

1 **BY AUTHORITY**

2 RESOLUTION NO. CR16-0993
3 SERIES OF 2016

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 a public alley near the intersection of East 3rd Avenue and Saint Paul**
7 **Street.**

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 alley 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 alley;

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. 2016-DEDICATION-0000204-001:**

19 PARCELS A AND B DESCRIBED IN WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 9TH
20 DAY OF SEPTEMBER, 2016, AT RECEPTION NUMBER 2016134391 IN THE CITY AND COUNTY OF DENVER CLERK AND
21 RECORDER’S OFFICE, STATE OF COLORADO, THEREIN AS:

22 PARCEL A

23 A PARCEL OF LAND BEING A PORTION OF LOTS 4, 7, AND THE VACATED ALLEY AS DESCRIBED IN ORDINANCE 1979-
24 0005, AT THE CITY AND COUNTY OF DENVER CLERK AND RECORDER’S OFFICE, IN BLOCK 58 HARMAN’S SUBDIVISION
25 LOCATED IN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH
26 PRINCIPAL MERIDIAN BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

27 COMMENCING AT THE NORTHWEST CORNER OF SAID BLOCK 58, HARMAN’S SUBDIVISION; THENCE ALONG THE
28 EASTERLY RIGHT-OF-WAY LINE OF MILWAUKEE STREET S00°21’46”E A DISTANCE OF 110.13 FEET; THENCE
29 N89°41’32”E A DISTANCE OF 122.44 FEET TO THE POINT OF BEGINNING;
30 THENCE N89°41’32”E A DISTANCE OF 20.00 FEET;
31 THENCE S00°21’42”E A DISTANCE OF 1.93 FEET;
32 THENCE S89°42’18”W A DISTANCE OF 17.50 FEET TO A POINT ON THE EASTERLY LINE OF SAID LOT 4;
33 THENCE ALONG SAID EASTERLY LINE OF LOT 4, S00°21’42”E A DISTANCE OF 38.07 FEET;
34 THENCE S89°41’17”W A DISTANCE OF 2.50 FEET;
35 THENCE N00°21’42”W A DISTANCE OF 39.99 FEET TO THE POINT OF BEGINNING.

36 SAID PARCEL CONTAINS 0.003 ACRES OR 134 SQUARE FEET MORE OR LESS.

1 TOGETHER WITH:

2 PARCEL B

3 A PARCEL OF LAND BEING A PORTION OF LOTS 7, 8 AND 9, BLOCK 58 HARMAN'S SUBDIVISION LOCATED IN THE
4 NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN
5 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

6 COMMENCING AT THE NORTHWEST CORNER OF SAID BLOCK 58, HARMAN'S SUBDIVISION THENCE ALONG THE
7 EASTERLY RIGHT-OF-WAY LINE OF MILWAUKEE STREET S00°21'18"E A DISTANCE OF 155.67 FEET, THENCE
8 N89°38'42" A DISTANCE OF 139.96 FEET TO A POINT ON THE WESTERLY LINE OF SAID LOT 7, SAID POINT BEING THE
9 SOUTHWESTERLY CORNER OF THAT ALLEY DEDICATION AS DESCRIBED IN ORDINANCE 1995-0396, AND THE POINT OF
10 BEGINNING;

11 THENCE THE FOLLOWING 2 (TWO) COURSES ALONG THE SOUTHERLY AND SOUTHEASTERLY LINES OF SAID ALLEY
12 DEDICATION:

13 1) N89°38'18"E A DISTANCE OF 1.50 FEET;

14 2) THENCE 8.18 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF
15 14°02'24", A RADIUS OF 33.38 FEET AND A CHORD WHICH BEARS N06°40'42"E A DISTANCE OF 8.18 FEET;

16 THENCE ALONG A LINE 2.50 FEET EASTERLY OF AND PARALLEL TO THE SAID WESTERLY LINE OF LOTS 7, 8 AND 9,
17 S00°21'42"E A DISTANCE OF 202.76 FEET TO THE NORTHEAST CORNER OF THAT PARCEL DESCRIBED IN RECEPTION
18 NUMBER 2013045269, CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE;

19 THENCE S89°40'33"W ALONG THE NORTHERLY LINE OF SAID PARCEL DESCRIBED IN RECEPTION NUMBER
20 2013045269, 2.50 FEET TO A POINT ON THE WESTERLY LINE OF SAID LOT 9;

21 THENCE ALONG THE SAID WESTERLY LINE OF LOTS 7, 8 AND 9, N00°21'42"W A DISTANCE OF 194.66 FEET TO THE
22 POINT OF BEGINNING.

23

24 SAID PARCEL CONTAINS 0.011 ACRES OR 492 SQUARE FEET MORE OR LESS.

25 BASIS OF BEARINGS

26 BEARINGS ARE BASED ON THE 20' RANGE LINE IN EAST 2ND AVENUE ASSUMED TO BEAR N89°43'18"E AND BEING
27 MONUMENTED BY A FOUND 2" BRASS DISK PLS #28283 AT THE INTERSECTION OF EAST 2ND AVENUE AND
28 MILWAUKEE STREET AND A FOUND 2-1/2" BRASS CAP IN RANGE BOX PLS #10945 AT THE INTERSECTION OF EAST
29 2ND AVENUE AND SAINT PAUL STREET.

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

32 **Section 2.** That the real property described in Section 1 hereof shall henceforth be a public
33 alley.

34

35

36

37

REMAINDER OF PAGE INTENTIONALLY BLANK

1 COMMITTEE APPROVAL DATE: October 27, 2016, by consent

2 MAYOR-COUNCIL DATE: November 1, 2016

3 PASSED BY THE COUNCIL: November 7, 2016

4 *Alan B...* - 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: November 3, 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 Kristin M. Bronson, Denver City Attorney

14 BY: *BR*, Assistant City Attorney DATE: Nov 3, 2016