

**PROJECT #:** F005-3(26)  
**LOCATION:** SH 40 near Golden, CO  
**PARCEL #:** 21XA, 21XB, 21XC  
**COUNTY:** Jefferson

**Resolution #TC-3119**  
**Approved December 19, 2103**

**Disposal of Excess Right of Way Parcels 21XA, 21XB, 21XC**

**WHEREAS**, the Department of Transportation acquired Right of Way in 1968 in unincorporated Jefferson County, near Golden, Colorado as a part of CDOT Project #F005-3(26) for use as SH 40; and

**WHEREAS**, the abutting property owner has requested that portions of the right of way be disposed of to the owner for future development purposes; and

**WHEREAS**, there are a total of three (3) parcels of right of way requested that combined together total 2,463 square feet, more or less; and

**WHEREAS**, the right of way parcels are labeled Parcels 21XA, 21XB, and 21XC; and

**WHEREAS**, the sale of the parcels will not affect the operation, maintenance, use or safety of CDOT's facility; and

**WHEREAS**, the fair market value of parcels 21XA, 21XB, and 21XC will be established by the appraisal process outlined by Colorado revised Statute 43-1-210(5); and

**WHEREAS**, the Department of Transportation, Region 1 has declared through Timothy Harris as Chief Engineer, that the property is not needed for transportation purposes; and

**WHEREAS**, the Chief Engineer and the Department of Transportation are authorized pursuant to C.R.S. 43-1-106(8)(n); 43-1-110; 43-1-114(3) and 43-1-210(5) to make determinations regarding land to be declared excess and not needed for transportation purposes now or in the foreseeable future; and

**WHEREAS**, the Transportation Commission concurs with the Chief Engineer that this property is not needed for transportation purposes now or in the foreseeable future; and

**NOW THEREFORE BE IT RESOLVED**, pursuant to C.R.S. 43-1-106(8)(n); 43-1-110; 43-1-114(3), 43-1-210 Code of Federal Regulations and Title 23, Part 710, Section 409 (23 CFR 710.409), the Department of Transportation be given authority to declare properties described as 21XA, 21XB, and 21XC of Project # F005-3(26) be excess land.

**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.

Hermon J. Stockinger III  
Transportation Secretary

1-4-14  
Date