

1 BY AUTHORITY

2 RESOLUTION NO. CR12-0320  
3 SERIES OF 2012  
4

COMMITTEE OF REFERENCE:  
Land Use, Transportation & Infrastructure

5 A RESOLUTION

6 **Laying out, opening and establishing as part of the city street system a certain**  
7 **parcel of land as 45<sup>th</sup> Avenue at its intersection with Peoria 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:

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**PARCEL DESCRIPTION ROW # ( 2008-0458-06-001)**

**Parcel 1 (Described as Parcel B on deed)**

**A parcel of land conveyed by General Warranty Deed to the City & County of Denver, recorded on the 18th of May 2010 by Reception Number 2010054107 in the City and County of Denver Clerk & Records Office being more particularly described as follows:**

**A portion of Block 1, Montbello No.8 as platted in the records of the City and County of Denver, Colorado in Book 25 at Pages 103-105, being located in the NW 1/4, Section 24, Township 3 South, Range 67 West of the Sixth Principal Meridian, being more particularly described as follows:**

**Commencing at the West 1/4 corner of said Section 24;**

**Thence N90°00'00"E, 60.00 feet to the east right-of-way line of Peoria Street;**

**Thence N0°00'00"E along said east line, 480.50 feet to a non-tangent, 90.00-foot radius curve in the south right-of-way line of E. 45<sup>th</sup> Avenue;**

**Thence northeasterly along said non-tangent, 90.00-foot radius curve (from which the center bears S53°44 '56"E) concave southeasterly through a central angle of 33°36'18" , a distance of 52.79 feet to the Point of Beginning;**

**Thence through said lot along the following three courses:**

- 1) S89°59'59"E, 113.38 feet to a tangent, 309.50-foot radius curve;**
- 2) Easterly along said 309.50-foot radius curve, concave southerly through a central angle of 1°46' 13" , a distance of 9.56 feet;**
- 3) N0°00'01"E, 5.51 feet to a non-tangent, 315.00-foot radius curve;**

**Thence westerly along said non-tangent, 315.00-foot radius curve (from which the center bears S 1°44 '01"W), concave southerly through a central angle of 1°44 '01" , a distance of 9.53 feet;**

**Thence N90°00'00"W, 82.42 feet to a tangent, 90.00-foot radius curve;**

**Thence westerly along last said 90.00-foot radius curve, concave southerly through a central angle of 20°08'38" , a distance of 31.64 feet to the Point of Beginning.**

**Said parcel as described contains 621 square feet, more or less.**

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**and**

**Parcel 2 (Described as Parcel B on deed)**

A parcel of land conveyed by General Warranty Deed to the City & County of Denver, recorded on the 18th of May 2010 by Reception Number 2010054106 in the City and County of Denver Clerk & Records Office being more particularly described as follows:

A portion of Block 1, Montbello No.8 as platted in the records of the City and County of Denver, Colorado in Book 25 at Pages 103-105, being located in the NW 1/4, Section 24, Township 3 South, Range 67 West of the Sixth Principal Meridian, being more particularly described as follows:

Commencing at the West 1/4 corner of said Section 24;  
Thence N90°00'00"E, 60.00 feet to the east right-of-way line of Peoria Street;  
Thence N0°00'00"E along said east line, 480.51 feet to a non-tangent, 90.00-foot radius curve in the south right-of-way line of E. 45<sup>th</sup> Avenue;  
Thence northeasterly along said non-tangent, 90.00-foot radius curve (from which the center bears S53°44'56"E) concave southeasterly through a central angle of 53°44'56", a distance of 84.43 feet;  
Thence S90°00'00"E along said south line, 82.42 feet to a tangent, 315.00-foot radius curve; Thence easterly along said 315.00-foot radius curve, concave southerly through a central angle of 1°44'01", a distance of 9.53 feet to the Point of Beginning;  
Thence through said Block along the following four courses:  
1) S0°00'01"W, 5.51 feet to a non-tangent, 309.50-foot radius curve;  
2) Easterly along said 309.50-foot radius curve (from which the center bears S 1°46'14"W) concave southerly through a central angle of 47°13'47", a distance of 255.13 feet;  
3) S40°59'59"E, 120.22 feet;  
4) N49°00'00"E, 5.52 feet to the southwest right-of-way line of 45<sup>th</sup> Ave;  
Thence along said southwest line through the following two courses:  
1) N41°00'00"W, 120.22 feet to a tangent, 315.00-foot radius curve;  
2) Northwesterly along said 315.00-foot radius curve, concave southwesterly through a central angle of 47°15'59", a distance of 259.86 feet to the Point of Beginning.

Said parcel as described contains 2,085 square feet, more or less.

**BASIS OF BEARINGS**

The west line, NW 1/4, Section 24, T. 3 S., R. 67 W of the 6th P.M. is assumed to bear N0°00'00"E. It is monumented at the West 1/4 Corner and at the NW Corner by a 3- 1/4" aluminum cap in range box PLS 13155.

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be and the same is hereby approved and said real property is hereby laid out and established and declared laid out, opened and established as 45<sup>th</sup> Avenue.

**Section 2.** That the real property described in Section 1 hereof shall henceforth be known as 45<sup>th</sup> Avenue.

1 .COMMITTEE APPROVAL DATE: April 26, 2012 [by consent]

2 MAYOR-COUNCIL DATE: May 1, 2012

3 PASSED BY THE COUNCIL: \_\_\_\_\_, 2012

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: May 3, 2012

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 Douglas J. Friednash, Denver City Attorney

14 BY: \_\_\_\_\_, Assistant City Attorney DATE: \_\_\_\_\_, 2012