

Resolution #TC-2023-04-04

Disposal: SH 103 Project # C_51-0101-03; Parcel# 78 Rev-EX

Approved by the Transportation Commission on May 25, 2023.

WHEREAS, CDOT acquired Parcel 78 in 1957 as part of Project # C_51-0101-03; and

WHEREAS, Parcel 78 Rev-EX was reduced to its current size after a disposal of a portion of the originally acquired Parcel 78 in 2020; and

WHEREAS, Parcel 78 Rev-EX consists of 19,880 sq. ft. (0.456 acres); and

WHEREAS, Region 1 has determined Parcel 78 Rev-EX is no longer needed for transportation or maintenance purposes; and

WHEREAS, Clear Creek School District owns the only property adjacent to 78-Rev-EX; and

WHEREAS, Clear Creek School District desires to acquire Parcel 78 Rev-EX for continued use of the middle school's track field, which partially encroaches on Parcel 78 Rev-EX; and

WHEREAS, the Department of Transportation would like to dispose of Parcel 78 Rev-EX Clear Creek School District for nominal value; and

WHEREAS, Code of Federal Regulations 23.710.403(e)(1) allows CDOT to dispose of Property at less than fair market value to other governmental agencies for continued nonproprietary public use; and

WHEREAS, if Clear Creek School District ever ceases to use the property for non-proprietary public purposes, 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) and 23 CFR 710.403 the Department of Transportation be given authority to declare Parcel 78 Rev-EX as excess property and convey the 19,880 sq. ft. (0.456 acres) of Right of Way that is no longer needed for transportation purposes for nominal value to Clear Creek School District.

Herman
Stockinger

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Herman Stockinger
Date: 2023.05.19
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Herman Stockinger, Secretary
Transportation Commission of Colorado

Date