

MEMO

To: Honorable Mayor and City Council
From: Maria D'Andrea, Director of Public Works
Subject: Authorizing the Exercise of the City's Powers of Eminent Domain to Acquire Certain Real Property Interests Necessary for the Highway 2 Widening Project
Date: January 4, 2016

The Highway 2 widening project involves widening the existing roadway from two to four lanes from the intersection at 72nd Avenue to just east of the northbound ramps at Interstate 76. The design of the widening attempted to limit the amount of land acquisition required while also providing for a safe and efficient project with adequate lane widths and multi-modal improvements. The alignment was shifted slightly in areas to accommodate the future transit corridor.

The proposed action authorizes commencement of the statutory condemnation process to acquire the various fee (right of way) and easements (construction and permanent) necessary to construct the Highway 2 Widening Project from 72nd Avenue to the northbound ramps for Interstate 76.

In total, fifty-one (51) parcels of land will be acquired from fourteen (14) different property owners, as shown in the table below:

#	Owner	Easement Area (sq. ft.)	Easement Area (acres)
1	City of Commerce City	3,923	0.09
2	Eagle Creek Metropolitan District	1,336	0.03
3	Shell Oil Company	60,962	1.40
4	Guadalupe & M. Rose Chavez	16,823	0.39



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5	Ringsby Terminals, Inc.	8,774	0.20
6	Toby Cordova S Trucking	13,167	0.30
7	Catellus CC Note, LLC	100,165	2.30
8	Public Service Company of Colorado	14,101	0.32
9	Hwy 2 LLC	23,901	0.55
10	111489 Corporation, Inc.	7,460	0.17
11	Rock Creek Investments, LLC	23,468	0.54
12	V-CO Enterprises, Inc.	11,771	0.27
13	Beverly Vandweghe Living Trust	52	0.00
14	BNSF Railroad	130,532	3.00
Total		416,435	9.56

The majority of right of way expansion is to the west within Burlington Northern Santa Fe Railroad right of way.

By law, the City is required to: 1) negotiate in good faith with the landowners whose property may be taken by condemnation; and 2) make a “final written offer” to the landowner before filing a condemnation action. As with the Tower Road Widening project, staff will be talking with each property owner and asking that they dedicate the necessary land as a tax benefit to them. The project budget includes approximately \$900,000 for land acquisition.

