

**Resolution #TC18-05-03**

Project #: SP-47-86-503 Location: Snow Fence Easements SH 86 Parcel #: 1 and 2 County: Douglas

**Approved by the Transportation Commission on May 17, 2018.**

**WHEREAS**, CDOT acquired Parcels 1 and 2 in 1952 as a part of CDOT Project # SP-47-86-503 for CDOT to build and maintain two, 500 ft. snow fences on the south side of SH 86;

**WHEREAS**, Parcel 1 consists of 1.542 acres;

**WHEREAS**, Parcel 2 consists of 3.218 acres;

**WHEREAS**, Parcels 1 and 2 total of 4.76 acres;

**WHEREAS**, the adjacent property owner would like to purchase Parcels 1 and 2;

**WHEREAS**, the Department of Transportation would like to sell Parcels 1 and 2 to the adjacent property owner;

**WHEREAS**, the disposal of Parcels 1 and 2 will not affect the operation, maintenance, use or safety of CDOT's facility;

**WHEREAS**, the Department of Transportation, Region 1 has determined that Parcels 1 and 2 are no longer needed as an easement;

**WHEREAS**, the Department of Transportation, Region 1, has declared through Joshua Laipply as Chief Engineer that Parcels 1 and 2 are 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 Parcels 1 and 2 consisting of 4.76 acres 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 4.76 acres of the snow fence easement 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 Parcels 1 and 2 as excess easements and dispose of the 4.76 acres of the Snow Fence easement, which is no longer needed for transportation purposes for fair market value.

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



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Herman Stockinger, Secretary  
Transportation Commission of Colorado

5-17-18

Date