

STATE OF COLORADO

**DEPARTMENT OF TRANSPORTATION**

**Chief Engineer**

4201 East Arkansas Avenue  
Denver, CO 80222-3400  
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**TO:** Transportation Commissioners

**PROJECT #:** STU M040-011

**FROM:** Timothy J. Harris, P.E.  
Chief Engineer

**LOCATION:** SH 121 at 58<sup>th</sup> Ave

**PARCEL #:** 17X, 9X, 16X

**COUNTY:** Jefferson

**DATE:** February 27, 2013

**SUBJECT: Transportation Commission Agenda for March 21, 2013**

**Requested Action:**

Declaration of Excess and disposal of Parcel 17X; conveyance of Parcels 9X and 16X of CDOT Project #STU M040-011

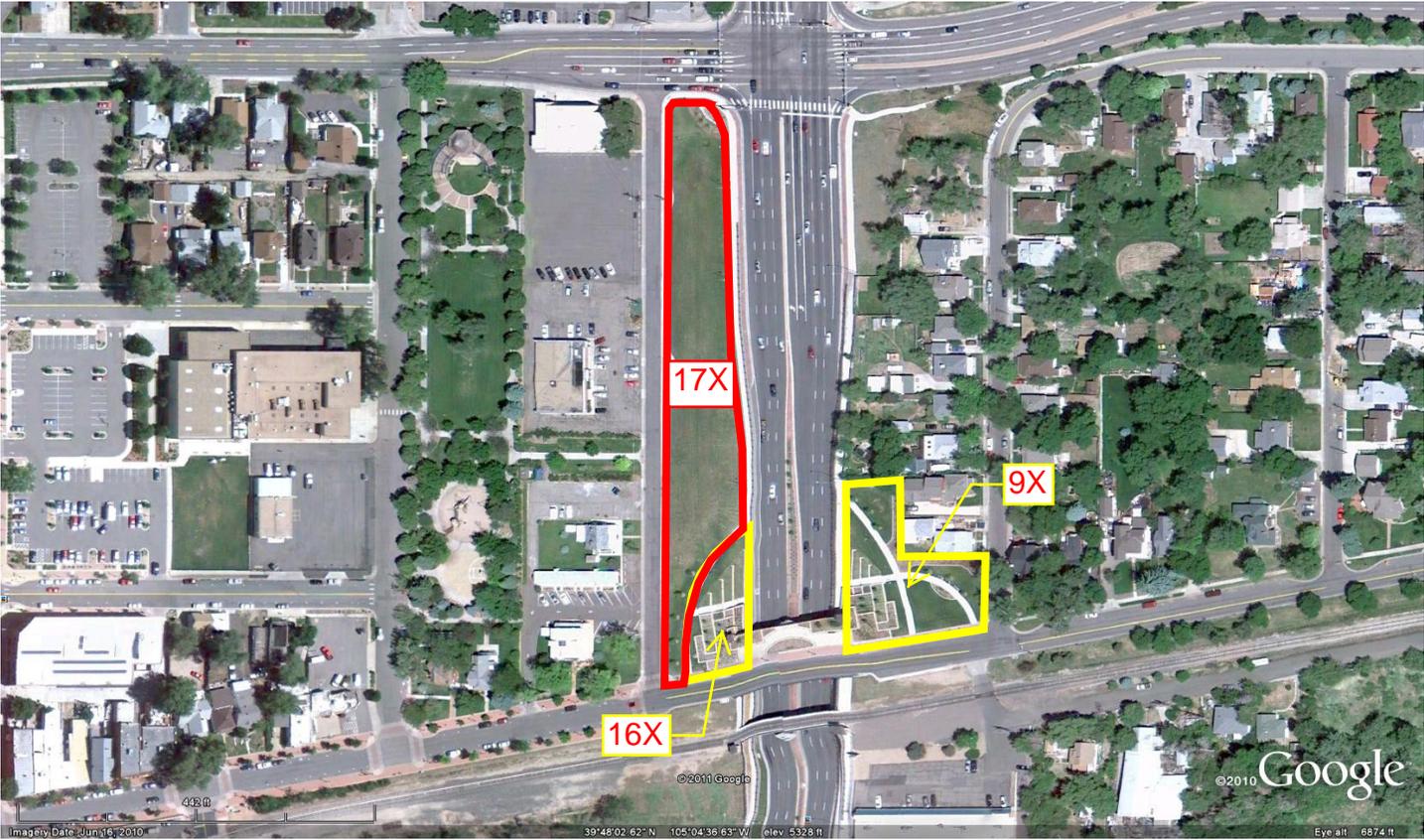
**Background:**

CDOT originally acquired Parcels 17X, 9X and 16X for CDOT Project STU M040-011, Subaccount 14811. This project was constructed to grade separate the Burlington Northern and Santa Fe Railroad tracks crossing SH 121 at Grandview Avenue. Due to the logistics of the project, it was necessary to acquire a wide swath of land to the west of SH 121 for the temporary detour of the highway. Subsequently, there is a large parcel (17X) to the west of SH 121 that no longer serves any purpose for the Department. The City of Arvada has requested to purchase this property for future development.

Upon Commission approval, the Region has also agreed to convey two other parcels (9X and 16X) to the City of Arvada for a nominal fee, with a reversion clause. These two parcels are located on either side of SH 121. Both parcels contain pedestrian plaza improvements which were constructed as part of the CDOT project. These two parcels would be conveyed under the condition that they remain in use for transportation or recreational purposes, or they would revert back to CDOT ownership.

All three subject parcels are being maintained by Arvada pursuant to the Maintenance IGA for the project. These disposals would allow Arvada to formalize its property rights to these parcels and remove any CDOT exposure to liability.

Subsequent to the passage of the excess parcel declaration, CDOT will proceed with the sale of Parcel 17X, for fair market value, and convey Parcels 9X and 16X for a nominal fee in accordance with Colorado Revised Statute 43-1-210(5). Revenue generated by the sale of the parcel will be reinvested into future CDOT projects.



17X

9X

16X

Google

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Imagery Date: Jun 16, 2010

39°48'02.62" N 105°04'36.63" W elev. 5328 ft

Eye alt 6874 ft

**COLORADO DEPARTMENT OF TRANSPORTATION  
REAL PROPERTY  
TO BE CONVEYED  
FROM**

PROJECT NUMBER: STU M040-011  
WADSWORTH BYPASS AT GRANDVIEW  
PROJECT CODE: 14811

SH-121

**FOR**

FEE SIMPLE PARCEL 17X

CITY OF ARVADA

**EXHIBIT "A"**

**PROJECT NUMBER: STU M040-011**

**FEE SIMPLE PARCEL 17X**

**Project Code: 14811**

**Date: January 8, 2013**

**DESCRIPTION**

A tract or parcel of land, being portions of the following Parcels of the Department of Transportation, State of Colorado, Project No. STU M040-011:

- Parcel 11, as described in that Special Warranty Deed recorded at Reception No. 2007003197 in the Jefferson County Clerk and Recorder's Office;
- Parcels 12 and 12A, as described in that Rule and Order recorded at Reception No. 2007062382 in said office;
- Parcel 13, as described in that Warranty Deed recorded at Reception No. 2006021963 in said office;
- Parcel 14, as described in that Warranty Deed recorded at Reception No. 2006013503 in said office;
- Parcel 15, as described in that Rule and Order recorded at Reception No. 2006120755 in said office;

And Parcel A-1 of the Department of Transportation, State of Colorado, Project No. TCSP TCSE-002, as described in that Warranty Deed recorded at Reception No. 2006013504 in said office, containing 1.218 acres (53,040 square feet), more or less, in the SE ¼ of Section 11, Township 3 South, Range 69 West of the Sixth Principal Meridian, in Jefferson County, Colorado, said tract or parcel being more particularly described as follows:

Beginning at the Northwest corner of said Parcel No. 15, being on the Southerly right-of-way line of 58<sup>th</sup> Avenue (Ralston Road) and the Easterly right-of-way line of Teller Street;

Thence along said Southerly right-of-way line the following three (3) courses:

1. N 41°39'30" E, 22.43 feet;
2. N 89°50'34" E, 26.97 feet to a point on a curve;
3. On the arc of a curve to the right, having a radius of 35.00 feet, a distance of 23.53 feet, (the chord of said curve bears S 74°48'03" E, a distance of 23.09 feet);
4. Thence S 00°40'03" E, 5.00 feet to a point on a curve;
5. Thence Southeasterly, on the arc of a curve to the right, having a radius of 35.00 feet, a distance of 32.15 feet, (the chord of said curve bears S 27°46'33" E, a distance of 31.03 feet) to the point of tangency;
6. Thence S 01°27'50" E, 239.23 feet;
7. Thence S 05°41'57" E, 128.63 feet;
8. Thence S 01°27'50" E, 121.26 feet to a point on a curve;

9. Thence on the arc of a curve to the left, having a radius of 181.35 feet, a distance of 208.64 feet, (the chord of said curve bears S 21°55'57" W, a distance of 197.32 feet), to the point of tangency;
10. Thence S 11°01'38" E, 8.37 feet;
11. Thence S 79°50'49" W, 17.49 feet;
12. Thence N 71°56'51" W, 9.48 feet to the Easterly right-of-way line of Teller Street;
13. Thence N 00°11'28" W along said Easterly right-of-way line, 701.45 feet to THE POINT OF BEGINNING,

The above described parcel contains 53,040 square feet, (1.218 acres) more or less.

Basis of Bearings: All bearings are Grid bearings of the Colorado coordinate system of 1983, Central Zone. The line between CDOT Metro Net densification point "TIME", a 3-1/4" aluminum cap in a monument box at 4250 Wadsworth Boulevard, and CHARN point BM-37", a 3" brass cap set in concrete on the easterly side of Willis Case Golf Course, bears N68°02'37"E.

Prepared for and on behalf of the  
Colorado Department of Transportation  
By Micheal L. Bouchard, PLS #24941  
Farnsworth Group, Inc.  
4755 Forge Road - Suit 150  
Colorado Springs, CO 80907

**COLORADO DEPARTMENT OF TRANSPORTATION  
REAL PROPERTY  
TO BE CONVEYED  
FROM**

PROJECT NUMBER: STU M040-011  
WADSWORTH BYPASS AT GRANDVIEW  
PROJECT CODE: 14811

SH-121

**FOR**

DEED RESTRICTED PARCEL NO. 9X

CITY OF ARVADA

**EXHIBIT "A"**

**PROJECT NUMBER: STU M040-011**  
**DEED RESTRICTED PARCEL NO. 9X**

**Project Code: 14811**  
**Date: January 8, 2013**

**DESCRIPTION**

A tract or parcel of land, being a portion of Parcel No. 9 of the Department of Transportation, State of Colorado, Project No. STU M040-011, as described in that Special Warranty Deed recorded at Reception No. 2006098559 in the Jefferson County Clerk and Recorder's Office, containing 0.537 acres (23,376 square feet), more or less, in the SE ¼ of Section 11, Township 3 South, Range 69 West of the Sixth Principal Meridian, in Jefferson County, Colorado, said tract or parcel being more particularly described as follows:

Beginning at the Southeast corner of said Parcel No. 9, also being the intersection of the Westerly right-of-way line of Saulsbury Street and the Northerly right-of-way of Grandview Avenue;

Thence along the Southerly line of said Parcel No. 9 and said Northerly right-of-way line, the following two (2) courses:

1. S 76°30'02" W, 53.04 feet;
2. S 79°51'15" W, 118.20 feet;
  
3. Thence N 00°18'30" E, 65.36 feet;
4. Thence N 79°50'49" E, 8.13 feet;
5. Thence N 10°08'46" W, 8.25 feet;
6. Thence S 79°50'49" W, 12.45 feet;
7. Thence N 00°18'30" E, 140.24 feet to the Northerly line of said Parcel No. 9;
8. Thence N 89°46'24" E along said Northerly line, 69.93 feet to the Westerly boundary of the plat of Stocke's Addition to Arvada, recorded in Plat Book 2 at page 53 in said office;
9. Thence S 00°11'28" E along said Westerly boundary, 102.00 feet;
10. Thence N 89°46'24" E, 102.00 feet to the Westerly right-of-way line of Saulsbury Street;
11. Thence S 00°11'28" E along said Westerly right-of-way line, 78.43 feet to THE POINT OF BEGINNING,

The above described parcel contains 23,376 square feet, (0.537 acres) more or less.

Basis of Bearings: All bearings are Grid bearings of the Colorado coordinate system of 1983, Central Zone. The line between CDOT Metro Net densification point "TIME", a 3-1/4" aluminum cap in a monument box at 4250 Wadsworth Boulevard, and CHARN point BM-37", a 3" brass cap set in concrete on the easterly side of Willis Case Golf Course, bears N68°02'37"E.

Prepared for and on behalf of the  
Colorado Department of Transportation  
By Micheal L. Bouchard, PLS #24941  
Farnsworth Group, Inc.  
4755 Forge Road - Suit 150  
Colorado Springs, CO 80907

**COLORADO DEPARTMENT OF TRANSPORTATION  
REAL PROPERTY  
TO BE CONVEYED  
FROM**

PROJECT NUMBER: STU M040-011  
WADSWORTH BYPASS AT GRANDVIEW  
PROJECT CODE: 14811

SH-121

**FOR**

DEED RESTRICTED PARCEL 16X

CITY OF ARVADA

**EXHIBIT "A"**

**PROJECT NUMBER: STU M040-011**  
**DEED RESTRICTED PARCEL 16X**  
**Project Code: 14811**  
**Date: January 8, 2013**

**DESCRIPTION**

A tract or parcel of land, being a portion of Parcels No. 11 and No. 12 of the Department of Transportation, State of Colorado, Project No. STU M040-011, as described in that Special Warranty Deed recorded at Reception No. 2007003197 in the Jefferson County Clerk and Recorder's Office and in that Rule and Order recorded at Reception No. 2007062382 in said office, containing 0.246 acres (10,738 square feet), more or less, in the SE ¼ of Section 11, Township 3 South, Range 69 West of the Sixth Principal Meridian, in Jefferson County, Colorado, said tract or parcel being more particularly described as follows:

Beginning at the Southeast corner of said Parcel No. 11, also being the intersection of the Westerly right-of-way line of State Highway No. 121 (Wadsworth Bypass) and the Northerly right-of-way line of Grandview Avenue;

1. Thence S 79°51'15" W along the Southerly line of said Parcel No. 11 and said Northerly right-of-way line, 68.33 feet;
2. Thence N 11°01'38" W, 10.87 feet to a point of curvature;
3. Thence on the arc of a curve to the right, having a radius of 181.35 feet, a distance of 208.64 feet, (the chord of said curve bears N 21°55'57" E, a distance of 197.32 feet);
4. Thence S 01°27'50" E, 106.78 feet;
5. Thence S 79°50'49" W, 14.00 feet;
6. Thence S 10°09'11" E, 7.75 feet;
7. Thence N 79°50'49" E, 5.19 feet to said Westerly right-of-way line;
8. Thence S 00°11'28" E along said Westerly right-of-way line, 65.75 feet to THE POINT OF BEGINNING,

The above described parcel contains 10,738 square feet, (0.246 acres) more or less.

Basis of Bearings: All bearings are Grid bearings of the Colorado coordinate system of 1983, Central Zone. The line between CDOT Metro Net densification point "TIME", a 3-1/4" aluminum cap in a monument box at 4250 Wadsworth Boulevard, and CHARN point BM-37", a 3" brass cap set in concrete on the easterly side of Willis Case Golf Course, bears N68°02'37"E,.

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**PROJECT #:** STU M040-011  
**PARCEL:** 17X, 9X, 16X  
**LOCATION:** SH 121 at 58<sup>th</sup> Ave  
**COUNTY:** Jefferson

### **PROPOSED RESOLUTION**

WHEREAS, the Colorado Department of Transportation acquired right of way in 2006, under Project Number STU M040-011, for the construction of improvements to State Highway 121 (Wadsworth Boulevard); and

WHEREAS, the City of Arvada, has requested that a portion of the right of way be disposed of to the City for future development purposes; and

WHEREAS, the Department's Region 6 Office recommends that the property labeled Parcel 17X of Project STU M040-011 be declared excess right of way and no longer needed for transportation purposes in the foreseeable future; 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 Department of Transportation, has declared through Timothy J. Harris as Chief Engineer, that this property is no longer needed for highway purposes in the foreseeable future; and

WHEREAS, the Transportation Commission concurs with the Chief Engineer that this portion of right of way is not needed for highway purposes; and

WHEREAS, the Department also acquired Parcels 9X and 16X as part of Project Number STU M040-011; and

WHEREAS, Parcels 9X and 16X are still required for pedestrian and recreation purposes, but are currently maintained by the City of Arvada; and

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

WHEREAS, the Departments Region 6 Office has also agreed to convey Parcels 9X and 16X of the above referenced Project for nominal value upon commission approval; 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 Departments Region 6 Office has also agreed to convey Parcels 9X and 16X of the above referenced Project for nominal value upon commission approval;

NOW THEREFORE BE IT RESOLVED, that the Department of Transportation be given authority to dispose of Parcel 17X and convey Parcel 9X and 16X of Project STU M040-011 as shown on Exhibit A, and contained in the official agenda, to the City of Arvada. Parcel 17X will be sold for fair market value. Parcels 9X and 16X will be conveyed for a nominal fee.

FURTHER, 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.