

Resolution # TC-17-6-2

Proposal to dispose of property: Project #: FAP 285-B (4)/FAGH20-C(1)
Location: SH85 and Vasquez Parcel #: 19A-EX County: Adams

Approved by the Transportation Commission on June 15, 2017.

WHEREAS, Adams County acquired Parcel 19A in 1941 on behalf of CDOH/CDOT as a part of CDOT Project # FAP 285-B(4)/FAGH20-C(1) for SH 85;

WHEREAS, the Board of County Commissioners for Adams County approved resolution #2017-131 dated March 7, 2017 for the conveyance of parcels 19A to CDOT;

WHEREAS, Adams County conveyed parcels 19A to CDOT via QuitClaim Deed dated March 21, 2017;

WHEREAS, Parcel 19A-EX consists of 75,870 square feet;

WHEREAS, the adjacent property owner would like to purchase Parcel 19A-EX;

WHEREAS, the Department of Transportation would like to sell Parcel 19A-EX to the adjacent property owner;

WHEREAS, the disposal of Parcel 19A-EX will not affect the operation, maintenance, use or safety of CDOT's facility;

WHEREAS, the Department of Transportation, Region 1, has declared through Joshua Laipply as Chief Engineer that Parcel 19A-EX is not needed for 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 Parcel 19A-EX consisting of 75,870 sf of land is of use only to the adjacent property owner;

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 has value to only one adjacent owner, that owner shall have first right of refusal to purchase said property for fair market value;

WHEREAS, the adjacent landowner desires to exercise its right of refusal to purchase the 75,870 sf of SH 85 right of way which is no longer needed for 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 Parcel 19A-EX as excess property and dispose of the 75,870 sf of SH 85 right of way, which is no longer needed for transportation purposes for fair market value.

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

Herman F. Stockinger III

Herman Stockinger, Secretary
Transportation Commission of Colorado

6-15-17

Date