

CITY OF WHEAT RIDGE, COLORADO
RESOLUTION NO. 03
Series of 2019

TITLE: A RESOLUTION CONCERNING THE ACQUISITION AND ACCEPTANCE OF PRIVATE PROPERTY FOR THE PURPOSE OF CONSTRUCTING, INSTALLING, MAINTAINING, AND USING PUBLIC IMPROVEMENTS FOR IMPROVING RIDGE ROAD BY EITHER NEGOTIATION OR VOLUNTARY PURCHASE

WHEREAS, the City Council for the City of Wheat Ridge seeks to acquire certain property rights more particularly described on the attached **Exhibit A** for the purposes of constructing, installing, maintaining and using public improvements for improving Ridge Road in Wheat Ridge, Colorado; and

WHEREAS, the City of Wheat Ridge has complied and intends to continue to comply with all applicable provisions of C.R.S. § 38-1-101, *et seq.*, including, but not limited to, the notice and good faith negotiation requirements and provisions thereof.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Wheat Ridge that:

Section 1. The term "Subject Property" means the interest in the real property more particularly described in attached **Exhibit A**.

Section 2. The City Council hereby finds that the acquisition of the Subject Property for the construction, installation, maintenance and use of the public improvements for improving Ridge Road will serve a proper, public and municipal purpose and use, and that such acquisition is necessary and essential to this public purpose and use. The City Council hereby declares its intent to acquire the Subject Property for the purposes stated herein.

Section 3. The City Manager or his designee, in consultation with the City Attorney, is directed to provide notice of the City's intent to acquire the Subject Property to the various owners of said property, and to thereafter conduct good faith negotiations with the owners for the acquisition of the property rights sought. The City Manager is authorized to make offers for all or portions of the Subject Property based upon the appraisal or fair market valuation of the same, and is further authorized to execute agreements for the acquisition of all or portions of the Subject Property as described on the attached **Exhibit A**: Ridge Road Reconstruction plans.

Section 4. The City Manager or his designee, in consultation with the City Attorney, is authorized to seek and to take immediate possession of the Subject Property as may be necessary for constructing, installing, maintaining and using public improvements for improving Ridge Road, and to make such deposits or other payments as may be necessary in connection therewith.

Section 5. The City Manager or his designee, in consultation with the City Attorney, are hereby specifically authorized to make such reasonable or necessary amendments and corrections to the terms and/or legal descriptions of the Subject Property to be acquired, including authorization to include such additional or other property rights necessary or desirable for the City to acquire so as to construct, install, maintain and use the public improvements for multi modal improvements. The Mayor and City Clerk are hereby authorized and directed to execute an acceptance of the interests in real property when acquired.

Section 6. The City Council hereby finds, determines and declares that this Resolution is promulgated under the general police power of the City of Wheat Ridge, that it is adopted for the health, safety and welfare of the public, and that this Resolution is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the Resolution bears a rational relation to the proper legislative object sought to be obtained.

Section 7. If any clause, sentence, paragraph or part of this Resolution or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.


Section 8. This Resolution shall become effective immediately upon adoption.

DONE AND RESOLVED this 14th day of January 2019.



Bud Starker, Mayor

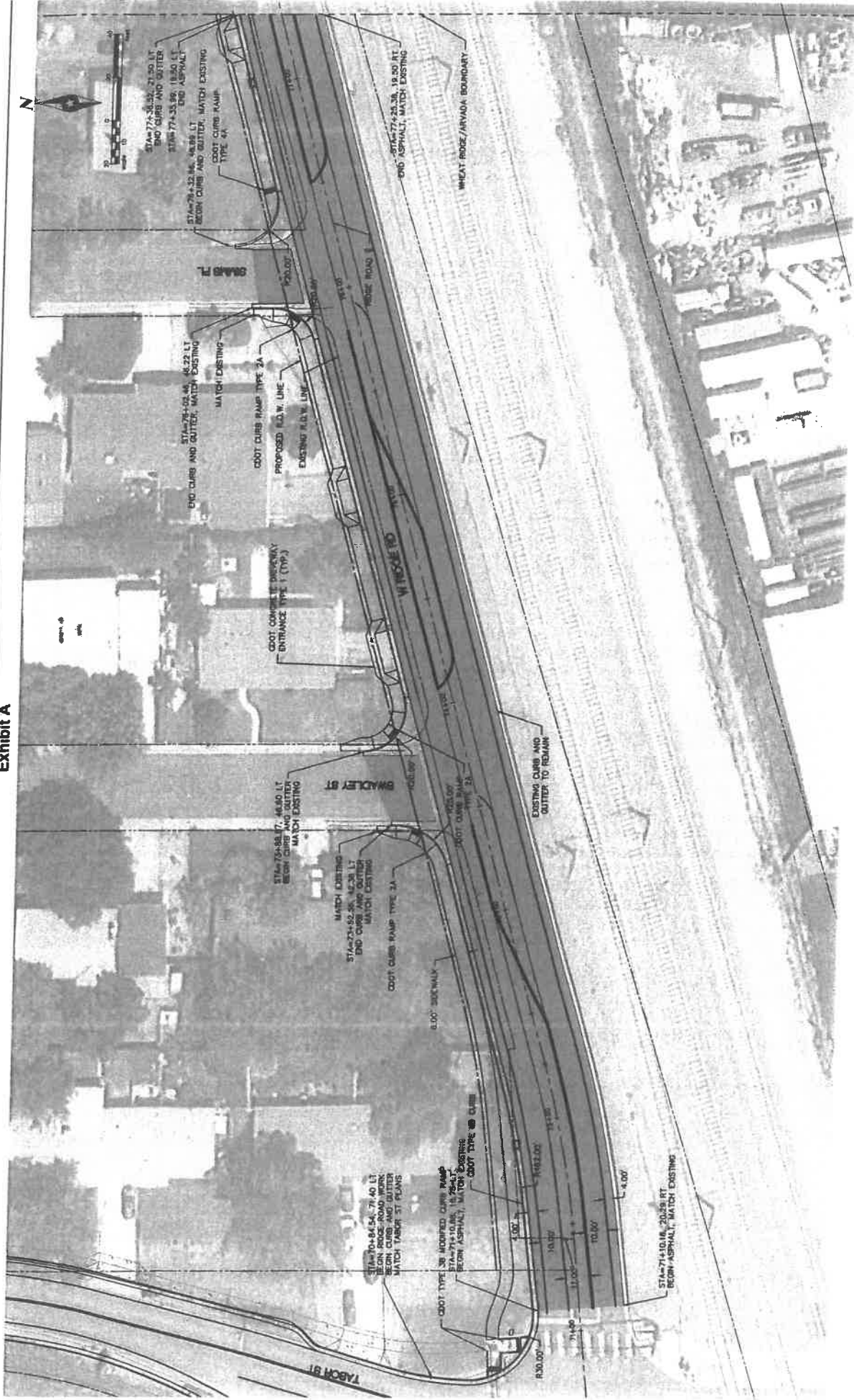
ATTEST:



Janelle Shaver, City Clerk



Exhibit A



60% SUBMITTA
NOT FOR CONSTRUCTION

PROJECT # JR-18-09
RIDGE RD RECONSTRUCTION

ROADWAY PLAN



NO.	REVISION	DATE	INTL.

SCALE	VERT. 1" = 20'
DATE	11/21/18
DESIGNED BY	JL
DRAWN BY	JK
CHECKED BY	JK
APPROVED BY	JK

ALL UTILITY INTERRUPTIONS SHALL BE THE RESPONSIBILITY OF THE USER. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPLICABLE AGENCIES.