

Resolution #TC-2022-11-03

Abandonment: SH 95 (Sheridan Blvd) MM 14.0 to 14.24 and MM 14.34 to 14.5

Approved by the Transportation Commission on November 17, 2022.

WHEREAS, CDOT owns 0.4 linear miles of highway in the City of Westminster, identified as State Highway 95 (Sheridan Blvd);

WHEREAS, that portion of SH 95 is located from the intersection of SH 95 and 88th Avenue (MM 14.0) to the south side of the US 36 Bridge (MM 14.24), and from the north side of the US 36 Bridge (MM 14.34) to MM 14.5 on SH 95;

WHEREAS, Region 1 has determined that abandoning this portion of SH 95 would be in the best interest of Colorado taxpayers;

WHEREAS, Region 1 has completed an environmental clearance (Categorical Exclusion, Form 128) as required for the devolution of state highways;

WHEREAS, Title 23 Code of Federal Regulation 620.203 allows CDOT to relinquish portions of State Highway to other governmental agencies for continued highway use;

WHEREAS, the Colorado Revised Statute 43-2-106 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, the affected county or municipality will assume ownership of the above-mentioned road in "as is" condition on the date of the transfer of ownership of this specified road segment;

WHEREAS, the governing body of the City of Westminster shall adopt a resolution agreeing to the State's abandonment of the portion of SH 95 and agreeing that said highway segment no longer serves the ongoing purposes of the State Highway system; committing the City of Westminster to assume ownership of said highway segment in the "as is" condition;

WHEREAS, the Chief Engineer, the Department of Transportation, and the Executive Director are authorized pursuant to CRS 43-2-106, to make determinations regarding abandonment of State Highway(s) to affected county(ies) or municipality(ies);

WHEREAS, the Transportation Commission concurs with the Chief Engineer that this portion of SH 265 is no longer needed for State Highway purposes;

NOW THEREFORE BE IT RESOLVED, pursuant to the provisions of the 23 CFR 620.203 and CRS 43-2-106, the Department of Transportation be given authority to declare that portion of SH 95 abandoned, as shown in Exhibit A, containing approximately 0.4 miles.

Herman
Stockinger

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Herman Stockinger
Date: 2022.11.21
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Herman Stockinger, Secretary
Transportation Commission of Colorado

Date