

Resolution #TC-2021-03-04

Disposal: Project #: IM 0252-370, Unit 1; Location: I-25 and Bijou St.; Parcel #: 130-EX;
County: El Paso

Approved by the Transportation Commission on March 18, 2021.

WHEREAS, CDOT acquired Parcel 130-EX as a part of CDOT Project # IM 0252-370, Unit 1 for the COSMIX project in 2005;

WHEREAS, the property is adjacent to I-25 with a portion, to be retained by CDOT, used as the Bijou southbound acceleration ramp to I-25;

WHEREAS, Parcel 130-EX consists of approximately 7,899.8 sq. ft. (0.181 acres);

WHEREAS, the Department of Transportation would like to sell Parcel 130-EX at fair market value;

WHEREAS, the Department of Transportation will reserve a 10-foot easement, PE-130, for maintenance of a retaining wall on the northern edge;

WHEREAS, Parcel PE-130 consists of approximately 1,519 sq. ft. (0.035 acres);

WHEREAS, the disposal of Parcel 130-EX will not affect the operation, maintenance, use or safety of CDOT's facility;

WHEREAS, the Department of Transportation, Region 2, has declared through Stephen Harelson as Chief Engineer that Parcel 130-EX is not needed for transportation purposes;

WHEREAS, the Department has determined that Parcel 130-EX consisting of 0.181 acres of land is of use only to the adjacent property owner;

WHEREAS, Parcel 130-EX is adjoined to the South by the parking lot of two commercial properties;

WHEREAS, one of the two adjacent property owners has declined interest in the property;

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 0.181 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 130-EX as excess property and convey the 7,899.8 sq. ft. (0.181 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