

**RESOLUTION NO. 46-01**

**RESOLUTION RESCINDING THE AUTHORITY TO EXERCISE THE CITY'S  
POWER OF EMINENT DOMAIN AS IT RELATES TO  
LOTS 11 AND 12, INCLUSIVE, BLOCK 122**

Recitals.

On March 21, 2001, this Council adopted Resolution No. 26-01 finding that it was proper and necessary that, failing the ability to successfully enter into a contract to purchase, the City exercise its powers of eminent domain to acquire what is commonly known as the Colorado Catfish House for the Two Rivers Convention Center re-model project.

While that purpose is still valid, since that time the City Manager has evaluated the parking lot design, the timing of the last possible date to begin the construction work without substantially increasing costs, and landscaping options to enhance and protect the Two Rivers remodel project.

Based upon design evaluation of the parking lot, the Council finds that the number of parking spaces required meet the minimum standards of the City's codes.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE City of Grand Junction,

1. The Council hereby rescinds the authority to exercise the City's power of eminent domain as it relates to Lots 11 and 12, inclusive, Block 122. This rescission of Resolution No. 26-01 is not a determination that such property may never to necessary for the public use and benefit, only that it is not so required at this time.
2. The City Manager is yet authorized to negotiate to acquire, on a consensual basis, said property, within project budget and construction time constraints.

DONE this 2<sup>nd</sup> day of May, 2001

/s/ Gene Kinsey  
Gene Kinsey, Mayor

ATTEST:

/s/ Stephanie Nye  
Stephanie Nye, City Clerk