

B-4

BY AUTHORITY

RESOLUTION NO. **128**  
SERIES OF 2009

COMMITTEE OF REFERENCE:

**Public Works**

A RESOLUTION

**Laying out, opening and establishing a parcel of land for right-of-way purposes as 38<sup>th</sup> Avenue, at 38<sup>th</sup> Avenue and Monroe Street.**

**WHEREAS**, the Manager of Public Works 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 a public street 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 a public street;

**NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**

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

**Two parcel's of land located in the Southeast 1/4 of Section 24, Township 3 South, Range 68 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado.**

**A Warranty Deed conveyed to the City & County of Denver, recorded on the 13th of July 1995 in Reception Number 9500082860 in the City and County of Denver Clerk & Records Office being more particularly described as follows:**

**Exhibit A**

**That part of the SW 1/4 of the SE 1/4 of Section 24, T3S, R68W, of the 6th P.M. Described as follows:**

**Commencing at the southwest corner of the SW 1/4, SE 1/4, SE 1/4 of said Section 24; thence northerly along the west line of the SW 1/4, SE 1/4, SE 1/4 of said Section 24 a distance of 20 feet to the true point of beginning; thence easterly along a line that is 20 feet north of, by perpendicular measurement, and parallel with the south line of the SW 1/4, SE 1/4, SE 1/4 of said Section 24, a distance of 30 feet; thence northwesterly to a point on the west line of the SW 1/4, SE 1/4, SE 1/4 of said Section 24 that is 50 feet north of the southwest corner of the SW 1/4, SE 1/4, SE 1/4 of said Section 24; thence southerly along said west line a distance of 30 feet to the true point of beginning.**

1 **Exhibit B**

2 **The south 20 feet of the SW 1/4 of the SE 1/4 of Section 24, T3S, R68W, of the 6th P.M., except for**  
3 **the east 313 feet thereof.**

4  
5 be and the same is hereby approved and said portions of real property are hereby laid out and  
6 established and declared laid out, opened and established as 38<sup>th</sup> Avenue.

7 **Section 2.** That the real property described in Section 1 hereof shall henceforth be known as  
8 38<sup>th</sup> Avenue.

10 COMMITTEE APPROVAL DATE: N/A MAYOR-COUNCIL DATE: November 10, 2009

11 PASSED BY THE COUNCIL November 16 2009

12 Janne Kobb - PRESIDENT

13 ATTEST: Alphoney Marie - CLERK AND RECORDER,  
14 EX-OFFICIO CLERK OF THE  
15 CITY AND COUNTY OF DENVER

16 PREPARED BY: JO ANN WEINSTEIN, ASSISTANT CITY ATTORNEY, November 10, 2009

17 Pursuant to section 13-12, D.R.M.C., this proposed resolution has been reviewed by the office of the  
18 City Attorney. We find no irregularity as to form, and have no legal objection to the proposed  
19 resolution. The proposed resolution is not submitted to the City Council for approval pursuant to §  
20 3.2.6 of the Charter.

21 David R. Fine, City Attorney

22 BY: [Signature], Assistant City Attorney DATE: 10 Nov, 2009

