



Legislation Details (With Text)

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Title: Inverness Dr. W. Bike Path Project, Approval & Acceptance of three (3) Right-of-Way Parcels, six (6) permanent easements, and one (1) temporary easement along Inverness Drive West from Common Spirit Health, Cristobal and UC Health (C18-037)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Summary Report, 2. PE-2A Agreement, 3. PE-4A Agreement, 4. PE-5A Agreement, 5. RW-2, PE-2, PE-2A, TCE-2 MOA, 6. RW-2 General Warranty Deed, 7. RW-4, PE-4, PE-4A MOA, 8. RW-4 Special Warranty Deed, 9. PE-5A MOA, 10. RW-5 Special Warranty Deed, 11. TCE-2 Agreement, 12. Resolution

Date	Ver.	Action By	Action	Result
11/8/2022	1	Board of County Commissioners Business Meeting	approved	Pass

To: Board of County Commissioners

Through: Bryan Weimer, PWLF, Director, Public Works & Development

Prepared By:

Cathleen Valencia, PE, Capital Improvement Program Manager

Subject:

Inverness Dr. W. Bike Path Project, Approval & Acceptance of three (3) Right-of-Way Parcels, six (6) permanent easements, and one (1) temporary easement along Inverness Drive West from Common Spirit Health, Cristobal and UC Health (C18-037)

Purpose and Request:

The purposed of this report is to request that the Board of County Commissioners (BOCC) approve ten (10) resolutions, attached, to accept three (3) Right-of-Way (ROW) parcels, six (6) permanent easements, and one (1) temporary easement from the property owners along the Inverness Drive West Bike Path Project (Project) and to authorize the Clerk and Recorder to record the documents. These property acquisitions are agreed to in the attached Memorandum of Agreement (MOA) executed for the parcels. The temporary use easement does not need to be recorded.

Staff has reviewed the ROW and easements and has determined that they meet Arapahoe County requirements. Staff recommends said ROW and easements, granted by the property owners, be accepted by the BOCC

There will need to be separate resolutions for each acquisition as follows:

RW 2 Right-of-Way

Commonspirit Health

RW-4 Right-of-way	University of Colo Health
RW-5 Right-of-way	Cristobal Properties
PE-2 Permanent Easement	Commonspirit Health
PE-2A Permanent Easement	Commonspirit Health
PE-4 Permanent Easement	University of Colo Health
PE-4A Permanent Easement	University of Colo Health
PE -5 Permanent Easement	Cristobal Properties
PE-5A Permanent Easement	Cristobal Properties
TCE-2 Temporary Construction Easement	Commonspirit Health

Background and Discussion: The DSTMA North-South Regional Bicycle Corridors Study identified the section of Inverness Dr. West, limits described below, as a recommended corridor alignment for the regional bicycle network that connects Denver South employers, employees and residents. The Inverness Bike Path Project (Project) consists of providing an on-street separated bike path on Inverness Drive West from Fulton Street which is just north of Dry Creek Road intersection to County Line Road. The Project also includes the construction of three (3) roundabouts throughout the corridor to help with traffic calming and left-turn movements. In addition, the Project will implement a “lane-diet”, removing 1 lane in each direction throughout the corridor.

The project was submitted and selected for federal funding through the 2020-2023 Transportation Improvement Program (TIP). In addition to TIP funding, Public Works and Development (PWD) collaborated with Arapahoe County Open Space (OS), Inverness Metropolitan District (Inverness) and the Southeast Public Improvement Metropolitan District (SPIMD) to share the cost of the Local Agency (LA) portion of the project.

PWD contracted with HDR, Inc. to complete full ROW acquisition services for the project in compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act. This includes title commitments, valuations and negotiations.

The Project requires a total of 5 parcels to be acquired from the following owners:

<u>Property</u>	<u>ROW</u>	<u>Easement</u>	<u>Temporary Easement</u>
Cole FS	1 ROW	1 Permanent Easements	NA
Common Spirit Health	1 ROW	2 Permanent Easements	1 Temporary Easement
B33 Inverness	NA	1 Permanent Easement	NA
UC Health	1 ROW	2 Permanent Easements	NA
Cristobal	1 ROW	2 Permanent Easements	NA

The parcels of land requested for ROW and easement acceptance are located at various locations throughout the project limits. Common Spirit Health, UC Health, and Cristobal are included in this BSR. Staff is negotiating settlement for Cole FS. B33 Inverness was sent to the BOCC as a separate BSR.

Alternatives: Approving of these ROW’s and easements from property owners will allow the Project to install improvements as planned. Alternatively, taking no action would result in the Project not being able to acquire ROW and easements, making the construction of the needed improvements extremely difficult and impacting the Project’s budget and schedule.

Fiscal Impact: Fiscal impact was included in a separate memorandum. There is no fiscal impact for this action. Once the easements and ROW are accepted by the BOCC, Staff will close on the acquisitions and pay the property owners per the executed MOAs. Payment will be to the property owners per the provided W-9

forms.

Note that the federal share will be a reimbursement request.

Alignment with Strategic Plan:

- ☒ Be fiscally sustainable
- ☒ Provide essential and mandated service
- ☒ Be community focused

Concurrence: The Transportation Division recommends that ROW and easements from property owners be approved for acceptance.

Resolution: Attached is a copy of the draft resolution.