

1 **BY AUTHORITY**

2 RESOLUTION NO. CR17-1159  
3 SERIES OF 2017

COMMITTEE OF REFERENCE:  
Land Use, Transportation & Infrastructure

4 **A RESOLUTION**

5 **Laying out, opening and establishing as part of the City street system a parcel**  
6 **of land as a public alley at the intersection of East 46th Avenue and North Grant**  
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 that portion 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 portion 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. 2017-DEDICATION-0000189-001:**

19 Being a portion of that parcel of land conveyed by Warranty Deed to the City & County of Denver,  
20 recorded on the 11th of August 1953, in Book 7347 Page 235, in the City and County of Denver  
21 Clerk & Recorder's Office. being more particularly described as follows:

22 Lots Thirty-four (34) and Thirty-five (35) Block Nine (9) Garden Place.

23 Said parcel of land to be dedicated as a public alley is that exception parcel (described as No. 11A)  
24 retained by The City & County of Denver from Rafael Alcaraz by that certain Deed, recorded on the  
25 17th of August 1999, at Reception Number 9900144650, in the City and County of Denver Clerk &  
26 Recorder's Office. being more particularly described as follows:

27 Lot 35, Block 9, Garden Place, a subdivision lying in the South ½ of the Northeast ¼ of Section 22.  
28 Township 3 South, Range 68 West of the 6<sup>th</sup> Principal Meridian, City & County of Denver, State of  
29 Colorado, less the following Parcel 11A, attached as part of this legal description.

30 A Tract or Parcel of land No. 11A of the State Department of Highways, Division of Highways, State  
31 of Colorado, Project No. IR 25-2 (193) Unit 2 containing 90 sq. ft., more or less, in Lot 35, Block 9 of  
32 Garden Place, a subdivision lying in the S ½ of the NE ¼ of Section 22, Township 3 South, Range  
33 68 West, of the Sixth Principal Meridian, in the City & County of Denver, Colorado, said Tract or  
34 Parcel being more particularly described as follows:

1 Commencing at the NE Corner of said Lot 35; thence N. 89°56' 12" W., along the north line of said  
2 Lot 35, also being along the south right-of-way line of 46<sup>th</sup> Ave South Service Road (Dec 1989) a  
3 distance of 20.00 feet to the True Point of Beginning;

4 Thence S 65°41' 59" E., a distance of 21.92 feet, to the east line of said Lot 35;

5 Thence N. 0°07'01" E., along said east lot line, a distance of 9.00 feet, to the NE Corner of said Lot  
6 35;

7 Thence N. 89°56' 12" W., along the north line of said Lot 35, also being along the south right-of-way  
8 line, a distance of 20.00 feet more or less, to the Point of Beginning.

9 The above described parcel contains 90 square feet, more or less.

10 Basis of Bearing: S. 68°44'39" E., along the line from GPS point 25-1 (a 3 ¼" aluminum cap set in  
11 range box) to control point 101 (an alloy cap set on a #5 rebar). Basis of bearing determined by solar  
12 observation

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

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

17 COMMITTEE APPROVAL DATE: October 24, 2017 by Consent

18 MAYOR-COUNCIL DATE: October 31, 2017

19 PASSED BY THE COUNCIL: \_\_\_\_\_

20 \_\_\_\_\_ - PRESIDENT

21 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
22 EX-OFFICIO CLERK OF THE  
23 CITY AND COUNTY OF DENVER

24 PREPARED BY: Brent A. Eisen, Assistant City Attorney DATE: November 2, 2017

25 Pursuant to section 13-12, D.R.M.C., this proposed resolution has been reviewed by the Office of  
26 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed  
27 resolution. The proposed resolution is not submitted to the City Council for approval pursuant to §  
28 3.2.6 of the Charter.

29  
30 Kristin M. Bronson, Denver City Attorney

31  
32 BY: \_\_\_\_\_, Assistant City Attorney DATE: \_\_\_\_\_