

1 **BY AUTHORITY**

2 RESOLUTION NO. CR18-0960
3 SERIES OF 2018

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 East 42nd Avenue located at East 42nd Avenue between North Monroe**
7 **Street and Smith Road.**

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

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

14 **Section 1.** That the action of the Executive Director of Public Works in laying out, opening
15 and establishing as part of the system of thoroughfares of the municipality the following described
16 portions of real property situate, lying and being in the City and County of Denver, State of Colorado,
17 to wit:

18 **PARCEL DESCRIPTION ROW NO. 2018-DEDICATION-0000134-001:**

19 A Parcel No. RTD-CCD-13 conveyed to the City and County of Denver by Quit Claim Deed
20 recorded at Reception No.2018082023 on July 3, 2018 in the City and County of Denver Clerk and
21 Recorder's Office, located in the Southeast Quarter of Section 24, Township 3 South, Range 68
22 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado, being more
23 particularly described as follows:

24 COMMENCING at the Southeast Comer of said Section 24, (a found 3-1/4 inch aluminum cap in
25 range box, stamped: "COLO DEPT OF HIGHWAYS T3S S24 S19 S25 S30 1990 PLS 11434");
26 WHENCE the South 1/4 Comer of said Section 24 (a found 3-1/4 inch aluminum cap, 7 inches
27 below surface, stamped: "MOLLENHAUER 2008 T3S R68W 1/4 S24 S25 LS 38033") bears
28 N89°51'23"W (Basis of Bearing-Assumed), a distance of 2654.03 feet;
29 THENCE N28°03'43" W a distance of 2476.85 feet to the southeast comer of said Lot 12, also
30 being a point on the northerly line of the East 42nd Avenue right-of-way, and to the POINT OF
31 BEGINNING;

32
33 THENCE the following three (3) courses coincident with said northerly right-of-way line:

- 34 1) N89°53'59"W a distance of 145.17 feet to a 20.10 foot range line;
- 35 2) N88°01'33"W a distance of 41.28 feet to a 20.00 foot range line;

1 3) N89°56'05"W a distance of 20.00 feet to the easterly line of Block 37 of FIRST ADDITION
2 TO SWANSEA, as filed November 13, 1873 in the City and County of Denver Clerk and
3 Recorder's Office;
4 THENCE N00°02'00 "E coincident with said easterly line of Block 37 a distance of 8.86 feet;
5 THENCE S89°53'59"E a distance of 206.40 feet to the easterly line of said Lot 12;
6 THENCE S00°04'22"E coincident with said easterly line of Lot 12 a distance of 10.20 feet to the
7 POINT OF BEGINNING
8

9 and

10
11 **PARCEL DESCRIPTION ROW NO. 2018-DEDICATION-0000134-002:**

12 A Parcel No. RTD-CCD-14 conveyed to the City and County of Denver by Quit Claim Deed
13 recorded at Reception No. 2018082023 on July 3, 2018 in the City and County of Denver Clerk
14 and Recorder's Office, located in the Southeast Quarter of Section 24, Township 3 South, Range
15 68 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado, being more
16 particularly described as follows:
17

18 COMMENCING at the Southeast Corner of said Section 24, (a found 3-1/4 inch aluminum cap in
19 range box, stamped: "COLO DEPT OF HIGHWAYS T3S S24 S19 S25 S30 1990 PLS 11434");
20 WHENCE the South 1/4 Corner of said Section 24 (a found 3-1/4 inch aluminum cap, 7 inches
21 below surface, stamped: "MOLLENHAUER 2008 T3S R68W ¼ S24 S25 LS 38033") bears
22 N89°51'23"W (Basis of Bearing-Assumed), a distance of 2654.03 feet;
23 THENCE N20°53'40"W a distance of 2338.90 feet to the southeast corner of said Lot 13, Block 2,
24 also being the northerly right-of-way line of East 42nd Avenue, and to the POINT OF BEGINNING;
25

26 THENCE N89°53'59"W coincident with said northerly right-of-way line a distance of 315.01 feet to
27 the southwest corner of said Lot 13 Block 1;
28 THENCE N00°04'22"W coincident with the westerly line of said Lot 13 Block 1, a distance of 10.20
29 feet;
30

31 THENCE S89°53'59"E coincident with a line 10.20 feet northerly of and parallel with said northerly
32 right-of-way line a distance of 315.01 feet to the easterly line of said Lot 13, Block 2;
33 THENCE S00°04'27"E coincident with said easterly line a distance of 10.20 feet to the POINT OF
34 BEGINNING.
35

36 and

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38 **PARCEL DESCRIPTION ROW NO. 2018-DEDICATION-0000134-003:**

39 A Parcel No. RTD-CCD-15 conveyed to the City and County of Denver by Quit Claim Deed recorded at
40 Reception No. 2018082023 on July 3, 2018 in the City and County of Denver Clerk and Recorder's
41 Office, located in the Southeast Quarter of Section 24, Township 3 South, Range 68 West of the Sixth
42 Principal Meridian, City and County of Denver, State of Colorado, being more particularly described as
43 follows:

44 COMMENCING at the Southeast Corner of said Section 24, (a found 3-1/4 " aluminum cap in range
45 box, stamped: "COLO DEPT OF HIGHWAYS T3S S24 S19 S25 S30 1990 PLS 11434"); WHENCE
46 the South Quarter Corner of said Section 24 (a found 3-1/4 " aluminum cap, 7 inches below surface,
47 stamped: "MOLLENHAUER 2008 T3S R68W ¼ S24 S25 LS 38033") bears N89°51'23"W (Basis of

1 Bearing-Assumed), a distance of 2654.03 feet;
2 THENCE N14°34'11"W a distance of 2257.21 feet to the intersection of the northerly line of East
3 42nd Avenue right-of-way, also the southerly line of said Lot 13, with the northwesterly right-of-way
4 line of East Smith Road, as described at Ordinance Number 250-1953 at the City and County of
5 Denver Clerk and Recorder's Office, and to the POINT OF BEGINNING;
6 THENCE N89°53'59"W coincident with said northerly right-of-way line a distance of 92.78 feet to
7 the centerline of said vacated Jackson Street;
8 THENCE N00°04'26"W coincident with said centerline a distance of 10.20 feet;
9 THENCE S89°53'59"E a distance of 98.86 feet to said northwesterly right-of-way line;
10 THENCE S30°46'55"W coincident with said northwesterly right-of-way line a distance of 11.86 feet
11 to the POINT OF BEGINNING

12 be and the same is hereby approved and said real property is hereby laid out and established and
13 declared laid out, opened and established as East 42nd Avenue.

14 **Section 2.** That the real property described in Section 1 hereof shall henceforth be known
15 as East 42nd Avenue.

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18 **REMAINDER OF PAGE INTENTIONALLY BLANK**

1 COMMITTEE APPROVAL DATE: September 4, 2018 by Consent

2 MAYOR-COUNCIL DATE: September 11, 2018

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 PREPARED BY: Brent A. Eisen, Assistant City Attorney DATE: September 13, 2018

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

14 Kristin M. Bronson, Denver City Attorney

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16 BY: _____, Assistant City Attorney DATE: _____