

Brighton

**City of Brighton
Municipal Service Center (MSC)
Union Pacific Railroad (UPRR)
Spur Easement**

CITY COUNCIL MEETING – August 2, 2022

City Staff Representatives: Michael Woodruff, Director of Infrastructure

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Strategic Plan

Supportive and Sustainable Infrastructure Financially Responsible

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Introduction

- o Purpose
- o Project Background
- o 1916 Spur Easement Documents & Highlights
- o New Spur Easement & Highlights
- o Latest Updated MSC Design Concepts
- o Staff Recommendation
- o Options For City Council Consideration
- o Questions

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Purpose

Provide City Council with information regarding the securing of an easement across City owned property for a Union Pacific Railroad (UPRR) Track Spur.

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Project Background

- o The City Council directed staff to pursue the construction of a new Municipal Service Center facility that would accommodate Streets Maintenance, Fleet Maintenance, Parks Maintenance and Utility Maintenance, all of which currently operate in separate facilities and locations.
- o Police Substation will be located within the facility.
- o The facility is to be constructed on 15.54 acres of City owned land at the northwest corner of Main Street and Denver Street with construction slated to start in early 2023.
- o The funding for the new facility has been incorporated into the City's capital budget.

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Project Background Cont.

- o Staff and the design team encountered an issue with the existing railroad spur that traverses across the property from south to north. It was determined during the design phase through the ALTA Survey, subsequent surveys and an investigation into County property records that an easement for the railroad spur was not dedicated nor shown in any property and/or County recorded documents.
- o After extensive research and discussions over several months involving D2C, Union Pacific Railroad (UPRR) and City Staff in an effort to find documents associated with and/or to identify this easement and the railroad spur, the only documents pertaining to the railroad spur from the City were from 1916 and while somewhat helpful, the documents did not identify the specific easement granted.

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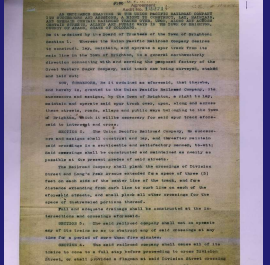
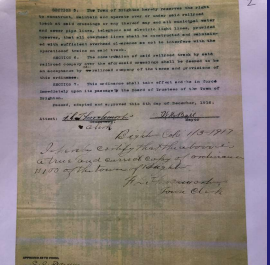
Project Background Cont.

- While the property was purchased by the City in the fall of 2018, it appears that Due Diligence in regards to the property investigation and survey were not fully and/or accurately completed and the property was purchased void of a recorded easement for the existing railroad spur across the property.
- Subsequently, over the course of several more months city staff in cooperation with D2C and UPRR came to an agreement on the location and dimensions of the proposed easement to continue the development of the site plan and subsequent submission to Community Development for review and movement through the development process.

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1916 Spur Easement Documents


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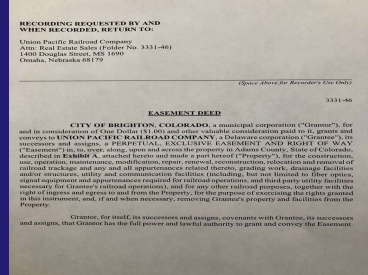
1916 Easement Highlights

- Records received from UPRR indicate that an easement was granted by the City of Brighton to UPRR on December 5, 1916.
- The granted easement allows UPRR to lay, maintain and operate said spur track over, upon, along and across these streets, roads, alleys and public ways belonging to the Town of Brighton.
- Must maintain crossings in a serviceable and satisfactory manner.
- Railroad company shall not so operate any of its trains so as to obstruct any of the said crossings at any time for a period of more than five minutes.


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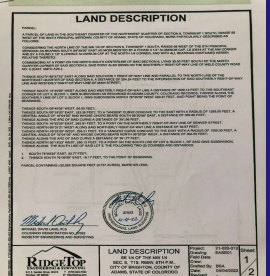
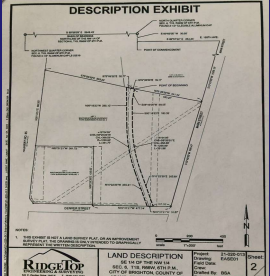
New Spur Easement



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New Spur Easement

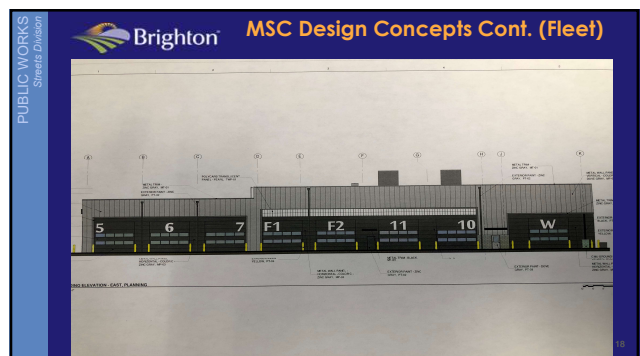
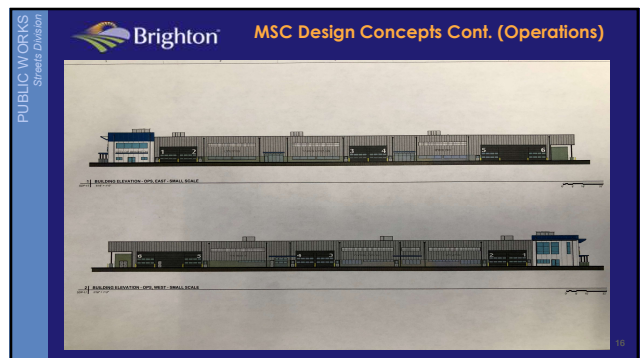
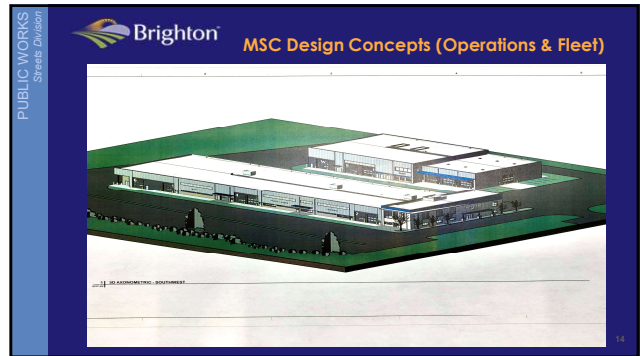



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New Spur Easement Highlights

- Secures UPRR easement across City property and site of future City of Brighton Municipal Service Center (MSC)
- Provides an offset 35' UPRR Rail Spur easement from Denver Street to northern property boundary.
- Offset 35' easement allows for full utilization of property on the west side and east side of UPRR Spur.
- Offset Allows for the construction of both Operations and Fleet buildings on west side of property vs splitting buildings between east and west side of UPRR Spur.



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Staff Recommendation

Staff recommends the approval of the Resolution granting an easement to Union Pacific Railroad.

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Options for City Council Consideration

- Approval as presented
- Reject

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Questions?

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