

**Resolution #TC-2021-10-03**

Disposal: Project #: CC 0502-087; Location: US 285 & US 50; Parcel #: 3-EX; County: Chaffee

**Approved by the Transportation Commission on October 21, 2021.**

**WHEREAS**, CDOT acquired Parcel 3-EX as a part of CDOT Project # CC 0502-087 as part of the old highway alignment in the 1920's or 1930's;

**WHEREAS**, the property was utilized as a flyway and vacated in 2014 when a signalized intersection was constructed;

**WHEREAS**, Parcel 3-EX is no longer needed for transportation purposes;

**WHEREAS**, Parcel 3-EX consists of 113,256 sq. ft. (2.60 acres);

**WHEREAS**, the Department of Transportation would like to sell Parcel 3-EX at fair market value;

**WHEREAS**, the disposal of Parcel 3-EX will not affect the operation, maintenance, use or safety of CDOT's facility;

**WHEREAS**, the Department of Transportation, Region 5, has declared through Stephen Harelson as Chief Engineer that Parcel 3-EX is not needed for transportation purposes;

**WHEREAS**, the Department has determined that Parcel 3-EX consisting of 2.60 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 2.60 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 3-EX as excess property and convey the 113,256 sq. ft. (2.60 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 III*

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Herman Stockinger, Secretary  
Transportation Commission of Colorado

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Date