

Resolution #TC-1943

Parcel 616, Mesa County, Excess Declaration

**Approved by the Transportation Commission on:
January 20, 2011**

Project Code: 75039
Project No.: I 70-1(45) Sec 6
Location: I-70 Frontage Road
De Beque, CO
Parcel No: 616 Rev2 X

WHEREAS, the Division of Highways acquired Parcel 616 Rev2 under Colorado Department of Transportation (CDOT) Project Number I 70-1(45) Sec 6 for US 6 Right of Way in 1979;

WHEREAS, the CDOT has leased a portion of Parcel 616 Rev2 to the adjacent landowner since June 1, 2009 for use as an access drive to a gas station development;

WHEREAS, the portion of Parcel 616 Rev2 that has been leased to the adjacent landowner by the CDOT has been labeled as Parcel 616 Rev2 X;

WHEREAS, Parcel 616 Rev2 X contains 1,791 square feet, fronts Roan Creek Road (a local street, not part of the State Highway System) and has no frontage to US 6;

WHEREAS, Parcel 616 Rev2 X is too small to be developed as a stand-alone parcel by local public agencies and has value to only the abutting property owner;

WHEREAS, pursuant to 43-1-210 (5)(a)(III) K&G as the abutting property owner will have right of first refusal to purchase the property.

WHEREAS, the CDOT's, Region 3, recommends that Parcel 616 Rev2 X of the CDOT Project Number I 70-1(45) Sec 6 be declared excess Right of Way and no longer needed for highway purposes in the foreseeable future;

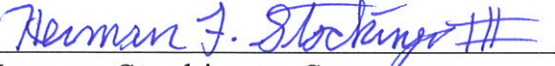
WHEREAS, the Department of Transportation, has declared through Pamela Hutton as Chief Engineer, that Parcel 616 Rev2 X is no longer needed for highway purposes in the foreseeable future;

WHEREAS, the Transportation Commission concurs with the Chief Engineer Parcel 616 Rev2 X is no longer needed for highway purposes in the foreseeable future;

NOW THEREFORE BE IT RESOLVED, that the Department of Transportation be given authority to declare Parcel 616 Rev2 X of the CDOT Project Number I

70-1(45) Sec 6 excess property, and as legally described and encompassed in Exhibit A, and contained in the official agenda, containing 1,791 square feet more or less and selling the excess right of way parcel to the abutting property owner at fair market value.

FURTHER, funds from the sale of the property shall be credited to a Title 23 eligible project in accordance with 23 CFR § 710.403.



Herman Stockinger, Secretary
Transportation Commission of Colorado