

Resolution #TC-3047

Declaration of Excess Property – Goose Creek

Approved by the Transportation Commission on: February 21, 2013

Project Code: None
Project No: QFCU157-1(4) Sec. 1
Location: Boulder

WHEREAS, the right of way shown and described in Exhibit A, (the Property) attached hereto, was acquired in the mid-1980s by CDOT for Project QFCU 157-1(4) and

WHEREAS, the City of Boulder has requested CDOT convey the Property to the City of Boulder for use in the federally funded Goose Creek Environmental Restoration Project; and

WHEREAS, the Department of Transportation, Region 4 has determined the Property is excess land no longer needed for transportation purposes; and

WHEREAS, Title 23, Part 710, Section 403(d)(1), allows CDOT to convey property to other governmental agencies when the Property will be used for a nonproprietary public use; and

WHEREAS, upon the Transportation Commission concurrence that the Property is longer needed for transportation purposes, Region 4 will convey the Property to the City of Boulder; and

WHEREAS; if the Property ever ceases to be used as a nonproprietary public use, the Property will revert back to CDOT ownership; and

WHEREAS, the conveyance of the Property will alleviate CDOT of future maintenance expenditures and liability associated with the Property; and

WHEREAS, the Department of Transportation, Region 4 has declared through Timothy Harris as Chief Engineer, that the Property is no longer needed for transportation purposes; and

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

WHEREAS, the Transportation Commission concurs with the Chief Engineer that the Property is no longer needed for transportation purposes; and

NOW THEREFORE BE IT RESOLVED, pursuant to 23 CFR 710.409 (d)(1)), and C.R.S. 43-1-106(8)(n); 43-1-110; 43-1-114(3) and 43-1-210 the Department of Transportation be given authority to declare the Property shown in Exhibit A, to be excess and to convey it to City of Boulder.

Herman J. Stockinger III
Herman Stockinger, Secretary
Transportation Commission of Colorado

2-28-13
Date