

Resolution #TC-20-07-03

Disposal: Project #: CXFC 43-0024-21, Unit 2; Location: 1060 CR 231, Woodland Park; Parcel #: 207X; County: Teller

Approved by the Transportation Commission on July 16, 2020.

WHEREAS, CDOT acquired Parcel 207X as a part of CDOT Project # CXFC 43-0024-21, Unit 2 for CDOT for the realignment of US 24;

WHEREAS, Parcel 207X was leased until terminated by lessee in September 2017;

WHEREAS, Parcel 207X was determined to be "landlocked" by a cloud of title on the western edge of the property eliminating any legal access to the property;

WHEREAS, Parcel 207X consists of 34,209 sq. ft. (0.785 acres);

WHEREAS, the Department of Transportation would like to sell Parcel 207X at fair market value;

WHEREAS, the disposal of Parcel 207X will not affect the operation, maintenance, use or safety of CDOT's facility;

WHEREAS, the Department of Transportation, Region 2, has declared through Stephen Harelson as Chief Engineer that Parcel 207X is not needed for transportation purposes;

WHEREAS, the Department has determined that Parcel 207X consisting of 0.785 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 acquire said property;

WHEREAS, the adjacent property owner desires to exercise its right of refusal to acquire the 0.785 acres of land which is no longer 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;

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 207X as excess property and convey the 34,209 sq. ft. (0.785 acres) of right of way which is no longer needed for transportation purposes for fair market value.

NOW THEREFORE 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

7/16/2020

Date