

Resolution #TC-2022-04-05

Disposal: Project # PWA 5003-B; Location: Granite, CO; Parcel# 231-224-EX; County: Chaffee

Approved by the Transportation Commission on April 21, 2022.

WHEREAS, CDOT acquired 6,229 square feet (0.143 acres), Parcel 231-224-EX as part of Project # PWA 5003-B in 1938; and

WHEREAS, the Department granted the adjacent property owner a perpetual easement to build a building on Parcel 231-224-EX; and

WHEREAS, the owners of the building are attempting to sell their building and would like to acquire the property underlying the permanent easement in order to clear up title; and

WHEREAS, Region 5 has determined Parcel 231-224-EX is no longer needed for a CDOT transportation or maintenance purposes; and

WHEREAS, Parcel 231-224-EX only has value to the owner of the permanent easement; and

WHEREAS, (C.R.S) 43-1-210(5) stipulates that when a CDOT excess property only has value to one owner, that owner shall have the right of first refusal to purchase the property for fair market value; and

WHEREAS, Region 5 Right of Way Appraisal staff have determined that Parcel 231-224-EX does not have any monetary value on the open market as a result of the permanent easement; and

WHEREAS, the Department of Transportation would like to dispose of 231-224-EX to the owner of the permanent easement; and

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) Department of Transportation be given authority to declare Parcel 231-224-EX as excess property and convey the 6,229 square feet (0.143 acres) of Right of Way that is no longer needed for transportation purposes to the owner of the permanent easement granted by the document recorded in the Chaffee County Clerk and Records records at Book 231 Page 224.

Herman
Stockinger

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Herman Stockinger
Date: 2022.04.22
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Herman Stockinger, Secretary
Transportation Commission of Colorado

Date