

Resolution #TC-2021-03-03

Disposal: Project #: NH 2873-068, Unit 2; Location: US 287 Berthoud Bypass.; Parcel #: 222F;
County: Larimer

Approved by the Transportation Commission on March 18, 2021.

WHEREAS, CDOT acquired Parcel 222F as a part of CDOT Project # NH 2873-068, Unit 2 for US 287 Berthoud Bypass in 2002;

WHEREAS, the parcel was to be conveyed to Larimer County for part of the construction of the new CR 10E;

WHEREAS, Larimer County made adjustments to their plans and no longer need Parcel 222F for transportation purposes;

WHEREAS, the Town of Berthoud annexed the area with Parcel 222F in ordinance No. 899 published July 26, 2001 recording reception No. 2001098638 dated November 2, 2001;

WHEREAS, Larimer County had not developed CR 10E to utilize Parcel 222F at the time of annexation;

WHEREAS, the Town of Berthoud does not have plans to develop the area of Parcel 222F and does not need Parcel 222F for transportation purposes;

WHEREAS, Parcel 222F consists of approximately 4,404 sq. ft. (0.101 acres);

WHEREAS, the Department of Transportation would like to sell Parcel 222F at fair market value;

WHEREAS, the disposal of Parcel 222F 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 222F is not needed for transportation purposes;

WHEREAS, the Department has determined that Parcel 222F consisting of 0.101 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 0.101 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 222F as excess property and convey the 4,404 sq. ft. (0.101 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 A A A

Herman Stockinger, Secretary
Transportation Commission of Colorado

3/18/21

Date