

1 BY AUTHORITY

2 RESOLUTION NO. CR14-0183  
3 SERIES OF 2014

COMMITTEE OF REFERENCE:  
Land Use, Transportation & Infrastructure

4  
5 A RESOLUTION

6 **Laying out, opening and establishing as part of the City street system a parcel**  
7 **of land as 39<sup>th</sup> Avenue near its intersection with Ulster Street.**

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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**  
15 **OF 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 NO. 2014-0051-10-001**

A parcel of land conveyed by Quit Claim Deed to the City & County of Denver recorded July 29, 2013 by Reception No. 2013110001, in the City & County of Denver, Clerk & Recorder's Office, State of Colorado.

A strip of land thirty (30) feet wide situate in the Southwest Quarter of the Southeast Quarter (SW ¼ of SE ¼) of Section Twenty-one (21), Township Three (3) South, Range Sixty-seven (67) West of the sixth Principal Meridian, in the City and County of Denver, Colorado, being all that part of the right of way of the Union Pacific Railroad Company that lies between lines parallel with and distant northerly one hundred and seventy (170) feet and two hundred (200) feet respectively, measured at right angles, from the center line of the main track of said Railroad Company as constructed and operated, and being described as follows:

Commencing at the Northwest corner of said SW ¼ of SE ¼, thence South 00°00'15" West, along the west line of said SW ¼ of SE ¼, a distance of 478.94 feet, more or less, to the northerly right of way line of said Union Pacific Railroad Company, and the Point of Beginning of said strip of land;

Thence South 84°27'18" East, along said northerly right of way, a distance of 950.00 feet;

Thence South 05°32'42" West, a distance of 30.00 feet;

Thence North 84° 27'18" West, a distance of 947.09 feet to the west line of said SW ¼ of SE ¼;

Thence North 00°00'15" East, along said west line, a distance of 30.14 feet to the Point of Beginning;

Except the westerly thirty (30) feet of said land description:

be and the same is hereby approved and said real property is hereby laid out and established and declared laid out, opened and established as 39<sup>th</sup> Avenue.

**Section 2.** That the real property described in Section 1 hereof shall henceforth be known as 39<sup>th</sup> Avenue.

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1 COMMITTEE APPROVAL DATE: March 13, 2014 [by consent]

2 MAYOR-COUNCIL DATE: March 18, 2014

3 PASSED BY THE COUNCIL: \_\_\_\_\_, 2014

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: March 20, 2014

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

13 D. Scott Martinez, Denver City Attorney

14 BY: \_\_\_\_\_, Assistant City Attorney DATE: \_\_\_\_\_, 2014

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