

1 **BY AUTHORITY**

2 RESOLUTION NO. CR21-0828  
3 SERIES OF 2021

COMMITTEE OF REFERENCE:  
Land Use, Transportation & Infrastructure

4 **A RESOLUTION**

5 **Laying out, opening and establishing as part of the City street system a parcel**  
6 **of land as East 40th Avenue at the intersection of North Chambers Road and**  
7 **East 40th Avenue.**

8 **WHEREAS**, the Executive Director of the Department of Transportation and Infrastructure of  
9 the City and County of Denver has found and determined that the public use, convenience and  
10 necessity require the laying out, opening and establishing as a public street designated as part of  
11 the system of thoroughfares of the municipality that portion of real property hereinafter more  
12 particularly described, and, subject to approval by resolution has laid out, opened and established  
13 the same as a public street;

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

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

19 **PARCEL DESCRIPTION ROW NO. 2021-DEDICATION-0000112-001:**

20 **LAND DESCRIPTION - STREET PARCEL:**

21 A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY  
22 OF DENVER, RECORDED MARCH 21, 2001 AT RECEPTION NUMBER 2001039918 IN THE  
23 OFFICE OF THE CLERK AND RECORDER OF THE CITY AND COUNTY OF DENVER,  
24 COLORADO, THEREIN AS:

25 A PARCEL OF LAND FOR PUBLIC RIGHT-OF-WAY FOR 40<sup>TH</sup> AVENUE BEING A PART OF  
26 TRACT A, BLOCK 17 OF CONCORD FILING NO. 1 AND LOCATED IN THE NORTH HALF OF  
27 THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE  
28 6<sup>TH</sup> PRINCIPAL MERIDIAN, MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

29 COMMENCING AT THE SOUTHEAST CORNER OF THE NORTH HALF OF THE SOUTHEAST  
30 QUARTER OF SAID SECTION 19;

31 THENCE ALONG THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF  
32 SAID SECTION 19 S 89°44'25" W, 30.00 FEET TO THE WESTERLY ROW LINE OF CHAMBERS  
33 ROAD AND THE NORTHERLY ROW LINE OF 40<sup>TH</sup> AVENUE;

1 THENCE ALONG SAID SOUTH LINE AND SAID NORTHERLY ROW LINE OF 40<sup>TH</sup> AVENUE S  
2 89°44'25" W, 120.00 FEET TO THE **TRUE POINT OF BEGINNING**;

3 THENCE CONTINUING ALONG SAID SOUTH LINE AND SAID NORTHERLY ROW LINE S  
4 89°44'25" W, 178.07 FEET;

5 THENCE LEAVING SAID NORTHERLY ROW LINE 90.52 FEET ALONG THE ARC OF A NON-  
6 TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 115.00 FEET, A CENTRAL ANGLE OF  
7 45°05'51" AND A CHORD WHICH BEARS N 67°11'29" E, 88.20 FEET TO A POINT OF  
8 TANGENCY;

9 THENCE N 44°38'34" E 102.18 FEET TO A POINT OF CURVATURE;

10 THENCE 47.06 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF  
11 190.00 FEET, A CENTRAL ANGLE OF 14°11'24" AND A CHORD WHICH BEARS N 51°44'16" E,  
12 46.94 FEET TO EXISTING CITY AND COUNTY OF DENVER PARCEL (BOOK 3194, PAGE 6480);

13 THENCE ALONG SAID PARCEL S 06°42'43" W, 35.36 FEET ALONG A NON-TANGENT LINE;

14 THENCE LEAVING SAID PARCEL S 89°44'25" W, 8.55 FEET;

15 THENCE S 00°27'17" E, 100.00 FEET TO THE **TRUE POINT OF BEGINNING**.

16 SAID PARCEL CONTAINS 0.21 ACRES (9,072 SQUARE FEET) MORE OR LESS.

17 BASIS OF BEARINGS BASED UPON THE SOUTH LINE OF THE NORTH HALF OF THE  
18 SOUTHWEST QUARTER OF SECTION 20 BEING N 89°52'04" E.

19 be and the same is hereby approved and said real property is hereby laid out and established and  
20 declared laid out, opened and established as East 40th Avenue.

21 **Section 2.** That the real property described in Section 1 hereof shall henceforth be known  
22 as East 40th Avenue.

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1 COMMITTEE APPROVAL DATE: July 27, 2021 by Consent

2 MAYOR-COUNCIL DATE: August 3, 2021

3 PASSED BY THE COUNCIL: \_\_\_\_\_ August 9, 2021

4 *[Signature]* - PRESIDENT

5 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
6 EX-OFFICIO CLERK OF THE  
7 CITY AND COUNTY OF DENVER

8 PREPARED BY: Martin A. Plate, Assistant City Attorney DATE: August 5, 2021

9 Pursuant to section 13-9, D.R.M.C., this proposed resolution has been reviewed by the Office of the  
10 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.

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14 Kristin M. Bronson, Denver City Attorney

15 BY: *[Signature]*, Assistant City Attorney DATE: Aug 4, 2021  
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