

Resolution # TC-15-9-3

Disposal of property 46-Rev2-X in Region 3

Approved by the Transportation Commission on Sept. 17, 2015

WHEREAS, CDOT acquired Parcel 46 Rev .2 right of way for the purposes of the construction of Interstate 70 and associated frontage roads as part of project I70-2(10) Unit 1;

WHEREAS, the Department of Transportation, Region 3, has determined that a portion of Parcel 46 REV. 2, containing 0.771 acres, is excess land not needed for State transportation purposes;

WHEREAS, the 0.771 acres of excess land of Parcel 46 REV. 2 is named Parcel 46 Rev. 2-X;

WHEREAS, Parcel 46 Rev. 2-X contains 0.771 acres / 33,607 square feet;

WHEREAS, the adjacent property owner has requested to acquire Parcel 46 Rev. 2-X;

WHEREAS, the disposal of the property will not affect the operation, maintenance, safety, design, construction or utility of Interstate 70 or the adjacent Interstate 70 North Frontage Road;

WHEREAS, the Department of Transportation, Region 3 has declared through Joshua Laipply as Chief Engineer, that the 33,607 sf is not needed for transportation purposes;

WHEREAS, pursuant to Colorado Revised Statutes (C.R.S) 43-1-210(5)(a)(I) The Department of Transportation is authorized, subject to approving resolution of the Transportation Commission, to dispose of any property or interest therein which is no longer needed for transportation purposes;

WHEREAS, the Department has determined that the 33,607 sf of I70 right of way is of use only to the adjacent property owner;

WHEREAS, pursuant to Colorado Revised Statutes (C.R.S) 43-1-210(5)(a)(III) when a parcel that is no longer needed for transportation purposes has value to only one adjacent owner, that owner shall have first right of refusal to purchase said property for fair market value;

WHEREAS, the adjacent property owner desires to exercise its right of refusal to purchase Parcel 42 Rev. 2-X for fair market value;

NOW THEREFORE BE IT RESOLVED, pursuant to the provisions of the C.R.S, 43-1-210(5) and 23 CFR 710.403 the Department of Transportation shall be given authority to declare Parcel 46 Rev. 2-X as excess property and dispose of the 33,607 sf of I70 right of way which is no longer needed for transportation purposes for fair market value.

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.

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

9-21-15
Date