

1 BY AUTHORITY

2 RESOLUTION NO. CR12-0110
3 SERIES OF 2012

COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

4 A RESOLUTION

5 **Laying out, opening and establishing as part of the city street system a certain**
6 **parcel of land as 43rd Avenue, located at the intersection of 43rd Avenue and**
7 **Vine Street.**

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 OF**
15 **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 (# 2010-0169-05)**

Parcel 1 LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 23,
TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND
COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS
FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 23, WHENCE
THE WEST QUARTER CORNER OF SAID SECTION BEARS SOUTH 89°42'16" WEST, A
DISTANCE OF 5,286.08 FEET;

THENCE ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER, SOUTH 89°42'16"
WEST, A DISTANCE OF 867.05' FEET TO THE **POINT OF BEGINNING** AND THE
NORTHWEST CORNER OF THAT PARCEL OF LAND DESCRIBED IN MINERAL DEED
RECORDED IN BOOK 813, PAGE 97 ON DECEMBER 26, 1973 IN THE RECORDS OF THE
CITY AND COUNTY OF DENVER CLERK AND RECORDER;

THENCE ALONG THE WEST BOUNDARY OF SAID PARCEL OF LAND, SOUTH 00°14'01"
EAST, A DISTANCE OF 35.00 FEET;

THENCE DEPARTING SAID WEST BOUNDARY, PARALLEL WITH AND 35.00' SOUTH OF
THE NORTH LINE OF SAID SOUTHEAST QUARTER, SOUTH 89°42'16" WEST, A DISTANCE
OF 456.38 FEET TO THE WEST LINE OF THE NORTHEAST QUARTER OF SAID
SOUTHEAST QUARTER;

THENCE ALONG SAID WEST LINE, NORTH 00°16'47" WEST, A DISTANCE OF 35.00 FEET
TO THE NORTH LINE OF SAID SOUTHEAST QUARTER;

THENCE ALONG SAID NORTH LINE, NORTH 89°42'16" EAST, A DISTANCE OF 456.41 FEET
TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 0.366 ACRES, (15,973 SQUARE FEET), MORE OR LESS.

1 and

Parcel 2 LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 23, WHENCE THE WEST QUARTER CORNER OF SAID SECTION BEARS SOUTH 89°42'16" WEST, A DISTANCE OF 5,286.08 FEET;

THENCE ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER, SOUTH 89°42'16" WEST, A DISTANCE OF 817.05' FEET TO THE **POINT OF BEGINNING** AND THE NORTHWEST CORNER OF THAT PARCEL OF LAND DESCRIBED IN DEED RECORDED UNDER RECEPTION NO. 92-0125398 ON OCTOBER 23, 1992 IN THE RECORDS OF THE CITY AND COUNTY OF DENVER CLERK AND RECORDER;

THENCE ALONG THE WEST BOUNDARY OF SAID PARCEL OF LAND, SOUTH 00°14'01" EAST, A DISTANCE OF 35.00 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL OF LAND;

THENCE DEPARTING SAID WEST BOUNDARY, SOUTH 89°42'16" WEST, A DISTANCE OF 50.00 FEET;

THENCE NORTH 00°14'01" WEST, A DISTANCE OF 35.00 FEET TO THE NORTH LINE OF SAID SOUTHEAST QUARTER;

THENCE ALONG SAID NORTH LINE, NORTH 89°42'16" EAST, A DISTANCE OF 50.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 0.040 ACRES, (1,750 SQUARE FEET), MORE OR LESS.

2

3 be and the same is hereby approved and said real property is hereby laid out and established and
4 declared laid out, opened and established as part of 43rd Avenue.

5 **Section 2.** That the real property described in Section 1 hereof shall henceforth be part
6 of 43rd Avenue.

7 COMMITTEE APPROVAL DATE: February 9, 2012 [by consent]

8 MAYOR-COUNCIL DATE: February 14, 2012

9 PASSED BY THE COUNCIL: _____, 2012

10 _____ - PRESIDENT

11 ATTEST: _____ - CLERK AND RECORDER,
12 EX-OFFICIO CLERK OF THE
13 CITY AND COUNTY OF DENVER

14 PREPARED BY: KAREN A. AVILES, Assistant City Attorney DATE: February 16, 2012

15 Pursuant to section 13-12, D.R.M.C., this proposed resolution has been reviewed by the office of
16 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
17 resolution. The proposed resolution is not submitted to the City Council for approval pursuant to §
18 3.2.6 of the Charter.

19 Douglas J. Friednash, Denver City Attorney

20 BY: _____, Assistant City Attorney DATE: _____, 2012