

BY AUTHORITY

RESOLUTION NO. CR22-1436

COMMITTEE OF REFERENCE:

SERIES OF 2022

Land Use, Transportation & Infrastructure

A RESOLUTION

Laying out, opening and establishing as part of the City street system parcels of land as: 1) East Arkansas Avenue, located at the intersection of East Arkansas Avenue and South Birch Street; and 2) South Birch Street, located at the intersection of South Birch Street and East Arkansas Avenue.

WHEREAS, the Executive Director of the Department of Transportation and Infrastructure of the City and County of Denver has found and determined that the public use, convenience and necessity require the laying out, opening and establishing as public streets designated as part of the system of thoroughfares of the municipality those portions of real property hereinafter more particularly described, and, subject to approval by resolution has laid out, opened and established the same as public streets;

BE IT RESOLVED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:

Section 1. That the action of the Executive Director of the Department of Transportation and Infrastructure in laying out, opening and establishing as part of the system of thoroughfares of the municipality the following described portion of real property situate, lying and being in the City and County of Denver, State of Colorado, to wit:

PARCEL DESCRIPTION ROW NO. 2022-DEDICATION-0000046-001:

LAND DESCRIPTION - STREET PARCEL NO. 1

A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 11TH DAY OF OCTOBER, 2022, AT RECEPTION NUMBER 2022129936 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

A PARCEL OF LAND BEING A PORTION OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, ALSO BEING A PORTION OF THE PARCEL OF LAND DESCRIBED IN THE DEED RECORDED JULY 11, 2019 AT RECEPTION NO. 2019089557, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 9.00 FEET, AT RIGHT ANGLES, OF SAID PARCEL DESCRIBED IN THE DEED RECORDED AT RECEPTION NO. 2019089557, ALSO DESCRIBED AS FOLLOWS:

1 COMMENCING AT THE RANGE POINT AT THE INTERSECTION OF SOUTH BIRCH STREET
2 AND EAST ARKANSAS AVENUE MONUMENTED BY A 1" AXLE IN A RANGE BOX; THENCE
3 NORTH 35°12'16" WEST, A DISTANCE OF 60.63 FEET TO THE SOUTHEAST CORNER OF
4 LOT 11 OF BLOCK 1, KIBLER ADDITION (SEPIA FILE 1 AT PAGE 129), ALSO BEING THE
5 POINT OF BEGINNING;

6
7 THENCE SOUTH 89°28'15" WEST ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID EAST
8 ARKANSAS AVENUE, A DISTANCE OF 236.48 FEET TO THE SOUTHWEST CORNER OF LOT
9 10 OF BLOCK 1 OF SAID KIBLER ADDITION;

10
11 THENCE NORTH 00°24'59" WEST ALONG THE WEST LINE OF SAID LOT 10, A DISTANCE OF
12 9.00 FEET TO A LINE PARALLEL WITH AND 9.00 FEET NORTHERLY, AT RIGHT ANGLES, OF
13 SAID NORTH RIGHT-OF-WAY LINE;

14
15 THENCE NORTH 89°28'15" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 236.48
16 FEET TO THE WEST RIGHT-OF-WAY LINE OF SAID SOUTH BIRCH STREET;

17
18 THENCE SOUTH 00°25'26" EAST ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF
19 9.00 FEET TO THE POINT OF BEGINNING;

20
21 THE ABOVE-DESCRIBED PARCEL CONTAINS 2,128 SQUARE FEET (0.049 ACRES), MORE
22 OR LESS

23 THE BEARINGS FOR THIS LAND DESCRIPTION IS BASED ON THE 10-FOOT RANGE LINE IN
24 SOUTH BIRCH STREET BETWEEN EAST ARKANSAS AVENUE AND EAST LOUISIANA
25 AVENUE, BEING ASSUMED TO BEAR NORTH 00°33'23" WEST, A DISTANCE OF 690.93
26 FEET, FROM THE RANGE POINT AT THE INTERSECTION OF SOUTH BIRCH STREET AND
27 EAST ARKANSAS AVENUE MONUMENTED BY A 1" AXLE IN A RANGE BOX, TO THE RANGE
28 POINT AT THE INTERSECTION OF SOUTH BIRCH STREET AND EAST LOUISIANA AVENUE
29 MONUMENTED BY 1" AXLE IN A RANGE BOX, WITH ALL BEARINGS CONTAINED HEREIN
30 RELATIVE THERETO

31 be and the same is hereby approved and said real property is hereby laid out and established and
32 declared laid out, opened and established as East Arkansas Avenue.

33 **Section 2.** That the real property described in Section 1 hereof shall henceforth be known
34 as East Arkansas Avenue.

35 **Section 3.** That the action of the Executive Director of the Department of Transportation
36 and Infrastructure in laying out, opening and establishing as part of the system of thoroughfares of
37 the municipality the following described portion of real property situate, lying and being in the City
38 and County of Denver, State of Colorado, to wit:

39 **PARCEL DESCRIPTION ROW NO. 2022-DEDICATION-0000046-002:**

40 **LAND DESCRIPTION - STREET PARCEL NO. 2**

41 A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY
42 OF DENVER, RECORDED ON THE 11TH DAY OF OCTOBER, 2022, AT RECEPTION NUMBER
43 2022129936 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE,
44 STATE OF COLORADO, THEREIN AS:

1
2 A PARCEL OF LAND BEING A PORTION OF THE NORTH HALF OF THE SOUTHWEST
3 QUARTER OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 4 SOUTH, RANGE
4 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF
5 COLORADO, ALSO BEING A PORTION OF THE PARCEL OF LAND DESCRIBED IN THE DEED
6 RECORDED JULY 11, 2019 AT RECEPTION NO. 2019089557, BEING MORE PARTICULARLY
7 DESCRIBED AS FOLLOWS:

8
9 THE EAST 10.00 FEET, BOTH AT RIGHT ANGLES, OF SAID PARCEL DESCRIBED IN THE DEED
10 RECORDED AT RECEPTION NO. 2019089557, EXCEPT THE SOUTH 9.00 FEET OF SAID
11 PARCEL DESCRIBED IN THE DEED, ALSO DESCRIBED AS FOLLOWS:

12
13 COMMENCING AT THE RANGE POINT AT THE INTERSECTION OF SOUTH BIRCH STREET
14 AND EAST ARKANSAS AVENUE MONUMENTED BY A 1" AXLE IN A RANGE BOX; THENCE
15 NORTH 35°12'16" WEST, A DISTANCE OF 60.63 FEET TO THE SOUTHEAST CORNER OF LOT
16 11 OF BLOCK 1, KIBLER ADDITION (SEPIA FILE 1 AT PAGE 129); THENCE NORTH 00°25'26"
17 WEST, A DISTANCE OF 9.00 FEET TO A LINE PARALLEL WITH AND 9.00 FEET NORTHERLY,
18 AT RIGHT ANGLES, OF THE NORTHERLY RIGHT-OF-WAY LINE OF SAID EAST ARKANSAS
19 AVENUE, ALSO BEING THE POINT OF BEGINNING;

20
21 THENCE SOUTH 89°28'15" WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 10.00 FEET
22 TO A LINE PARALLEL WITH AND 10.00 EASTERLY, AT RIGHT ANGLES, OF THE EASTERLY
23 RIGHT-OF-WAY LINE OF SAID SOUTH BIRCH STREET;

24
25 THENCE NORTH 00°25'26" WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 254.44 FEET
26 TO THE NORTH LINE OF SAID PARCEL DESCRIBED IN DEED RECORDED AT RECEPTION
27 NO. 2019089557;

28
29 THENCE NORTH 89°28'15" EAST ALONG SAID NORTH LINE OF A PARCEL OF LAND
30 DESCRIBED IN DEED RECORDED AT RECEPTION NO. 2019089557, A DISTANCE OF 10.00
31 FEET TO SAID WEST RIGHT-OF-WAY LINE;

32
33 THENCE SOUTH 00°25'26" EAST ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF
34 254.44 FEET TO THE POINT OF BEGINNING;

35
36 THE ABOVE-DESCRIBED PARCEL CONTAINS 2,544 SQUARE FEET (0.058 ACRES), MORE OR
37 LESS.

38
39 THE BEARINGS FOR THIS LAND DESCRIPTION IS BASED ON THE 10-FOOT RANGE LINE IN
40 SOUTH BIRCH STREET BETWEEN EAST ARKANSAS AVENUE AND EAST LOUISIANA
41 AVENUE, BEING ASSUMED TO BEAR NORTH 00°33'23" WEST, A DISTANCE OF 690.93 FEET,
42 FROM THE RANGE POINT AT THE INTERSECTION OF SOUTH BIRCH STREET AND EAST
43 ARKANSAS AVENUE MONUMENTED BY A 1" AXLE IN A RANGE BOX, TO THE RANGE POINT
44 AT THE INTERSECTION OF SOUTH BIRCH STREET AND EAST LOUISIANA AVENUE
45 MONUMENTED BY 1" AXLE IN A RANGE BOX, WITH ALL BEARINGS CONTAINED HEREIN
46 RELATIVE THERETO

47 be and the same is hereby approved and said real property is hereby laid out and established and
48 declared laid out, opened and established as South Birch Street.

1 **Section 4.** That the real property described in Section 3 hereof shall henceforth be known
2 as South Birch Street.

3 COMMITTEE APPROVAL DATE: November 8, 2022 by Consent

4 MAYOR-COUNCIL DATE: November 15, 2022

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: Martin A. Plate, Assistant City Attorney DATE: November 17, 2022

11 Pursuant to section 13-9, D.R.M.C., this proposed resolution has been reviewed by the Office of the
12 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 Kerry Tipper, Interim Denver City Attorney

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