

1 BY AUTHORITY

2
3 RESOLUTION NO. CR11-0690
4 SERIES OF 2011

COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

5
6 A RESOLUTION

7 **Laying out, opening and establishing as part of the city street system a certain**
8 **parcel of land as 44th Ave. located at 44th Ave. from Sherman St. to Pearl St.**

9
10 **WHEREAS**, the Manager of Public Works of the City and County of Denver has found and
11 determined that the public use, convenience and necessity require the laying out, opening and
12 establishing as a public street designated as part of the system of thoroughfares of the municipality
13 those portions of real property hereinafter more particularly described, and, subject to approval by
14 resolution has laid out, opened and established the same as a public street.

15 **NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY AND COUNTY OF**
16 **DENVER:**

17
18 **Section 1.** That the action of the Manager of Public Works in laying out, opening and
19 establishing as part of the system of thoroughfares of the municipality the following described portions
20 of real property situate, lying and being in the City and County of Denver, State of Colorado, to wit:

A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

THE BASIS OF BEARINGS OF THIS LEGAL DESCRIPTION IS AN ASSUMED BEARING OF S89°55'30"E BETWEEN THE RANGE POINT MONUMENTS LOCATED AT THE INTERSECTION OF WEST 45TH AVENUE AND GRANT STREET AND THE INTERSECTION OF WEST 45TH AVENUE AND PENNSYLVANIA STREET.

COMMENCING AT THE NORTHEAST CORNER OF BLOCK 9, TACOMA HEIGHTS, A SUBDIVISION FILED IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE AND ACCEPTED AND APPROVED BY THE CITY AND COUNTY OF DENVER BY ORDINANCE 134 OF SERIES 1889; SAID POINT ALSO BEING S54°05'59"W A DISTANCE OF 1198.80 FEET FROM THE RANGE POINT AT THE INTERSECTION OF WEST 45TH AVENUE AND PENNSYLVANIA STREET; THENCE S89°55'38"E A DISTANCE OF 1.82 FEET TO A POINT AT THE INTERSECTION OF THE SOUTH RIGHT OF WAY LINE OF 44TH AVENUE AND THE SOUTHWESTERLY RIGHT OF WAY LINE OF VACATED GLOBE PLACE AS SHOWN ON THE PLAT OF SAID TACOMA HEIGHTS; SAID POINT BEING THE POINT OF BEGINNING; THENCE N62°52'32"W ALONG THE SOUTHWESTERLY LINE OF SAID VACATED GLOBE PLACE A DISTANCE OF 65.96 FEET TO A POINT AT THE INTERSECTION OF SAID VACATED GLOBE PLACE AND THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 22; THENCE S89°55'38"E ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 22 A DISTANCE OF 1378.26 FEET TO A POINT ON THE SOUTHERLY EXTENSION OF THE EASTERLY RIGHT OF WAY LINE OF PEARL STREET; THENCE S00°07'25"W ALONG THE SOUTHERLY EXTENSION OF THE EASTERLY RIGHT OF WAY LINE OF PEARL STREET A DISTANCE OF 30.00 FEET; THENCE N89°55'38"W ALONG A LINE 30.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 22 A DISTANCE OF 1319.49 FEET TO THE POINT OF BEGINNING;

1 be and the same is hereby approved and said portions of real property are hereby laid out and
2 established and declared laid out, opened and established as 44th Avenue.

3 **Section 2.** That the real property described in Section 1 hereof shall henceforth be known as
4 44th Avenue.

5 COMMITTEE APPROVAL DATE: September 29, 2011 by consent

6 MAYOR-COUNCIL DATE: October 4, 2011

7 PASSED BY THE COUNCIL: _____, 2011

8 _____ - PRESIDENT

9 ATTEST: _____ - CLERK AND RECORDER,
10 EX-OFFICIO CLERK OF THE
11 CITY AND COUNTY OF DENVER
12

13 PREPARED BY: KAREN A. AVILES, Assistant City Attorney DATE: October 6, 2011

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15 Pursuant to section 13-12, D.R.M.C., this proposed resolution has been reviewed by the office of the
16 City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
17 resolution. The proposed resolution is not submitted to the City Council for approval pursuant to §
18 3.2.6 of the Charter.

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20 Douglas J. Friednash, Denver City Attorney

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22 BY: _____, City Attorney DATE: _____, 2011