

2013-38

A RESOLUTION

AUTHORIZING CONDEMNATION OF PROPERTY INTERESTS ACROSS 200 UNION BOULEVARD FOR THE 260 UNION BLVD PEDESTRIAN ACCESS IMPROVEMENTS PROJECT

WHEREAS, by Ordinance O-2012-17, the City Council of the City of Lakewood authorized condemnation of the property interests necessary to complete the 260 Union Blvd Pedestrian Access Improvement Project if negotiations to purchase the property were unsuccessful; and

WHEREAS, the City has negotiated in good faith with the owners of the property interests mentioned above in an effort to acquire easements needed for the pedestrian access improvement project; and

WHEREAS, the parties have been unable to agree upon the purchase of those easements needed for the project, more particularly described in Exhibit "A", attached hereto and incorporated herein by this reference, and it is necessary for the City of Lakewood to acquire immediate possession thereof.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Lakewood, Colorado, that:

SECTION 1. The City Attorney is instructed on behalf of the City of Lakewood to exercise the power of eminent domain vested in the City and proceed immediately to condemn easements across the property as described in Exhibit "A", pursuant to the authorization contained in Ordinance O-2012-17.

INTRODUCED, READ AND ADOPTED by a vote of 10 for and 0 against at a regular meeting of the City Council on July 8, 2013, at 7 o'clock p.m. at Lakewood City Hall, 480 South Allison Parkway, Lakewood, Colorado.

Bob Murphy, Mayor

ATTEST:

Margy Greer, City Clerk

APPROVED AS TO FORM:

Tim Cox, City Attorney

EXHIBIT A

Four (4) parcels of land lying in Block 1, UNION PLAZA, the plat of which is recorded in Plat Book 62, at Page 34, and at Reception No. 80031144, of the records of the Jefferson County Clerk and Recorder, further lying in the Northeast One-Quarter (NE $\frac{1}{4}$) of Section 8, Township 4 South, Range 69 West of the 6th Principal Meridian, City of Lakewood, County of Jefferson, State of Colorado, being more particularly described as follows:

Parcel TE-200A

Commencing at the Southeast corner of said NE $\frac{1}{4}$;

Thence S89°41'43"W along the South line of said NE $\frac{1}{4}$, a distance of 658.85 feet, more or less, to the Southwest corner of the East One-Half (E $\frac{1}{2}$) of the East One-Half (E $\frac{1}{2}$) said NE $\frac{1}{4}$;

Thence N00°00'25"W along the West line of said E $\frac{1}{2}$ E $\frac{1}{2}$ NE $\frac{1}{4}$ (assumed bearing all other bearings herein related thereto), a distance of 299.94 feet and the **Point of Beginning**;

Thence S89°41'43"W, a distance of 24.00 feet;

Thence N00°00'25"W, a distance of 111.80 feet;

Thence S89°41'43"W, a distance of 355.09 feet, more or less, to the East line of that 20 foot Pedestrian & Bike Path easement dedicated to the City of Lakewood by said UNION PLAZA;

Thence N01°45'34"E along said East line, a distance of 5.01 feet;

Thence N89°41'43"E, a distance of 16.01 feet;

Thence N01°45'34"E, a distance of 10.00 feet, more or less, to the North line of said Block 1;

Thence N89°41'43"E along said North line and along said North line extended easterly, a distance of 191.14 feet, more or less, to a platted corner of a said Block 1;

Thence N00°18'17"W along a westerly line of said Block 1, a distance of 3.00 feet;

Thence N86°49'58"E, a distance of 40.05 feet;

Thence N89°41'43"E, a distance of 121.50 feet;

Thence S00°00'25"E, a distance of 75.00 feet;

Thence N89°41'43"E, a distance of 10.00 feet, more or less, to said West line of the E $\frac{1}{2}$ E $\frac{1}{2}$ NE $\frac{1}{4}$;

Thence S00°00'25"E along said West line, a distance of 56.80 feet to the **Point of Beginning**, said parcel containing an area of 8,273 square feet, more or less.

Parcel TE-200B

Commencing at the Southeast corner of said NE $\frac{1}{4}$;

Thence S89°41'43"W along the South line of said NE $\frac{1}{4}$, a distance of 658.85 feet, more or less, to the Southwest corner of the East One-Half (E $\frac{1}{2}$) of the East One-Half (E $\frac{1}{2}$) said NE $\frac{1}{4}$;

Thence N00°00'25"W along the West line of said E $\frac{1}{2}$ E $\frac{1}{2}$ NE $\frac{1}{4}$ (assumed bearing all other bearings herein related thereto), a distance of 490.75 feet and the **Point of Beginning**;

Thence S89°41'43"W, a distance of 28.00 feet;

Thence S00°00'52"W, a distance of 21.00 feet;

Thence S89°41'43"W, a distance of 143.69 feet, more or less, to a westerly line of said Block 1;

Thence S00°18'17"E along said westerly line, a distance of 23.50 feet;

Thence N89°41'43"E, a distance of 161.58 feet;

Thence N00°00'25"W, distance of 27.50 feet;
Thence N89°41'43"E, a distance of 10.00 feet, more or less, to the said West line of the E½ E½ NE¼;
Thence N00°00'25"W along said last West line, a distance of 17.00 feet to the **Point of Beginning**, said parcel containing an area of 4,347 square feet, more or less.

Parcel PE-200A

Commencing at the Southeast corner of said NE¼;
Thence S89°41'43"W along the South line of said NE¼, a distance of 658.85 feet, more or less, to the Southwest corner of the East One-Half (E½) of the East One-Half (E½) said NE¼;
Thence N00°00'25"W along the West line of said E½ E½ NE¼ (assumed bearing all other bearings herein related thereto), a distance of 356.74 feet and the **Point of Beginning**;
Thence continuing N00°00'25"W along the said West line, a distance of 117.00 feet;
Thence S89°41'43"W, a distance of 10.00 feet;
Thence S00°00'25"E, a distance of 27.50 feet;
Thence S89°41'43"W, a distance of 161.58 feet, more or less, to a westerly line of said Block 1;
Thence S00°18'17"E along said westerly line, a distance of 16.50 feet
Thence N86°49'58"E, a distance of 40.05 feet;
Thence N89°41'43"E, a distance of 121.50 feet;
Thence S00°00'25"E, a distance of 75.00 feet;
Thence N89°41'43"E, a distance of 10.00 feet to the **Point of Beginning**, said parcel containing an area of 3,552 square feet, more or less.

Parcel PE-200B

Commencing at the Southeast corner of said NE¼;
Thence S89°41'43"W along the South line of said NE¼ (Basis of Bearing is the West line of the E½ E½ NE¼ and is assumed to bear N00°00'25"W, all bearings herein related thereto), a distance of 1,075.70 feet, more or less, to the West line of said Block 1;
Thence N03°21'34"E along said West line, a distance of 180.84 feet;
Thence continuing along said West line N01°45'34"E, a distance of 246.43 feet, more or less, to a northwesterly platted corner of said Block 1 and the **Point of Beginning**;
Thence N89°41'43"E along a northerly line of said Block 1, a distance of 36.02 feet;
Thence S01°45'34"W, a distance of 10.00 feet;
Thence S89°41'43"W, a distance of 16.01 feet;
Thence S01°45'34"W, a distance of 25.01 feet;
Thence S89°41'43"W, a distance of 20.01 feet, more or less, to said West line of Block 1;
Thence N01°45'34"E along said West line, a distance of 35.00 feet to the **Point of Beginning**, said parcel containing an area of 860 square feet, more or less.