

1 **BY AUTHORITY**

2 RESOLUTION NO. CR24-1174
3 SERIES OF 2024

COMMITTEE OF REFERENCE:
South Platte River

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, bounded by West 40th Avenue, North Fox Street, West**
7 **39th Avenue, and North Galapago Street.**

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

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

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

19 **PARCEL DESCRIPTION ROW NO. 2021-DEDICATION-0000083-001:**

20 **LAND DESCRIPTION - ALLEY PARCEL:**

21
22 A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND
23 COUNTY OF DENVER, RECORDED ON THE 18TH DAY OF AUGUST, 2021, AT RECEPTION
24 NUMBER 2021156925 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S
25 OFFICE, STATE OF COLORADO, THEREIN AS:

26
27 A PARCEL OF LAND SITUATE IN THE SOUTHWEST ONE-QUARTER (SW1/4) OF SECTION
28 22, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN; BEING ALL
29 OF THE EASTERLY HALF OF THE 16' ALLEY VACATED BY ORDINANCE NO. 400 SERIES
30 1978, LYING ADJACENT TO LOTS 20 THROUGH 30, EXCEPT FOR THE SOUTHERLY 11.00
31 FEET OF LOT 20, BLOCK 38, VIADUCT ADDITION TO DENVER, AND THE WESTERLY 2.00
32 FEET OF LOTS 20 THROUGH 30, EXCEPT FOR THE SOUTHERLY 11.00 FEET OF LOT 20,
33 BLOCK 38, VIADUCT ADDITION TO DENVER, AND BEING MORE PARTICULARLY
34 DESCRIBED AS FOLLOWS:

35
36 BEGINNING AT THE CENTER OF SAID VACATED 16' ALLEY, WHENCE A FOUND AXLE IN
37 RANGE BOX, ACCEPTED AS THE RANGE LINE FOR THE INTERSECTION OF W. 39TH AVE
38 AND GALAPAGO STREET, BEARS S26°11'26"W, 439.31 FEET;

1
2 THENCE S89°54'38"E, 10.00 FEET TO A POINT ON THE NORTHERLY LINE OF SAID LOT 30,
3 BEING 2.00 FEET EAST OF THE NORTHWEST CORNER OF SAID LOT 30;
4
5 THENCE ALONG A LINE PARALLEL WITH AND 2.00 FEET EAST OF THE WEST LINE OF SAID
6 LOTS 20 THROUGH 30, S00°10'22"W, 263.95 FEET;
7
8 THENCE N89°52'02"W, 10.00 FEET TO A POINT IN THE CENTER OF SAID VACATED 16'
9 ALLEY;
10
11 THENCE ALONG THE CENTERLINE OF SAID VACATED 16' ALLEY, N00°10'22"E, 263.94 FEET
12 TO THE POINT OF BEGINNING.

13
14 CONTAINING 2,639 SQUARE FEET OR 0.061 ACRES, MORE OR LESS.

15
16 BASIS OF BEARINGS: BEARINGS USED HEREIN ARE BASED ON THE 20' RANGE LINE
17 ALONG WEST 39TH AVE. BETWEEN SOUTH GALAPAGO STREET AND ELATI STREET.,
18 BEING S89°48'47"E USING THE CITY AND COUNTY OF DENVER CONTROL COORDINATES,
19 AS MONUMENTED ON THE WEST AT S. GALAPAGO STREET BY A FOUND AXLE IN RANGE
20 BOX. AND AS MONUMENTED ON THE EAST AT ELATI STREET BY A FOUND ILLEGIBLE 3.25
21 INCH ALUMINUM CAP IN RANGE BOX

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

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

26 COMMITTEE APPROVAL DATE: September 18, 2024 by Consent

27 MAYOR-COUNCIL DATE: September 24, 2024

28 PASSED BY THE COUNCIL: _____
29 _____ - PRESIDENT

30 ATTEST: _____ - CLERK AND RECORDER,
31 EX-OFFICIO CLERK OF THE
32 CITY AND COUNTY OF DENVER

33 PREPARED BY: Martin A. Plate, Assistant City Attorney DATE: September 26, 2024

34 Pursuant to section 13-9, D.R.M.C., this proposed resolution has been reviewed by the Office of the
35 City Attorney. We find no irregularity as to form and have no legal objection to the proposed
36 resolution. The proposed resolution is not submitted to the City Council for approval pursuant to
37 § 3.2.6 of the Charter.

38
39 Kerry Tipper, Denver City Attorney

40
41 BY: _____, Assistant City Attorney DATE: _____