

**RESOLUTION OF NECESSITY**

Acquisition of Property

December 18, 2019

**WHEREAS**, Adams 12 Five Star Schools (the “District”) is a school district as defined by law; and

**WHEREAS**, the District is constructing a new Career Technology Education (CTE) center known as FutureForward at Washington Square at the southwest corner of 126<sup>th</sup> Avenue and Washington Street in the City of Thornton, Adams County, Colorado which requires access via construction of an extension of 126<sup>th</sup> Avenue and storm drainage improvements (the “Project”) west of Washington Street; and

**WHEREAS**, the District is vested with express statutory authority to acquire real property within the territorial limits of the District by power of eminent domain; and

**WHEREAS**, it is necessary for the implementation of the District’s Project to acquire certain property, approximately 40,015 square feet in size, the description of which is on Exhibit A attached hereto (hereinafter, the “Property”) and a temporary construction easement related thereto; and

**WHEREAS**, to the best knowledge of the District, the owner of the Property is Danhar, LLC; and

**WHEREAS**, an appraisal of the Property has been made by a professional appraiser.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Education of the District that:

The District, or its legal counsel, shall send the record holders of interest in the Property a Notice of Intent to Acquire the Property, pursuant to section 38-1-121(1), C.R.S., and an Offer to Purchase the Property, for the appraised value; and

The District shall negotiate in good faith with the holders of interest in the Property to purchase the Property; and

Superintendent Gdowski or his designee is authorized, on behalf of the District, to negotiate for the purchase of the Property; and

It is necessary for the District to construct the Project, as described above, and it is necessary for the public health, safety and welfare of the residents and students residing within the territorial limits of the District to exercise the power of eminent domain to acquire the Property, if it cannot be acquired by negotiated purchase; and

Alderman Bernstein, LLC, is authorized to take all actions necessary to commence condemnation proceedings to acquire the Property by eminent domain, if the Property cannot be acquired by negotiated purchase, and to seek immediate possession of the Property; and

The District’s consultants and counsel, including Alderman Bernstein, LLC, are authorized to proceed in accordance with this resolution.

**Adopted by the Adams 12 Five Star Schools Board of Education at its regular meeting on  
December 18, 2019.**