

Resolution #TC-3054

Declaration of Excess Property -Parcel 8A; Project # F004-1(6); Fort Collins, CO

Approved by the Transportation Commission on: March 21, 2013

WHEREAS, Parcel 8A shown in Exhibit A (the Property), was acquired in November 1948 by CDOT for Project F004-1(6) and

WHEREAS, the City of Fort Collins has requested CDOT convey the Property to the City of Fort Collins for the purposes of grading work related to the relocation of Poudre Trail; 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) of the Code of Federal Regulations, 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 Fort Collins; 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. 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 and 23 CFR 403(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 Fort Collins.

Herman F. Stockinger

Herman Stockinger, Secretary
Transportation Commission of Colorado

3-26-13

Date