

**Resolution #TC20-03-03**

Disposal: Project #: F 001-1(21); Location: I-70B and F ½ Road; Parcel #: 5A-X; County: Mesa

**Approved by the Transportation Commission on March 19, 2020.**

**WHEREAS**, CDOT acquired Parcel 5A-X as a part of CDOT Project # F 001-1(21) in 1984 for CDOT to fulfill a CDOT Access Permit requirement;

**WHEREAS**, Parcel 5A-X is a portion of a larger tract of right of way dedicated to CDOT;

**WHEREAS**, Parcel 5A-X was dedicated to CDOT at no cost to CDOT consists of 12,600 sq. ft.;

**WHEREAS**, Parcel 5A-X consists of 3,283 sq. ft. (0.075 acres);

**WHEREAS**, the adjacent owner would like to acquire Parcel 5A-X for the development of a Maverick Convenience Mart;

**WHEREAS**, the Department of Transportation would like to convey Parcel 5A-X to the adjacent property owner at nominal value due to dedication of the parcel to CDOT at no cost to CDOT;

**WHEREAS**, 23 CFR 710.403(e)(1) allows CDOT to convey property for nominal value if the property is used for social, environmental, economic or nonproprietary governmental use;

**WHEREAS**, the disposal of Parcel 5A-X will not affect the operation, maintenance, use or safety of CDOT's facility;

**WHEREAS**, the Department of Transportation, Region 3, has declared through Stephen Harelson as Chief Engineer that Parcel 5A-X is not needed for transportation purposes;

**WHEREAS**, the Department has determined that Parcel 5A-X consisting of 0.075 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 landowner desires to exercise its right of refusal to acquire the 0.075 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 5A-X as excess property and convey the 0.075 acres of right of way which is no longer needed for transportation purposes without monetary compensation.

*Herman J. Stockinger III*

*3-19-20*

Herman Stockinger, Secretary  
Transportation Commission of Colorado

Date