

1 BY AUTHORITY

2 RESOLUTION NO. CR12-0211  
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 W. Evans Avenue at its intersection with S. Broadway.**  
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 (# 2011-0633-01-001)**

**Five 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 (Described as Parcel 1 on the deed.)**

**A parcel of land conveyed by Warranty Deed to the City & County of Denver, recorded on the 29th of November 2010 by Reception Number 2010138284 in the City and County of Denver Clerk & Records Office being more particularly described as follows:**

A tract or parcel of land No.1 of the City of Denver, State of Colorado, Contract No.CE95002, Project No. STU C 010-093 (PC 16947) containing 3,860 sq. ft. (0.089 acres) of land, more or less, being all of the West 61.80 feet of Lots 47, 48, and the North half of Lot 46, Block 10, "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. 19°14'53" W., a distance of 1500.45 feet to the S.W. corner of the north half of lot 46 and the **TRUE POINT OF BEGINNING**;

1. Thence along the west line of lots 46, 47 and 48, N. 00°15'27" W., a distance of 62.50 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 61.80 feet;
3. Thence S. 00°15'27" E., a distance of 62.42 feet to the south line of the north half of lot 46;
4. Thence along said south line, S. 89°29'14" W., a distance of 61.80 feet, more or less, to the **TRUE POINT OF BEGINNING**.

**Parcel 2 (Described as Parcel 3 on the deed.)**

**A parcel of land conveyed by Warranty Deed to the City & County of Denver, recorded on the 20th of January 2011 by Reception Number 2011007699 in the City and County of Denver Clerk & Records Office being more particularly described as follows:**

A tract or parcel of land No.3 of the City of Denver, State of Colorado, Contract No.CE95002, Project No. STU C 010-093 (PC 16947) containing 3,943 sq. ft. (0.091 acres) of land, more or less, being all of the East 63.20 feet of Lots 47, 48, and the North half of Lot 46, Block 10, "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. 14°38'08" W., a distance of 1462.93 feet to the S.E. corner of the north half of lot 46 and the **TRUE POINT OF BEGINNING**;

1. Thence along the south line of the north half of lot 46, S. 89°29'14" W., a distance of 63.20 feet to the S.W. corner of the east 63.20 feet of the north half of lot 46;
2. Thence along the west line of the east 63.20 feet of lots 46, 47 and 48, N. 00°15'27" W., a distance of 62.42 feet to the north line of lot 48;
3. Thence along the north line of lot 48, N. 89°33'33" E., a distance of 63.20 feet to the N.E. corner of lot 48;
4. Thence along the east line of lots 48, 47 and 46, S. 00°15'44" E., a distance of 62.34 feet, more or less, to the **TRUE POINT OF BEGINNING**.

**Parcel 3 (Described as Parcel 5 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 2<sup>nd</sup> 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:**

A tract or parcel of land No.5 of the City of Denver, State of Colorado, Contract No. CE95002, Project No. STU C 010-093 (PC 16947) containing 6,442 sq. ft. (0.148 acres) of land, more or less, being a all of Lots 1 and 2, Block 9, and the west 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. 12°54'18" W., a distance of 1387.71 feet to the N.W. corner of lot 1 and the **TRUE POINT OF BEGINNING**;

1. Thence along the north line of lot 1, N. 89°33'33" E., a distance of 125.00 feet to the N.E. corner of lot 1;
2. Thence along the east line of lots 1 and 2, S. 00°15'36" E., a distance of 26.00 feet to the N.W. corner of the adjoining vacated alley described in Ordinance No. 370 Series of 1991;
3. Thence along the north line of the adjoining vacated alley, N. 89°33'33" E., a distance of 8.00 feet to the N.E. corner of the west half of the adjoining vacated alley;
4. Thence along the east line of the west half of the adjoining vacated alley, S. 00°15'36" E., a distance of 24.00 feet;
5. Thence along the south line extended and the south line of lot 2, S. 89°33'33" W., a distance of 133.00 feet to the S.W. corner of lot 2;
6. Thence along the west line of lots 2 and 1, N. 00°15'44" W., a distance of 50.00 feet, more or less, to the **TRUE POINT OF BEGINNING**.

**Parcel 4 (Described as Parcel 6 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 2<sup>nd</sup> 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:**

A tract or parcel of land No. 6 of the City of Denver, State of Colorado, Contract No. CE95002, Project No. STU C 010-093 (PC 16947) containing 775 sq. ft. (0.018 acres) of land, more or less, being a portion of Lot 3, Block 9, and the west 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. 12°19'41" W., a distance of 1450.19 feet to a point on the west line of lot 3 and the **TRUE POINT OF BEGINNING**;

1. Thence along the west line of lot 3, N. 00°15'44" W., a distance of 14.10 feet to the N.W. corner of lot 3;
2. Thence along the north line of lot 3, N. 89°33'33" E., a distance of 133.00 feet to the east line of the west half of the adjoining vacated alley described in Ordinance No. 370 Series of 1991;
3. Thence along the east line of the west half of the adjoining vacated alley, S. 00°15'36" E., a distance of 3.29 feet;
4. Thence S. 87°15'39" W., a distance of 75.35 feet;

5. Thence S. 88°41'34" W., a distance of 50.68 feet;
6. Thence S. 44°44'16" W., a distance of 9.96 feet, more or less, to the **TRUE POINT OF BEGINNING**.

**Parcel 5 (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 2<sup>nd</sup> 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:**

**All that part of Parcel 5 (Described as Parcel 7 on the deed) except 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;
7. 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;
8. 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;
9. 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;
10. 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**.

**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., 6<sup>TH</sup> 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).

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 W. Evans Avenue.

3 **Section 2.** That the real property described in Section 1 hereof shall henceforth be  
4 known as W. Evans Avenue.

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