

**Resolution #TC-2021-02-04**

Disposal: Project #: NH 1602-082; Location: US 160 and Wilson Gulch Roundabout (RAB); Parcel #: A4-EX; County: La Plata

**Approved by the Transportation Commission on February 18, 2021.**

**WHEREAS**, CDOT acquired Parcel A-4 of CDOT Project # NH 1602-082 for CDOT for future highway expansion;

**WHEREAS**, Parcel A4-EX is composed of portions of Parcel A-4;

**WHEREAS**, Parcel A4-EX consists of approximately 73,466 sq. ft. (1.686 acres);

**WHEREAS**, the City of Durango would like to acquire Parcel A4-EX to construct a new city street for public safety and transportation purposes;

**WHEREAS**, the Department of Transportation would like to convey Parcel A4-EX at nominal value;

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

**WHEREAS**, if the 73,466 sq. ft. (1.686 acres) to be conveyed to the City of Durango ever ceases to be used for transportation purposes pursuant to 23 CFR 710.403(e) then the subject parcel shall revert to CDOT;

**WHEREAS**, the disposal of Parcel A4-EX will not affect the operation, maintenance, use or safety of CDOT's facility;

**WHEREAS**, the Department of Transportation, Region 5, has declared through Stephen Harelson as Chief Engineer that Parcel A4-EX 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**, 23 CFR 710.403(e) allows CDOT to convey property to other governmental entities for nominal value if the property is used for social, environmental, economic or nonproprietary governmental use;

**WHEREAS**, the City of Durango desires to exercise its right of refusal to acquire the 73,466 sq. ft. (1.686 acres) of right of way, 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

A4-EX as excess property and convey the 73,466 sq. ft. (1.686 acres); of right of way which is no longer needed for transportation purposes without monetary compensation.

*Herman F. Stockinger AAA*

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Herman Stockinger, Secretary  
Transportation Commission of Colorado

2/18/2021

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Date