

**BY AUTHORITY**

ORDINANCE NO. \_\_\_\_\_  
SERIES OF 2020

COUNCIL BILL NO. CB20-0912  
COMMITTEE OF REFERENCE:  
Finance & Governance

**A BILL**

**For an ordinance designating certain properties as being required for public use and authorizing use and acquisition thereof by negotiation or through condemnation proceedings of fee simple, easement and other interests, including any rights and interests related or appurtenant to properties designated as needed for the traffic and pedestrian safety improvement project at the intersections of West Kentucky Avenue and Morrison Road, and West 44<sup>th</sup> Avenue and Lowell Boulevard.**

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

**Section 1.** That the Council hereby designates the following properties situated in the City and County of Denver and State of Colorado as being needed for public uses and purposes by the City and County of Denver, a municipal corporation of the State of Colorado:

**PE-1  
NWC W. Kentucky Ave. and Morrison Rd.**

**LAND DESCRIPTION**

A PERMANENT EASEMENT CONTAINING 123 SQUARE FEET, MORE OR LESS, LOCATED WITHIN A PARCEL OF LAND RECORDED AT RECEPTION NO. 2004169101, CITY AND COUNTY OF DENVER RECORDS, ALSO IN THE SOUTHWEST ONE-QUARTER OF SECTION 18, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, SAID EASEMENT MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF W. KENTUCKY AVE. (60' R.O.W.) AND THE NORTHWESTERLY RIGHT-OF-WAY LINE OF MORRISON ROAD (60' R.O.W.), WHENCE THE SOUTHWEST ONE-SIXTEENTH CORNER OF SAID SECTION 18 BEARS S 89°20'32" W, A DISTANCE OF 1,432.01 FEET.

THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE OF W. KENTUCKY AVE. (60' R.O.W.) N 89°27'27" W, A DISTANCE OF 8.28 FEET;

THENCE DEPARTING SAID NORTH RIGHT-OF-WAY LINE N 84°59'16" E, A DISTANCE OF 5.50 FEET;

THENCE N 48°11'27" E, A DISTANCE OF 59.70 FEET;

THENCE S 42°17'21" E, A DISTANCE OF 1.80 FEET TO SAID NORTHWESTERLY RIGHT-OF-WAY LINE OF MORRISON ROAD (60' R.O.W.);

THENCE ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE S 47°42'39" W, A DISTANCE

1 OF 58.00 FEET TO THE **POINT OF BEGINNING.**

2  
3 THE ABOVE DESCRIBED PERMANENT EASEMENT CONTAINS 123 SQUARE FEET, MORE OR  
4 LESS.

5  
6 **BASIS OF BEARINGS:** FOR THE PURPOSE OF THIS DESCRIPTION, THE BEARINGS ARE  
7 BASED ON THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHWEST ONE-QUARTER OF  
8 SECTION 18, TOWNSHIP 4 SOUTH, RANGE 68 WEST, OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, AS  
9 MONUMENTED BY A FOUND 3-1/4" ALUMINUM CAP IN A MONUMENT BOX (PLS 5447, 1999)  
10 AT THE SOUTHWEST ONE-SIXTEENTH CORNER OF SAID SECTION 18, AND BY A NO. 3  
11 REBAR IN A MONUMENT BOX (NO CAP) AT THE SOUTH ONE-SIXTEENTH CORNER OF SAID  
12 SECTION 18, BEARING S 89°27'27" E.

13  
14 **PE-2**  
15 **SWC W. Kentucky Ave. and Morrison Rd.**

16  
17 LAND DESCRIPTION

18  
19 A PERMANENT EASEMENT CONTAINING 155 SQUARE FEET, MORE OR LESS, LOCATED  
20 WITHIN A PARCEL OF LAND RECORDED AT RECEPTION NO. 1988281131, CITY AND  
21 COUNTY OF DENVER RECORDS, ALSO IN THE SOUTHWEST ONE-QUARTER OF SECTION  
22 18, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND  
23 COUNTY OF DENVER, STATE OF COLORADO, SAID EASEMENT MORE PARTICULARLY  
24 DESCRIBED AS FOLLOWS:

25  
26 **BEGINNING** AT A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF W. KENTUCKY AVE. (60'  
27 R.O.W.), WHENCE THE SOUTHWEST ONE-SIXTEENTH CORNER OF SAID SECTION 18  
28 BEARS N 88°11'12" W, A DISTANCE OF 1,352.85 FEET.

29  
30 THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE OF W. KENTUCKY AVE. (60' R.O.W.)  
31 S 89°27'27" E, A DISTANCE OF 2.15 TO THE NORTHWEST CORNER OF A PARCEL OF LAND  
32 RECORDED IN BOOK 7645, PAGE 186, CITY AND COUNTY OF DENVER RECORDS;

33  
34 THENCE ALONG THE SOUTHWESTERLY LINE OF SAID PARCEL OF LAND RECORDED IN  
35 BOOK 7645, PAGE 186, CITY AND COUNTY OF DENVER RECORDS, S 20°48'55" E, A  
36 DISTANCE OF 8.74 FEET TO THE NORTHWESTERLY RIGHT-OF-WAY LINE OF MORRISON  
37 ROAD (60' R.O.W.), ALSO BEING THE SOUTHWEST CORNER OF SAID PARCEL OF LAND  
38 RECORDED IN BOOK 7645, PAGE 186, CITY AND COUNTY OF DENVER RECORDS;

39  
40 THENCE DEPARTING SAID SOUTHWESTERLY LINE AND ALONG SAID NORTHWESTERLY  
41 RIGHT-OF-WAY LINE OF MORRISON RD. (60' R.O.W.), S 47°49'37" W, A DISTANCE OF 69.60  
42 FEET

43  
44 THENCE DEPARTING SAID NORTHWESTERLY RIGHT-OF-WAY LINE N 42°10'23" W, A  
45 DISTANCE OF 2.00 FEET;

46  
47 THENCE N 47°49'37" E, A DISTANCE OF 68.23 FEET;

48  
49 THENCE N 20°48'55" W, A DISTANCE OF 8.16 FEET TO THE **POINT OF BEGINNING.**

1  
2 THE ABOVE DESCRIBED PERMANENT EASEMENT CONTAINS 155 SQUARE FEET, MORE OR  
3 LESS.  
4

5 **BASIS OF BEARINGS:** FOR THE PURPOSE OF THIS DESCRIPTION, THE BEARINGS ARE  
6 BASED ON THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHWEST ONE-QUARTER OF  
7 SECTION 18, TOWNSHIP 4 SOUTH, RANGE 68 WEST, OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, AS  
8 MONUMENTED BY A FOUND 3-1/4" ALUMINUM CAP IN A MONUMENT BOX (PLS 5447, 1999)  
9 AT THE SOUTHWEST ONE-SIXTEENTH CORNER OF SAID SECTION 18, AND BY A NO. 3  
10 REBAR IN A MONUMENT BOX (NO CAP) AT THE SOUTH ONE-SIXTEENTH CORNER OF SAID  
11 SECTION 18, BEARING S 89°27'27" E.

12  
13 **TE-1**  
14 **NEC W. Kentucky Ave. and Morrison Rd.**  
15

16 LAND DESCRIPTION  
17

18 A TEMPORARY EASEMENT CONTAINING 74 SQUARE FEET, MORE OR LESS, LOCATED  
19 WITHIN A PARCEL OF LAND RECORDED AT RECEPTION NO. 2015024204, CITY AND  
20 COUNTY OF DENVER RECORDS, ALSO IN THE SOUTHWEST ONE-QUARTER OF SECTION  
21 18, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND  
22 COUNTY OF DENVER, STATE OF COLORADO, SAID EASEMENT MORE PARTICULARLY  
23 DESCRIBED AS FOLLOWS:  
24

25 **BEGINNING** AT A POINT ON THE NORTH RIGHT-OF-WAY LINE OF W. KENTUCKY AVE. (60'  
26 R.O.W.), ALSO BEING THE SOUTHEAST CORNER OF A PARCEL OF LAND RECORDED IN  
27 BOOK 7682, PAGE 356, CITY AND COUNTY OF DENVER RECORDS, WHENCE THE  
28 SOUTHWEST ONE-SIXTEENTH CORNER OF SAID SECTION 18 BEARS S 89°25'15" W, A  
29 DISTANCE OF 1,532.24 FEET.  
30

31 THENCE ALONG THE NORTHEAST LINE OF SAID BOOK 7682, PAGE 356, CITY AND COUNTY  
32 OF DENVER RECORDS, N 20°52'24" W, A DISTANCE OF 8.76 FEET TO THE SOUTHEASTERLY  
33 RIGHT-OF-WAY LINE OF MORRISON ROAD (60' R.O.W.), ALSO BEING THE NORTHEAST  
34 CORNER OF SAID PARCEL OF LAND RECORDED IN BOOK 7682, PAGE 356, CITY AND  
35 COUNTY OF DENVER RECORDS;  
36

37 THENCE DEPARTING SAID NORTHEAST LINE AND ALONG SAID SOUTHEASTERLY RIGHT-  
38 OF-WAY LINE OF MORRISON ROAD (60' R.O.W.) N 47°42'39" E, A DISTANCE OF 16.00 FEET;  
39

40 THENCE DEPARTING SAID SOUTHEASTERLY RIGHT-OF-WAY LINE S 42°17'21" E, A  
41 DISTANCE OF 2.00 FEET;  
42

43 THENCE S 47°42'39" W, A DISTANCE OF 14.64 FEET;  
44

45 THENCE S 20°52'24" E, A DISTANCE OF 6.04 FEET;  
46

47 THENCE S 89°27'27" E, A DISTANCE OF 13.64 FEET;  
48

49 THENCE S 00°32'33" W, A DISTANCE OF 2.00 FEET TO SAID NORTH RIGHT-OF-WAY LINE OF

1 W. KENTUCKY AVE. (60' R.O.W.);  
2  
3 THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE N 89°27'27" W, A DISTANCE OF 15.00  
4 FEET TO THE **POINT OF BEGINNING**.

5  
6 THE ABOVE DESCRIBED TEMPORARY EASEMENT CONTAINS 74 SQUARE FEET, MORE OR  
7 LESS.

8  
9 **BASIS OF BEARINGS:** FOR THE PURPOSE OF THIS DESCRIPTION, THE BEARINGS ARE  
10 BASED ON THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHWEST ONE-QUARTER OF  
11 SECTION 18, TOWNSHIP 4 SOUTH, RANGE 68 WEST, OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, AS  
12 MONUMENTED BY A FOUND 3-1/4" ALUMINUM CAP IN A MONUMENT BOX (PLS 5447, 1999)  
13 AT THE SOUTHWEST ONE-SIXTEENTH CORNER OF SAID SECTION 18, AND BY A NO. 3  
14 REBAR IN A MONUMENT BOX (NO CAP) AT THE SOUTH ONE-SIXTEENTH CORNER OF SAID  
15 SECTION 18, BEARING S 89°27'27" E.

16  
17 **TE-2**  
18 **SEC W. Kentucky Ave. and Morrison Rd.**

19  
20 LAND DESCRIPTION

21  
22 A TEMPORARY EASEMENT CONTAINING 15 SQUARE FEET, MORE OR LESS, LOCATED  
23 WITHIN A PORTION OF LOT 4, BLOCK 5, KENTUCKY GARDENS, ALSO IN THE SOUTHWEST  
24 ONE-QUARTER OF SECTION 18, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH  
25 PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, SAID  
26 EASEMENTS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

27  
28 **BEGINNING** AT A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF MORRISON  
29 ROAD (60' R.O.W.), ALSO BEING THE NORTHWEST CORNER OF LOT 5, BLOCK 5, KENTUCKY  
30 GARDENS, WHENCE THE SOUTHWEST ONE-SIXTEENTH CORNER OF SAID SECTION 18  
31 BEARS N 87°45'56" W, A DISTANCE OF 1,442.12 FEET.

32  
33 THENCE ALONG THE WEST LINE OF SAID LOT 5, BLOCK 5, KENTUCKY GARDENS,  
34 S 00°00'00" W, A DISTANCE OF 2.70 FEET;

35  
36 THENCE DEPARTING SAID WEST LINE S 47°49'37" W, A DISTANCE OF 6.65 FEET;

37  
38 THENCE N 42°10'23" W, A DISTANCE OF 2.00 FEET TO SAID SOUTHEASTERLY RIGHT-OF-  
39 WAY LINE OF MORRISON ROAD (60' R.O.W.), ALSO BEING THE NORTHWESTERLY LINE OF  
40 SAID LOT 4, BLOCK 5, KENTUCKY GARDENS;

41  
42 THENCE ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE N 47°49'37" E, A DISTANCE  
43 OF 8.46 FEET TO THE **POINT OF BEGINNING**.

44  
45 THE ABOVE DESCRIBED TEMPORARY EASEMENT CONTAINS 15 SQUARE FEET, MORE OR  
46 LESS.

47  
48 **BASIS OF BEARINGS:** FOR THE PURPOSE OF THIS DESCRIPTION, THE BEARINGS ARE  
49 BASED ON THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHWEST ONE-QUARTER OF

1 SECTION 18, TOWNSHIP 4 SOUTH, RANGE 68 WEST, OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, AS  
2 MONUMENTED BY A FOUND 3-1/4" ALUMINUM CAP IN A MONUMENT BOX (PLS 5447, 1999)  
3 AT THE SOUTHWEST ONE-SIXTEENTH CORNER OF SAID SECTION 18, AND BY A NO. 3  
4 REBAR IN A MONUMENT BOX (NO CAP) AT THE SOUTH ONE-SIXTEENTH CORNER OF SAID  
5 SECTION 18, BEARING S 89°27'27" E.

6  
7 **TE-3**  
8 **SEC W. Kentucky Ave. and Morrison Rd.**  
9

10 LAND DESCRIPTION  
11

12 A TEMPORARY EASEMENT CONTAINING 41 SQUARE FEET, MORE OR LESS, LOCATED  
13 WITHIN A PORTION OF LOT 5, BLOCK 5, KENTUCKY GARDENS, ALSO IN THE SOUTHWEST  
14 ONE-QUARTER OF SECTION 18, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH  
15 PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, SAID  
16 EASEMENTS MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
17

18 **BEGINNING** AT A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF MORRISON  
19 ROAD (60' R.O.W.), ALSO BEING THE NORTHEAST CORNER OF LOT 4, BLOCK 5, KENTUCKY  
20 GARDENS, WHENCE THE SOUTHWEST ONE-SIXTEENTH CORNER OF SAID SECTION 18  
21 BEARS N 87°45'56" W, A DISTANCE OF 1,442.12 FEET.  
22

23 THENCE ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF MORRISON ROAD (60'  
24 R.O.W.) N 47°49'37" E, A DISTANCE OF 18.54 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF  
25 W. KENTUCKY AVE. (60' R.O.W.);  
26

27 THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE OF W. KENTUCKY AVE. (60' R.O.W.)  
28 S 89°27'27" E, A DISTANCE OF 2.95 FEET;  
29

30 THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY LINE S 47°49'37" W, A DISTANCE OF 22.52  
31 FEET TO THE EAST LINE OF SAID LOT 4, BLOCK 5, KENTUCKY GARDENS;  
32

33 THENCE ALONG SAID EAST LINE N 00°00'00" E, A DISTANCE OF 2.70 FEET TO THE **POINT**  
34 **OF BEGINNING.**  
35

36 THE ABOVE DESCRIBED TEMPORARY EASEMENT CONTAINS 41 SQUARE FEET, MORE OR  
37 LESS.  
38

39 **BASIS OF BEARINGS:** FOR THE PURPOSE OF THIS DESCRIPTION, THE BEARINGS ARE  
40 BASED ON THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHWEST ONE-QUARTER OF  
41 SECTION 18, TOWNSHIP 4 SOUTH, RANGE 68 WEST, OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, AS  
42 MONUMENTED BY A FOUND 3-1/4" ALUMINUM CAP IN A MONUMENT BOX (PLS 5447, 1999)  
43 AT THE SOUTHWEST ONE-SIXTEENTH CORNER OF SAID SECTION 18, AND BY A NO. 3  
44 REBAR IN A MONUMENT BOX (NO CAP) AT THE SOUTH ONE-SIXTEENTH CORNER OF SAID  
45 SECTION 18, BEARING S 89°27'27" E.  
46

47 **TE-4**  
48 **SEC W. 44<sup>th</sup> Ave. and Lowell Blvd.**  
49

1 LAND DESCRIPTION

2  
3 A TEMPORARY EASEMENT CONTAINING 11.70 SQUARE FEET, MORE OR LESS, LOCATED  
4 WITHIN A PORTION OF LOT 2, BLOCK 9, HARKNESS HEIGHTS, ALSO IN THE SOUTHWEST  
5 ONE-QUARTER OF SECTION 20, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH  
6 PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, SAID  
7 EASEMENT MORE PARTICULARLY DESCRIBED AS FOLLOWS:

8  
9 **BEGINNING** AT A POINT OF INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF W.  
10 44<sup>TH</sup> AVE. (80' R.O.W.) AND THE EAST RIGHT-OF-WAY LINE OF LOWELL BLVD. (68.6' R.O.W.),  
11 ALSO BEING THE NORTHWEST CORNER OF SAID LOT 2, BLOCK 9, HARKNESS HEIGHTS,  
12 WHENCE THE WEST ONE-QUARTER CORNER OF SAID SECTION 20 BEARS N 38°05'03" W,  
13 A DISTANCE OF 64.40 FEET.

14  
15 THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE OF W. 44<sup>TH</sup> AVE. (80' R.O.W.)  
16 S 89°00'53" E, A DISTANCE OF 1.00 FOOT;

17  
18 THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY LINE S 00°18'46" W, A DISTANCE OF 11.70  
19 FEET;

20  
21 THENCE N 89°00'53" W, A DISTANCE OF 1.00 FOOT TO SAID EAST RIGHT-OF-WAY LINE OF  
22 LOWELL BLVD. (68.6' R.O.W.), ALSO BEING THE WEST LINE OF SAID LOT 2, BLOCK 9,  
23 HARKNESS HEIGHTS;

24  
25 THENCE ALONG SAID EAST RIGHT-OF-WAY LINE N 00°18'46" E, A DISTANCE OF 11.70 FEET  
26 TO THE **POINT OF BEGINNING**.

27  
28 THE ABOVE DESCRIBED TEMPORARY EASEMENT CONTAINS 11.70 SQUARE FEET, MORE  
29 OR LESS.

30  
31 **BASIS OF BEARINGS:** FOR THE PURPOSE OF THIS DESCRIPTION, THE BEARINGS ARE  
32 BASED ON THE NORTH LINE OF THE SOUTHEAST ONE-QUARTER OF SECTION 19,  
33 TOWNSHIP 3 SOUTH, RANGE 68 WEST, OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, AS  
34 MONUMENTED BY A FOUND STONE IN A MONUMENT BOX AT THE EAST ONE-QUARTER  
35 CORNER OF SAID SECTION 19 (WEST ONE-QUARTER CORNER OF SAID SECTION 20), AND  
36 BY A 2-1/2" ALUMINUM CAP (PLS 11544, 1993) AT THE CENTER ONE-QUARTER CORNER OF  
37 SAID SECTION 19, BEARING S 89°16'53" W.

38  
39 **Section 2.** That the Council hereby finds and determines that these properties are needed  
40 and required for the following public uses and public purposes: as part of a project that includes the  
41 installation of traffic lights and ADA curb ramps, sidewalks, appurtenant improvements and  
42 construction thereof at the intersections of West Kentucky Avenue and Morrison Road, and West  
43 44<sup>th</sup> Avenue and Lowell Boulevard (the "Project").

44 **Section 3.** That Council authorizes the Mayor, including his duly authorized representatives,  
45 in accordance with applicable federal, state, and City laws and rules and regulations adopted

1 pursuant thereto, to acquire the needed property interests, including, but not limited to, fee title,  
2 permanent easements, temporary easements, fixtures, licenses, permits, improvements (including  
3 without limitation, general outdoor advertising devices, buildings, and access points) and any other  
4 rights, interests, and appurtenances thereto. Such authority includes the taking of all actions  
5 necessary to do so without further action by City Council, including but not limited to: conducting  
6 negotiations, executing all related agreements, making all necessary payments, taking any and all  
7 actions required by law before instituting condemnation proceedings, allowing the temporary use of  
8 City-owned land and conveying all or a portion of any City-owned land, including remnants, by  
9 quitclaim deed, permanent or temporary easements, leases, licenses and permits.

10 **Section 4.** That if the interested parties do not agree upon the compensation to be paid for  
11 needed property interests, the owner or owners thereof are incapable of consenting, the name or  
12 residence of any owner thereof is unknown, or any of the owners thereof are non-residents of the  
13 State, then the City Attorney of the City and County of Denver, upon the Mayor's direction, is  
14 authorized and empowered to exercise the City and County of Denver's eminent domain powers by  
15 instituting and, as necessary, prosecuting to conclusion condemnation proceedings under Article 1,  
16 Title 38, Colorado Revised Statutes, to acquire needed property interests upon, through, over, under  
17 and along the above-described property as necessary for the purposes set forth in Section 2 above.

18 **Section 5.** That the Council hereby finds and determines that the Denver Department of  
19 Transportation and Infrastructure and federal and state agencies may find the need to alter the  
20 nature of the property interests or the legal descriptions of the properties referred to in this Ordinance  
21 and may continue to do so in order to meet the needs of the Project. Council authorizes the Mayor,  
22 including his duly authorized representatives, in accordance with applicable federal, state, and City  
23 laws and rules and regulations adopted pursuant thereto, to acquire those easements and properties  
24 as the property interests and legal descriptions are altered in accordance with the means authorized  
25 in this Ordinance.

26 **Section 6.** That the Council hereby finds and determines that to improve the safety and  
27 operation of pedestrians, bicycles and vehicles in the vicinity of the Project, it may be necessary to  
28 rebuild, modify, remove, and relocate existing access points to streets located in the vicinity of the  
29 Project.

30 **Section 7.** That the Council authorizes the City to use the power of eminent domain to act  
31 as the local authority to install traffic lights and ADA curb ramps, sidewalks and appurtenances at  
32 the intersections of West Kentucky Avenue and Morrison Road, and West 44<sup>th</sup> Avenue and Lowell  
33 Boulevard.

1        **Section 8.**    That the City Council hereby finds and determines that the Project is necessary  
2    for the health, safety, and welfare of the public.

3    COMMITTEE APPROVAL DATE: September 8, 2020 by Consent

4    MAYOR-COUNCIL DATE: September 15, 2020

5    PASSED BY THE COUNCIL: \_\_\_\_\_  
6    \_\_\_\_\_ - PRESIDENT

7    APPROVED: \_\_\_\_\_ - MAYOR \_\_\_\_\_

8    ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
9    EX-OFFICIO CLERK OF THE  
10    CITY AND COUNTY OF DENVER

11   NOTICE PUBLISHED IN THE DAILY JOURNAL: \_\_\_\_\_ ; \_\_\_\_\_

12   PREPARED BY: Martin A. Plate, Assistant City Attorney    DATE: September 24, 2020

13   Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of  
14   the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed  
15   ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to §  
16   3.2.6 of the Charter.

17  
18   Kristin M. Bronson, Denver City Attorney

19  
20   BY: \_\_\_\_\_, Assistant City Attorney    DATE: \_\_\_\_\_