

Resolution #TC-2024-01-05

Abandonment of U.S. 6 North Frontage Road; Location: Eldridge St. to Alkire St.; County: Jefferson

Approved by the Transportation Commission on January 18, 2024

Whereas, CDOT owns 0.49 linear miles of roadway in the City of Lakewood, identified as U.S. Highway 6 North Frontage Road; and

Whereas, that portion of U.S. Highway 6 North Frontage Road begins at Eldridge St. (MM 276.85 +/-) and ends at Alkire St. (MM 277.34+/-); and

Whereas, 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; and

Whereas, the Code of Federal Regulations 23.620.203(c)(3) allows CDOT to relinquish portions of unneeded frontage roads; and

Whereas, the City of Lakewood proposed to take ownership of U.S. Highway 6 North Frontage Road between Eldridge St. and Alkire St., in exchange for a payment of \$485,259 by CDOT; and

Whereas, the governing body of the City of Lakewood passed and adopted ordinance # O-2023-39 on September 25, 2023 agreeing to the State's abandonment of the portion of U.S. Highway 6 North Frontage Road and agreeing that said roadway segment no longer serves the ongoing purposes of the State Highway system; committing the City of Lakewood to assume ownership of said highway segment in the "as is" condition;

Whereas, the Transportation Commission previously determined in TC resolution TC-2023-08-03 dated August 16, 2023, that 0.49 linear miles of U.S. Highway 6 North Frontage Road beginning at Eldridge St. and ending at Alkire St. is no longer needed for State Highway purposes and could be abandoned to the City of Lakewood; and

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 Lakewood; and

Whereas, final review of the IGA determined TC-2023-08-03 incorrectly listed the end point as Alkire St. (377.34); and

Whereas, the end point of the abandoned portion of U.S. 6 North Frontage Road is located at Alkire St. (MM 277.34+/-); and

Whereas, this Transportation Commission Resolution will supersede Transportation Commission Resolution #TC-2023-08-03 dated August 16, 2023; and

Whereas, the Transportation Commission reaffirms that this portion of U.S. Highway 6 North Frontage Road beginning at Eldridge St. (MM 276.85 +/-) and ending at Alkire St. (MM 277.34+/-) is no longer needed for State Highway purposes; and

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 the 0.49 linear miles of U.S. 6 North Frontage Rd. (Eldridge St. to Alkire St.) (Exhibit A) is no longer needed for State Highway purposes and can be abandoned to the City of Lakewood; and

Whereas, after Transportation Commission reaffirms abandonment and execution of the IGA, CDOT will execute conveyance that will include a reversion provision stating that if the portion of the abandoned highway ceases to be used for the purposes of a city street, title to the abandoned state highway or portion thereof shall revert to the department of transportation; and

Now therefore be it resolved, pursuant to the provisions of the CRS 43-2-106, the Transportation Commission reaffirms Highway 6 North Frontage Road beginning at Eldridge St. (MM 276.85 +/-) and ending at Alkire St. (MM 277.34+/-) as abandoned, as shown in Exhibit A, containing approximately 0.49 total linear miles.

Herman Stockinger, Secretary
Transportation Commission of Colorado