

1 **BY AUTHORITY**

2 RESOLUTION NO. CR24-0738
3 SERIES OF 2024

COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

4 **A RESOLUTION**

5 **Laying out, opening and establishing as part of the City street system parcels of**
6 **land as: 1) East 40th Avenue, located at the intersection of North High Street and**
7 **East 40th Avenue; 2) Public Alley, bounded by North High Street, East 40th**
8 **Avenue, North Williams Street, and East 39th Avenue; and 3) Public Alley,**
9 **bounded by North High Street, East 40th Avenue, North Williams Street, and East**
10 **39th Avenue.**

11 **WHEREAS**, the Executive Director of the Department of Transportation and Infrastructure of
12 the City and County of Denver has found and determined that the public use, convenience and
13 necessity require the laying out, opening and establishing as a public street and public alleys
14 designated as part of the system of thoroughfares of the municipality those portions of real property
15 hereinafter more particularly described, and, subject to approval by resolution has laid out, opened
16 and established the same as a public street and public alleys;

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

18 **Section 1.** That the action of the Executive Director of the Department of Transportation
19 and Infrastructure in laying out, opening and establishing as part of the system of thoroughfares of
20 the municipality the following described portion of real property situate, lying and being in the City
21 and County of Denver, State of Colorado, to wit:

22 **PARCEL DESCRIPTION ROW NO. 2017-DEDICATION-0000212-001:**

23 **LEGAL DESCRIPTION - STREET PARCEL NO. 1**

24 A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEEDS TO THE CITY AND
25 COUNTY OF DENVER, RECORDED ON THE 15TH DAY OF MARCH, 2018, AT RECEPTION
26 NUMBERS 2018030930 AND 2018030931 IN THE CITY AND COUNTY OF DENVER CLERK
27 AND RECORDER’S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

28
29 THE NORTHERLY 7.00 FEET OF LOT 40, BLOCK 4, PROVIDENT PARK LOCATED IN THE
30 SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE
31 SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

32
33 SAID PARCEL CONTAINS 0.0201 ACRES, 875 SQUARE FEET, MORE OR LESS

34 be and the same is hereby approved and said real property is hereby laid out and established and
35 declared laid out, opened and established as East 40th Avenue.

1 **Section 2.** That the real property described in Section 1 hereof shall henceforth be known
2 as East 40th Avenue.

3 **Section 3.** That the action of the Executive Director of the Department of Transportation
4 and Infrastructure in laying out, opening and establishing as part of the system of thoroughfares of
5 the municipality the following described portion of real property situate, lying and being in the City
6 and County of Denver, State of Colorado, to wit:

7 **PARCEL DESCRIPTION ROW NO. 2017-DEDICATION-0000212-002:**

8 LEGAL DESCRIPTION - ALLEY PARCEL NO. 2
9 A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEEDS TO THE CITY AND
10 COUNTY OF DENVER, RECORDED ON THE 15TH DAY OF MARCH, 2018, AT RECEPTION
11 NUMBERS 2018030930 AND 2018030931 IN THE CITY AND COUNTY OF DENVER CLERK
12 AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

13
14 THE WESTERLY 2.00 FEET OF LOTS 30 THROUGH 40, BLOCK 4, PROVIDENT PARK,
15 EXCEPT THE NORTHERLY 7.00 FEET OF SAID LOT 40 THEREOF, LOCATED IN THE
16 SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE
17 SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

18
19 SAID PARCEL CONTAINS 0.0123 ACRES, 536 SQUARE FEET, MORE OR LESS
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 a public alley.

22 **Section 4.** That the real property described in Section 3 hereof shall henceforth be a public
23 alley.

24 **Section 5.** That the action of the Executive Director of the Department of Transportation
25 and Infrastructure in laying out, opening and establishing as part of the system of thoroughfares of
26 the municipality the following described portion of real property situate, lying and being in the City
27 and County of Denver, State of Colorado, to wit:

28 **PARCEL DESCRIPTION ROW NO. 2017-DEDICATION-0000212-003:**

29 LEGAL DESCRIPTION - ALLEY PARCEL NO. 3
30 A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEEDS TO THE CITY AND
31 COUNTY OF DENVER, RECORDED ON THE 15TH DAY OF MARCH, 2018, AT RECEPTION
32 NUMBERS 2018030930 AND 2018030931 IN THE CITY AND COUNTY OF DENVER CLERK
33 AND RECORDER'S OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

34
35 THE EASTERLY 2.00 FEET OF LOTS 10 AND 11, BLOCK 4, PROVIDENT PARK LOCATED IN
36 THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF
37 THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

38
39 SAID PARCEL CONTAINS 0.0023 ACRES, 100 SQUARE FEET, MORE OR LESS

1 be and the same is hereby approved and said real property is hereby laid out and established and
2 declared laid out, opened and established as a public alley.

3 **Section 6.** That the real property described in Section 5 hereof shall henceforth be a public
4 alley.

5 COMMITTEE APPROVAL DATE: June 4, 2024 by Consent

6 MAYOR-COUNCIL DATE: June 11, 2024 by Consent

7 PASSED BY THE COUNCIL: _____

8 _____ - PRESIDENT

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

12 PREPARED BY: Martin A. Plate, Assistant City Attorney DATE: June 13, 2024

13 Pursuant to section 13-9, D.R.M.C., this proposed resolution has been reviewed by the Office of the
14 City Attorney. We find no irregularity as to form and have no legal objection to the proposed
15 resolution. The proposed resolution is not submitted to the City Council for approval pursuant to
16 § 3.2.6 of the Charter.

17
18 Kerry Tipper, Denver City Attorney

19
20 BY: _____, Assistant City Attorney DATE: _____