



PROPERTY ACQUISITION

Background

Projects designed to benefit the public often result in acquisition of private property and the displacement of people from their residences, businesses or farms. Part of implementing public projects is acquiring properties necessary to build a project. The City and County of Denver (Denver) only purchases properties that are necessary for its projects. However, it isn't until a project reaches an advanced stage of design that Denver knows for sure what properties definitely need to be purchased for a project.

To provide uniform and equitable treatment for persons whose property is acquired for public use, Congress passed the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (the Uniform Act), and amended it in 1987. Rules for the Uniform Act are reprinted each year in the Code of Federal Regulations (CFR), Title 49, Part 24. All Federal, State and local government agencies receiving Federal financial assistance for public projects must comply with the policies and provisions set forth in the Uniform Act (URA) and the regulation. Although at this time the City and County of Denver is not using Federal funding for the National Western Center project, the City has developed a property acquisition policy and relocation program based on the Uniform Act as a guideline.

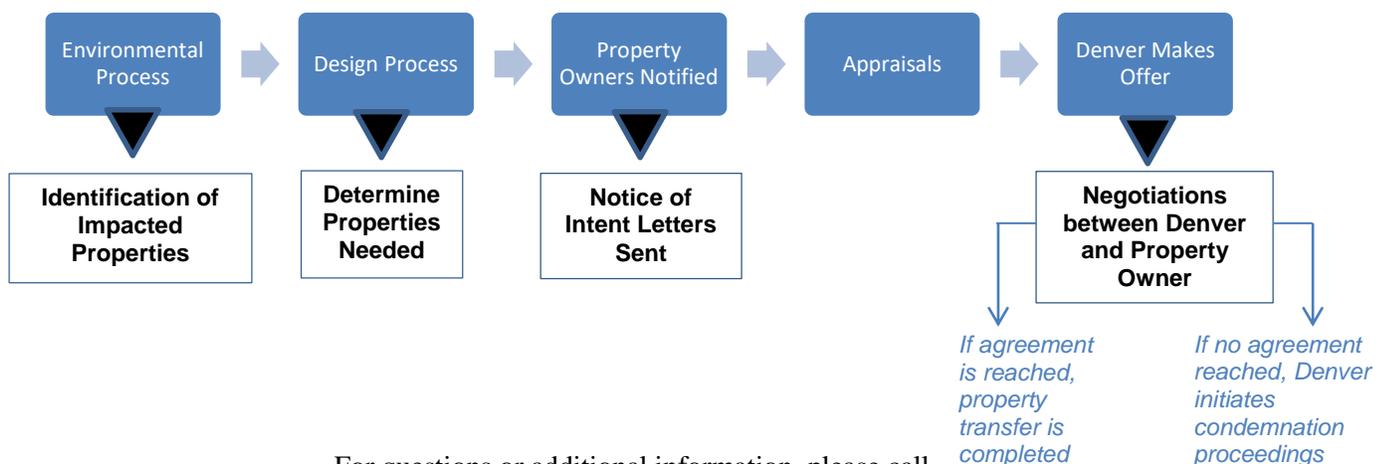
Process for Acquiring Properties under the URA

- Properties required for a project are preliminarily identified during the master planning process. Then during the implementation process, project engineers will determine those properties required for the project, and Denver will request authority to acquire those properties through a City Ordinance.
- If property – or a portion of a property – needs to be acquired, the property owner will be notified as soon as possible.
- Actions required related to the formal acquisition of property include:
 1. Before making an offer to the property owner, market value of the parcel to be purchased must be established through a current appraisal and appraisal review.
 2. Colorado law provides that if the property to be acquired has an estimated value of \$5,000 or more, the property owner may employ an appraiser of his/her choice to appraise the property. The acquiring agency will pay a reasonable cost for the appraisal providing it is made using sound, fair, and recognized appraisal practices and as long as the appraisal is provided to Denver within the time frame established in the Notice of Intent to Acquire.
 3. The agency's written offer will consist of the amount offered as just compensation and a description of the property.
 4. When the agency and property owner reach agreement on the offer, a purchase agreement will be signed and a closing date set.

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5. If an agreement is not reached, the Denver will initiate condemnation proceedings. Negotiations may continue in an effort to reach mutual agreement. In the event of condemnation:
 - a. A Hearing of Immediate Possession will be scheduled through the court; at this time the amount of Denver's offer will be deposited with the court for the benefit of the property owner.
 - b. A Valuation Hearing will be subsequently scheduled. At the Valuation Hearing the amount of compensation due the property owner will be determined by a commission, judge or jury after evaluating information presented to the court by the agency and the property owner.
- Every effort is made to acquire real property through negotiation and purchase rather than condemnation.
 - In addition, any eligible individual, family, business or farm displaced by the acquisition of property for National Western Center will be offered **relocation assistance services** for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by the agency. The goal of the relocation specialist is to be of service to property owners and tenants, and assist in any way possible to help successfully relocate displacees.
 - Benefits vary but may include cost of relocating business or residential personal property and equipment, assistance to residential renters if the rent for a comparable replacement dwelling is higher than current rent, and assistance to residential owners if comparable replacement housing costs more than the purchase price of the current dwelling.

This is a general breakdown of the property acquisition process:



For questions or additional information, please call
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