

Resolution #TC-17-2-3

Disposal of property along I-25.

Approved by the Transportation Commission on Feb. 16, 2017

WHEREAS, CDOT acquired property located at I25 @ US 36/I270 in 1992 for use as right of way;

WHEREAS, the adjacent property owner located at 7295 N. Washington Street, Denver, Colorado is encroaching on the right of way;

WHEREAS, the subject parcel consists of ~113 square feet of land;

WHEREAS, the adjacent property owner would like to purchase the property to resolve the encroachments at fair market value and;

WHEREAS, the Department of Transportation would like to sell the property located at I25 @ US 36/I270 in the City of Denver to the adjacent property owner and;

WHEREAS, the disposal of the subject property will not affect the operation, maintenance, use or safety of CDOT's facility and;

WHEREAS, the Department of Transportation, Region 1 has declared through Joshua Laipply as Chief Engineer, that the subject property is not needed for maintenance or transportation purposes;

WHEREAS, pursuant to Colorado Revised Statutes (C.R.S) 43-1-210(5)(a)(I) The Department of Transportation is authorized, subject to approving resolution of the Transportation Commission, to dispose of any property or interest therein which is no longer needed for transportation purposes;

WHEREAS, the Department has determined that the subject property consisting of ~113 square feet has value only to the adjacent property owner and;

WHEREAS, pursuant to Colorado Revised Statutes (C.R.S) 43-1-210(5)(a)(III), when a parcel that is no longer needed for transportation purposes and has value to only one adjacent owner, that owner shall have first right of refusal to purchase said property for fair market value and;

WHEREAS, the adjacent property owner desires to exercise its first right of refusal to purchase the subject property, which is no longer needed for maintenance or transportation purposes.

NOW THEREFORE BE IT RESOLVED, pursuant to the provisions of the C.R.S, 43-1-210(5) and 23 CFR 710.403 the Department of Transportation be given authority to declare the subject property at I25 @ Us 36/I270 in Denver, Colorado as excess property and sell the subject property consisting of ~113 square feet, which is no longer needed for maintenance or transportation purposes for fair market value.

FURTHER, funds from the sale of the subject property shall be disbursed in accordance with Section 7.2.15 of the CDOT Right-of-Way Manual.



Herman Stockinger
Secretary



Date of Approval Transportation