colorado,  
23 containing 2,386 sq. ft. (0.055 acres) of land, more or less, being a portion of that parcel of land  
24 described in Reception Number 2012155087, as recorded on November 13, 2012 in the City and  
25 County of Denver Clerk and Recorder's Office, lying in the SE 1/4 of the SE 1/4 of Section 23,  
26 Township 3 South, Range 67 West, of the 6th Principal Meridian, in said City and County of  
27 Denver, said tract or parcel of land being more particularly described as follows:

28  
29 **COMMENCING** at the SE corner of said Section 23, (Whence the W 1/4 corner of Section 25,  
30 Township 3 South, Range 67 West, of the 6th Principal Meridian bears S 00°35'37" E, a distance  
31 of 2,649.21 feet); Thence N 11°57'10" W, a distance of 775.02 feet, to a point on the west right-of-  
32 way line of Peoria Way (August 2015), being the **POINT OF BEGINNING**;

- 33  
34 1. Thence S 89°47'54" W, a distance of 193.06 feet;
- 35 2. Thence on a curve to the left having a radius of 91.50 feet, a central angle of 32°20'50", an  
36 arc length of 51.66 feet, with a chord bearing of S 73°37'29" W, a distance of 50.97 feet;
- 37 3. Thence on a compound curve to the left having a radius of 18.50 feet, a central angle of  
38 29°35'46", an arc length of 9.56 feet, with a chord bearing of S 42°39'11" W, a distance of  
39 9.45 feet;

- 1 4. Thence S 89°53'11" W, a distance of 4.74 feet, to a point on the west line of said Reception  
2 Number 2012155087;
- 3 5. Thence along said west line of Reception Number 2012155087, on a non-tangent curve to  
4 the right having a radius of 30.00 feet, a central angle of 90°04'15", an arc length of 47.16  
5 feet, with a chord bearing of N 44°51'50" E, a distance of 42.45 feet, to a point on the north  
6 line of said Reception Number 2012155087;
- 7 6. Thence along said north line of Reception Number 2012155087, N 89°54'03" E, a distance  
8 of 202.27 feet;
- 9 7. Thence continuing along said north line, on a curve to the right having a radius of 30.00  
10 feet, a central angle of 44°07'39", an arc length of 23.11 feet, with a chord bearing of S  
11 68°02'08" E, a distance of 22.54 feet, more or less, to the **POINT OF BEGINNING**.

13 The above described tract or parcel of land contains 2,386 sq. ft. (0.055 acres) of land, more or  
14 less.

15  
16 **Basis of Bearings:** All bearings are based on the line connecting the W 1/4 corner of Section 25  
17 and the N.W. corner of Section 25, T.3 S., R. 67 W., 6th P.M. being a grid bearing of N. 00°35'37"  
18 W, (2649.21') as obtained from a Global Positioning System (GPS) survey based on the Colorado  
19 High Accuracy Reference Network (CHARN). Said grid bearing is NAD83 (1992) Universal  
20 Transverse Mercator (Zone 13 North). The W 1/4 corner of Section 25 being monumented with a  
21 found 3" dia. City of Aurora brass cap in range box marked in part "LS 16419, 1989" and the N.W.  
22 corner of Section 25 being monumented with a found 3.25" dia. aluminum cap in range box  
23 marked in part "ZBS INC., PLS 11434, 1992."

24  
25 be and the same is hereby approved and said real property is hereby laid out and established and  
26 declared laid out, opened, and established as East 39<sup>th</sup> Avenue.

27 **Section 2.** That the real property described in Section 1 hereof shall henceforth be known  
28 as East 39<sup>th</sup> Avenue.

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30 **[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK.]**

1 COMMITTEE APPROVAL DATE: December 30, 2015 by Consent

2 MAYOR-COUNCIL DATE: January 5, 2016

3 PASSED BY THE COUNCIL: \_\_\_\_\_, 2016

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: January 7, 2016

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 D. Scott Martinez, Denver City Attorney

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15 BY: \_\_\_\_\_, Assistant City Attorney DATE: \_\_\_\_\_, 2016