

1 **BY AUTHORITY**

2 RESOLUTION NO. CR17-0980
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 parcels of**
6 **land as East Smith Road near the intersections of East Smith Road between**
7 **North Dahlia Street and North Kearney 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 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 2017-DEDICATION-0000159-001:**

19 A part the land conveyed to the City and County of Denver by Quit Claim Deed recorded August
20 16, 2017 at Reception No. 2017107648, located in the Southwest Quarter of Section 19, Township
21 3 South, Range 67 West of the Sixth Principal Meridian, City and County of Denver, State of
22 Colorado, being all of Parcel No. RTD-CCD-22 described therein as follows:

23
24 That parcel of land conveyed to RTD by Quit Claim Deed recorded at Reception No. 2013029217
25 recorded March 4, 2013 in the City and County of Denver Clerk and Recorder's Office and
26 described therein as follows:

27 Parcel No. EC-78A of the RTD East Corridor Commuter Rail Project, containing 19,161 square
28 feet, (0.440 Acres), being a portion of a tract of land described at Reception No. 2000175271
29 recorded December 1, 2000, recorded in the City and County of Denver Clerk and Recorder's
30 Office, located in the Northeast Quarter of the Southwest Quarter of Section 19, Township 3 South,
31 Range 67 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado,
32 being more particularly described as follows:

33 **COMMENCING** at the Center 1/4 Corner of said Section 19;
34 **THENCE** S11°51'39"W a distance of 243.10 feet to the Southerly right-of-way line of Smith Road,
35 being also the Northeast corner of said tract of land described at Reception No. 2000175271, and
36 to the **POINT OF BEGINNING**;
37 **THENCE** S00°00'30"E coincident with the Westerly right-of-way line of Dahlia Street a distance of
38 84.23 feet;

1 THENCE N15°10'31"W a distance of 45.07 feet;
2 THENCE N47°21'12"W a distance of 22.71 feet;
3 THENCE S89°16'34"W a distance of 81.19 feet;
4 THENCE N67°42'06"W a distance of 49.23 feet;
5 THENCE N78°41'01"W a distance of 260.34 feet;
6 THENCE N81°57'35"W a distance of 369.97 feet;
7 THENCE N02°54'20"E non-tangent with the following described curve a distance of 3.26 feet;
8 THENCE the following two (2) courses coincident with the northerly line of said tract of land
9 described at Reception No. 2000175271, being also the Southerly right-of-way line of Smith Road:
10 1) Along the arc of a curve to the right, having a central angle of 6°46'50", a radius of 5588.94
11 feet, a chord bearing of S83°18'36"E a distance of 661.03 feet, and an arc distance of
12 661.42 feet;
13 2) THENCE S79°54'23"E non-tangent with the last described curve a distance of
14 122.02 feet to the **POINT OF BEGINNING**.

15
16 **Basis of Bearings:** All bearings are based on the line connecting "D 394" to "DR B" being a grid
17 bearing of N77°31'03"E as obtained from a Global Positioning System (GPS) survey based on
18 National Geodetic Survey (NGS) data. Said grid bearing is NAD 83 (CONUS), UTM Zone 13
19 North. "D 394" (PID KK1292) is a NGS mark monumented with a 3.5 inch disk set flush in concrete
20 bridge abutment, stamped in part "NGS D 394 1983". "DR B" (PID DH9129) is a NGS mark
21 monumented with a flange encased stainless steel rod in 5 inch logo box and cap surrounded by
22 concrete collar, flange stamped in part "DR B 807"

23
24 and

25 **PARCEL DESCRIPTION ROW 2017-DEDICATION-0000159-002:**

26
27 A part the land conveyed to the City and County of Denver by Quit Claim Deed recorded August
28 16, 2017 at Reception No. 2017107648, located in the Southeast Quarter of Section 19, Township
29 3 South, Range 67 West of the Sixth Principal Meridian, City and County of Denver, State of
30 Colorado, being all of Parcel No. RTD-CCD-23 REV1 described therein as follows:

31
32 RTD-CCD-23 Rev1 Conveyance of the RTD East Corridor Commuter Rail Project, being all of
33 Parcel EC-40 Rev4 conveyed to RTD at Reception No. 2016052731 recorded April 22, 2016, a
34 portion of the parcel of land conveyed to RTD at Reception No. 2013070588 recorded May 16,
35 2013, a portion of the parcel of land conveyed to RTD at Reception No. 2011142380 recorded
36 December 15, 2011, and a portion of the parcel of land conveyed to RTD at Reception No.
37 2014135646 recorded November 6, 2014, in the City and County of Denver Clerk and Recorder's
38 Office, located in the Northwest Quarter of the Southeast Quarter of Section 19, Township 3 South,
39 Range 67 West of the Sixth Principal Meridian, City and County of Denver, Colorado, being more
40 particularly described as follows:

41
42 COMMENCING at the 20 foot by 24 foot Denver Range Point at Dahlia Street and Smith Road (a
43 found axle) WHENCE the Center Quarter Corner of said Section 19, (a found 3-¼" aluminum cap
44 (Illegible) in range box) bears N00°00'30"W a distance of 226.55 feet, and the 20 foot by 20 foot
45 Denver Range Point at Forest Street and Smith Road (a found 2-½" aluminum cap, PLS 24942)
46 bears S79°54'32"E (Basis of Bearing – assumed) a distance of 1331.26 feet;
47 THENCE S44°21'49"E a distance of 34.40 feet to the southerly line of the Smith Road Right of
48 Way, also the northwest corner of said parcel of land described at Reception No. 2016052731 and
49 the POINT OF BEGINNING;

1 THENCE S79°54'32"E, coincident with said southerly Right of Way line, a distance of 1286.60 feet
2 to the westerly line of Forest Street Right of Way line;
3 THENCE S00°05'47"E, coincident with said westerly line, a distance of 11.49 feet;
4 THENCE N48°44'52"W a distance of 18.95 feet;
5 THENCE N79°54'32"W, coincident with a line 1.50 feet southerly of and parallel with said southerly
6 Right of Way line, a distance of 290.30 feet;
7 THENCE S87°34'55"W a distance of 32.32 feet;
8 THENCE N79°54'32"W, coincident with a line 8.50 feet southerly of and parallel with said southerly
9 Right of Way line and non-tangent with the following described curve, a distance of 419.26 feet;
10 THENCE along the arc of a curve to the left, having a central angle of 2°03'48", a radius of
11 1010.00 feet, a chord bearing of N87°56'19"W a distance of 36.37 feet, and an arc distance of
12 36.37 feet;
13 THENCE along the arc of a curve to the right, tangent with the last described curve, having a
14 central angle of 9°03'42", a radius of 1075.00 feet, a chord bearing of N84°26'23"W a distance of
15 169.84 feet, and an arc distance of 170.02 feet;
16 THENCE N79°54'32"W, coincident with the southerly line of said parcel of land described at
17 Reception No. 2016052731 and the extension there of, tangent with the last and following
18 described curves, a distance of 186.70 feet;
19 THENCE the following nine (9) courses coincident with the southerly and westerly lines of said
20 parcel of land described at Reception No. 2016052731:

- 21
- 22 1) Along the arc of a curve to the left, having a central angle of 2°48'28", a radius of 587.00
23 feet, a chord bearing of N81°18'46"W a distance of 28.76 feet, and an arc distance of 28.77
24 feet;
- 25 2) S06°47'43"W, non-tangent with the last described curve, a distance of 5.00 feet;
- 26 3) N83°12'17"W a distance of 10.00 feet;
- 27 4) N06°47'43"E, non-tangent with the following described curve, a distance of 5.00 feet;
- 28 5) Along the arc of a curve to the left, having a central angle of 4°31'03", a radius of 587.00
29 feet, a chord bearing of N85°57'05"W a distance of 46.27 feet, and an arc distance of 46.28
30 feet;
- 31 6) S77°54'15"W, non-tangent with the last described curve and tangent with the following
32 described curve, a distance of 20.65 feet;
- 33 7) Along the arc of a curve to the left, having a central angle of 56°20'02", a radius of 34.50
34 feet, a chord bearing of S49°44'15"W a distance of 32.57 feet, and an arc distance of 33.92
35 feet;
- 36 8) S21°34'14"W, tangent with the last described curve, a distance of 7.67 feet to the westerly
37 line of said parcel of land described at Reception No. 2016052731;
- 38 9) N00°00'30"W, coincident with the westerly line of said parcel of land, a distance of 74.70
39 feet to the POINT OF BEGINNING

40 and

41 **PARCEL DESCRIPTION ROW 2017-DEDICATION-0000159-003:**

42 A part the land conveyed to the City and County of Denver by Quit Claim Deed recorded August
43 16, 2017 at Reception No. 2017107648, located in the Southeast Quarter of Section 19, Township
44 3 South, Range 67 West of the Sixth Principal Meridian, City and County of Denver, State of
45 Colorado, being all of Parcel No. RTD-CCD-24 REV1 described therein as follows:

1 A portion of the parcel of land conveyed to RTD by the Rule and Order recorded at Reception No.
2 2012069766 recorded May 30, 2012 in the City and County of Denver Clerk and Recorder's Office
3 and described herein as follows:

4 Parcel No. EC-81 CCD Conveyance of the RTD East Corridor Commuter Rail Project, being a
5 portion of the RTD East Corridor Commuter Rail Project parcel EC-81, lying in the Southeast
6 Quarter of Section 19, Township 3 South, Range 67 West of the Sixth Principal Meridian, City and
7 County of Denver, State of Colorado, being more particularly described as follows:

8
9 COMMENCING at the East 1/4 Corner of said Section 19, (being a found 3 inch brass cap 0.8'
10 below ground in 4 inch pipe with steel plate cover in Holly Street); WHENCE the Center 1/4 Corner
11 of said Section 19, (being a found 3 1/4 inch aluminum cap in range box, Illegible) bears
12 S89°41'54"W (Basis of Bearing-Assumed), a distance of 2641.86 feet;
13 THENCE S48°09'46"W a distance of 914.14 feet to the intersection of the southerly right of way
14 line of Smith Road with the westerly right of way line of Grape Street, as described at Ordinance
15 Number 216-1955 in the City and County of Denver Clerk and Recorder's Office, and to the POINT
16 OF BEGINNING;

17
18 THENCE S00°05'13"E, coincident with said westerly right of way line, a distance of 9.66 feet;
19 THENCE N31°14'09"W a distance of 10.00 feet;
20 THENCE N79°54'23"W, coincident with a line 2 feet southerly of and parallel with said southerly
21 Right of Way line, a distance of 559.31 feet;
22 THENCE S10°05'37"W a distance of 3.38 feet;
23 THENCE N78°56'00"W a distance of 10.00 feet;
24 THENCE N10°05'37"E a distance of 3.21 feet;
25 THENCE N79°54'23"W, coincident with a line 2 feet southerly of and parallel with said southerly
26 Right of Way line, a distance of 21.28 feet;
27 THENCE S41°49'36"W a distance of 35.17 feet to the easterly right of way line of Forest Street, as
28 described at Ordinance Number 216-1955 in the City and County of Denver Clerk and Recorder's
29 Office;
30 THENCE N00°02'35"W, coincident with said easterly right of way line, a distance of 32.42 feet to
31 the intersection of said easterly right of way line with said southerly right of way line of Smith Road;
32 THENCE S79°54'23"E, coincident with said southerly right of way line, a distance of 619.70 feet to
33 the POINT OF BEGINNING

34
35 and

36 **PARCEL DESCRIPTION ROW 2017-DEDICATION-0000159-004:**

37 A part the land conveyed to the City and County of Denver by Quit Claim Deed recorded August
38 16, 2017 at Reception No. 2017107648, located in the Southeast Quarter of Section 19, Township
39 3 South, Range 67 West of the Sixth Principal Meridian, City and County of Denver, State of
40 Colorado, being all of Parcel No. RTD-CCD-25 REV1 described therein as follows:

41
42 A portion of those parcels of land conveyed to RTD by Special Warranty Deeds recorded at
43 Reception No. 2011126788 recorded November 8, 2011 and Reception No. 2012027185 recorded
44 March 2, 2012, in the City and County of Denver Clerk and Recorder's Office and described herein
45 as follows:

46 Parcel No. EC-43/44 CCD Conveyance of the RTD East Corridor Commuter Rail Project, being a
47 portion of the Southeast Quarter of Section 19, Township 3 South, Range 67 West of the Sixth

1 Principal Meridian, City and County of Denver, State of Colorado, being more particularly
2 described as follows:

3
4 COMMENCING at the East 1/4 Corner of said Section 19, (being a found 3 inch brass cap 0.8'
5 below ground in 4 inch pipe with steel plate cover in Holly Street); WHENCE the Center 1/4 Corner
6 of said Section 19, (being a found 3 1/4 inch aluminum cap in range box, Illegible) bears
7 S89°41'54"W (Basis of Bearing-Assumed), a distance of 2641.86 feet;
8 THENCE S03°04'31"W a distance of 725.11 feet to the intersection of the southerly right of way
9 line of Smith Road with the westerly right of way line of Holly Street, as described at Ordinance
10 Number 216-1953 in the City and County of Denver Clerk and Recorder's Office, and to the POINT
11 OF BEGINNING;

12
13 THENCE S00°05'13"E, coincident with said westerly Right of Way line, a distance of 131.80 feet;
14 THENCE N12°40'40"W a distance of 82.82 feet;

15 THENCE N52°20'01"W a distance of 34.43 feet;

16 THENCE N79°54'32"W, tangent with the following described curve, a distance of 186.85 feet;

17 THENCE along the arc of a curve to the right, having a central angle of 13°51'30", a radius of
18 700.00 feet, a chord bearing of N72°58'47"W a distance of 168.90 feet, and an arc distance of
19 169.31 feet;

20 THENCE along the arc of a curve to the left, tangent with the last and following described curve,
21 having a central angle of 10°40'49", a radius of 383.50 feet, a chord bearing of N71°23'26"W a
22 distance of 71.38 feet, and an arc distance of 71.49 feet;

23 THENCE along the arc of a curve to the left, tangent with the last described curve, having a central
24 angle of 2°33'34", a radius of 1008.00 feet, a chord bearing of N78°00'38"W a distance of 45.03
25 feet, and an arc distance of 45.03 feet;

26 THENCE N79°54'23"W, non-tangent with the last described curve and coincident with a line 5 feet
27 southerly of and parallel with said southerly Right of Way line, a distance of
28 78.17 feet;

29
30 THENCE S37°11'11"W a distance of 4.63 feet to the easterly right of way line of Grape Street, as
31 described at Ordinance Number 216-1953 in the City and County of Denver Clerk and Recorder's
32 Office;

33 THENCE N00°05'13"W, coincident with said easterly right of way line, a distance of 9.27 feet to the
34 intersection of said easterly right of way line with said southerly right of way line of Smith Road;

35 THENCE S79°54'23"E, coincident with said southerly right of way line, a distance of 591.31 feet to
36 the POINT OF BEGINNING

37
38 and

39 **PARCEL DESCRIPTION ROW 2017-DEDICATION-0000159-005:**

40 A part the land conveyed to the City and County of Denver by Quit Claim Deed recorded August
41 16, 2017 at Reception No. 2017107648, located in the Southwest Quarter of Section 20, Township
42 3 South, Range 67 West of the Sixth Principal Meridian, City and County of Denver, State of
43 Colorado, being all of Parcel No. RTD-CCD-26 REV1 described therein as follows:

44
45 That parcel of land conveyed to RTD by Warranty Deed recorded at Reception No. 2011094129
46 recorded August 23, 2011 and a portion of those parcels of land conveyed to RTD by Bargain and
47 Sale Deed recorded at Reception No. 2015091178 recorded July 6, 2015, the Rule and Orders
48 recorded at Reception No. 2012152302 recorded November 6, 2012 and Reception No. 2013024512

1 recorded February 22, 2013, all in the City and County of Denver Clerk and Recorder's Office and
2 described herein as follows:
3 Parcel No. EC-45/46/47/73 CCD Conveyance of the RTD East Corridor Commuter Rail Project,
4 being a portion of RTD East Corridor Commuter Rail Project parcels EC-45, EC-46, EC-47 and
5 EC-73, also being a portion of Tracts 1, 2 and A, MILE-HI INDUSTRIAL DISTRICT, recorded on
6 November 15, 1954 at the City and County of Denver Clerk and Recorder's Office, lying in the
7 Southwest Quarter of Section 20, Township 3 South, Range 67 West of the Sixth Principal
8 Meridian, City and County of Denver, State of Colorado, being more particularly described as
9 follows:

10
11 COMMENCING at the West 1/4 Corner of said Section 20, (being a found 3 inch brass cap 0.8'
12 below ground in 4 inch pipe with steel plate cover in Holly Street); WHENCE the Center 1/4 Corner
13 of Section 19, Township 3 South, Range 67 West of the Sixth Principal Meridian (being a found 3
14 1/4 inch aluminum cap in range box, Illegible) bears S89°41'54"W (Basis of Bearing-Assumed), a
15 distance of 2641.86 feet; THENCE S02°25'10"E a distance of 737.18 feet to the intersection of the
16 southerly Right of Way line of Smith Road with the easterly Right of Way line of Holly Street, and to
17 the POINT OF BEGINNING;

18
19 THENCE the following two (2) courses coincident with said southerly Right of Way line of Smith
20 Road:

- 21 1) S79°54'20"E a distance of 907.28 feet and hereinafter referred to as "Line A";
- 22 2) S73°02'48"E a distance of 229.94 feet;
- 23 THENCE N80°44'39"W a distance of 56.04 feet;
- 24 THENCE N82°07'44"W a distance of 44.32 feet;
- 25 THENCE N79°54'20"W, coincident with a line 30 feet southerly of and parallel with "Line A", a
26 distance of 378.20 feet;
- 27 THENCE S10°05'40"W a distance of 2.76 feet;
- 28 THENCE N79°54'20"W a distance of 10.00 feet;
- 29 THENCE N10°05'40"E a distance of 2.76 feet;
- 30 THENCE N79°54'20"W, coincident with a line 30.00 feet southerly of and parallel with "Line A", a
31 distance of 204.19 feet;
- 32 THENCE N33°05'31"W a distance of 2.36 feet;
- 33 THENCE N79°54'20"W, coincident with a line 28.28 feet southerly of and parallel with "Line A", a
34 distance of 295.73 feet;
- 35 THENCE N85°25'18"W a distance of 114.17 feet;
- 36 THENCE S56°53'54"W a distance of 9.72 feet;

37
38 THENCE along the arc of a curve to the left, tangent with last described course, having a central
39 angle of 37°35'16", a radius of 37.00 feet, a chord bearing of S38°06'16"W a distance of 23.84
40 feet, and an arc distance of 24.27 feet;

41 THENCE S19°18'37"W tangent with the last described curve a distance of 4.64 feet to said
42 easterly right of way line of Holly Street;

43 THENCE N00°05'13"W, coincident with said easterly right of way line, a distance of 72.67 feet to the
44 POINT OF BEGINNING

45 and

46 **PARCEL DESCRIPTION ROW 2017-DEDICATION-0000159-006:**

47 A part the land conveyed to the City and County of Denver by Quit Claim Deed recorded August
48 16, 2017 at Reception No. 2017107648, located in the Southwest Quarter of Section 20, Township

1 3 South, Range 67 West of the Sixth Principal Meridian, City and County of Denver, State of
2 Colorado, being all of Parcel No. RTD-CCD-27 described therein as follows:

3
4 That parcel of land conveyed to RTD by Warranty Deed recorded at Reception No. 2011094129,
5 Parcel EC-47A recorded August 23, 2011 in the City and County of Denver Clerk and Recorder's
6 Office and described therein as follows:

7 Parcel No. EC-47A of the RTD East Corridor Commuter Rail Project, containing 313 square feet,
8 (0.007 Acres), being a portion of a tract of land described at Reception No. 2005072368 recorded
9 May 3, 2005 in the City and County of Denver Clerk and Recorder's Office, located in the
10 Southwest Quarter of Section 20, Township 3 South, Range 67 West of the Sixth Principal
11 Meridian, City and County of Denver, State of Colorado, being more particularly described as
12 follows:

13
14 **COMMENCING** at the West 1/4 Corner of said Section 20;
15 THENCE S52°00'02"E a distance of 1634.82 feet to the Northeast corner of said tract of land
16 described at Reception No. 2005072368 and to the **POINT OF BEGINNING**;

17
18 THENCE S00°00'34"E coincident with the Easterly line of said tract of land described at Reception
19 No. 2005072368, being also the Westerly right-of-way line of Kearney Street, a distance of 25.17
20 feet;

21 THENCE N37°11'24"W a distance of 41.10 feet;

22 THENCE S73°02'48"E coincident with the Northerly line of said tract of land described at
23 Reception No. 2005072368, being also the Southerly right-of-way line of Smith Road, a distance of
24 25.97 feet to the **POINT OF BEGINNING**.

25
26 **Basis of Bearings:** All bearings are based on the line connecting "D 394" to "DR B" being a grid
27 bearing of N77°31'03"E as obtained from a Global Positioning System (GPS) survey based on
28 National Geodetic Survey (NGS) data. Said grid bearing is NAD 83 (CONUS), UTM Zone 13 North.
29 "D 394" (PID KK1292) is a NGS mark monumented with a 3.5 inch disk set flush in concrete bridge
30 abutment, stamped in part "NGS D 394 1983". "DR B" (PID DH9129) is a NGS mark monumented
31 with a flange encased stainless steel rod in 5 inch logo box and cap surrounded by concrete collar,
32 flange stamped in part "DR B 807"

33
34 be and the same is hereby approved and said real property is hereby laid out and established and
35 declared laid out, opened and established as East Smith Road.

36 **Section 2.** That the real property described in Section 1 hereof shall henceforth be known
37 as East Smith Road.

38
39 **REMAINDER OF PAGE INTENTIONALLY BLANK**

1 COMMITTEE APPROVAL DATE: September 5, 2017 by Consent

2 MAYOR-COUNCIL DATE: September 12, 2017

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 14, 2017

9

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

14

15 Kristin M. Bronson, Denver City Attorney

16

17 BY: _____, Assistant City Attorney DATE: _____