

Resolution #TC-2021-09-04

Abandonment of SH 14C, SH 6Z, SH 6J and SH 138Z: Project #: FSA 0142-063; Location: SH 14C (Main St.), SH 6Z (4th St. Southbound), SH 6J (3rd St. Northbound) and SH 138 Z (4th St. Southbound); County: Logan

Approved by the Transportation Commission on September 16, 2021.

WHEREAS, the Department of Transportation owns portions of SH 14, SH 6 and SH 138 in the City of Sterling identified as SH 14C (Main St.), SH 6Z (4th St. Southbound), SH 6J (3rd St. Northbound) and SH 138 Z (4th St. Southbound);

WHEREAS, that portion of SH 14C (Main St.), begins at N. 5th Street and ends at N. 3rd Street, SH 6Z (4th St. Southbound), begins at SH 14C and ends at S. Division Ave., SH 6J (3rd St. Northbound), begins at Chestnut Street and ends at S. Division Ave., and SH 138Z (4th St. Southbound), begins at Broadway Street and Sydney Street and ends at Chestnut Street as shown in Exhibit A;

WHEREAS, the Colorado Revised Statute 43-2-106 (1)(a) provides that the Transportation Commission may determine that a state highway, or portion thereof, no longer functions as a State Highway, and with the agreement of each affected county or municipality, the State Highway, or portion thereof, can be abandoned to the affected county or municipality;

WHEREAS, CDOT acquired Railroad ROW from the City of Sterling involving abandoned Chicago Burlington and Quincy Railroad ROW along the S-Curve corridor via Bargain and Sale Deed recording # 741479 dated September 25, 2018 in Logan County;

WHEREAS, the City of Sterling proposed to take ownership from CDOT of SH 14C (Main St.), beginning at N. 5th Street and ending at N. 3rd Street, SH 6Z (4th St. Southbound), beginning at SH 14C and ending at S. Division Ave., SH 6J (3rd St. Northbound), beginning at Chestnut Street and ending at S. Division Ave., and SH 138Z (4th St. Southbound), beginning at Broadway Street and Sydney Street and ending at Chestnut Street;

WHEREAS, in exchange the City of Sterling with convey a portion of S. Division Avenue, beginning at SH 14 and ending at the corner of Phelps Street and 4th Street, as shown in Exhibit F to the Department of Transportation;

WHEREAS, the governing body of the City of Sterling adopted resolution No. 6-4-21 dated June 22, 2021 acknowledging the City's intent to accept the devolution of SH 14C, SH 6Z, SH 6J and SH 138Z and enter into an IGA with the Colorado Department of Transportation;

WHEREAS, the governing body of the City of Sterling shall adopt a resolution agreeing to the State's abandonment of the portion of SH 14, SH 6 and SH 138 and agreeing that said highway segments no longer serve the ongoing purposes of the State Highway system; committing the City of Sterling to assume ownership of said highway segments in the "as is" condition;

WHEREAS, within 90 days of the official notification of such abandonment by the Transportation Commission, the City of Sterling shall execute a resolution or ordinance accepting the abandoned portion of SH 14, SH 6 and SH 138 as a city street;

WHEREAS, the Parties desire to enter into an Intergovernmental Agreement (IGA) and agree upon the condition of the abandonment of said highway segment by the State and acceptance by the City of Sterling;

WHEREAS, after execution of the IGA, CDOT will execute a quitclaim deed that will include a reversion provision stating that if the property that is the subject of the quitclaim deed is not used for transportation purposes, title to such property will automatically revert back to CDOT;

WHEREAS, the City of Sterling will execute a deed conveying South Division Ave. to CDOT;

WHEREAS, Transportation Commission is authorized pursuant to 43-2-106 to make determinations regarding abandonment of State Highway(s) to affected county(ies) or municipality(ies);

WHEREAS, the Transportation Commission has determined SH 14C (Main St.), beginning at N. 5th Street and ending at N. 3rd Street, SH 6Z (4th St. Southbound), beginning at SH 14C and ending at S. Division Ave., SH 6J (3rd St. Northbound), beginning at Chestnut Street and ending at S. Division Ave., and SH 138Z (4th St. Southbound), beginning at Broadway Street and Sydney Street and ending at Chestnut Street (Exhibit A) is no longer needed for State Highway purposes and can be abandoned to the City of Sterling;

NOW THEREFORE BE IT RESOLVED, pursuant to the provisions of the CRS, Sections 43-2-106, the Transportation Commission declares SH 14C (Main St.), beginning at N. 5th Street and ending at N. 3rd Street, SH 6Z (4th St. Southbound), beginning at SH 14C and ending at S. Division Ave., SH 6J (3rd St. Northbound), beginning at Chestnut Street and ending at S. Division Ave., and SH 138Z (4th St. Southbound), beginning at Broadway Street and Sydney Street and ending at Chestnut Street, as shown in Exhibit A, eligible for abandonment.



Herman Stockinger, Secretary
Transportation Commission of Colorado

Date