

**Resolution #TC-2021-11-03**

Disposal: Project #: STU 1211-080; Location: SH 121 & W. 13<sup>th</sup> Ave.; Parcel #: 10-PE-EX; County: Jefferson

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

**WHEREAS**, CDOT acquired Parcel PE-10 as a part of CDOT Project # STU 1211-080 for installation, use and maintenance of sidewalks and utility facilities in 2014;

**WHEREAS**, Parcel 10-PE-EX is a portion of parcel PE-10;

**WHEREAS**, Parcel 10-PE-EX is no longer needed as an easement;

**WHEREAS**, Parcel 10-PE-EX consists of 162.529 sq. ft. (0.004 acres);

**WHEREAS**, the Department of Transportation would like to sell Parcel 10-PE-EX at fair market value;

**WHEREAS**, the disposal of Parcel 10-PE-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 10-PE-EX is not needed for transportation purposes;

**WHEREAS**, the Department has determined that Parcel 10-PE-EX consisting of 0.004 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 0.004 acres of easement, 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 10-PE-EX as excess property and convey the 162.529 sq. ft. (0.004 acres) of easement is no longer needed for transportation purposes for fair market value.

**FURTHER**, funds from the sale of the easement 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

11/18/2021

Date