

1 **BY AUTHORITY**

2 RESOLUTION NO. CR24-0178
3 SERIES OF 2024

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 38th Street, located at the intersection of 38th Street and North**
7 **Brighton Boulevard.**

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. 2022-DEDICATION-0000100-001:**

20 **LEGAL DESCRIPTION – STREET PARCEL:**

21 A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND
22 COUNTY OF DENVER, RECORDED ON THE 26TH DAY OF JANUARY, 2024, AT RECEPTION
23 NUMBER 2024005429 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S
24 OFFICE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

25
26 A PARCEL OF LAND BEING A PORTION OF LOT 16, BLOCK 8, IRONTON, THE ADJOINING
27 ALLEY VACATED BY ORDINANCE NO. 189 SERIES OF 1947, AND A PORTION OF LOT 13,
28 BLOCK 39, ST. VINCENTS ADDITION SECOND FILING, SITUATED IN THE SOUTHWEST
29 QUARTER OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL
30 MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY
31 DESCRIBED AS FOLLOWS:

32
33 COMMENCING AT THE WEST CORNER OF SAID LOT 13;

34
35 THENCE SOUTH 44°58'48" EAST ALONG THE SOUTHWEST LINE OF SAID BLOCK 39, A
36 DISTANCE OF 18.00 FEET TO THE SOUTH CORNER OF THAT PARCEL DESCRIBED AT
37 RECEPTION NO. 2016075222 AND THE POINT OF BEGINNING;

1 THENCE NORTH 45°02'39" EAST ALONG THE SOUTHEAST LINE OF SAID PARCEL, A
2 DISTANCE OF 5.00 FEET;
3 THENCE SOUTH 44°58'48" EAST, A DISTANCE OF 115.02 FEET TO THE CENTERLINE OF
4 SAID VACATED ALLEY;
5 THENCE SOUTH 45°03'20" WEST ALONG SAID CENTERLINE, A DISTANCE OF 5.00 FEET TO
6 THE SOUTHWEST LINE OF SAID BLOCK 8;
7 THENCE NORTH 44°58'48" WEST ALONG THE SOUTHWEST LINES OF SAID BLOCK 8 AND
8 39, A DISTANCE OF 115.02 FEET TO THE POINT OF BEGINNING.

9
10 SAID PARCEL CONTAINS 575 SQUARE FEET OR 0.01 ACRES, MORE OR LESS.

11
12 BASIS OF BEARINGS: BEARINGS ARE BASED ON THE NORTHEAST RIGHT-OF-WAY LINE
13 OF 38TH ST, ASSUMED TO BEAR NORTH 44°58'48" WEST

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 38th Street.

16 **Section 2.** That the real property described in Section 1 hereof shall henceforth be known
17 as 38th Street.

18 COMMITTEE APPROVAL DATE: February 20, 2024 by Consent

19 MAYOR-COUNCIL DATE: February 27, 2024

20 PASSED BY THE COUNCIL: _____

21 _____ - PRESIDENT

22 ATTEST: _____ - CLERK AND RECORDER,
23 EX-OFFICIO CLERK OF THE
24 CITY AND COUNTY OF DENVER

25 PREPARED BY: Martin A. Plate, Assistant City Attorney DATE: February 29, 2024

26 Pursuant to section 13-9, D.R.M.C., this proposed resolution has been reviewed by the Office of the
27 City Attorney. We find no irregularity as to form and have no legal objection to the proposed
28 resolution. The proposed resolution is not submitted to the City Council for approval pursuant to
29 § 3.2.6 of the Charter.

30
31 Kerry Tipper, Denver City Attorney

32
33 BY: Anshul Bagga, Assistant City Attorney DATE: Feb 28, 2024