

1 **BY AUTHORITY**

2 RESOLUTION NO. CR18-0977
3 SERIES OF 2018

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 and East**
7 **42nd Avenue and East Smith Road and North Albion 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 NO. 2018-DEDICATION-0000140-001:**

19 A Parcel No. RTD-CCD-17 conveyed to the City and County of Denver by Quit Claim Deed
20 recorded at Reception No. 2018082023 on July 3, 2018 in the City and County of Denver Clerk
21 and Recorder’s Office, located in the Southeast Quarter of Section 24, Township 3 South, Range
22 68 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado, being more
23 particularly described as follows:

24
25 COMMENCING at the Southeast Corner of said Section 24, (being a found 3-1/4 inch aluminum
26 cap in range box, stamped: “COLO DEPT OF HIGHWAYS T3S S24 S19 S25 S30 1990 PLS
27 11434”); WHENCE the South 1/4 Corner of said Section 24 (being a found 3-1/4 inch aluminum
28 cap, 7 inches below surface, stamped: “MOLLENHAUER 2008 T3S R68W ¼ S24 S25 LS 38033”)
29 bears N89°51'23"W (Basis of Bearing-Assumed), a distance of 2654.03 feet;
30 THENCE N12°35'25"W a distance of 2338.39 feet to a point on the northwesterly right of way line
31 of East Smith Road, as described at Ordinance Number 250-1953 at the City and County of
32 Denver Clerk and Recorder’s Office, and to the POINT OF BEGINNING;
33
34 THENCE N29°31'15"E a distance of 49.13 feet;
35 THENCE along the arc of a curve to the left, tangent with the last described course, having a
36 central angle of 54°50'08" a radius of 49.00 feet a chord bearing of N02°06'11"E a distance of
37 45.13 feet and an arc distance of 46.90 feet;

1 THENCE along the arc of a reverse curve to the right, tangent with the last described curve, having
2 a central angle of 152°36'09" a radius of 65.00 feet a chord bearing of N50°59'12"E a distance of
3 126.30 feet and an arc distance of 173.12 feet;
4 THENCE the following two (2) courses coincident with said northwesterly right of way line of East
5 Smith Road:
6 1) S44°00'04"W non-tangent with the last described curve a distance of 91.33 feet;
7 2) S30°46'55"W a distance of 118.34 feet to the POINT OF BEGINNING

8 and

9 **PARCEL DESCRIPTION ROW NO. 2018-DEDICATION-0000140-002:**

10 That parcel of land conveyed to RTD by the Rule and Order recorded at Reception No.
11 2014063070 recorded June 3, 2014 in the City and County of Denver Clerk and Recorder's Office
12 and described therein as follows:

13 Parcel No. EC-107 of the RTD East Corridor Commuter Rail Project, containing 48 square feet,
14 (0.001 Acres), being a portion of Tract Hof Park Hill Town Center Subdivision Filing No. 1,
15 recorded in the City and County of Denver Clerk and Recorder's Office, located in the Northwest
16 Quarter of the Southwest Quarter of Section 19, Township 3 South, Range 67 West of the Sixth
17 Principal Meridian, City and County of Denver, State of Colorado, being additionally particularly
18 described as follows:

19
20 COMMENCING at the Southwest Comer of said Section 19;
21 THENCE N 17°1 8'23"E a distance of 2621.00 feet to the Southerly line of the Smith Road right of
22 way and to the POINT OF BEGINNING;

23
24 THENCE along the arc of a curve to the left, having a central angle of 07037'40", a radius of
25 177.83 feet, a chord bearing of S62°30'35"W a distance of 23.66 feet, and an arc distance of
26 23.67 feet;
27 THENCE, coincident with the Easterly line of the Albion Street right of way, along the arc of a curve
28 to the right, non-tangent with the last described curve, having a central angle of 38°36'26", a radius
29 of 25.00 feet, a chord bearing of N5 1009'1711E a distance of 16.53 feet , and an arc distance of
30 16..85 feet;
31 THENCE N86°06'0S"E, coincident with said Southerly right of way line, non-tangent with the last
32 described curve a distance of 8.13 feet to the POINT OF BEGINNING.

33
34 Containing 48 square feet, (0.001 Acres), more or less.

35
36 BASIS OF BEARINGS: All bearings are based on the line connecting "D 394" to "DR B" being a
37 grid bearing of N77°3 1'03"E as obtained from a Global Positioning System (GPS) survey based on
38 National Geodetic Survey (NGS) data. Said grid bearing is NAD 83 (CONUS), UTM Zone 13
39 North. "D 394" (PID KK 1292) is a NGS mark monumented with a 3.5 inch disk set flush in
40 concrete bridge abutment, stamped in part "NGS D 394 1983"."DR B" (PID DH9129) is a NGS
41 mark monumented with a flange encased stainless steel rod in 5 inch logo box and cap
42 surrounded by concrete collar, flange stamped in part "DR B 807"

43
44 be and the same is hereby approved and said real property is hereby laid out and established and
45 declared laid out, opened and established as East Smith Road.

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

3 COMMITTEE APPROVAL DATE: September 11, 2018 by Consent

4 MAYOR-COUNCIL DATE: September 18, 2018 by Consent

5 PASSED BY THE COUNCIL: _____

6 _____ - PRESIDENT

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

10 PREPARED BY: Bradley A. Beck, Assistant City Attorney DATE: September 20, 2018

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

15
16 Kristin M. Bronson, Denver City Attorney

17
18 BY: _____, Assistant City Attorney DATE: _____