

Resolution #TC-3203

Resolution to Approve the SH 13 RAMP Devolution to the City of Rifle, Project #C 0131-064, Project Code: 20087

Approved by the Transportation Commission on November 20, 2014

WHEREAS, The Department of Transportation owns 1.65 linear miles of Highway in the City of Rifle, Colorado identified as State Highway 13A (SH 13A) and State Highway 6D (US 6D);

WHEREAS, that portion of (1) 0.23 miles of SH 006D located from Milepost 92.00 to Milepost 92.23, and (2) 1.12 miles of SH 13A located from Milepost 0.24 to Milepost 1.36 plus the forgoing portion of SH 13A includes the SH 13A North Frontage Road located between the SH 13A Bypass and Rifle Creek. (Exhibit A);

WHEREAS, that forgoing portion of SH 13A includes only the surfaces of the bridge structure over the Colorado River (Structure No. F-05-R) and the bridge structure over the Union Pacific Railroad Tracks (Structure No. F-05-Q) (Exhibit A);

WHEREAS, Region 3 has determined that abandoning this portion of SH 13A and US 6D would be in the best interest of Colorado taxpayers;

WHEREAS, the Colorado Revised Statutes 43-2-106 (1) (a) provides that the Transportation Commission may determine that a state highway, or portion thereof, no longer functions as a state highway, and with the agreement of each affected county or municipality, the state highway, or portion thereof, can be abandoned to the affected county or municipality;

WHEREAS, the City of Rifle proposed to take ownership of (1) 0.23 miles of SH 006D located from Milepost 92.00 to Milepost 92.23, and (2) 1.12 miles of SH 13A located from Milepost 0.24 to Milepost 1.36 plus the forgoing portion of SH 13A includes the SH 13A North Frontage Road located between the SH 13A Bypass and Rifle Creek, as described in Exhibit A which are attached hereto, in exchange for a payment of \$5,600,000.00 from CDOT;

WHEREAS, \$5,600,000.00 is anticipated to be less than the amount CDOT reasonably expects to expend to maintain, preserve, or improve this section of SH 13A and US 6D over the next 20 years;

WHEREAS, the abandonment of the above referenced section of SH 13A and US 6D will be funded with Region 3 RAMP funds as approved on RAMP application 3-6;

WHEREAS, Colorado Revised Statutes (CRS) 43-2-106 (1) (b) further provides that any county or municipality receiving a payment from CDOT as a result of CRS 43-2-106 (1) (a) shall credit the payment to a special fund to be used only for transportation-related expenditures;

WHEREAS, the Parties desire to enter into an Intergovernmental Agreement (IGA) and agree upon the condition of the abandonment of said highway segment by the State and acceptance by the City of Rifle pursuant to the terms and conditions of the IGA;

WHEREAS, the governing body of the City of Rifle will adopt a resolution, agreeing to the state's abandonment of the portion of SH 13A and US 6D, agreeing that said highway segment no longer serves the ongoing purposes of the state highway system; committing the City of Rifle to assume ownership of said highway segment in the "as is" condition;

WHEREAS, within 90 days of the date of CDOT's Transportation Commission Resolution formalizing the abandonment of the above referenced portion of SH 13A and US 6D, CDOT will execute a quitclaim deed;

WHEREAS, concurrent with the execution of the quitclaim deed, CDOT will provide payment of \$5,600,000.00 to the City of Rifle, and that shall constitute the total consideration from the State to the City of Rifle related to the abandonment and transfer of the abandoned highway;

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

WHEREAS, the Transportation Commission has determined the portion of SH 13A and US 6D as shown in Exhibit A is no longer needed for the state highway purposes;

NOW THEREFORE BE IT RESOLVED, pursuant to the provisions of the C.R.S. 43-2-106, the Department of Transportation be given authority to declare that portion of SH 13A and US 6D abandoned, as shown in Exhibit A.

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

12-8-14
Date