

1 BY AUTHORITY

2 RESOLUTION NO. CR12-0212
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 S. Broadway at its intersection with W. Evans.**
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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:**
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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 (# 2011-0633-02-001)

Two Parcels of land located in the Northwest 1/4 of Section 27, Township 4 South, Range 68 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado.

Parcel 1 (A portion of the deed described as Parcel 7.)

A parcel of land conveyed to the City & County of Denver by Combined Rule & Order, Case No. 10CV8768 in the Denver County District Court 2nd JD, and recorded on the 6th of January 2011 by Reception Number 2011016186 in the City and County of Denver Clerk & Records Office being more particularly described as follows:

That part of Parcel 1 (Described as Parcel 7 on the deed) being the Easterly 20 feet thereof: A tract or parcel of land No.7 of the City of Denver, State of Colorado, Contract No. CE95002, Project No. STU C 010-093 (PC 16947) containing 7,223 sq. ft. (0.166 acres) of land, more or less, being a portion of Lots 45 through 48, Block 9 and the east half of the adjoining vacated alley described in Ordinance No. 370 Series of 1991, "Rosedale" a subdivision plat recorded in Book 4, Page 23 of the City and County of Denver records located in the S.E. 1/4 of the N.W. 1/4 of Section 27, Township 4 South, Range 68 West, of the 6th Principal Meridian, in Denver County, Colorado, said tract or parcel being more particularly described as follows:

Commencing at the N 1/4 corner of Section 27, (Whence the C 1/4 corner of Section 27 bears S. 00°15'27" E., a distance of 2636.96 feet); Thence S. 01°58'24" W., a distance of 1451.52 feet to a point on the south line of said lot 45 and the **TRUE POINT OF BEGINNING**;

1. Thence along the south line of lot 45, S. 89°33'33" W., a distance of 6.50 feet;
2. Thence 13 feet west of and parallel with the west right-of-way line of S. Broadway (September, 2009) which was established as being 50 feet west of and parallel with the east line of the N.W. 1/4 of section 27, N. 00°15'27" W., a distance of 44.22 feet;
3. Thence N. 45°15'27" W., a distance of 9.91 feet;
4. Thence S. 87°15'39" W., a distance of 113.10 feet to the west line of the east half of the adjoining vacated alley described in Ordinance No. 370 Series of 1991;
5. Thence along the said west line of the east half of the adjoining vacated alley, N. 00°15'36" W., a distance of 27.29 feet to the north line of said adjoining vacated alley;
6. Thence along the north line of said adjoining vacated alley, N. 89°33'33" E., a distance of 8.00 feet to the west line of lot 47;
1. Thence along the west line of lots 47 and 48, N. 00°15'36" W., a distance of 26.00 feet to the N.W. corner of lot 48;
2. Thence along the north line of lot 48, N. 89°33'33" E., a distance of 125.00 feet to the N.E. corner of lot 48;
3. Thence along the east lines of lots 48 to 45, also being the west right-of-way line of S. Broadway (September, 2009) which was established as being 50 feet west of and parallel with the east line of the N.W. 1/4 of section 27, S. 00°15'27" E., a distance of 100.00 feet to the S.E. corner of lot 45;
4. Thence along the south line of lot 45, S. 89°33'33" W., a distance of 6.50 feet, more or less. to the **TRUE POINT OF BEGINNING**.

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Parcel 2 (Described as Parcel 8 on the deed.)

A parcel of land conveyed to the City & County of Denver by Combined Rule & Order, Case No. 10CV8768 in the Denver County District Court 2nd JD, and recorded on the 6th of January 2011 by Reception Number 2011016186 in the City and County of Denver Clerk & Recorders Office being more particularly described as follows:

A tract or parcel of land No.8 of the City of Denver, State of Colorado, Contract No. CE95002, Project No. STU C 010-093 (PC 16947) containing 165 sq. ft. (0.004 acres) of land, more or less, being a portion of Lots 42 through 44 Block 9 and the east half of the adjoining vacated alley described in Ordinance No. 370 Series of 1991, "Rosedale" a subdivision plat recorded in Book 4, Page 23 of the City and County of Denver records located in the S.E. 1/4 of the N.W. 1/4 of

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Section 27, Township 4 South, Range 68 West, of the 6th Principal Meridian, in Denver County, Colorado, said tract or parcel being more particularly described as follows:

Commencing at the N 1/4 corner of Section 27, (Whence the C 1/4 corner of Section 27 bears S. 00°15'27" E., a distance of 2636.96 feet); Thence S. 01°58'24" W., a distance of 1451.52 feet to a point on the north line of said lot 44 and the **TRUE POINT OF BEGINNING**;

1. Thence along the north line of lot 44, N. 89°33'33" E., a distance of 6.50 feet to the N.E. corner of lot 44 also being the west right-of-way line of S. Broadway (September, 2009) which was established as being 50 feet west of and parallel with the east line of the N.W. 1/4 of section 27;
2. Thence along the west right-of-way line of S. Broadway, S. 00°15'27" E., a distance of 53.00 feet;
3. Thence S. 89°33'33" W., a distance of 2.50 feet;
4. Thence 2.50 feet west of and parallel with the west right-of-way line of S. Broadway (September, 2009), N. 00°15'27" W., a distance of 36.99 feet;
5. Thence N. 14°17'37" W. a distance of 16.49 feet, more or less, to the **TRUE POINT OF BEGINNING**.

Basis of Bearings: All bearings are based on the line connecting the N 1/4 Corner of Section 27, T. 4 S., R. 68 W., 6TH PM (being a found 3 1/4" alum. cap in range box stamped in part "PLS 22571 1993") and the C 1/4 Corner of said Section 27, (being a found 3 1/4" alum. cap in range box stamped in part " PLS 22571 1993"), being a grid bearing of S. 00°15'27" E., (2636.96') as obtained from a global positioning system (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN). Said grid bearing is NAD 83 (1992) Colorado State Plane (Central Zone - 502).

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1 be and the same is hereby approved and said real property is hereby laid out and established and
2 declared laid out, opened and established as S. Broadway.

3 **Section 2.** That the real property described in Section 1 hereof shall henceforth be
4 known as S. Broadway.

5 COMMITTEE APPROVAL DATE: March 29, 2012 [by consent]

6 MAYOR-COUNCIL DATE: April 3, 2012

7 PASSED BY THE COUNCIL: _____, 2012

8 _____ - PRESIDENT

9 ATTEST: _____ - CLERK AND RECORDER,
10 EX-OFFICIO CLERK OF THE
11 CITY AND COUNTY OF DENVER

12 PREPARED BY: Karen A. Aviles, Assistant City Attorney DATE: April 5, 2012

13 Pursuant to section 13-12, D.R.M.C., this proposed resolution has been reviewed by the office of
14 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
15 resolution. The proposed resolution is not submitted to the City Council for approval pursuant to §
16 3.2.6 of the Charter.

17 Douglas J. Friednash, Denver City Attorney

18 BY: _____, Assistant City Attorney DATE: _____, 2012

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