

BY AUTHORITY

ORDINANCE NO. _____

COUNCIL BILL NO. CB26-0925

SERIES OF 2026

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
2 THENCE SOUTH 51° 00' 14" EAST, A DISTANCE OF 20.08 FEET;
3
4 THENCE SOUTH 79° 33' 35" EAST, A DISTANCE OF 181.20 FEET;
5
6 THENCE SOUTH 02° 28' 32" EAST, A DISTANCE OF 44.51 FEET TO THE NORTH
7 LINE OF CITY
8 AND COUNTY OF DENVER RIGHT-OF-WAY;
9
10 THENCE NORTH 79° 49' 49" WEST, A DISTANCE OF 191.96 FEET ALONG SAID
11 NORTH
12 RIGHT-OF-WAY;
13
14 THENCE NORTH 03° 05' 30" WEST, A DISTANCE OF 41.57 FEET;
15
16 THENCE NORTH 51° 00' 14" WEST, A DISTANCE OF 12.68 FEET TO THE POINT
17 OF
18 BEGINNING.
19
20 SAID PARCEL CONTAINS 8,551.40 SQUARE FEET, OR 0.1963 ACRES, MORE
21 OR LESS

22
23 PARCEL NUMBER: RW-3
24

25 A PARCEL OF LAND BEING A PORTION OF LOTS 5 AND 6, BLOCK 6, FIRST
26 ADDITION TO EAST SWANSEA, LOCATED IN THE SOUTHEAST QUARTER OF
27 SECTION 20, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE 6TH P.M., CITY
28 AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY
29 DESCRIBED AS FOLLOWS:
30

31 COMMENCING AT THE SOUTH 1/16 CORNER OF SAID SECTION 20 AND 21, AS
32 MONUMENTED BY A FOUND 1-1/4" AXLE IN RANGE BOX FROM WHICH THE
33 SOUTHEAST CORNER OF SAID SECTION 20, AS MONUMENTED BY A FOUND 2"
34 ALUMINUM CAP IN RANGE BOX STAMPED LS 30830/ 2000, BEARS SOUTH 00°
35 08' 16" EAST, A DISTANCE OF 1,324.64 FEET, FORMING THE BASIS OF
36 BEARINGS USED IN THIS DESCRIPTION WITH ALL BEARINGS REFERENCED
37 HEREIN RELATIVE THERETO;
38

39 THENCE SOUTH 19° 39' 00" WEST, A DISTANCE OF 437.17 FEET TO A POINT
40 ON THE SOUTH RIGHT-OF-WAY LINE OF SMITH RD DEDICATED BY
41 ORDINANCE NO. 187, SERIES OF 1954, AS DESCRIBED IN BOOK 7538 ON
42 PAGE 476 AND BEING A POINT ON THE EAST LINE OF SAID LOT 6, SAID POINT
43 ALSO BEING THE POINT OF BEGINNING;
44

45 THENCE SOUTH 00° 08' 16" EAST ALONG EAST LINE OF SAID LOT 6, A
46 DISTANCE OF 4.81 FEET;
47

48 THENCE NORTH 72° 19' 13" WEST, A DISTANCE OF 36.21 FEET TO A POINT ON
49 SAID SOUTH RIGHT-OF-WAY LINE;

1
2 THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE SOUTH 79° 49' 49" EAST, A
3 DISTANCE OF 35.04 FEET TO THE POINT OF BEGINNING.
4

5 SAID PARCEL OF LAND CONTAINS 82.92 SQUARE FEET, OR 0.0019 ACRES,
6 MORE OR LESS.

7 PARCEL NUMBER: TE-3
8

9 A PARCEL OF LAND BEING A PORTION OF LOTS 5 AND 6, BLOCK 6, FIRST
10 ADDITION TO EAST SWANSEA, LOCATED IN THE SOUTHEAST QUARTER OF
11 SECTION 20, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE 6TH P.M., CITY
12 AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY
13 DESCRIBED AS FOLLOWS:
14

15 COMMENCING AT THE SOUTH 1/16 CORNER OF SAID SECTION 20 AND 21, AS
16 MONUMENTED BY A FOUND 1-1/4" AXLE IN RANGE BOX FROM WHICH THE
17 SOUTHEAST CORNER OF SAID SECTION 20, AS MONUMENTED BY A FOUND 2"
18 ALUMINUM CAP IN RANGE BOX STAMPED LS 30830/ 2000, BEARS SOUTH 00°
19 08' 16" EAST, A DISTANCE OF 1,324.64 FEET, FORMING THE BASIS OF
20 BEARINGS USED IN THIS DESCRIPTION WITH ALL BEARINGS REFERENCED
21 HEREIN RELATIVE THERETO;
22

23 THENCE SOUTH 19° 26' 20" WEST, A DISTANCE OF 441.70 FEET TO THE POINT
24 OF BEGINNING;
25

26 THENCE SOUTH 00° 08' 16" EAST ALONG THE EAST LINE OF SAID LOT 6, A
27 DISTANCE OF 11.12 FEET;
28

29 THENCE NORTH 70° 01' 12" WEST, A DISTANCE OF 76.05 FEET;
30

31 THENCE NORTH 10° 10' 11" EAST, A DISTANCE OF 2.72 FEET TO A POINT ON
32 THE SOUTH RIGHT-OF-WAY LINE OF SMITH ROAD DEDICATED BY ORDINANCE
33 NO. 187, SERIES OF 1954 AS RECORDED IN BOOK 7538 ON PAGE 476;
34

35 THENCE SOUTH 79° 49' 49" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE, A
36 DISTANCE OF 37.04 FEET;
37

38 THENCE SOUTH 72° 19' 13" EAST, A DISTANCE OF 36.21 FEET TO THE POINT
39 OF BEGINNING.
40

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

43 PARCEL NUMBER RW-4
44 3935 N. QUEBEC STREET
45

46 A PARCEL OF LAND BEING A PORTION OF LOTS 21, 22, AND 23, BLOCK 6, FIRST
47 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° 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

1 SOUTHEAST CORNER OF SAID SECTION 20, AS MONUMENTED BY A FOUND 2
2 INCH ALUMINUM CAP IN RANGE BOX STAMPED LS 30830 / 2000, BEARS SOUTH
3 00° 08' 16" EAST, A DISTANCE OF 1,324.64 FEET, FORMING THE BASIS OF
4 BEARINGS USED IN THIS DESCRIPTION WITH ALL BEARINGS REFERENCED
5 HEREIN RELATIVE THERETO;

6
7 THENCE SOUTH 19°20'51" WEST, A DISTANCE OF 443.58 FEET TO A POINT ON
8 THE WEST LINE OF SAID LOT 23, SAID POINT ALSO BEING THE POINT OF
9 BEGINNING;

10
11 THENCE SOUTH 72° 19' 13" EAST, A DISTANCE OF 99.51 FEET;
12 THENCE SOUTH 48° 36' 31" EAST, A DISTANCE OF 25.32 FEET;
13 THENCE SOUTH 17° 27' 59" EAST, A DISTANCE OF 10.72 FEET;
14 THENCE SOUTH 00° 06' 57" WEST, A DISTANCE OF 7.02 FEET ;

15
16 THENCE SOUTH 89° 53' 03" EAST, A DISTANCE OF 1.14 FEET TO A POINT ON
17 THE WEST RIGHT-OF-WAY LINE OF QUEBEC ST SOUTHBOUND ON RAMP
18 DEDICATED BY ORDINANCE NO. 197, SERIES OF 1954;

19
20 THENCE SOUTH 00° 08' 16" EAST ALONG SAID WEST RIGHT-OF-WAY LINE, A
21 DISTANCE OF 5.00 FEET;
22 THENCE NORTH 89° 53' 03" WEST, A DISTANCE OF 6.66 FEET;
23 THENCE NORTH 00°06' 57" EAST, A DISTANCE OF 13.22 FEET;
24 THENCE NORTH 44° 42' 53" WEST, A DISTANCE OF 20.46 FEET;
25 THENCE NORTH 72°10' 29" WEST, A DISTANCE OF 72.06 FEET;
26 THENCE NORTH 70° 01' 12" WEST, A DISTANCE OF 30.34 FEET TO A POINT ON
27 THE WEST LINE OF SAID LOT 23;
28 THENCE NORTH 00° 08' 16" WEST ALONG SAID WEST LINE, A DISTANCE OF
29 9.01 FEET TO THE POINT OF BEGINNING;

30
31 SAID PARCEL OF LAND CONTAINS 1,244.90 SQUARE FEET, OR 0.0286 ACRES,
32 MORE OR LESS.

33
34 **Section 2.** That the Council finds and determines that property interests in these properties
35 are needed and required for the following public uses and public purposes: the design and
36 construction of two bridges, including sidewalks and related improvements at Smith Road and
37 Sandown Road over North Quebec Street to optimize mobility and safety ("Project").

38
39 **Section 3.** That Council authorizes the Mayor, including his duly authorized representatives,
40 in accordance with applicable federal, state, and City laws and rules and regulations adopted
41 pursuant thereto, to acquire the needed property interests, including, but not limited to, fee title,
42 permanent easements, temporary easements, fixtures, licenses, permits, improvements (including
43 without limitation, general outdoor advertising devices, buildings, and access points) and any other
44 rights, interests, and appurtenances thereto. Such authority includes the taking of all actions

1 necessary to do so without further action by City Council, including but not limited to: conducting
2 negotiations, executing all related agreements, making all necessary payments, taking any and all
3 actions required by law before instituting condemnation proceedings, allowing the temporary use of
4 City-owned land and conveying all or a portion of any City-owned land, including remnants, by
5 quitclaim deed, permanent or temporary easements, leases, licenses and permits.

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

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

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

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

28 **REMAINDER OF PAGE INTENTIONALLY BLANK**

29

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: _____