

Resolution #TC-2021-08-06

Disposal: Project #: LSF 017-3(1); Location: Hugo Rest Area US 40; Parcel #: 1; County: Lincoln

Approved by the Transportation Commission on August 19, 2021.

WHEREAS, CDOT acquired Parcel 1 as a part of CDOT Project # LSF 017-3(1) in 1966 for CDOT for the Hugo Rest Area;

WHEREAS, Parcel 1, known as Hugo Rest Area, is located at M.P. 405.8 adjacent to US 40;

WHEREAS, Parcel 1 consists of 190,781 sq. ft. (4.380 acres);

WHEREAS, the Hugo Rest Area closed in 2015 leaving 190,781 sq. ft. (4.380 acres) no longer needed for transportation purposes;

WHEREAS, the buildings at the Hugo Rest Area were demolished;

WHEREAS, the two water wells on site were closed but not abandoned;

WHEREAS, the Department of Transportation would like to sell Parcel 1 at nominal value;

WHEREAS, the disposal of Parcel 1 will not affect the operation, maintenance, use or safety of CDOT's facility;

WHEREAS, the Department of Transportation, Region 4, has declared through Stephen Harelson as Chief Engineer that Parcel 1 is 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 Transportation Commission previously declared in Resolution #TC-20-08-08 dated August 20, 2020 that 4.380 acres of parcel 1 as excess property and could be disposed of at Fair Market Value;

WHEREAS, after CDOT sent first right of refusal notifications, Lincoln Community Hospital would like to acquire Parcel 1 to use the parcel for staging of emergency vehicles and safety missions for the travelling public;

WHEREAS, Lincoln Community Hospital desires to exercise its right of refusal to acquire the 190,781 sq. ft. (4.380 acres) of right of way, which is no longer needed for transportation purposes;

WHEREAS, the Department of Transportation would like to convey Parcel 1 at nominal value;

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, if the 190,781 sq. ft. (4.380 acres) to be conveyed to Lincoln Community Hospital ever ceases to be used for social, environmental, economic or nonproprietary governmental use pursuant to 23 CFR 710.403(e) then the subject parcel shall revert to CDOT;

WHEREAS, this Transportation Commission Resolution will supersede Transportation Commission Resolution #TC-20-08-08 dated August 20, 2020;

WHEREAS, the Transportation Commission reaffirms that the Department of Transportation be given authority to declare Parcel 1 as excess and dispose of the 4.380 acres;

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 1 as excess property and convey the 4.380 acres which is no longer needed for transportation purposes without monetary compensation.

Herman F. Stockinger A A A

Herman Stockinger, Secretary
Transportation Commission of Colorado

8/19/2021

Date