

ORDINANCE AUTHORIZING THE EXERCISE OF THE TOWN'S POWERS OF EMINENT DOMAIN TO ACQUIRE CERTAIN REAL PROPERTY INTERESTS NECESSARY FOR THE WOLFENSBERGER WIDENING PROJECT






NOV 21, 2023



WOLFENSBERGER WIDENING PROJECT



PUBLIC NEED

- Transportation Master Plan: Identified capacity improvement
- Adds pedestrian facilities (sidewalks and bike lanes) 
- Project decreases congestion, increases safety and enhances the Town's transportation network    

EMINENT DOMAIN

- Eminent Domain is authorized under:
 - U.S. Constitution
 - Colorado Constitution
 - Town Charter
- Town is required to engage in good faith negotiations with land owner
- Assures landowner receives just compensation
- Assures capital projects can proceed – schedule/budget

PRIOR PROJECT ACQUISITIONS

Ordinance	Project	Parcels	Owners	Cases Filed
2008-38	Plum Creek Parkway (SWACR)	6	2	0
2013-08	North Meadows Phase 1	54	42	0
2013-24	North Meadows Phase 2/3	88	11	3
2015-44	WISE Transmission Line	28	11	0
2019-008	Crystal Valley Interchange	32	12	1
2019-009	Plum Creek Parkway Widening/ Roundabout	12	6	0
2019-026	Ridge Road Widening	9	4	1
2021-021	Plum Creek Parkway Widening- Phase 2	4	2	0
2022-005	Four Corners Intersection Improvement Project	27	4	0
	Total	260	94	5

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POST-ORDINANCE PROCESS

1. Complete, review, and, if necessary, revise appraisal
2. Send Notice of Intent to Acquire informing Owner of statutory rights
3. Owner may elect to obtain own appraisal at Town expense
4. Town makes initial offer
5. Town and Owner engage in negotiations
6. Reach agreement OR seek Council authorization to condemn

ACQUISITION & PROJECT TIMELINE

Schedule	2024	2028				2029			
		Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Right of Way Acquisition									
Complete Project Design									
Utility Relocates									
Construction									
Construction Completion (TBD)									



“I MOVE TO APPROVE THE ORDINANCE AS INTRODUCED BY TITLE.”

*“I MOVE TO APPROVE THE ORDINANCE AS INTRODUCED BY TITLE,
WITH THE FOLLOWING CONDITIONS: (LIST CONDITIONS)”*

*“I MOVE TO CONTINUE THIS ITEM TO THE TOWN COUNCIL MEETING
ON _____ TO ALLOW ADDITIONAL TIME TO (LIST REASON).”*