

## RESOLUTION NO. 67-05

### A RESOLUTION DETERMINING THE NECESSITY OF AND AUTHORIZING THE ACQUISITION OF CERTAIN PROPERTY, BY EITHER NEGOTIATION OR CONDEMNATION, FOR MUNICIPAL PUBLIC FACILITIES

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION,  
COLORADO:

Section 1. It is hereby determined that it is necessary to the public health, safety and welfare that certain property be acquired for public street, sidewalk, parking, utility and drainage purposes. The necessary property as hereafter described in Section 3, is to be acquired by negotiation and purchase if possible; provided, however, the condemnation of said property is hereby specifically approved and authorized. The property sought to be acquired is to be used for municipal public purposes associated with the Riverside Parkway project.

Section 2. The City Attorney is hereby specifically authorized and directed to take all necessary legal measures, including condemnation, to acquire the property which is legally described and set forth in the following section, which is hereby determined to be necessary to be acquired to be used for public street, sidewalk, parking, utility and drainage purposes. The City Attorney is further authorized to request immediate possession of the parcels hereinafter set forth.

Section 3. Interest to be acquired: Fee simple absolute.

Owner of record: Teresa J and Tony A Vega

Project Parcel Number; E-5

Legal Description:

Mesa County Tax Assessor 2945-232-00-005

Beginning at a point 164 feet West and 203.5 feet South of the intersection of the West line of Fifth Street with the North line of the SE  $\frac{1}{4}$  NW  $\frac{1}{4}$  of Section 23, Township 1 South, Range 1 West of the Ute Meridian, thence West 143 feet, thence South 50 feet. Thence East 143 feet, thence North 50 feet to the point of beginning, Mesa County, Colorado.

also known by street and number as: 934 South 4<sup>th</sup> Street, Grand Junction, CO.

The interest to be acquired shall include all buildings attached to the property as realty in accordance with Colorado law.

Section 4. The City Council hereby finds and resolves, in the event that acquisition by condemnation of the parcels described in this resolution is commenced, that immediate

possession is necessary for the public health, safety and welfare, due to design and construction deadlines.

Section 5. The Charter authorizes this resolution and the actions described. The resolution shall be effective upon an affirmative vote of a majority of the City Council considering it.

PASSED and ADOPTED this 20<sup>th</sup> day of April, 2005.

Attest:

/s/: Bruce Hill  
President of the Council

/s/: Stephanie Tuin  
City Clerk