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**TO:** Fruita City Council and Mayor

**FROM:** Planning & Development Department

**DATE:** January 17, 2025

**AGENDA TEXT:** RESOLUTION 2025-05 A Resolution of the City Council of the City Of Fruita Authorizing Staff To Commence Eminent Domain Proceedings In Court Against Property Commonly Referred To As 966 19 Road, Fruita, Colorado To Acquire Right-Of-Way For 19 Road.

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### BACKGROUND

During the summer of 2022, the City of Fruita began preparations to complete a road improvement project on 19 Road to accommodate increased traffic on 19 Road due to school traffic and increasing development on the East end of the City's urban growth boundary area, to provide safe pedestrian and bicycle access along the corridor and to allow safe installation and burial of utilities (the "Project"). As the project would require the acquisition of additional right-of-way ("ROW") from private property owners.

### FISCAL IMPACT

The City has budgeted for ROW acquisitions for the 19 Road Project, so the financial impact will include the acquisition costs and the attorneys' fees and costs for the court proceedings.

### APPLICABILITY TO CITY GOALS AND OBJECTIVES

Complete the 19 Road expansion project and accommodate growth from development and increase safety for school and pedestrian traffic.

### OPTIONS AVAILABLE TO THE COUNCIL

- Approve Resolution 2025-05 A Resolution Of The City Council Of The City Of Fruita Authorizing Staff To Commence Eminent Domain Proceedings In Court Against Property Commonly Referred To As 966 19 Road, Fruita, Colorado To Acquire Right-Of-Way For 19 Road
- Continue Public Hearing to a future date.
- Take no Action

### RECOMMENDATION

I MOVE TO APPROVE RESOLUTION 2025-05 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FRUITA AUTHORIZING STAFF TO COMMENCE EMINENT DOMAIN

PROCEEDINGS IN COURT AGAINST PROPERTY COMMONLY REFERRED TO AS 966 19  
ROAD, FRUITA, COLORADO TO ACQUIRE RIGHT-OF-WAY FOR 19 ROAD