

BY AUTHORITY

ORDINANCE NO. _____

COUNCIL BILL NO. CB25-0635

SERIES OF 2025

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 design and construction of the University Blvd Sidewalk Gap CD10 G1 Project, which consists of two segments of sidewalk that will provide connections to RTD transit stops along the east side of South University Boulevard between East Exposition Avenue and Polo Club Lane.

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:

**PARCEL NUMBER: RW-01
480 South University Boulevard**

A parcel of land of the City and County of Denver, State of Colorado containing 2,100 sq. ft. (0.048 acres), more or less, in the Southwest One-Quarter of the Northwest One-Quarter and the Northwest One-Quarter of the Northwest One-Quarter of Section 13, Township 4 South, Range 68 West, of the 6th Principal Meridian, also being within a parcel of land recorded at Reception Number 1985084795, City and County of Denver Records, and a portion of Plot 17, Polo Club Place Subdivision A (Plat Book 21, Page 22 - 1952), being more particularly described as follows:

Commencing at a point on the east Right-of-Way line of S. University Blvd. (80' R.O.W.), also being the Northwest Corner of said Plot 17, whence the Southwest Corner of Plot 12, Polo Club Place Subdivision A (Plat Book 21, Page 22- 1952) bears S. 00°04'12" W., a distance of 789.66 feet;

Thence along said east Right-of-Way line, also being the west line of said Plot 17, S. 00°04'12" W., a distance of 154.85 feet to the POINT OF BEGINNING;

1. Thence departing said east Right-of-Way line S. 89°51'48" E., a distance of 15.00 feet;

2. Thence S. 00°04'12" W. along a line 15.00 feet east of and parallel with said west line of Plot 17, a distance of 140.00 feet to the north line of Polo Club Ln. (40' Private Drive), also being the south line of said Plot 17;

3. Thence along said north line, N. 89°51'48" W., a distance of 15.00 feet to said east Right-of-Way line of S. University Blvd. (80' R.O.W.), also being the Southwest Corner of said Plot 17;

4. Thence along said east Right-of-Way line, N. 00°04'12" E., a distance of 140.00 feet to the POINT OF BEGINNING.

The above-described parcel contains 2,100 sq. ft. (0.048 acres), more or less.

Basis of Bearings: All bearings are based on a line between the Northwest Corner of said Plot 17 (Fnd. 2" Iron Pipe) and the Northwest Corner of said Plot 12 (Fnd. 2" Iron Pipe), said line also being the east Right-of-Way line of S. University Blvd. (80' R.O.W.), having a bearing of S. 00°04'12" W.

PARCEL NUMBER: RW-02
680 South University Boulevard

A parcel of land of the City and County of Denver, State of Colorado containing 1,455 sq. ft. (0.033 acres), more or less, in the Southwest One-Quarter of the Northwest One-Quarter of Section 13, Township 4 South, Range 68 West, of the 6th Principal Meridian, also being within a parcel of land recorded at Reception Number 2014059065, City and County of Denver Records, and a portion of Plot 1, Polo Club Place Subdivision A (Plat Book 21, Page 22 - 1952), being more particularly described as follows:

Commencing at a point on the east Right-of-Way line of S. University Blvd. (80' R.O.W.), also being the Northwest Corner of said Plot 1, whence the Northwest Corner of Plot 8, Polo Club Place Subdivision A (Plat Book 21, Page 22 - 1952) bears N. 00°04'12" E., a distance of 490.88 feet;

Thence along said east Right-of-Way line, also being the west line of said Plot 1, S. 00°04'12" W., a distance of 162.90 feet to the POINT OF BEGINNING;

1. Thence departing said east Right-of-Way line S. 89°48'23" E., a distance of 15.00 feet;

2. Thence S. 00°04'12" W. along a line 15.00 feet east of and parallel with said west line of Plot 1, a distance of 97.00 feet to the north Right-of-Way line of E. Exposition Ave. (60' R.O.W.), also being the south line of said Plot 1;

3. Thence along said north Right-of-Way line, N. 89°48'23" W., a distance of 15.00 feet to said east Right-of-Way line of S. University Blvd. (80' R.O.W.), also being the Southwest Corner of said Plot 1;

4. Thence along said east Right-of-Way line, N. 00°04'12" E., a distance of 97.00 feet to the POINT OF BEGINNING.

The above-described parcel contains 1,455 sq. ft. (0.033 acres), more or less.

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2 Basis of Bearings: All bearings are based on a line between the Northwest Corner of said Plot 1
3 (Fnd. 2" Iron Pipe) and the Northwest Corner of said Plot 8 (Fnd. 2" Iron Pipe), said line also being
4 the east Right-of-Way line of S. University Blvd. (80' R.O.W.), having a bearing of N. 00°04'12" E.

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7 **PARCEL NUMBER: TE-02**
8 **680 South University Boulevard**
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10 A Temporary Easement of the City and County of Denver, State of Colorado containing 320 sq. ft.
11 (0.007 acres), more or less, in the Southwest One-Quarter of the Northwest One-Quarter of Section
12 13, Township 4 South, Range 68 West, of the 6th Principal Meridian, also being within a parcel of
13 land recorded at Reception Number 2014059065, City and County of Denver Records, and a portion
14 of Plot 1, Polo Club Place Subdivision A (Plat Book 21, Page 22 - 1952), being more particularly
15 described as follows:

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17 Commencing at a point on the east Right-of-Way line of S. University Blvd. (80' R.O.W.), also being
18 the Northwest Corner of said Plot 1, whence the Northwest Corner of Plot 8, Polo Club Place
19 Subdivision A (Plat Book 21, Page 22 - 1952) bears N. 00°04'12" E., a distance of 490.88 feet;

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21 Thence along said east Right-of-Way line, also being the west line of said Plot 1, S. 00°04'12" W., a
22 distance of 162.90 feet;

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24 Thence departing said east Right-of-Way line, S. 89°48'23" E., a distance of 17.00 to the east line
25 of the CCD Drainage and Sewer Easement recorded at Reception Number 2002079477, City and
26 County of Denver Records, and the POINT OF BEGINNING;

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28 1. Thence continuing S. 89°48'23" E., a distance of 3.40 feet;

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30 2. Thence S. 00°11'18" W., a distance of 97.00 feet to the north Right-of-Way line of E.
31 Exposition Ave. (60' R.O.W.), also being the south line of said Plot 1;

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33 3. Thence along said north Right-of-Way line, N. 89°48'23" W., a distance of 3.20 feet;

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35 4. Thence departing said north Right-of-Way line, N. 00°04'12" E. along the east line of said
36 easement, a distance of 97.00 feet to the POINT OF BEGINNING.

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38 The above-described Temporary Easement contains 320 sq. ft. (0.007 acres), more or less.

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40 Basis of Bearings: All bearings are based on a line between the Northwest Corner of said Plot 1
41 (Fnd. 2" Iron Pipe) and the Northwest Corner of said Plot 8 (Fnd. 2" Iron Pipe), said line also being
42 the east Right-of-Way line of S. University Blvd. (80' R.O.W.), having a bearing of N. 00°04'12" E.

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45 **Section 2.** That the Council finds and determines that property interests in these properties
46 are needed and required for the following public uses and public purposes: the design and
47 construction of two segments of sidewalk that will provide connections to RTD transit stops along

1 the east side of South University Boulevard between East Exposition Avenue and Polo Club Lane
2 (“Project”).

3 **Section 3.** That Council authorizes the Mayor, including his duly authorized representatives,
4 in accordance with applicable federal, state, and City laws and rules and regulations adopted
5 pursuant thereto, to acquire the needed property interests, including, but not limited to, fee title,
6 permanent easements, temporary easements, fixtures, licenses, permits, improvements (including
7 without limitation, general outdoor advertising devices, buildings, and access points) and any other
8 rights, interests, and appurtenances thereto. Such authority includes the taking of all actions
9 necessary to do so without further action by City Council, including but not limited to: conducting
10 negotiations, executing all related agreements, making all necessary payments, taking any and all
11 actions required by law before instituting condemnation proceedings, allowing the temporary use of
12 City-owned land and conveying all or a portion of any City-owned land, including remnants, by
13 quitclaim deed, permanent or temporary easements, leases, licenses and permits.

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

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

30 **Section 6** That the Council authorizes the City to use the power of eminent domain to act
31 as the local authority to repurpose existing City right-of-way with improvements to prioritize the
32 movement of people for safety and economic benefits.

