

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2026

COUNCIL BILL NO. CB26-0925
COMMITTEE OF REFERENCE:
Finance and Business

A BILL

Approves a Land Acquisition Ordinance designating certain properties as being required for public use and granting the authority to acquire through negotiated purchase or condemnation all or any portion of any property interest as needed for the construction of the Smith and Sandown over Quebec Street Bridges Project. This includes fee title and easement interests, access rights, improvements, buildings, fixtures, licenses, and permits as part of the Project. The Project is located at Smith Road and Sandown Road over North Quebec Street.

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 - 1

A PARCEL OF LAND BEING A PORTION OF THE REGIONAL TRANSPORTATION DISTRICT RIGHT-OF-WAY AND BEING ALONG THE NORTH LINE OF THE CITY AND COUNTY OF DENVER RIGHT-OF-WAY, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/16 CORNER OF SAID SECTION 21 AND 20, AS MONUMENTED BY A FOUND 1-1/4" AXLE IN RANGE BOX FROM WHICH THE SOUTHWEST CORNER OF SAID SECTION 21, AS MONUMENTED BY A FOUND 2" ALUMINUM CAP IN RANGE BOX STAMPED LS 30830/ 2000, BEARS SOUTH 00° 08' 16" EAST, A DISTANCE OF 1,324.64 FEET, FORMING THE BASIS OF BEARINGS USED IN THIS DESCRIPTION WITH ALL BEARINGS REFERENCED HEREIN RELATIVE THERETO;

THENCE SOUTH 00° 08' 16" EAST ALONG WEST LINE OF SAID SECTION 21, A DISTANCE OF 401.18 FEET;

THENCE NORTH 89° 51' 44" EAST, A DISTANCE OF 56.37 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 38° 59' 46" EAST, A DISTANCE OF 8.44 FEET;

1 SAID PARCEL OF LAND CONTAINS 82.92 SQUARE FEET, OR 0.0019 ACRES, MORE OR
2 LESS.

3 PARCEL NUMBER: TE-3
4

5 A PARCEL OF LAND BEING A PORTION OF LOTS 5 AND 6, BLOCK 6, FIRST ADDITION TO
6 EAST SWANSEA, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 3
7 SOUTH, RANGE 67 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF
8 COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
9

10 COMMENCING AT THE SOUTH 1/16 CORNER OF SAID SECTION 20 AND 21, AS
11 MONUMENTED BY A FOUND 1-1/4" AXLE IN RANGE BOX FROM WHICH THE SOUTHEAST
12 CORNER OF SAID SECTION 20, AS MONUMENTED BY A FOUND 2" ALUMINUM CAP IN
13 RANGE BOX STAMPED LS 30830/ 2000, BEARS SOUTH 00° 08' 16" EAST, A DISTANCE OF
14 1,324.64 FEET, FORMING THE BASIS OF BEARINGS USED IN THIS DESCRIPTION WITH
15 ALL BEARINGS REFERENCED HEREIN RELATIVE THERETO;
16

17 THENCE SOUTH 19° 26' 20" WEST, A DISTANCE OF 441.70 FEET TO THE POINT OF
18 BEGINNING;
19

20 THENCE SOUTH 00° 08' 16" EAST ALONG THE EAST LINE OF SAID LOT 6, A DISTANCE
21 OF 11.12 FEET;
22

23 THENCE NORTH 70° 01' 12" WEST, A DISTANCE OF 76.05 FEET;
24

25 THENCE NORTH 10° 10' 11" EAST, A DISTANCE OF 2.72 FEET TO A POINT ON THE SOUTH
26 RIGHT-OF-WAY LINE OF SMITH ROAD DEDICATED BY ORDINANCE NO. 187, SERIES OF
27 1954 AS RECORDED IN BOOK 7538 ON PAGE 476;
28

29 THENCE SOUTH 79° 49' 49" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE, A
30 DISTANCE OF 37.04 FEET;
31

32 THENCE SOUTH 72° 19' 13" EAST, A DISTANCE OF 36.21 FEET TO THE POINT OF
33 BEGINNING.
34

35 SAID PARCEL CONTAINS 583.98 SQUARE FEET, OR 0.0134 ACRES, MORE OR LESS.

36 PARCEL NUMBER RW-4
37 3935 N. QUEBEC STREET
38

39 A PARCEL OF LAND BEING A PORTION OF LOTS 21, 22, AND 23, BLOCK 6, FIRST
40 ADDITION TO EAST SWANSEA, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 20,
41 TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER,
42 STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
43

44 COMMENCING AT THE SOUTH 1/16 CORNER OF SAID SECTION 20 AND 21, AS
45 MONUMENTED BY A FOUND 1-1/4 INCH AXLE IN RANGE BOX FROM WHICH THE

SOUTHEAST CORNER OF SAID SECTION 20, AS MONUMENTED BY A FOUND 2 INCH ALUMINUM CAP IN RANGE BOX STAMPED LS 30830 / 2000, BEARS SOUTH 00° 08' 16" EAST, A DISTANCE OF 1,324.64 FEET, FORMING THE BASIS OF BEARINGS USED IN THIS DESCRIPTION WITH ALL BEARINGS REFERENCED HEREIN RELATIVE THERETO;

THENCE SOUTH 19° 39' 00" WEST, A DISTANCE OF 437.17 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SMITH RD DEDICATED BY ORDINANCE NO. 187, SERIES OF 1954, AS DESCRIBED IN BOOK 7538 ON PAGE 476, SAID POINT ALSO BEING THE POINT OF BEGINNING;

THENCE COINCIDENT WITH SAID SOUTH RIGHT-OF-WAY LINE OF SMITH RD THE FOLLOWING THREE (3) COURSES:

SOUTH 79° 49' 49" EAST, A DISTANCE OF 27.98 FEET;

SOUTH 73° 26' 49" EAST, A DISTANCE OF 81.10 FEET;

SOUTH 36° 46' 51" EAST, A DISTANCE OF 21.42 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF QUEBEC ST SOUTHBOUND ON-RAMP DEDICATED BY ORDINANCE NO. 197, SERIES OF 1954;

THENCE ALONG SAID WEST RIGHT-OF-WAY LINE SOUTH 00°08'16" EAST, A DISTANCE OF 25.92 FEET;

THENCE NORTH 89° 53' 03" WEST, A DISTANCE OF 1.14 FEET;

THENCE NORTH 00° 06' 57" EAST, A DISTANCE OF 7.02 FEET;

THENCE NORTH 17° 27' 59" WEST, A DISTANCE OF 10.72 FEET;

THENCE NORTH 48° 36' 31" WEST, A DISTANCE OF 25.32 FEET;

THENCE NORTH 72° 19' 13" WEST, A DISTANCE OF 99.51 FEET TO A POINT ON THE WEST LINE OF SAID LOT 23;

THENCE NORTH 00° 08' 16" WEST ALONG SAID WEST LINE, A DISTANCE OF 6.91 FEET TO THE POINT OF BEGINNING.

SAID PARCEL OF LAND CONTAINS 1,398.68 SQUARE FEET, OR 0.0321 ACRES, MORE OR LESS.

PARCEL NUMBER TE-4
3935 N. QUEBEC STREET

A PARCEL OF LAND BEING A PORTION OF LOTS 20 THROUGH 23, BLOCK 6, FIRST ADDITION TO EAST SWANSEA, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/16 CORNER OF SAID SECTION 20 AND 21, AS MONUMENTED BY A FOUND 1-1/4 INCH AXLE IN RANGE BOX FROM WHICH THE SOUTHEAST CORNER OF SAID SECTION 20, AS MONUMENTED BY A FOUND 2 INCH ALUMINUM CAP IN RANGE BOX STAMPED LS 30830 / 2000, BEARS SOUTH 00° 08' 16" EAST, A DISTANCE OF 1,324.64 FEET, FORMING THE BASIS OF BEARINGS USED IN THIS DESCRIPTION WITH ALL BEARINGS REFERENCED HEREIN RELATIVE THERETO;

THENCE SOUTH 19°20'51" WEST, A DISTANCE OF 443.58 FEET TO A POINT ON THE WEST
LINE OF SAID LOT 23, SAID POINT ALSO BEING THE POINT OF BEGINNING;

THENCE SOUTH 72° 19' 13" EAST, A DISTANCE OF 99.51 FEET;
THENCE SOUTH 48° 36' 31" EAST, A DISTANCE OF 25.32 FEET;
THENCE SOUTH 17° 27' 59" EAST, A DISTANCE OF 10.72 FEET;
THENCE SOUTH 00° 06' 57" WEST, A DISTANCE OF 7.02 FEET ;

THENCE SOUTH 89° 53' 03" EAST, A DISTANCE OF 1.14 FEET TO A POINT ON THE WEST
RIGHT-OF-WAY LINE OF QUEBEC ST SOUTHBOUND ON RAMP DEDICATED BY
ORDINANCE NO. 197, SERIES OF 1954;

THENCE SOUTH 00° 08' 16" EAST ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE
OF 5.00 FEET;

THENCE NORTH 89° 53' 03" WEST, A DISTANCE OF 6.66 FEET;
THENCE NORTH 00°06' 57" EAST, A DISTANCE OF 13.22 FEET;
THENCE NORTH 44° 42' 53" WEST, A DISTANCE OF 20.46 FEET;
THENCE NORTH 72°10' 29" WEST, A DISTANCE OF 72.06 FEET;
THENCE NORTH 70° 01' 12" WEST, A DISTANCE OF 30.34 FEET TO A POINT ON THE WEST
LINE OF SAID LOT 23;
THENCE NORTH 00° 08' 16" WEST ALONG SAID WEST LINE, A DISTANCE OF 9.01 FEET
TO THE POINT OF BEGINNING;

SAID PARCEL OF LAND CONTAINS 1,244.90 SQUARE FEET, OR 0.0286 ACRES, MORE OR
LESS.

Section 2. That the Council finds and determines that property interests in these properties
are needed and required for the following public uses and public purposes: the design and
construction of two bridges, including sidewalks and related improvements at Smith Road and
Sandown Road over North Quebec Street to optimize mobility and safety ("Project").

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

City-owned land and conveying all or a portion of any City-owned land, including remnants, by quitclaim deed, permanent or temporary easements, leases, licenses and permits.

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

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

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

Section 7 That the City Council hereby finds and determines that the Project at Smith Road and Sandown Road over North Quebec Street is necessary for the health, safety, and welfare of the public.

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1 COMMITTEE APPROVAL DATE: June 23, 2026 by Consent

2 MAYOR-COUNCIL DATE: June 30, 2026

3 PASSED BY THE COUNCIL: _____

4 _____ - PRESIDENT

5 APPROVED: _____ - MAYOR _____

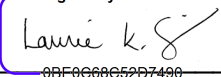
6 ATTEST: _____ - CLERK AND RECORDER,
7 EX-OFFICIO CLERK OF THE
8 CITY AND COUNTY OF DENVER

9 NOTICE PUBLISHED IN THE DENVER POST: _____ ; _____

10 PREPARED BY: John G. McGrath, Assistant City Attorney DATE: June 2, 2026

11 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of the
12 City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
13 ordinance. The proposed ordinance is submitted to the City Council for approval pursuant to § 3.2.6
14 of the Charter.

15
16 Miko Ando Brown, Denver City Attorney

17
18 BY:  _____, Assistant City Attorney DATE: 7/1/2026 | 4:09 PM MDT