

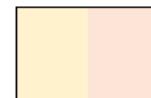
Post-Amerco Real Property Settlements - Transportation Commission Tracking - May 17, 2018

Settlement Affirmations

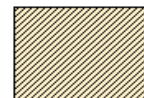
Region 2 - Settlement Affirmations

Transportation Commission District	Project Name	Project #	Project Code	Parcel #	Property Owner(s)	Chief Engineer's Cost Estimate (CECE)	Fair Market Value (FMV)	Date of Fair Market Value (FMV)	Settlement Amount	TC Acquisition Resolution Number (If Applicable)
10	SH 96 Bridge Structure K-17-F	FBR 096A-047	21011	TE-1	Ranch Land Development, LLC	\$310.00	\$260.00	December 19, 2017	\$260.00	TC-17-11-5
				TE-2	Joseph M. Mikula & Eloise A. Wenzel	\$200.00	\$200.00	December 19, 2017	\$200.00	
10	US 50-C overlay (4th to Baxter)	STA 050A-028	20751	TE-1	Pueblo County	\$200.00	\$200.00	November 17, 2017	\$700.00	TC-17-10-9
				TE-2	Urban Renewal Authority of Pueblo	\$200.00	\$200.00	November 17, 2017	\$700.00	
				RW-3, TE-3	Judith H. Patti	\$700.00	\$500.00	November 17, 2017	\$1,000.00	
				TE-4	Santa Fe 250, LLC	\$200.00	\$200.00	November 17, 2017	\$700.00	
				TE-10	Raymond Orcutt	\$200.00	\$200.00	November 17, 2017	\$700.00	
				TE-11	Pueblo Santa Fe Retail, LP	\$200.00	\$200.00	November 17, 2017	\$700.00	
				RW-13	SS Multi-Tenant, LLC	\$500.00	\$680.00	November 17, 2017	\$1,180.00	
				RW-14, TE-14	Blende Dollar, LLC	\$700.00	\$500.00	November 17, 2017	\$1,000.00	
				TE-15	Charlotte M. & John J. Cernac	\$200.00	\$200.00	November 17, 2017	\$700.00	
				RW-16, TE-16	Alan Bickel	\$700.00	\$500.00	November 17, 2017	\$1,000.00	
				TE-17	FJF LLC	\$200.00	\$200.00	November 17, 2017	\$700.00	
				TE-18	Joan R. Javornik	\$200.00	\$200.00	November 17, 2017	\$700.00	
				TE-19	Elaine S. De Luca/Floyd J. De Luca/Diana Armstrong Life Estate	\$200.00	\$200.00	November 17, 2017	\$700.00	
				TE-20	Epifanio M. Martinez, Jr.	\$200.00	\$200.00	November 17, 2017	\$700.00	
				TE-21	Jose Espana & Gloria Perez	\$200.00	\$200.00	November 17, 2017	\$700.00	
				TE-22	Phil S. Prutch	\$200.00	\$200.00	November 17, 2017	\$700.00	
				TE-23	Phil S. Prutch	\$200.00	\$200.00	November 17, 2017	\$700.00	
				TE-24	Heather P. Firestone	\$200.00	\$200.00	November 17, 2017	\$700.00	
				TE-25	John R. Purdy & Julia V. Zane	\$200.00	\$200.00	November 17, 2017	\$700.00	
				PE-26, PE-28	Sandra Springfield, Richard L. Springfield / Loaf 'N Jug	\$4,670.00	\$8,050.00	November 17, 2017	\$11,275.00	
PE-29	2648 Santa Fe Drive, LLC	\$2,810.00	\$4,250.00	November 17, 2017	\$4,750.00					
TE-30	Richard D. & Lisa A. Williams	\$200.00	\$200.00	November 17, 2017	\$700.00					
TE-31	Paul & Katie Cordova	\$200.00	\$200.00	November 17, 2017	\$700.00					
10	Walsenburg Pedestrian Improvements SH 160	STR M331-007	20790	TE-1	O'Reilly Auto	\$370.00	\$370.00	November 7, 2017	\$870.00	TC 17-9-9
				TE-2	Margaret & E R Ted Cordova	\$200.00	\$200.00	November 1, 2017	\$700.00	
				TE-3	Karl Supancic & Carol Spagnola	\$200.00	\$390.00	November 7, 2017	\$890.00	
				TE-4	The Huerfano County Church Of Christ	\$200.00	\$200.00	November 7, 2017	\$700.00	
				TE-5	Tina Marie Ryman	\$200.00	\$200.00	October 26, 2017	\$700.00	
				TE-6	Alan W. Barnett & Denise G. Barnett	\$200.00	\$200.00	October 26, 2017	\$700.00	
				TE-7	Alexander Roybal	\$200.00	\$200.00	October 26, 2017	\$700.00	
				TE-8	Stephan D. Buck, III & Jean M. Buck	\$200.00	\$200.00	October 26, 2017	\$700.00	
				TE-9	Kenneth Houpt, Calvin L. Houpt & Patricia M. Houpt	\$200.00	\$200.00	October 26, 2017	\$700.00	
				TE-10, TE-10A	Rong Wen Li	\$400.00	\$260.00	November 7, 2017	\$760.00	
				TE-11	Yvette R. Vialpando & Charles J. Vialpando	\$200.00	\$200.00	October 26, 2017	\$700.00	
				TE-12	Bruce A. Roscoe & Collette J. Roscoe	\$200.00	\$200.00	November 7, 2017	\$700.00	

Acquisition Authorization Request



Continuance - No Authorization Requested



Settlement Authorization Request



Condemnation Authorization Request



Removed from Agenda



Resolution # TC-18-5-[]

R2 SH 96 Bridge Structure K-17-F, FBR 096A-047, Project Code 21011

Affirming the property acquisitions and settlement amounts, which have been agreed to for the properties specified below.

Approved by the Transportation Commission on _____, 2018.

WHEREAS, on September 26, 2016 the Colorado Supreme Court announced its decision in *Department of Transportation v. Amerco Real Estate Company, et al.*, 2016SA75; and

WHEREAS, the *Amerco Real Estate Company* opinion held that the Transportation Commission must decide that the public interest or convenience will be served by a proposed alteration of a state highway and that the Commission's decision must be made in consideration of the portions of land of each landowner to be taken and an estimate of the damages and benefits accruing to each landowner prior to authorizing condemnation of property; and

WHEREAS, the *Amerco Real Estate Company* opinion also held that "the decision whether, and if so precisely how and for how much, to take particular property, for a particular proposed highway alteration project, clearly involves the kind of judgment and discretion that is non-delegable in the absence express statutory authorization." *Amerco Real Estate Company*, 2016SA75, ¶15; and

WHEREAS, on November 16, 2017, the Transportation Commission entered resolution TC-17-11-5 ("Resolution") upon its minutes for SH 96 Bridge Structure K-17-F Project, Project Number FBR 096A-047, Project Code 21011; and

WHEREAS, the Resolution determined that the public interest or convenience will be served by the proposed alterations to State Highway No. 96 approved acquisition of properties needed for the proposed alterations, approved the Chief Engineer's estimate of value, damages and benefits, if any, accruing to each landowner, and authorized the CDOT Chief Engineer and CDOT staff to negotiate with landowners; and

WHEREAS, CDOT staff, without initiating or conducting condemnation proceedings, successfully reached an agreement with the landowners listed below; and

WHEREAS, the Transportation Commission must now approve and ratify all final settlement amounts that did not require approval by the Regional Transportation Director and Chief Engineer, as set forth in the Right-of-Way Manual in relation to the below acquisitions and must approve the actual size of the acquisitions; and

WHEREAS, CDOT shall acquire the following properties for the amounts listed below through settlement;

Property Location	Approved Chief Engineer's Estimate of Damages and Benefits	Approved Size of Acquisition	Actual Size of Acquisition	Settlement Amount
Owner: Ranch Land Development, LLC N ½ SW ¼ and NW ¼ SE ¼ Sec. 33, T20S, R67W (Parcel TE-1)	\$260.00	60,353 sf / 1.38 acres	60,353 sf / 1.38 acres	\$260.00
Owner: Joseph M. Mikula and Eloise A. Wenzel 7689 W. SH 96, Pueblo (Parcel TE-2)	\$200.00	11,422 sf / 0.262 acres	11,422 sf / 0.262 acres	\$200.00

NOW THEREFORE BE IT RESOLVED, the Transportation Commission hereby affirms, ratifies, and makes effective as officially sanctioned actions of the Transportation Commission the final settlement amounts and acquisition size agreed to by CDOT and landowners with respect to the above listed acquisitions.

Herman Stockinger, Secretary
Transportation Commission of Colorado

Date

Resolution # TC-18-5-[]

R2 US 50-C Overlay (4th to Baxter), STA 050A-028, Project Code 20751

Affirming the property acquisitions and settlement amounts, which have been agreed to for the properties specified below.

Approved by the Transportation Commission on _____, 2018.

WHEREAS, on September 26, 2016 the Colorado Supreme Court announced its decision in *Department of Transportation v. Amerco Real Estate Company, et al.*, 2016SA75; and

WHEREAS, the *Amerco Real Estate Company* opinion held that the Transportation Commission must decide that the public interest or convenience will be served by a proposed alteration of a state highway and that the Commission's decision must be made in consideration of the portions of land of each landowner to be taken and an estimate of the damages and benefits accruing to each landowner prior to authorizing condemnation of property; and

WHEREAS, the *Amerco Real Estate Company* opinion also held that "the decision whether, and if so precisely how and for how much, to take particular property, for a particular proposed highway alteration project, clearly involves the kind of judgment and discretion that is non-delegable in the absence express statutory authorization." *Amerco Real Estate Company*, 2016SA75, ¶15; and

WHEREAS, on October 19, 2017, the Transportation Commission entered resolution TC-17-10-9 ("Resolution") upon its minutes for the US 50-C Overlay (4th to Baxter) Project; and

WHEREAS, the Resolution determined that the public interest or convenience will be served by the proposed alterations to U.S. Highway No. 50, approved acquisition of properties needed for the proposed alterations, approved the Chief Engineer's estimate of value, damages and benefits, if any, accruing to each landowner, and authorized the CDOT Chief Engineer and CDOT staff to negotiate with landowners; and

WHEREAS, CDOT staff, without initiating or conducting condemnation proceedings, successfully reached an agreement with the landowners listed below; and

WHEREAS, the Transportation Commission must now approve and ratify all final settlement amounts that did not require approval by the Regional Transportation Director and Chief Engineer, as set forth in the Right-of-Way Manual in relation to the below acquisitions and must approve the actual size of the acquisitions; and

WHEREAS, CDOT shall acquire the following properties for the amounts listed below through settlement;

Property Location	Approved Chief Engineer's Estimate of Damages and Benefits	Approved Size of Acquisition	Actual Size of Acquisition	Incentive Payment Amount	Total Settlement Amount
Owner: Pueblo County Lot 6, Block 9, Pueblo Subdivision (Parcel TE-1)	\$200.00	66 sf	66 sf	\$500.00	\$700.00
Owner: Urban Renewal Authority of Pueblo 209 S. Santa Fe Drive, Pueblo (Parcel TE-2)	\$200.00	100 sf	100 sf	\$500.00	\$700.00
Owner: Judith H. Patti 247 S. Santa Fe Drive, Pueblo (Parcel RW-3, TE-3)	\$700.00	RW-3: 4.5 sf TE-3: 51 sf	RW-3: 4.5 sf TE-3: 51 sf	\$500.00	\$1000.00
Owner: Santa Fe 250, LLC 240 S. Santa Fe Drive, Pueblo (Parcel TE-4)	\$200.00	96 sf	96 sf	\$500.00	\$700.00
Owner: Raymond Orcutt 331 Santa Fe Drive, Pueblo (Parcel TE-10)	\$200.00	50 sf	50 sf	\$500.00	\$700.00
Owner: Pueblo Santa Fe Retail, LP 1659 Santa Fe Drive, Pueblo (Parcel TE-11)	\$200.00	50 sf	50 sf	\$500.00	\$700.00
Owner: SS Multi-Tenant, LLC 1708 Santa Fe Drive, Pueblo (Parcel RW-13)	\$500.00	225 sf	225 sf	\$500.00	\$1180.00
Owner: Blende Dollar, LLC 1724 Santa Fe Drive, Pueblo (Parcel RW-14, TE-14)	\$700.00	RW-14: 125 sf TE-14: 125 sf	RW-14: 125 sf TE-14: 125 sf	\$500.00	\$1000.00
Owner: Charlotte M. and John J. Cernac 1900 Santa Fe Drive, Pueblo (Parcel TE-15)	\$200.00	100 sf	100 sf	\$500.00	\$700.00
Owner: Alan Bickel 1917 Santa Fe Drive, Pueblo (Parcels RW-16, TE-16)	\$700.00	RW-16: 13 sf TE-16: 138 sf	RW-16: 13 sf TE-16: 138 sf	\$500.00	\$1000.00
Owner: FJF, LLC 2001 Santa Fe Drive, Pueblo (Parcel TE-17)	\$200.00	30 sf	30 sf	\$500.00	\$700.00
Owner: Joan R. Javornik 2000 Santa Fe Drive, Pueblo (Parcel TE-18)	\$200.00	100 sf	100 sf	\$500.00	\$700.00
Owner: Elaine S. De Luca, Floyd J. De Luca, Diana Armstrong Life Estate 2020 Santa Fe Drive, Pueblo (Parcel TE-19)	\$200.00	100 sf	100 sf	\$500.00	\$700.00
Owner: Epifanio M. Martinez, Jr. 2021 Santa Fe Drive, Pueblo (Parcel TE-20)	\$200.00	51 sf	51 sf	\$500.00	\$700.00
Owner: Jose Espana and Gloria Perez 2103 Santa Fe Drive, Pueblo (Parcel TE-21)	\$200.00	75 sf	75 sf	\$500.00	\$700.00

Property Location	Approved Chief Engineer's Estimate of Damages and Benefits	Approved Size of Acquisition	Actual Size of Acquisition	Incentive Payment Amount	Total Settlement Amount
Owner: Phil S. Prutch 1033 Gunnison Street, Pueblo (Parcel TE-22)	\$200.00	30 sf	30 sf	\$500.00	\$700.00
Owner: Phil S. Prutch 2203 Santa Fe Drive, Pueblo (Parcel TE-23)	\$200.00	70 sf	70 sf	\$500.00	\$700.00
Owner: Heather P. Firestone 2405 Santa Fe Drive, Pueblo (Parcel TE-24)	\$200.00	10 sf	10 sf	\$500.00	\$700.00
Owner: John R. Purdy and Julia V. Zane 2507 Santa Fe Drive, Pueblo (Parcel TE-25)	\$200.00	15 sf	15 sf	\$500.00	\$700.00
Owner: Sandra Springfield, Richard L. Springfield, Loaf 'N Jug 2610 Santa Fe Drive, Pueblo (Parcels PE-26, PE-28)	\$4,670.00	3559 sf	3559 sf	N/A	\$11,275.00
Owner: 2648 Santa Fe Drive, LLC 2648 Santa Fe Drive, Pueblo (Parcel PE-29)	\$2,810.00	1,870 sf	1,870 sf	\$500.00	\$4,750.00
Owner: Richard D. and Lisa A. Williams 2771 Santa Fe Drive, Pueblo (Parcel TE-30)	\$200.00	125 sf	125 sf	\$500.00	\$700.00
Owner: Paul and Katie Cordova 23050 E. US Hwy 50, Pueblo (Parcel TE-31)	\$200.00	16 sf	16 sf	\$500.00	\$700.00

NOW THEREFORE BE IT RESOLVED, the Transportation Commission hereby affirms, ratifies, and makes effective as officially sanctioned actions of the Transportation Commission the final settlement amounts and acquisition size agreed to by CDOT and landowners with respect to the above listed acquisitions.

Herman Stockinger, Secretary
Transportation Commission of Colorado

Date

Resolution # TC-18-5-[]

R2 Walsenburg Pedestrian Improvements SH 160, STR M331-007, Project Code 20790

Affirming the property acquisitions and settlement amounts, which have been agreed to for the properties specified below.

Approved by the Transportation Commission on _____, 2018.

WHEREAS, on September 26, 2016 the Colorado Supreme Court announced its decision in *Department of Transportation v. Amerco Real Estate Company, et al.*, 2016SA75; and

WHEREAS, the *Amerco Real Estate Company* opinion held that the Transportation Commission must decide that the public interest or convenience will be served by a proposed alteration of a state highway and that the Commission's decision must be made in consideration of the portions of land of each landowner to be taken and an estimate of the damages and benefits accruing to each landowner prior to authorizing condemnation of property; and

WHEREAS, the *Amerco Real Estate Company* opinion also held that "the decision whether, and if so precisely how and for how much, to take particular property, for a particular proposed highway alteration project, clearly involves the kind of judgment and discretion that is non-delegable in the absence express statutory authorization." *Amerco Real Estate Company*, 2016SA75, ¶15; and

WHEREAS, on September 21, 2017, the Transportation Commission entered resolution TC-17-9-9 ("Resolution") upon its minutes for Walsenburg Pedestrian Improvements SH 160 Project, Project Number STR M331-007, Project Code 20790; and

WHEREAS, the Resolution determined that the public interest or convenience will be served by the proposed alterations to U.S. Highway No. 160, approved acquisition of properties needed for the proposed alterations, approved the Chief Engineer's estimate of value, damages and benefits, if any, accruing to each landowner, and authorized the CDOT Chief Engineer and CDOT staff to negotiate with landowners; and

WHEREAS, CDOT staff, without initiating or conducting condemnation proceedings, successfully reached an agreement with the landowners listed below; and

WHEREAS, the Transportation Commission must now approve and ratify all final settlement amounts that did not require approval by the Regional Transportation Director and Chief Engineer, as set forth in the Right-of-Way Manual in relation to the below acquisitions and must approve the actual size of the acquisitions; and

WHEREAS, CDOT shall acquire the following properties for the amounts listed below through settlement;

Pr-property Location	Approved Chief Engineer's Estimate of Damages and Benefits	Approved Size of Acquisition	Actual Size of Acquisition	Incentive Payment Amount	Total Settlement Amount
Owner: O'Reilly Auto 704 W. 7 th Street, Walsenburg (Parcel TE-1)	\$370.00	573 sf	573 sf	\$500.00	\$870.00
Owner: Margaret and E R Ted Cordova 638 W. 7 th Street, Walsenburg (Parcel TE-2)	\$200.00	238 sf	238 sf	\$500.00	\$700.00
Owner: Karl Supancic and Carol Spagnola 600 W. 7 th Street, Walsenburg (Parcel TE-3)	\$200.00	600 sf	600 sf	\$500.00	\$890.00
Owner: The Huerfano County Church of Christ 416 Walsen Ave., Walsenburg (Parcel TE-4)	\$200.00	750 sf	750 sf	\$500.00	\$700.00
Owner: Tina Marie Ryman 501 & 501 ½ Walsen Ave, Walsenburg (Parcel TE-5)	\$200.00	75 sf	75 sf	\$500.00	\$700.00
Owner: Alan W. Barnett and Denise G. Barnett 502 Walsen Ave., Walsenburg (Parcel TE-6)	\$200.00	250 sf	250 sf	\$500.00	\$700.00
Owner: Alexander Roybal 506 Walsen Ave., Walsenburg (Parcel TE-7)	\$200.00	250 sf	250 sf	\$500.00	\$700.00
Owner: Stephan D. Buck, III and Jean M. Buck 510 Walsen Ave., Walsenburg (Parcel TE-8)	\$200.00	295 sf	295 sf	\$500.00	\$700.00
Owner: Kenneth Houpt, Calvin L. Houpt and Patricia M. Houpt 512 Walsen Ave., Walsenburg (Parcel TE-9)	\$200.00	233 sf	233 sf	\$500.00	\$700.00
Owner: Rong Wen Lei 516 & 520 Walsen Ave, Walsenburg (Parcels TE-10, TE-10A)	\$400.00	563 sf	563 sf	\$500.00	\$760.00
Owner: Yvette R. Vialpando and Charles J. Vialpando 608 Walsen Ave., Walsenburg (Parcel TE-11)	\$200.00	403 sf	403 sf	\$500.00	\$700.00
Owner: Bruce A. Roscoe and Collette J Roscoe. 701 Walsen Ave., Walsenburg (Parcel TE-12)	\$200.00	300 sf	300 sf	\$500.00	\$700.00

NOW THEREFORE BE IT RESOLVED, the Transportation Commission hereby affirms, ratifies, and makes effective as officially sanctioned actions of the Transportation Commission the final settlement amounts and acquisition size agreed to by CDOT and landowners with respect to the above listed acquisitions.

Herman Stockinger, Secretary
Transportation Commission of Colorado

Date