

Resolution # TC-16-9-5

Approval of the disposal of the 4th Street Bridge Field Office in Pueblo.

Approved by the Transportation Commission on Sept. 15, 2016.

WHEREAS, CDOT acquired Parcel 13x in 2007 in Boulder County as a part of CDOT Project # BR 00961-008 for the new 4th Street bridge and realignment of SH 96;

WHEREAS, CDOT acquired 59,255 square feet of land as a total acquisition to include a residential house;

WHEREAS, the residential house was demolished as part of the project;

WHEREAS, CDOT utilized the vacant property to house construction trailers while the new 4th Street bridge and realignment of SH 96 were completed;

WHEREAS, Parcel 13x is only a portion of the original 59,255 square foot parcel purchased by CDOT in 2007;

WHEREAS, CDOT Region 2 Right of Way and Region 2 Maintenance defined the limits of parcel 13x to ensure there is enough property to complete all required maintenance operations in the area on a slope and under the bridge;

WHEREAS, Parcel 13x consists of 21,690 square feet;

WHEREAS, the Fraternal Order of Eagles would like to purchase Parcel 13x;

WHEREAS, the Department of Transportation would like to sell Parcel 13x to the adjacent property owner, the Fraternal Order of Eagles;

WHEREAS, the disposal of Parcel 13x will not affect the operation, maintenance, use or safety of CDOT's facility;

WHEREAS, the Department of Transportation, Region 2, has declared through Joshua Laipply as Chief Engineer that Parcel 13x is not needed for transportation purposes;

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;

WHEREAS, the Department has determined that Parcel 13x consisting of 21,690 sf of land is of use only to the adjacent property owner;

WHEREAS, pursuant to Colorado Revised Statutes (C.R.S) 43-1-210(5)(a)(III) when a parcel that is no longer needed for transportation purposes has value to only one adjacent owner, that owner shall have first right of refusal to purchase said property for fair market value;

WHEREAS, the Fraternal Order of Eagles desires to exercise its right of refusal to

purchase the 21,690 sf of SH 96 right of way 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 13x as excess property and dispose of the 21,690 sf of SH 96 right of way, which is no longer needed for transportation purposes for fair market value.

FURTHER, funds from the sale of the property shall be disbursed in accordance with Section 7.2.15 of the CDOT Right-of-Way Manual.

Herman F. Stockinger III

Herman Stockinger, Secretary
Transportation Commission of Colorado

9-15-16

Date of Approval