

Resolution #TC-2021-05-03

Disposal: Project #: N/A; Location: I-76 and Pecos.; Parcel #: 1-EX; County: Adams

Approved by the Transportation Commission on May 20, 2021.

WHEREAS, CDOT acquired a 13.097 acre parcel in 1949 for use as a gravel pit;

WHEREAS, Parcel 1-EX is composed of a portion of the original 13.097 acre parcel;

WHEREAS, Parcel EX-1 consists of 127,725 sq. ft. (2.932 acres);

WHEREAS, Gravel pit operations ceased years ago and the property is vacant;

WHEREAS, Adams County would like to acquire Parcel 1-EX for Adams County park project to add recreational water features to Clear Creek;

WHEREAS, the Department of Transportation would like to convey Parcel 1-EX 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 127,725 sq. ft. (2.932 acres) to be conveyed to Adams County 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, the disposal of Parcel 1-EX will not affect the operation, maintenance, use or safety of CDOT's facility;

WHEREAS, the Department of Transportation, Region 1, has declared through Stephen Harelson as Chief Engineer that Parcel 1-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, Adams County desires to exercise its right of refusal to acquire the 127,725 sq. ft. (2.932 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 1-EX as excess property and convey the 127,725 sq. ft. (2.932 acres); of right of way which is no longer needed for transportation purposes without monetary compensation.

Herman F. Stockinger AAA

Herman Stockinger, Secretary
Transportation Commission of Colorado

5/20/2021

Date