

Resolution #TC-2023-07-03

Disposal: Realigned portion of CR 13, Elbert County

Approved by the Transportation Commission on July 19, 2023.

WHEREAS, CDOT acquired Parcels RW-1, RW-1A, RM-1, RW-2, RM-2, and SE-1, SE-1A, and SE-2 in 2021 for Project STA 086A-56; and

WHEREAS, the subject parcels lie north of CR 13, west of the Town of Elizabeth;

WHEREAS, Parcels RW-1, RW-1A, RM-1, RW-2, RM-2, and SE-1, SE-1A, and SE-2 in have a combined square footage of 205,978.52 sq ft (4.73 acres); and

WHEREAS, the Town of Elizabeth has been maintaining the subject parcels since the completion of the realignment of CR 13;

WHEREAS, Region 4 has determined RW-1, RW-1A, RM-1, RW-2, RM-2, and SE-1, SE-1A, and SE-2 are no longer needed for CDOT transportation or maintenance purposes; and

WHEREAS, The Code of Federal Regulations 23.710.403 allows CDOT to dispose of property for less than fair market value to other governmental agencies for continued non-proprietary public use; and

WHEREAS the Town of Elizabeth would like to obtain the subject property for the continued use and maintenance of the property by the town; and

WHEREAS, CDOT would like to dispose of Parcels RW-1, RW-1A, RM-1, RW-2, RM-2, and SE-1, SE-1A, and SE-2 to the Town of Elizabeth for nominal value; and

WHEREAS, if the Town of Elizabeth ever ceases to use the property for non-proprietary public use, the property will revert to CDOT's ownership; 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 Parcels RW-1, RW-1A, RM-1, RW-2, RM-2, and SE-1, SE-1A, and SE-2 as excess property and convey 205,978.52 sq ft (4.73 acres) of property that is no longer needed for transportation purposes for nominal value.

Herman
Stockinger

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Herman Stockinger
Date: 2023.07.26
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Herman Stockinger, Secretary
Transportation Commission of Colorado

Date