

Resolution #TC-2021-07-03

Disposal: Project #: C 40-0133-14; Location: SH 133 & MP 31.5; Parcel #: 1 REV-EX; County: Gunnison

Approved by the Transportation Commission on July 15, 2021.

WHEREAS, CDOT acquired Parcel 1 REV-EX as a part of CDOT Project # C 40-0133-14 to effectuate a channel change to Muddy Creek in 1976;

WHEREAS, the channel change was never implemented;

WHEREAS, Parcel 1REV-EX is no longer needed for transportation purposes;

WHEREAS, Parcel 1 REV-EX consists of 72,161 sq. ft. (1.657 acres);

WHEREAS, the Department of Transportation would like to sell Parcel 1 REV-EX at fair market value;

WHEREAS, the disposal of Parcel 1 REV-EX 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 1 REV-EX is not needed for transportation purposes;

WHEREAS, the Department has determined that Parcel 1 REV-EX consisting of 1.657 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 1.657 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 1 REV-EX as excess property and convey the 72,161 sq. ft. (1.657 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 AIA

Herman Stockinger, Secretary
Transportation Commission of Colorado

7-15-2021

Date