

Resolution # TC-17-6-4

Proposal to dispose of property: project #: FSA 0503-081 and IM 025A-024
Location: SH 227 (Joplin Ave.) ROW Marker STA 90+68.1 North to East 4th Ave.
Municipality: Pueblo City

Approved by the Transportation Commission on June 15, 2017.

WHEREAS, the Department of Transportation owns 1.56 miles of Highway in the City of Pueblo identified as SH 227 (Joplin Ave.);

WHEREAS, that portion of SH 227 is located between ROW Marker Station 90+68.1 North and East 4th Avenue (SH 96) (Exhibit A);

WHEREAS, the Colorado Revised Statute 43-2-106 (1)(a) provides that the Transportation Commission may determine that a state highway, or portion thereof, no longer functions as a State Highway, and with the agreement of each affected county or municipality, the State Highway, or portion thereof, can be abandoned to the affected county or municipality;

WHEREAS, the City of Pueblo proposed to take ownership of SH 227, between the ROW Marker Station 90+68.1 North and East 4th Avenue (SH 96), in exchange for a waiver of payment by the Local Agency for other projects;

WHEREAS, the agreed total waiver value is anticipated to be less than the amount CDOT reasonably expects to expend to maintain, preserve, or improve this section of SH 227 over the next 20 years;

WHEREAS, the governing body of the City of Pueblo shall adopt a resolution agreeing to the State's abandonment of the portion of SH 227 and agreeing that said highway segment no longer serves the ongoing purposes of the State Highway system; committing the City of Pueblo to assume ownership of said highway segment in the "as is" condition;

WHEREAS, within 90 days of the official notification of such abandonment by the Transportation Commission, the City of Pueblo shall execute a resolution or ordinance accepting the abandoned portion of SH 227 as a city street;

WHEREAS, the Parties desire to enter into an Intergovernmental Agreement (IGA) and agree upon the condition of the abandonment of said highway segment by the State and acceptance by the City of Pueblo;

WHEREAS, after execution of the IGAs CDOT will execute quitclaim deeds that will include a reversion provision stating that if the property that is the subject of the quitclaim deed is not used for transportation purposes, title to such property will automatically revert back to CDOT;

WHEREAS, Transportation Commission is authorized pursuant to 43-2-106 to make determinations regarding abandonment of State Highway(s) to affected county(ies) or municipality(ies);

WHEREAS, the Transportation Commission has determined the 1.56 linear miles of SH 227 (Exhibit A) is no longer needed for State Highway purposes and that it could be abandoned to the City of Pueblo;

NOW THEREFORE BE IT RESOLVED, pursuant to the provisions of the CRS, Sections 43-2-106, the Transportation Commission declares approximately 1.56 linear miles of SH 227 located between ROW Marker Station 90 + 68.1 North and East 4th Avenue (SH 96), as shown in Exhibit A, eligible for abandonment.

Herman F. Stockinger III
Herman Stockinger, Secretary
Transportation Commission of Colorado

6-75-17
Date