

**Resolution #TC-20-09-04**

Disposal: Project #: STA 1282-011; Location: SH 128 and SH 121; Parcel #: 1-EX-1 and 1-EX-2; County: Broomfield

**Approved by the Transportation Commission on September 17, 2020.**

**WHEREAS**, CDOT acquired Parcels 1-EX-1 and 1-EX-2 as a part of CDOT Project # F 036-1(11) for SH 121 in 1968;

**WHEREAS**, existing pavement is constructed to incorporate future corridor growth and a 50' + of ROW beyond the edge will remain;

**WHEREAS**, Parcels 1-EX-1 and 1-EX-2 are no longer needed for transportation purposes;

**WHEREAS**, Parcel 1-EX-1 consists of 12,615 sq. ft. (0.290 acres);

**WHEREAS**, Parcel 1-EX-2 consists of 8,375 sq. ft. (0.1192 acres);

**WHEREAS**, collectively Parcel 1-EX-1 and Parcel 1-EX-2 consists of 20,990 sq. ft. (0.482 acres);

**WHEREAS**, the Department of Transportation would like to sell Parcels 1-EX-1 and 1-EX-2 at fair market value;

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

**WHEREAS**, the Department of Transportation, Region 1, has declared through Stephen Harelson as Chief Engineer that Parcels 1-EX-1 and 1-EX-2 are not needed for transportation purposes;

**WHEREAS**, the Department has determined that Parcels 1-EX-1 and 1-EX-2 consisting of 0.482 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 0.482 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 Parcels 1-EX-1 and 1-EX-2 as excess property and convey the 20,990 sq. ft. (0.482 acres) of right of way which is no longer needed for transportation purposes for fair market value.

**FURTHER**, 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 AAA*

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Herman Stockinger, Secretary  
Transportation Commission of Colorado

9/17/2020

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Date