

1 **BY AUTHORITY**

2 RESOLUTION NO. CR23-0271
3 SERIES OF 2023

COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

4 **A RESOLUTION**

5 **Laying out, opening and establishing as part of the City street system parcels of**
6 **land as: 1) North Holly Street, located at the intersection of North Holly Street**
7 **and East 38th Avenue; 2) East 38th Avenue, located at the intersection of East**
8 **38th Avenue and North Holly Street; and 3) North Ivy Street, located at the**
9 **intersection of East 38th Avenue and North Ivy Street.**

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

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

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

21 **PARCEL DESCRIPTION ROW NO. 2022-DEDICATION-0000060-001:**

22 A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND
23 COUNTY OF DENVER, RECORDED ON THE 21ST DAY OF FEBRUARY, 2023, AT RECEPTION
24 NUMBER 2023014297 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S
25 OFFICE, STATE OF COLORADO, THEREIN AS:

26 A PARCEL OF LAND BEING A PORTION OF TRACT 8, MILE-HI INDUSTRIAL DISTRICT,
27 LOCATED IN THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 3 SOUTH, RANGE
28 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF
29 RECORDED NOVEMBER 15, 1954 IN BOOK 22 AT PAGE 21, CITY AND COUNTY OF
30 DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

31 BASIS OF BEARINGS: THE 20 FOOT RANGE LINE LOCATED IN 38TH AVENUE BETWEEN
32 HOLLY STREET AND KEARNEY STREET IS ASSUMED TO BEAR NORTH 89°42'44" EAST,
33 BASED ON THE CITY AND COUNTY OF DENVER LOCAL PROJECTION COORDINATE
34 SYSTEM, AS MONUMENTED ON THE WEST BY AN AXLE 1.1 FEET BELOW THE SURFACE
35 IN A RANGE BOX AND ON THE EAST BY AN AXLE 1 FOOT BELOW THE SURFACE IN A
36 RANGE BOX;

1 BEGINNING AT THE SOUTHWEST CORNER OF SAID TRACT 8;
2 THENCE NORTH 00°01'27" WEST, ALONG THE WESTERLY LINE OF SAID TRACT 8, A
3 DISTANCE OF 260.11 FEET TO A LINE 340 FEET SOUTH OF AND PARALLEL WITH THE
4 NORTHERLY LINE OF SAID TRACT 8;
5 THENCE NORTH 89°42'49" EAST, ALONG LAST SAID PARALLEL LINE, A DISTANCE OF 2.00
6 FEET TO A LINE 2.00 FEET EAST OF AND PARALLEL WITH THE WESTERLY LINE OF SAID
7 TRACT 8;
8 THENCE SOUTH 00°01'27" EAST, ALONG LAST SAID PARALLEL LINE, A DISTANCE OF
9 260.11 FEET TO THE SOUTHERLY LINE OF SAID TRACT 8;
10 THENCE SOUTH 89°42'44" WEST, ALONG SAID SOUTHERLY LINE, A DISTANCE OF 2.00
11 FEET TO THE POINT OF BEGINNING;
12 CONTAINING A CALCULATED AREA OF 520 SQUARE FEET OR 0.0119 ACRES, MORE OR
13 LESS.

14 be and the same is hereby approved and said real property is hereby laid out and established and
15 declared laid out, opened and established as North Holly Street.

16 **Section 2.** That the real property described in Section 1 hereof shall henceforth be known
17 as North Holly Street.

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

22 **PARCEL DESCRIPTION ROW NO. 2022-DEDICATION-0000060-002:**

23 **LAND DESCRIPTION - STREET PARCEL NO. 2**
24 A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY
25 OF DENVER, RECORDED ON THE 21ST DAY OF FEBRUARY, 2023, AT RECEPTION NUMBER
26 2023014297 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE,
27 STATE OF COLORADO, THEREIN AS:

28
29 A PARCEL OF LAND BEING A PORTION OF TRACT 8, MILE-HI INDUSTRIAL DISTRICT,
30 LOCATED IN THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 3 SOUTH, RANGE
31 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF
32 RECORDED NOVEMBER 15, 1954 IN BOOK 22 AT PAGE 21, CITY AND COUNTY OF
33 DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

34
35 BASIS OF BEARINGS: THE 20 FOOT RANGE LINE LOCATED IN 38TH AVENUE BETWEEN
36 HOLLY STREET AND KEARNEY STREET IS ASSUMED TO BEAR NORTH 89°42'44" EAST,
37 BASED ON THE CITY AND COUNTY OF DENVER LOCAL PROJECTION COORDINATE
38 SYSTEM, AS MONUMENTED ON THE WEST BY AN AXLE 1.1 FEET BELOW THE SURFACE

1 IN A RANGE BOX AND ON THE EAST BY AN AXLE 1 FOOT BELOW THE SURFACE IN A
2 RANGE BOX;
3
4 COMMENCING AT THE SOUTHWEST CORNER OF SAID TRACT 8; THENCE NORTH
5 89°42'44" EAST, ALONG THE SOUTHERLY LINE OF SAID TRACT 8, A DISTANCE OF 2.00
6 FEET TO A LINE 2.00 FEET EAST OF AND PARALLEL WITH THE WESTERLY LINE OF SAID
7 TRACT 8 AND THE POINT OF BEGINNING;
8
9 THENCE NORTH 00°01'27" WEST, ALONG LAST SAID PARALLEL LINE, A DISTANCE OF 2.00
10 FEET TO A LINE 2.00 FEET NORTH OF AND PARALLEL WITH THE SOUTHERLY LINE OF
11 SAID TRACT 8;
12
13 THENCE NORTH 89°42'44" EAST, ALONG LAST SAID PARALLEL LINE, A DISTANCE OF
14 862.52 FEET TO A LINE 390 FEET WEST OF AND PARALLEL WITH THE EASTERLY LINE OF
15 SAID TRACT 8;
16
17 THENCE SOUTH 00°03'21" WEST, ALONG LAST SAID PARALLEL LINE, A DISTANCE OF 2.00
18 FEET TO SAID SOUTHERLY LINE OF TRACT 8;
19
20 THENCE SOUTH 89°42'44" WEST, ALONG SAID SOUTHERLY LINE A DISTANCE OF 862.51
21 FEET TO THE POINT OF BEGINNING;
22
23 CONTAINING A CALCULATED AREA OF 1,725 SQUARE FEET OR 0.0396 ACRES, MORE OR
24 LESS.
25

26 be and the same is hereby approved and said real property is hereby laid out and established and
27 declared laid out, opened and established as East 38th Avenue.

28 **Section 4.** That the real property described in Section 3 hereof shall henceforth be known
29 as East 38th Avenue.

30 **Section 5.** That the action of the Executive Director of the Department of Transportation
31 and Infrastructure in laying out, opening and establishing as part of the system of thoroughfares of
32 the municipality the following described portion of real property situate, lying and being in the City
33 and County of Denver, State of Colorado, to wit:

34 **PARCEL DESCRIPTION ROW NO. 2022-DEDICATION-0000060-003:**

35 LAND DESCRIPTION - STREET PARCEL NO. 3
36 A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY
37 OF DENVER, RECORDED ON THE 21ST DAY OF FEBRUARY, 2023, AT RECEPTION NUMBER
38 2023014297 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE,
39 STATE OF COLORADO, THEREIN AS:

40
41 A PARCEL OF LAND BEING A PORTION OF TRACT 8, MILE-HI INDUSTRIAL DISTRICT,
42 LOCATED IN THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 3 SOUTH, RANGE
43 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF

1 RECORDED NOVEMBER 15, 1954 IN BOOK 22 AT PAGE 21, CITY AND COUNTY OF
2 DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
3

4 BASIS OF BEARINGS: THE 20 FOOT RANGE LINE LOCATED IN 38TH AVENUE BETWEEN
5 HOLLY STREET AND KEARNEY STREET IS ASSUMED TO BEAR NORTH 89°42'44" EAST,
6 BASED ON THE CITY AND COUNTY OF DENVER LOCAL PROJECTION COORDINATE
7 SYSTEM, AS MONUMENTED ON THE WEST BY AN AXLE 1.1 FEET BELOW THE SURFACE
8 IN A RANGE BOX AND ON THE EAST BY AN AXLE 1 FOOT BELOW THE SURFACE IN A
9 RANGE BOX;

10
11 COMMENCING AT THE SOUTHWEST CORNER OF SAID TRACT 8; THENCE NORTH
12 89°42'44" EAST, ALONG THE SOUTHERLY LINE OF SAID TRACT 8, A DISTANCE OF 2.00
13 FEET TO A LINE 2.00 FEET EAST OF AND PARALLEL WITH THE WESTERLY LINE OF SAID
14 TRACT 8; THENCE NORTH 00°01'27" WEST ALONG LAST SAID PARALLEL LINE, A
15 DISTANCE OF 2.00 FEET TO A LINE 2.00 FEET NORTH OF AND PARALLEL WITH THE
16 SOUTHERLY LINE OF SAID TRACT 8; THENCE NORTH 89°42'44" EAST, ALONG LAST SAID
17 PARALLEL LINE, A DISTANCE OF 586.80 FEET TO THE POINT OF BEGINNING;

18
19 THENCE NORTH 00°01'27" WEST, A DISTANCE OF 338.09 FEET TO A LINE 260 FEET SOUTH
20 OF AND PARALLEL WITH THE NORTHERLY LINE OF SAID TRACT 8;

21
22 THENCE NORTH 89°42'49" EAST, ALONG LAST SAID PARALLEL LINE, A DISTANCE OF 64.00
23 FEET;

24
25 THENCE SOUTH 00°01'27" EAST, A DISTANCE OF 338.09 FEET TO A LINE 2.00 FEET NORTH
26 OF AND PARALLEL WITH THE SOUTHERLY LINE OF SAID TRACT 8;

27
28 THENCE SOUTH 89°42'44" WEST, ALONG LAST SAID PARALLEL LINE, A DISTANCE OF
29 64.00 FEET TO THE POINT OF BEGINNING;

30
31 CONTAINING A CALCULATED AREA OF 21,638 SQUARE FEET OR 0.4967 ACRES, MORE OR
32 LESS

33 be and the same is hereby approved and said real property is hereby laid out and established and
34 declared laid out, opened and established as North Ivy Street.

35 **Section 6.** That the real property described in Section 5 hereof shall henceforth be known
36 as North Ivy Street.

37 **[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]**

1 COMMITTEE APPROVAL DATE: March 14, 2023 by Consent

2 MAYOR-COUNCIL DATE: March 21, 2023

3 PASSED BY THE COUNCIL: _____

4 _____ - 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: March 23, 2023

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.

13
14 Kerry Tipper, Denver City Attorney

15
16 BY: _____, Assistant City Attorney DATE: _____