



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: September 18, 2018
SUBJECT: Resolution authorizing the acquisition of property interests necessary for the construction of improvements for the Lowell Boulevard Improvements Project – Clear Creek to West 62 nd Avenue
FROM: Jeffery Maxwell, P.E., PTOE, Director of Public Works
AGENCY/DEPARTMENT: Public Works
HEARD AT STUDY SESSION ON: July 31, 2018
AUTHORIZATION TO MOVE FORWARD: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners authorizes the acquisition of property interests for the Lowell Boulevard Improvement Project by resolution.

BACKGROUND:

Adams County has submitted and received funding from the Adams County Board of County Commissioners for the Lowell Boulevard Improvements Project – Clear Creek to West 62nd Avenue (hereinafter “Project”). The Project consists of approximately 3,500 feet or 0.6463 miles of new 2-lane minor arterial roadway. The County has prepared construction plans, right-of-way plans and legal descriptions that determined the need to acquire various property interests from eleven (11) property ownerships. Negotiations with one fee owner of record, TDSO Holdings, LLC (TDSO) has not moved forward. Adams County sent a Notice of Intent to Acquire Property to TDSO, on May 9, 2017, pursuant to C.R.S. § 38-1-121(1), and sent an Offer of Fair Market Value to acquire TCE-14 on July 2, 2018, based on an appraisal of such property, to which Adams County received no response. To assure that the acquisitions can be obtained in a timely manner and not jeopardize project deadlines, County staff needs to have authority to use the power of eminent domain to acquire the property interests necessary for the Project should good faith negotiations be unsuccessful. The resolution allows the Board of County Commissioners to authorize the use of eminent domain to acquire property interests for the Lowell Boulevard Project.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Adams County Public Works and Office of the County Attorney

ATTACHED DOCUMENTS:

Draft resolution
Legal Description of TCE-14

FISCAL IMPACT:

Please check if there is no fiscal impact ☒. If there is fiscal impact, please fully complete the section below.

Fund:
Cost Center:

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			

New FTEs requested: ☐ YES ☒ NO

Future Amendment Needed: ☐ YES ☒ NO

Additional Note: