

Denver Board of Water Commissioners

Title:

Acquisition of Fee Simple Title for Property Necessary for Cat Reservoir

Meeting Date: 8/12/2009

Contract/Proposal

 Action by Consent Action Information

As part of the southern gravel pit reservoir complex, Denver Water has constructed and filled Cat Reservoir. Due to the topography of the area, the reservoir is subject to significant stormwater runoff, which adversely affects water quality in the reservoir and must be discharged back to the river absent a water right to store it. To prevent stormwater from impacting the reservoir, a stormwater retention and control system is being developed.

A major component of this system is Gardener's Ditch, acquired from Public Service Company in 2008. The Ditch crosses the property of several landowners in the vicinity of the reservoir. For several months, Denver Water has been engaged in negotiations to acquire fee simple interest in the Ditch and adjacent property within the future security fence for the reservoir. Negotiations with the owners have been proceeding productively, with the exception of one owner who owns a parcel of 853 square feet. Mr. Adrian Soriano has failed to respond to offers from Denver Water made through several means of communication. Since good faith negotiations have failed and communication has stalled, authorization to acquire the property by eminent domain is required to enable the acquisition to proceed to a conclusion.


RECOMMENDATION:

It is recommended that the Board adopt the attached Resolution Authorizing Eminent Domain Proceedings to acquire the described property.

Approvals:


 Robert Mahoney, Director Engineering


 Patricia L. Wells, General Counsel


 Manager Approval:

Documents Attached:

 File Attachment