

Bradley Heights – Eminent Domain request

City Council Regular Meeting
July 25, 2023

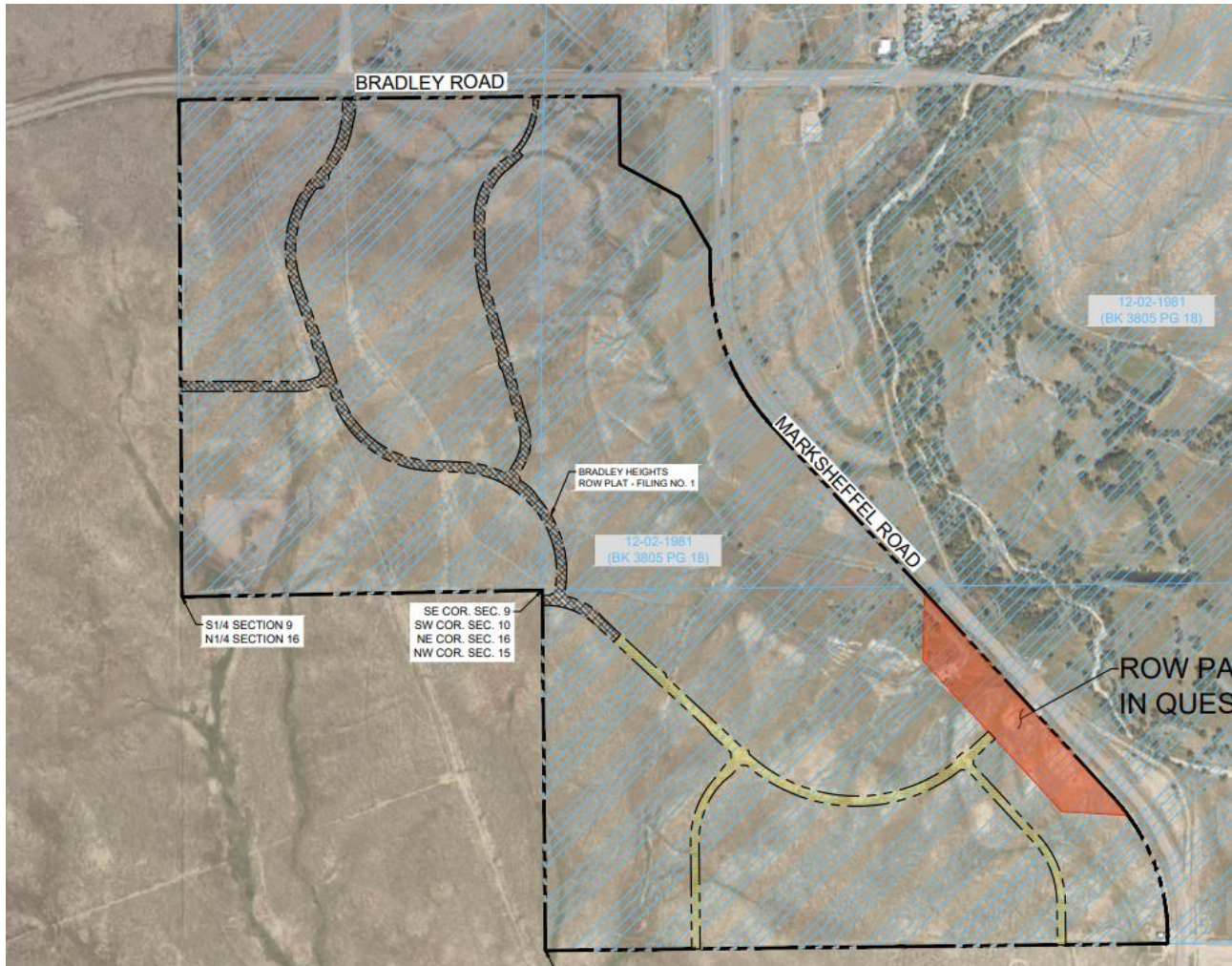
Mike Tassi, Assistant Director of Planning and
Community Development
Peter Wysocki, Director of Planning and Community
Development



Vicinity Map



District Boundaries

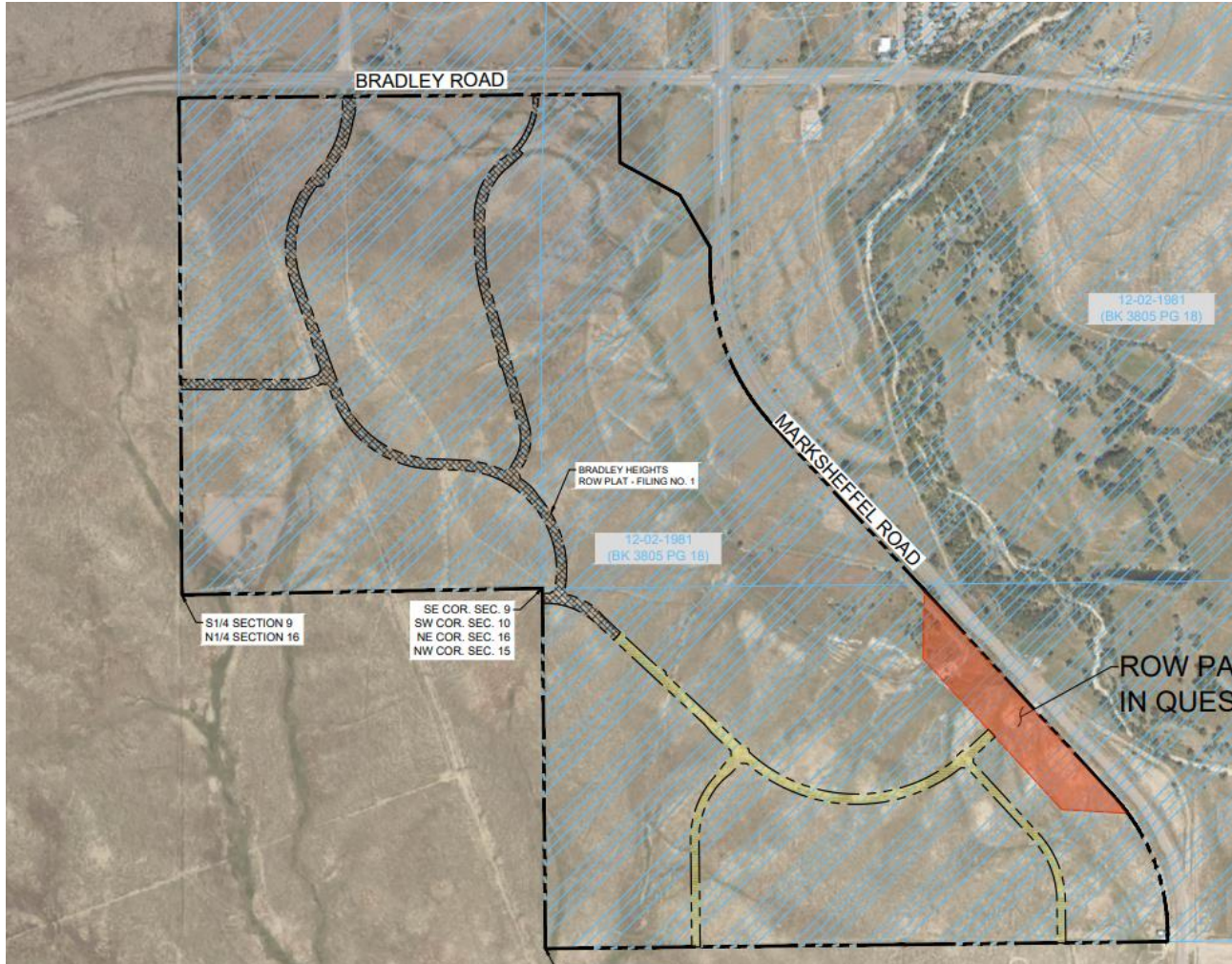


Summary



- Existing Metropolitan District
- Request to authorize the District to utilize eminent domain on a limited basis
- State Statute provides Metro Districts the authority to utilize eminent domain, but Special District Policy limits this authority requiring written Council approval to proceed.

District Boundaries



Details

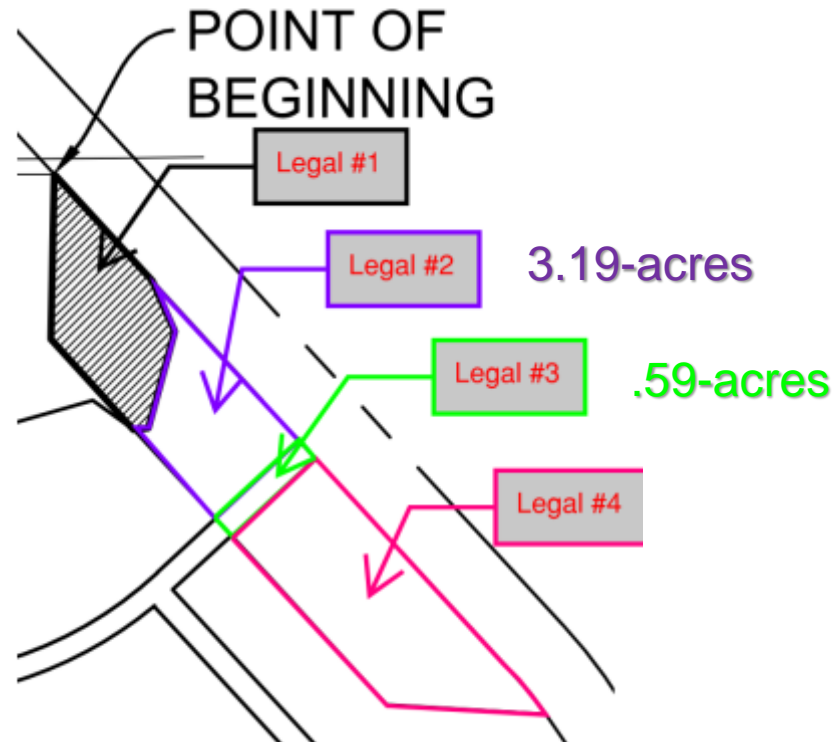


- Through omissions in deed transfers since the 80's, the current owner is an entity that no longer exists
- The roadway is needed to connect to Marksheffel per the approved plan.
- The approved service plan contains a provision requiring “prior written consent;” therefore, Council approval of a resolution
- Unique – this has not been requested based on our records
- does not “grant” the eminent domain, only the authority to pursue it.
- Limited to two small parcels.

Area in question



Marksheffel ROW Context Map



Supporting Materials



- Draft Council resolution providing written authority limited to the two parcels.
- Context map
- Legal descriptions for 2 parcels
- Pertinent section of Service Plan