

BY AUTHORITY

1
2 ORDINANCE NO. _____
3 SERIES OF 2026

COUNCIL BILL NO. CB26-0566
COMMITTEE OF REFERENCE:
Finance and Business

A BILL

6 **For an ordinance designating certain properties as being required for public use**
7 **and granting the authority to acquire through negotiated purchase or**
8 **condemnation all property interests needed for the installation of the 2023**
9 **Pedestrian Intersection Improvements Project, which property interests may**
10 **include, without limitation, fee interests, easements, access rights,**
11 **improvements, buildings, fixtures, licenses, and permits as needed for the**
12 **project. The project is located at the intersection of East 13th Avenue and North**
13 **Emerson Street and 1850 South Irving Street, in Council Districts 2 and 10.**

14 **BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**

15 **Section 1.** That the Council hereby designates the following properties situated in the City
16 and County of Denver and State of Colorado as being needed for public uses and purposes by the
17 City and County of Denver, a municipal corporation of the State of Colorado:

18
19 **PARCEL NUMBER: 1**

20
21 THAT TRACT OF LAND LOCATED IN THE SOUTH HALF OF THE SOUTHEAST 1/4 OF THE
22 SOUTHWEST 1/4 OF SECTION 20, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH
23 PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, AND BEING
24 A PORTION OF SCHEDULE NUMBER 0520306019000 (1850 S. IRVING STREET), MORE
25 PARTICULARLY DESCRIBED AS FOLLOWS:

26
27 COMMENCING AT A RANGE POINT AT THE INTERSECTION OF S. IRVING ST AND W. JEWELL
28 AVE. THENCE NORTH 84°03'02" EAST, A DISTANCE 415.65 FEET TO THE POINT OF
29 BEGINNING, BEING A POINT ON THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE
30 OF W. JEWELL AVE. AND THE WEST RIGHT-OF-WAY LINE OF S. HOOKER ST.

31
32 THENCE SOUTH 89°34'41" WEST, A DISTANCE OF 4.75 FEET ALONG THE NORTH RIGHT-OF-
33 WAY LINE OF W. JEWELL AVE.;

34
35 THENCE NORTH 51°48'31" EAST, A DISTANCE OF 6.04 FEET TO A POINT ON THE WEST
36 RIGHT-OF-WAY LINE OF S. HOOKER ST.;

37
38 THENCE SOUTH 00°01'29" EAST, A DISTANCE OF 3.70 FEET ALONG THE WEST RIGHT-OF-
39 WAY LINE OF S. HOOKER ST. TO THE POINT OF BEGINNING.

40
41 CONTAINING 8.792 SQUARE FEET (0.0002 ACRES) MORE OR LESS.
42

1 BASIS OF BEARING: BEARINGS USED HEREIN ARE BASED ON A 20' RANGE LINE IN W.
2 JEWELL AVE., ASSUMED TO BE S89°34'41"W, AS MONUMENTED AT THE WEST ON S. IRVING
3 ST. BY A NO. 6 REBAR IN RANGE BOX AND MONUMENTED AT THE EAST ON S. HAZEL CT. BY
4 NO. 6 REBAR IN RANGE BOX.

5
6 **PARCEL NUMBER: 2**
7

8 THAT TRACT OF LAND LOCATED IN THE NORTHWEST 1/4 OF SECTION 2, TOWNSHIP 4
9 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF
10 DENVER, STATE OF COLORADO, AND BEING A PORTION OF SCHEDULE NUMBER
11 0502211001000 (840 E. 14TH AVE), MORE PARTICULARLY DESCRIBED AS FOLLOWS:
12

13 COMMENCING AT THE RANGE POINT AT THE INTERSECTION OF E. 13TH AVE. AND N.
14 EMERSON ST. THENCE NORTH 74°23'46" WEST, A DISTANCE 18.72 FEET TO THE POINT OF
15 BEGINNING, BEING A POINT ON THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE
16 OF E. 13TH AVE. AND THE WEST RIGHT-OF-WAY LINE OF N. EMERSON ST.
17

18 THENCE NORTH 89°53'29" WEST, ALONG THE NORTH RIGHT-OF-WAY LINE OF E. 13TH AVE.,
19 A DISTANCE OF 34.51 FEET;
20

21 THENCE NORTH 00°17'29" WEST, A DISTANCE OF 2.80 FEET;
22

23 THENCE SOUTH 89°53'29" EAST, ALONG A LINE 2.80 FEET NORTH OF SAID NORTH RIGHT-
24 OF-WAY LINE, A DISTANCE OF 28.18 FEET;
25

26 THENCE NORTH 00°17'29" WEST, A DISTANCE OF 4.37 FEET;
27

28 THENCE SOUTH 89°53'29" EAST, A DISTANCE OF 5.83 FEET;
29

30 THENCE NORTH 00°17'29" WEST, A DISTANCE OF 4.06 FEET;
31

32 THENCE SOUTH 89°53'29" EAST, A DISTANCE OF 0.50 FEET TO A POINT ON THE WEST
33 RIGHT OF WAY LINE OF N. EMERSON ST;
34

35 THENCE SOUTH 00°17'29" EAST, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF
36 11.24 FEET TO THE POINT OF BEGINNING.
37

38 CONTAINING 126 SQUARE FEET (0.0028 ACRES) MORE OR LESS.
39

40 BASIS OF BEARING: BEARINGS USED HEREIN ARE BASED ON A 18' RANGE LINE IN N.
41 EMERSON ST., ASSUMED TO BE N00°17'29"W, AS MONUMENTED AT THE NORTH ON E.
42 13TH AVE. BY A 2.5 ALUMINUM CAP, PLS 16409 IN RANGE BOX AND MONUMENTED AT
43 SOUTH ON E. 12TH AVE BY 1.5 ALUMINUM CAP, PLS 38064 IN CURB.
44

45 **PARCEL NUMBER: 3**
46

47 THAT TRACT OF LAND LOCATED IN THE NORTHWEST 1/4 OF SECTION 2, TOWNSHIP 4
48 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF

1 DENVER, STATE OF COLORADO, AND BEING A PORTION OF SCHEDULE NUMBER
2 0502226019000 (860 E. 13TH AVE), MORE PARTICULARLY DESCRIBED AS FOLLOWS:
3

4 COMMENCING AT THE RANGE POINT AT THE INTERSECTION OF E. 13TH AVE. AND N.
5 EMERSON ST. THENCE SOUTH 21°33'54" WEST, A DISTANCE 48.35 FEET TO THE POINT OF
6 BEGINNING, BEING A POINT ON THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE
7 OF E. 13TH AVE. AND THE WEST RIGHT-OF-WAY LINE OF N. EMERSON ST.

8
9 THENCE SOUTH 00°17'29" EAST, ALONG THE WEST RIGHT-OF-WAY LINE OF N. EMERSON
10 ST., A DISTANCE OF 9.69 FEET;

11
12 THENCE NORTH 89°53'29" WEST, ALONG A LINE PARALLEL WITH THE SOUTH RIGHT-OF-
13 WAY LINE OF E. 13TH AVE, A DISTANCE OF 1.18 FEET;

14
15 THENCE NORTH 42°30'54" WEST, A DISTANCE OF 12.76 FEET, TO A POINT 0.30 FEET
16 PERPENDICULAR DISTANCE SOUTH OF SAID SOUTH RIGHT-OF-WAY LINE;

17
18 THENCE NORTH 89°53'29" WEST, ALONG A LINE PARALLEL WITH, AND 0.30 FEET SOUTH OF
19 SAID SOUTH LINE, A DISTANCE OF 25.95 FEET

20
21 THENCE NORTH 00°06'31" EAST, A DISTANCE OF 0.30 FEET TO A POINT ON SAID SOUTH
22 RIGHT-OF-WAY LINE;

23
24 THENCE SOUTH 89°53'29" EAST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF
25 35.71 FEET TO THE POINT OF BEGINNING.

26
27 CONTAINING 62 SQUARE FEET (0.0014 ACRES) MORE OR LESS.

28
29 BASIS OF BEARING: BEARINGS USED HEREIN ARE BASED ON A 18' RANGE LINE IN N.
30 EMERSON ST., ASSUMED TO BE N00°17'29"W, AS MONUMENTED AT THE NORTH ON E.
31 13TH AVE. BY A 2.5 ALUMINUM CAP, PLS 16409 IN RANGE BOX AND MONUMENTED AT
32 SOUTH ON E. 12TH AVE BY 1.5 ALUMINUM CAP, PLS 38064 IN CURB.
33
34

35 **Section 2.** That the Council finds and determines that property interests in these properties
36 are needed and required for the following public uses and public purposes: the design and
37 construction of sidewalks and related improvements at the intersection of East 13th Avenue and
38 North Emerson Street and 1850 South Irving Street to optimize mobility and safety for pedestrians
39 along properties that are owned by DPS ("Project").
40

41 **Section 3.** That Council authorizes the Mayor, including his duly authorized representatives,
42 in accordance with applicable federal, state, and City laws and rules and regulations adopted
43 pursuant thereto, to acquire the needed property interests, including, but not limited to, fee title,
44 permanent easements, temporary easements, fixtures, licenses, permits, improvements (including

1 without limitation, general outdoor advertising devices, buildings, and access points) and any other
2 rights, interests, and appurtenances thereto. Such authority includes the taking of all actions
3 necessary to do so without further action by City Council, including but not limited to: conducting
4 negotiations, executing all related agreements, making all necessary payments, taking any and all
5 actions required by law before instituting condemnation proceedings, allowing the temporary use of
6 City-owned land and conveying all or a portion of any City-owned land, including remnants, by
7 quitclaim deed, permanent or temporary easements, leases, licenses and permits.

8 **Section 4.** That if the interested parties do not agree upon the compensation to be paid for the
9 needed property interests, the owner or owners of the property are incapable of consenting, the
10 name or residence of any owner is unknown, or any of the owners are non-residents of the State,
11 then the City Attorney of the City and County of Denver, upon the Mayor's direction, is authorized and
12 empowered to exercise the City and County of Denver's eminent domain powers by instituting and,
13 as necessary, prosecuting to conclusion proceedings under Article 1, Title 38, Colorado Revised
14 Statutes, to acquire needed property interests upon, through, over, under and along the above-
15 described property as necessary for the purposes set forth in Section 2 above.

16 **Section 5.** That the Council finds and determines that the County of Denver's Department of
17 Transportation and Infrastructure or federal and state agencies may find the need to alter the nature
18 of the property interests or the legal descriptions of the properties referred to in this Ordinance and
19 may continue to do so in order to meet the needs of the Project. Council authorizes the Mayor,
20 including his duly authorized representatives, in accordance with applicable federal, state, and City
21 laws and rules and regulations adopted pursuant thereto, to acquire the property as the property
22 interests and legal descriptions are altered in accordance with the means authorized in this
23 Ordinance.

24 **Section 6** That the Council authorizes the City to use the power of eminent domain to act
25 as the local authority to repurpose existing City right-of-way with improvements to prioritize the
26 movement of people for safety and economic benefits.

27 **Section 7** That the City Council hereby finds and determines that the design and
28 construction of sidewalks and related improvements at the intersection of East 13th Avenue and
29 North Emerson Street and 1850 South Irving Street to optimize mobility and safety for pedestrians
30 along properties that are owned by DPS are necessary for the health, safety, and welfare of the
31 public.

32 **REMAINDER OF PAGE INTENTIONALLY BLANK**

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1 COMMITTEE APPROVAL DATE: April 28, 2026 by Consent

2 MAYOR-COUNCIL DATE: May 5, 2026

3 PASSED BY THE COUNCIL: _____

4 _____ - PRESIDENT

5 APPROVED: _____ - MAYOR _____

6 ATTEST: _____ - CLERK AND RECORDER,
7 EX-OFFICIO CLERK OF THE
8 CITY AND COUNTY OF DENVER

9 NOTICE PUBLISHED IN THE DENVER POST: _____ ; _____

10 PREPARED BY: James Owens, Assistant City Attorney DATE: May 7, 2025

11 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of the
12 City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
13 ordinance. The proposed ordinance is submitted to the City Council for approval pursuant to § 3.2.6
14 of the Charter.

15
16 Miko Ando Brown, Denver City Attorney

17
18 BY: _____, Assistant City Attorney DATE: _____