

Resolution #TC-15-3-6

Approval of Relinquishment of Project#: NH 0252-299, Project Code: 1584 on I-25 at Yosemite, Willow Drive in Greenwood Village

Approved by the Transportation Commission on March 19, 2015

WHEREAS, the Department of Transportation is in ownership of Parcel 2 (a.k.a., Willow Road) and also a portion of East Caley Avenue lying east of I-25 that were created out of Department of Transportation ("CDOT") and Regional Transportation District ("RTD") properties located in the northeast quadrant of I-25 and Yosemite Drive;

WHEREAS, as part of CDOT Project NH 0252-299, Project Code 11584, (a.k.a., Transportation Expansion Project, "T-REX"), CDOT and RTD entered into an Easement and Real Property Exchange Agreement for the Arapahoe Park-N-Ride and Maintenance Facility ("Agreement") describing the property rights, required exchanges, and easements between the parties and the City of Greenwood Village ("City") at this location;

WHEREAS, the City contributed \$6,954,000 to construct the combined RTD parking facility and CDOT maintenance facility to assist in the coordinated development of City property adjacent to the facility;

WHEREAS, in Paragraph B of the Agreement, "Parcel 2 will be maintained as access to the general public for so long as Parcel 3 is operated as a park-n-Ride.";

WHEREAS, in Paragraph 6 of the Agreement, CDOT's responsibilities to provide public access to Parcel 2 shall be terminated when and if CDOT conveys Parcel 2 to the City and the City accepts the abandonment according to terms acceptable to CDOT;

WHEREAS, the City has formally requested said abandonment of Parcel 2 and the above noted portion of East Caley Avenue, to support their desire to develop the property they own adjacent to Willow Road and East Caley Avenue;

WHEREAS, the requested abandonment will alleviate all CDOT maintenance responsibility and liability for Parcel 2 and the described portion of East Caley Avenue;

WHEREAS, within 90 days of the date of execution of the Transportation Commission Resolution, CDOT will execute a quitclaim deed that will include a reversion provision stating that if the property that is the subject of the quitclaim deed is not used for transportation purposes, title to such property will automatically revert back to CDOT;

WHEREAS, the Transportation Commission is authorized pursuant to Colorado Revised Statutes (C.R.S) 43-2-106 to make determinations regarding abandonment of State Highway(s) to affected county(ies) or municipality(ies);

WHEREAS, the Transportation Commission Parcel 2 and the described portion of East Caley Avenue is not needed for State Highway purposes;

NOW THEREFORE BE IT RESOLVED, pursuant to the provisions of the CRS 43-2-106, the Department of Transportation be given authority to abandon Parcel 2 and portions of East Caley Avenue, as shown in Exhibit A.

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

4-1-15
Date