

Right of Way Manual

Chapter 7: Property Management

Policies, Procedures and Information

Colorado Department of Transportation

April 2026

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SECTION 7.1 - GENERAL INFORMATION

7.1.1 - ACRONYMS COMMON TO THE ROW (ROW) MANUAL AND CDOT

ACM	Asbestos Containing Materials
BLM	Bureau of Land Management (Department of Interior)
BPR	Bureau of Public Records (Predecessor to Federal Highway Administration)
BuRec	United States Bureau of Reclamation (Department of Interior)
CAD	Computer Aided Drafting
CDPHE	Colorado Department of Public Health and Environment
CDOT	Colorado Department of Transportation
CFR	Code of Federal Regulations
CHARN	Colorado High Accuracy Reference Network
CJI	Colorado Jury Instructions, Civil 2025
CPA	Certified Public Accountant
CPW	Colorado Division of Parks and Wildlife (Colorado Department of Natural Resources)
C.R.S. §	Colorado Revised Statutes
DORA	Colorado Department of Regulatory Agencies
EA	Environmental Assessment
EEO	Equal Employment Opportunity
EIS	Environmental Impact Statement
EPA	Environmental Protection Agency
EPS	Extended Purchasing System
ESA	Environmental Site Assessment
FEIN	Federal Employer Identification Number
FEMA	Federal Emergency Management Agency (U.S. Department of Homeland Security)
FHA	Federal Housing Administration (U.S. Department of Housing and Urban Development)
FHWA	Federal Highway Administration
FIR	Field Inspection Review
FIRREA	Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (a federal law enacted in the wake of the savings and loan crisis of the 1980s)
FLPMA	Federal Land Policy and Management Act of 1976, 43 U.S.C.A. § 1701, <i>et seq.</i> (Public Law 94-579 94 th)
FLTC	Federal Land Transfer Coordinator
FMV	Fair Market Value
FONSI	Finding of No Significant Impact
FOR	Final Office Review
FS	Feasibility Study
GLO	General Land Office (U.S. Department of Interior, Bureau of Land Management)
GPS	Global Positioning System
HB	House Bill
HBU	Highest and Best Use

HED	Highway Easement Deed
HRL	Housing of Last Resort
HUD	United States Office of Housing and Urban Development
IGA	Intergovernmental Agreement
ISA	Initial Site Assessment
LOC	Letter of Consent
LOI	Letter of Information (Appraisal)
LPA	Local Public Agency
LSCD	Land Survey Control Diagram
MAP-21	Moving Ahead for Progress in the 21 st Century, P.L. 112-141
MESA	Modified Environmental Site Assessment
MIDP	Mortgage Interest Differential Payment
MOA	Memorandum of Agreement
MOO	Memorandum of Ownership
MOU	Memorandum of Understanding
NEPA	National Environmental Policy Act
NGS	National Geodetic Survey (National Oceanic and Atmospheric Administration - NOAA)
NHS	National Highway System
NRHP	National Register of Historic Places (National Parks Service, U.S. Department of the Interior)
NSRS	National Spatial Reference System (National Oceanic & Atmospheric Administration - NOAA)
PBS	Primary Base Series (USGS Mapping Program)
PCD	Project Control Diagram
PL	Public Law
PLS	Public Land Surveyor (Licensed in the State of Colorado by Colo Dept of Regulatory Agencies)
PS&E	Project Specifications and Estimates
PSI	Preliminary Site Investigation
QA	Quality Assurance
QAL	Qualified Appraisers List
QC	Quality Control
QRAL	Qualified Review Appraisers List
RBM	Regulated Building Materials
REPM	Regional Environmental Project Manager
RFP	Request for Proposal
RI	Remedial Investigation
ROD	Record of Decision (U.S. Environmental Protection Agency)
ROFR	Right of First Refusal
ROW	Right of Way
ROPR	ROW Plan Review
RS	Revised Statute (Federal - first official codification of the Acts of Congress)
RTD	Regional Transportation Director

SB	Senate Bill
SOA	Stewardship and Oversight Agreement
SPCC	Spill Prevention and Countermeasure Plans
SSN	Social Security Number
STIP	Statewide Transportation Improvement Program (4-year transportation planning document required by FHWA)
STURRA	Surface Transportation and Uniform Relocation Assistance Act of 1987
SUP	Special Use Permit
TC	Transportation Commission
TE	Transportation Enhancement (Moving Ahead for Progress in the 21 st Century Act (Map-21) replaced the TE Activities with the Transportation Alternatives Program (TAP))
TEA 21	Transportation Equity Act for the 21 st Century (enacted June 9, 1998, as Public Law 105-178)
TMOSS	Terrain Modeling Survey System (Inroads Computer Software)
Uniform Act	Uniform Relocation Assistance and Real Property Acquisition Policies for Federal and Federally Assisted Programs (42 USC 4601 et seq)
USC	United States Code
USCIS	United States Citizenship and Immigration Services (Homeland Security)
USDOT	United States Department of Transportation
USFS	United States Forest Service
USGS	United States Geological Survey
USPAP	Uniform Standards of Professional Appraisal Practice

7.1.2 - DEFINITIONS

Abandonment: When a portion of a State Highway is relocated and, because of the relocation, a portion of the route as it existed before the relocation is, in the opinion of the TC, no longer necessary as a state highway, the portion shall be considered as abandoned in accordance with C.R.S. § 43-2-106.

Access Rights: The right of ingress and egress from a property that abuts a State Highway.

Access Control Line: The condition in which the right of Owners or Lessees of land abutting or adjacent to a State Highway is controlled by CDOT.

Access Control Line Modification Documents: Legal documents that allow CDOT to Designate, Release, or Amend and Restate an Access Control Line.

Access Control Line Crossing License: Temporary and permanent crossing of Access Control Line for a limited purpose. Access Control Line Crossing Licenses do not modify the Access Control Line.

Annexation: The legal process by which a city or town expands its jurisdiction to include additional territory.

Asset Record: The official financial record of Real Property for accounting and insurance purposes.

Buildings: CDOT offices, maintenance vehicle storage facilities, traffic buildings, employee housing, storage buildings, salt/sand storage buildings, bus maintenance facilities, bus shelters, or other structures located on Real Property.

Conveyance: Written transfer of title of Real Property.

Department or CDOT: The transportation department to which Title 23 U.S.C. funds are apportioned.

Devolution: See Relinquishment.

Disposal: The sale of Real Property when no longer needed for Department use in accordance with 23 C.F.R. § 710.409 and C.R.S. § 43-1-210.

Easement: An interest in Real Property that conveys a right to use a portion of an Owner's property or a portion of an Owner's rights in the property either temporarily or permanently.

Excess General Ledger Property: General Ledger Property that is no longer needed for Department use. An approving resolution from the TC must be issued before General Ledger Property can be declared as Excess General Ledger Property.

Excess Project Property: Project Property that in the opinion of the Chief Engineer is no longer needed for transportation purposes. Funds from the sale of Excess Project Property must be credited to another project eligible for funding under Title 23 U.S.C. An approving resolution from the TC must be issued before Project Property can be declared as Excess Project Property. The number of the excess parcel shall be the same as the number of the parcel originally purchased followed by the letter "EX".

Exchange: The transferring of Real Property, including improvements, water rights, land, or interests in land or water rights, by CDOT to another Owner in consideration for the transfer to CDOT of other Real Property, including improvements, water rights, land, or interest in land or water rights, cash, or services or other consideration thereof, except that any cash or services received may not exceed fifty percent of the total value of the consideration. A transaction otherwise qualifying as an Exchange shall not be deemed a sale merely because dollar values have been assigned to any Real Property, including improvements, water rights, land, or interests in land or water rights, for the purpose of ensuring that CDOT will receive adequate compensation.

Fair Market Value: For Real Property Disposals and leases, fair market value may represent either: (1) the amount of the approved appraisal or value finding, (2) the negotiated price, or (3) the highest bid received at a public sale.

Fringe and Transportation Corridor Parking Facilities: A publicly owned parking facility located within or proximate to Project Property that FHWA has determined will improve the traffic capacity for the movement of people on the State Highway system. Includes access roads, Buildings, structures, equipment, improvements, and interests in lands.

General Ledger Property: Property acquired for the use of Buildings either with funds budgeted through the TC or converted Project Property where the federal pro rata share has been credited back to FHWA.

Interstate: Interstate refers to a State Highway with the letter “I” before its designated National Highway System number.

Landscaping: Permanent alteration of Project Property including minor grading and installation of drought tolerant grass, trees, bushes, low-lying flowers, crushed rock, mulch, and/or above ground, temporary irrigation systems required to establish permitted plantings.

Lessee: Tenant who makes regular payments to occupy Real Property owned by Lessor.

Lessor: Owner of Real Property that is leased to Lessee.

Owner: Any individual, family, partnership, corporation or association who holds title to property not owned by the Department.

Political Subdivision of the State: Any government agency, city or town, or county located within the boundaries of the property, including any special district as defined by C.R.S. § 32-1-103.

Property Description: a precise, detailed description and illustration, identifying the exact boundaries and size of specific Real Property or interest in Real Property, written by and bearing the seal and signature of a Professional Land Surveyor licensed in the State of Colorado, completed in compliance with Chapter 2 of the ROW Manual.

Project Property: All property acquired as State Highway ROW, which lies inside of the ROW lines of the original project, Uneconomic Remnant property, or property abandoned or otherwise transferred to a Political Subdivision of the State for roadway, greenbelt, sanitary, or other purposes that have reverted to CDOT. Includes Rest Areas, port of entry sites, park-n-ride sites, and maintenance sites that were acquired as State Highway ROW.

Property Management Program: The Program within CDOT that conducts real estate activities, environmental/hazardous materials activities, architectural design, asset management and construction on Real Property.

RBM Inventory: Fluorescent lights and ballasts, certain luminous exit signs, mercury containing switches or equipment, lead and other heavy metal containing electronic equipment, batteries, paints, petroleum products, and other stored chemicals.

Real Property: General term used to define any Department interest in land and any improvements thereto, including fee and less-than-fee interests such as: Project Property, General Ledger Property, Excess Project Property, and Excess General Ledger Property and Real Property Interests such as Easements, air rights, and Mineral Rights and other contractual rights to acquire an interest in land, rights to control use or development, leases, and licenses. The terms “real property” and “real property interest” are synonymous unless otherwise specified.

Real Property Inventory: Official record of Real Property.

Real Property Viewer: Comprehensive GIS database that is the authoritative source for all Real Property Inventory that CDOT owns or has ever owned.

Relinquishment: The conveyance of a portion of a State Highway ROW or facility by the Department to another government agency for highway use (See 23 C.F.R. § 620.203).

Rest Areas: Areas located on Real Property that could be adjacent to but is separated from a State Highway with parking spaces provided for travelers to stop and rest for short periods of time. They may include drinking water, restrooms, tables, benches, informational displays, and other facilities for travelers.

Right of First Refusal (ROFR): the right of first refusal process is detailed in C.R.S. § 43-1-210(5)(a).

ROW Plans: Detailed plans prepared by CDOT Regions, and consulting Engineering, Land Surveying companies in compliance with Chapter 2 of the ROW manual.

State Highway: A road or route that is built, maintained, and managed by CDOT.

Uneconomic Remnant: Whenever a part of a parcel of land is to be taken for State Highway purposes and the remnant is to be left in such shape or condition as to be of little value to its Owner or to give rise to claims or litigation concerning severance or other damage, the Department may acquire by purchase or condemnation the whole parcel; except that the Owner of said parcel may, at their option, retain the mineral or gravel interests therein, subject to the right to subsurface support retained by the Department pursuant to C.R.S. § 43-1-209. The Owner who retains said mineral or gravel interests shall not disturb the surface of the acquired parcel. The Department may Dispose or Lease the remnant of said parcel or may Exchange the same for other Real Property needed for State Highway purposes.

Waiver Valuation: The valuation process used and the product produced when the Department determines that an appraisal is not required, pursuant to 49 C.F.R. § 24.102(c)(2) appraisal waiver provisions. Waiver valuations are not appraisals as defined by the Uniform Act and this part. Waiver Valuation thresholds are defined by C.R.S. § 43-1-210.

7.1.3 - PURPOSE

The purpose of this Chapter is to establish uniform procedures for each of the Property Management Program activities and their implementation to ensure an effective and compliant Program, in accordance with 23 C.F.R. § 710.401 Real Property Management.

7.1.4 - REGULATORY REFERENCES

C.R.S. § 24-30-202 Accounts and Control, Procedures - vouchers, warrants, and checks - rules - penalties - definitions - repeal
C.R.S. § 24-30-1505 Risk Management, Powers of the Executive Director
C.R.S. §§ 29-27-401 through 29-27-404 Competition in Utility and Entertainment Services, Permit Approval - Process and Deadline
C.R.S. §§ 31-12-101 through 31-12-123 Municipal Annexation Act of 1965
C.R.S. § 32-1-103 Special District Provisions - Definitions
C.R.S. §§ 34-60-101 through 34-60-144 Energy and Carbon Management
C.R.S. § 43-1-111 Chief Engineer to Acquire Property
C.R.S. § 43-1-114 Highway Maintenance Division - Creation
C.R.S. § 43-1-208 The Highway Law, State Highway - Damages - Eminent Domain
C.R.S. § 43-1-209 The Highway Law, Subsurface Support Deemed Acquired

C.R.S. § 43-1-210 The Highway Law, Acquisition and Disposition of Property - Department of Transportation Renovation Fund
C.R.S. § 43-1-211 The Highway Law, Department to Acquire Land - Buildings
C.R.S. § 43-1-212 The Highway Law, Departmental - Rental Agreements
C.R.S. § 43-1-1204 Public-Private Initiative Agreement - Definition
C.R.S. § 43-2-106 State, County, and City Highway Systems, Abandoned State Highways
C.R.S. § 43-2-135 State, County, and City Highway Systems, Division of Authority over Streets
C.R.S. § 43-2-147 State, County, and City Highway Systems, Access to Public Highways - Definitions
C.R.S. § 43-5-301 Highway Safety, Obstructing Highway - Penalty
23 C.F.R. §§ 620.201 through 620.203 Relinquishment of Highway Facilities
23 C.F.R. § 620.203 Relinquishment of State Highways - Procedures
23 C.F.R. § 710.105 Right of Way and Real Estate - Definitions
23 C.F.R. § 710.201 Right of Way and Real Estate - Grantee and subgrantee responsibilities
23 C.F.R. §§ 710.401 through 710.409 Real Property Management
23 C.F.R. § 810.106 Approval of fringe and transportation corridor parking facilities
24 C.F.R. § 35.80 through 35.1355 Lead-Based Paint Poisoning Prevention in Certain Residential Structures
40 C.F.R. § 745.61 through 745.339 Lead-Based Paint Poisoning Prevention in Certain Residential Structures
49 C.F.R. § 24.102 Basic acquisition policies
TC Resolution 271

7.1.5 - FHWA STEWARDSHIP AND OVERSIGHT

CDOT and FHWA have agreed in their Stewardship and Oversight Agreement on the scope of Real Property oversight and approvals that will be performed directly by FHWA and those that FHWA will assign to CDOT. The content of the most recent Stewardship and Oversight Agreement can be found in Exhibit A - Document Links. The agreement indicates which Federal-aid projects require submission of materials for FHWA review and approval. FHWA retains responsibility for any approval action not expressly assigned to CDOT in the Stewardship/Oversight Agreement.

7.1.5.1 - FHWA CONCURRENCE PROCEDURE

To obtain FHWA concurrence, when required by the Stewardship and Oversight Agreement, the Property Management Program shall deliver to the FHWA ROW Program administrator a memorandum requesting concurrence.

- The concurrence memo shall include the following:
 - The purpose of the request
 - The type of transaction (Disposal, License, etc.)
 - Confirmation that applicable federal requirements have been met.
- The following documents will be attached to the concurrence memo:
 - The draft transaction document (Lease, License, Easement, IGA, etc.) with any exhibits.

- Environmental clearance (including FHWA signature if required by the Programmatic Agreement).
 - Property Description and illustration.
 - Appraisal/Fair Market Value, if applicable.
 - Referral memo confirming review and approval by relevant CDOT staff.
 - Any other pertinent information that will assist FHWA in their decision making.
- FHWA will respond to the Property Management Program with their approval or denial in of the concurrence memo in a form selected by FHWA.

7.1.6 - CDOT AUTHORITY

C.R.S. § 43-1-210 gives the Department, through the Chief Engineer, with the approval of the TC, the authority to lease or dispose of Real Property. TC Resolution 271 has delegated approval authority solely to Chief Engineer for certain types of Real Property leases and disposals. The required approval authority for each type of transaction is defined throughout this chapter. Further, C.R.S. § 43-1-114(3) gives the Chief Engineer the authority to enter into agreements and to delegate this authority for certain agreements which may be approved directly by the Property Management Program Manager via written delegation.

7.1.7 - OTHER STATE AGENCY APPROVALS

Additional approvals may also be required to execute Real Property transactions as defined by State of Colorado Fiscal Rules (see Exhibit A - Document Links), State Statutes, CDOT Policy and Procedural Directives, and internal CDOT Policy Memos.

7.1.7.1 - INSURANCE REQUIREMENTS AND RISK MANAGEMENT APPROVAL

The State Office of Risk Management, authorized under C.R.S. § 24-30-1505, has developed standard insurance liability and indemnity clauses to limit the exposure of CDOT to property and liability losses within its standard contract templates. Office of Risk Management approval is required when the standard insurance liability or indemnity clauses are modified. Approval from the Office of Risk Management is obtained on an as requested basis and documented via written correspondence. Approval may be provided by CDOT's Office of Risk Management or if CDOT's Office of Risk Management deems it necessary it can be elevated to the State Office of Risk Management.

Insurance requirements shall be as specified within subsection 107.15 of the CDOT Standard Specification for Road and Bridge Construction 2025 or most recent edition (see Exhibit A - Document Links). FHWA shall be listed as additional insured for Interstate use agreements.

7.1.7.2 - ATTORNEY GENERAL APPROVALS

Attorney General approval is required if any standard contract templates listed in Exhibit A - Document Links, which are used by the Property Management Program for the purpose of executing the duties described in this Chapter 7 of the ROW Manual are modified. Attorney General approval is obtained by providing documentation on an as requested basis and documented via written correspondence.

7.1.8 - PROPERTY MANAGEMENT PROGRAM ORGANIZATION

Property Management Program comprises three units:

1. Real Estate/Asset Management
2. Environmental/Hazardous Materials
3. Architectural Design and Construction

Chapter 7 will define the roles and responsibilities of the Real Estate and Environmental/Hazardous Materials units and are referred to collectively throughout this Chapter as the Property Management Program. The architectural design and construction unit is delegated through the Office of the State Architect and is not governed by the Stewardship Agreement or this Chapter of the ROW Manual.

SECTION 7.2 - LEASES OF REAL PROPERTY OR BUILDINGS

The Property Management Program may lease Real Property or Buildings to Lessees when the lease does not impact the operations or functionality of the State Highway or the safety of the traveling public.

If a Political Subdivision of the State or federal government agency requests to use Real Property for a public facility, see Section 7.11 Public Facilities License.

Leases must conform to the terms of 23 C.F.R. § § 710.401 through 710.405. Whenever a lease is renewed, or there is a new lease request, the current Fair Market Value will be established for the lease. Necessary precautions must be taken to safeguard the State Highway and provide safe use of the ROW.

Real Property cannot be leased if it is required currently, or in the foreseeable future, for the safe operation and maintenance of the State Highway. Under no circumstances shall Real Property or Buildings be used for the manufacture or storage of flammable, explosive, or hazardous material, or for any other occupation deemed by CDOT or FHWA to be a hazard to State Highway or non-State Highway users.

Real Property leases shall normally have a 30-day cancellation clause; however, in cases where it is obvious CDOT will not need the ROW for some time, a longer period, not to exceed 90 days, may be guaranteed before the cancellation clause will take effect.

Clauses requiring the removal of all improvements at no cost to the FHWA or CDOT, adequate insurance in compliance with Section 7.1.7.1 to protect and hold the State and FHWA harmless, nondiscrimination, access by FHWA and CDOT for inspection, maintenance, and reconstruction of the Real Property must also be contained in the lease.

To maintain separation of duties and avoid the potential for fraud, the person who negotiates and writes a lease cannot be the same person to enter the terms of the lease into CDOT's official accounting system.

7.2.1 - ROLES AND RESPONSIBILITIES FOR LEASES OF REAL PROPERTY OR BUILDINGS

Property Management Program Responsibilities

- Confirm that all documents from the Real Estate Document Processing Checklist are complete and accounted for (see Exhibit B) and complete all items that are the responsibility of the Property Management Program.
- Lease initiation and execution (excluding active project leases)
 - FHWA concurrence, if on Interstate ROW (see Section 7.1.5), unless otherwise specified in the SOA
 - Risk Management review, if necessary (see Section 7.1.7.1)
 - Attorney General and any other additional reviews, if necessary (see Section 7.1.7.2)
- Lease management
 - Lease accounting
 - Periodic billing

- Past due collection
- Coordinating repairs
- Lease terminations
 - Return the remaining amount of the security deposit, payable to the Lessee, sent to the Lessee with a letter listing the reasons for any funds being withheld
- Eviction proceedings
- Update and maintain the Real Property Inventory per the requirements in Section 7.13

Region Responsibilities

- Submit all required documents from the Real Estate Document Processing Checklist (see Exhibit B) to the Property Management Program.
- Encumbrances and payment to Lessor for Real Property and building leases when CDOT is the Lessee.
- Active project leasing.

Responsibilities by Either Property Management Program or Region Depending on Workload and Reason for the Lease

- Create Property Description and illustration.
- Determination of Fair Market Value:
 - The annual lease rate would normally be between 6% and 15% of the market value.
- Negotiation with Lessee/Lessor.
- Real Property or Building inspections (upon initiation and termination, or at other times as needed):
 - Confirmation that improvements have been removed by the Lessee at the Lessee's expense, unless CDOT desires to keep the improvements.
- Advertising and showing Real Property and/or Buildings to prospective Lessees when re-leasing the Real Property and/or Buildings.

7.2.2 - LEASES CDOT AS LESSOR: ACTIVE PROJECT LEASES

The following active project leases are managed by Region ROW Units and approved by the Department's Project Development ROW Services Unit during the acquisition phase of a State Highway project.

Residential Leasebacks

- CDOT will allow up to 30 days from the date of closing without charge. Only under unusual circumstances will CDOT consider leasing back to an Owner/Lessee. The Region ROW Manager must approve the leasing back to an Owner/Lessee and the file must include supportive documentation for this decision.

Business Leasebacks

- Businesses will be allowed a lease back to the Owner/Lessee until such time as the properties are needed for construction. In the case of the Owner/Lessee business, CDOT will allow up to 30 days from the date of closing before the lease payment begins.

Leases to Contractors

- If the contractor is working on a CDOT project within the active project limits, there does not need to be a lease for the use of ROW property. CDOT should verify that the contractor's contract does not include reimbursement for staging area leases.
- If the contractor is working for an LPA or wants to use ROW outside the active project limits, they need to pay a Fair Market Value lease rate.
- Under no circumstances will a contractor or a consultant be allowed to occupy improved Advance Acquisition, Excess Project Property or Remnant parcels without obtaining a lease and paying a Fair Market Value lease rate.

7.2.3 - LEASES CDOT AS LESSOR: REAL PROPERTY LEASES (EXCLUDING ACTIVE PROJECT LEASES)

The Property Management Program may lease Real Property that is not required presently, or in the foreseeable future, for the safe and proper operation and maintenance of the State Highway.

All Real Property leases shall be executed using either CDOT's real property vacant land, state owned property, or interagency lease agreement templates (see Exhibit A - Document Links) and shall have an initial term of five years. If the Region and the Property Management Program agree there is justification for a longer lease term, a rate increase must be included after a maximum of five years. Real Property being leased for nominal value in accordance with 23 C.F.R. § 710.403(e) can have a term of up to 50 years.

Real Property lease provides for the first month's lease amount together with a security deposit when appropriate. The unearned portion of any prepaid Real Property lease shall be refunded upon cancellation of the lease agreement; provided all charges are paid as required in the lease agreement and appropriate notification is provided.

At the end of the term of each Real Property lease, the Property Management Program will consult with the Region regarding its renewal. Any changes in the terms and conditions of the Real Property lease shall be evaluated to determine if a change in the Fair Market Value lease rate is needed.

7.2.3.1 - MINERAL RIGHTS LEASES

C.R.S. § 43-1-208 authorizes CDOT to acquire fee simple title to Real Property for State Highway improvement projects. SB 08-41 amended C.R.S. § 43-1-208, in 2008 with the following language, "Notwithstanding any other provision of this section, the commission may not acquire through condemnation any interest in oil, natural gas, or other mineral resources beneath land acquired as authorized by this section except to the extent required for

subsurface support.” Subsequent to the passage of SB 08-41, CDOT has not acquired mineral rights on any property unless the Owner selling the Real Property specifically requests CDOT to acquire them.

CDOT will consider all lease requests, but the potential lease cannot interfere with CDOT’s use for State Highway purposes or for reasons of safety, welfare, and convenience of the public, and in accordance with C.R.S. § 43-1-209, no lease shall impair, damage or harm the rights to the subsurface support acquired by the Department.

Requests to lease mineral rights must be in writing and include a legal description, a copy of the vesting deed that shows CDOT’s fee simple ownership of the Real Property to be leased that includes reference to the State Highway project and parcel number, and a per acre lease bonus payment.

All mineral rights leases shall be executed using CDOT’s standard mineral rights lease template (see Exhibit A - Document Links).

Notice of Hearings, Division Orders, and Revenue Statements

C.R.S. § 34-60-101, et. seq, is the statutory basis for the State of Colorado’s regulatory framework for oil and gas development, known as the Oil and Gas Conservation Act. This Act establishes the authority and responsibilities of the Colorado Oil and Gas Conservation Commission and includes requirements and notification processes to protect owner’s rights. C.R.S. § 34-60-116 and C.R.S. § 34-60-118 specifically address requirements for oil and gas companies as they relate to notice of hearings, division orders, and revenue statements. All documents are essential for understanding the status of CDOT’s leased mineral assets.

Notice of hearings serve as a tool to alert the Department of an oil and gas company’s intent to force pool a portion of the Department’s Real Property that is not already encumbered by a CDOT mineral rights lease. Because forced pooling obligates the Department to cover a portion of future unencumbered expenses, they are a State of Colorado fiscal rule violation. It is important that the Department act on these quickly and either file a protest in compliance with C.R.S. § 34-60-116(6) (b.5) or enter into a mineral rights lease using CDOT’s standard template. Once a well is close to producing, division orders define the royalty interest of the Department and alert the Department that a well associated with the Department’s Real Property is producing or about to produce. Revenue statements are provided regularly indicating the production rate of each well. All the documents are essential for tracking the lifecycle of each lease; however, the division orders are of particular importance to CDOT because they confirm the Department’s ownership percentage for a well’s production.

The Lessee submits division orders to the Property Management Program with a cover letter from the oil and gas company including associated instructions on executing the division order.

- Division order must include the lease number and must state that CDOT has a “Royalty Interest”.
 - Division orders lacking a lease number will not be processed until the Lessee making the request can provide lease information.

- Any division order that states that CDOT has a “Non-Participating Royalty Interest” are assumed to be forced pool leases which could be a potential State of Colorado Fiscal Rule Violation.
 - Contact must be made to convert the forced pool into a CDOT lease, effectively changing CDOT status to “Royalty Interest”.
- Division orders are not signed by the Property Management Program, instead the Property Management Program uses a form letter drafted by the Attorney General’s Office called the “Division Order Supplement” that is attached and returned to the Lessee with the division order.

7.2.3.2 - TELECOMMUNICATIONS LEASES

CDOT has the authority to lease Real Property for cell towers on State Highway ROW with approval of the Chief Engineer or designee and on Interstate ROW with the approval of FHWA and the Chief Engineer or designee, unless otherwise specified in the SOA. The Property Management Program does not have the authority to execute leases for small cell installations as defined in 47 C.F.R. § 1.6002 and in C.R.S. § 29-27-401.

C.R.S. § 43-1-1204(5) provides that CDOT may enter into non-exclusive agreements with telecommunications providers whereby a telecommunication provider may use public rights-of-way in exchange for cash or a cash equivalent.

The Property Management Program has developed a standardized cell tower site lease. The rate structure for cell tower site leases is based on the county in which the site is to be constructed. The counties are divided into three categories:

1. Prime Urban
2. Urban
3. Rural

A map showing the category for each county and the associated rate for each county, can be found on Exhibit A - Document Links.

All Telecommunication leases shall be executed using CDOT’s standard master and site lease agreement templates (see Exhibit A - Document Links) and shall have an initial term of five years. The Telecommunication leases are automatically renewable for three additional five-year terms for a maximum total of 20 years. The rental rate shall increase by 4% compounded annually after the first year.

Telecommunications leases follow the same procedures as described in 7.2.1 with the following exceptions:

- Once the lease is executed by the Property Management Program, the Lessee shall submit a SUP application to the applicable CDOT Region Permits Office. The lessee shall include the executed lease as part of their application. The signed Region Utility Permit will act as the official notice to proceed.
- Prior to the renewal of an existing telecommunications lease, the Property Management Program shall confirm with each region’s ROW department to confirm that a SUP is in place.

All requests for linear installations of fiber or data lines within CDOT's ROW require consultation with the CDOT's Utilities and ITS Departments and compliance with CDOT's current Policy and Procedural Directives for guidance regarding the required compensation. The Utilities Department is responsible for collecting any appropriate administrative fees.

Installations of fiber and data lines that cross CDOT ROW in a perpendicular manner can be permitted via a SUP by the Region Permits Office. Any perpendicular installations that require surface or aerial crossings of an Access Control Line will also require a temporary Access Control Line crossing license (see Section 7.7).

7.2.3.3 - WORKFORCE HOUSING LEASES

Workforce housing leases shall follow the guidance in the Department's Policy Directive 1209 and be administered in accordance with Procedural Directive 1209.1. The current inventory and lease rates for employee housing will be maintained on the Property Management Program's website.

All Workforce housing leases shall be executed using CDOT's standard workforce housing lease agreement template (see Exhibit A - Document Links) and shall have an initial term of one year.

7.2.3.4 - FRINGE AND TRANSPORTATION CORRIDOR PARKING FACILITIES LEASES

23 U.S.C. § 137 allows Fringe and Transportation Corridor Parking Facilities to be located and designed in conjunction with State Highway projects so long as they meet the requirements of 23 C.F.R. § 810.

23 C.F.R. § 810.106 gives the Department the authority to execute Fringe and Transportation Corridor Parking Facilities leases with any person for the operation and maintenance of said facility with the approval of FHWA following the same procedures as described in 7.2.1.

CDOT will use a standard template lease agreement as the approval document for Fringe and Transportation Corridor Parking Facilities leases.

7.2.4 - REAL PROPERTY LEASES CDOT AS LESSEE

It may be in CDOT's best interest to lease property rather than buy Real Property. When this is the case, the Property Management Program will, upon request by the Region, assist in finding suitable property and negotiating the lease rate, terms and conditions, etc. for the lease.

The lease shall be executed using the gross lease agreement template (see Exhibit A - Document Links) as drafted by the Department of Personal and Administration's Office of the State Architect and must be signed by both the Department of Personal and Administration's Office of the State Architect and the State Controller, or their delegate. The use of any other lease, such as one provided by the Lessee, is strongly discouraged and must be approved by the Department of Personal and Administration's Office of the State Architect and the State Controller.

All leases must comply with the State Fiscal Rules or have a fiscal rule waiver approved by the State Controller and shall be in accordance with C.R.S. § 43-1-212.

SECTION 7.3 - DISPOSAL AND EXCHANGES OF REAL PROPERTY

7.3.1 DISPOSAL AND EXCHANGES OF REAL PROPERTY ON CLOSED PROJECTS

Disposals and Exchanges shall be in accordance with 23 C.F.R. § 710.403, 23 C.F.R. § 710.409, and C.R.S. § 43-1-210. Where C.R.S. and C.F.R. conflict, the C.F.R. shall prevail.

Disposals and Exchanges of all Real Property must:

- Be pre-approved by the Executive Director and Chief Engineer before submitting a TC agenda request to Property Management.
- Be approved by the TC via a resolution (except for Uneconomic Remnant parcels).
- Evaluated and cleared if suspected of ever having underground storage tanks, hazardous materials, or waste via an ISA or MESA with required follow up.
- Have FHWA approval, if on the Interstate, unless otherwise specified in the SOA.
- Have completed the ROFR process as required by C.R.S. § 43-1-210.
- Obtain Fair Market Value, unless exempt per 23 C.F.R. § 710.403.
 - Fair Market Value methodology shall be determined in accordance with the limits in C.R.S. § 43-1-210 and completed in accordance with Chapters 3 and 4 of the ROW Manual.
 - The exemption of the Fair Market Value requirement for Disposals of Project Property requires FHWA approval, unless otherwise specified in the SOA.
 - When disposing of Real Property for less than Fair Market value, the Conveyance must contain a reversion clause in accordance with 23 C.F.R. § 710.409.
- Have sale proceeds transferred to the Department via electronic funds transfer.

CDOT may decide to dispose of Real Property for Fair Market Value by using a broker, an auctioneer or by selling it directly to a buyer. If all attempts to dispose of Real Property for the appraised Fair Market Value fail, the Fair Market Value for Real Property can be determined to be the amount of the highest bid. In this scenario the Property Management Program will consult with the Region to determine if the Real Property should be sold to the highest bidder or if CDOT should hold on to the Real Property and try to dispose of it at another time for a higher price.

In those cases where a Building is being sold to a third party, a copy of any asbestos inspection reports should be provided to the purchaser as a matter of disclosure only. A new asbestos inspection is not required prior to the sale or lease of Real Property. Third parties that purchase a Building from CDOT and move it to another location will not receive any form of certification that the regulated asbestos has been abated. Third parties who move Buildings that were purchased from CDOT are responsible for any ACM or other RBM that are present. In the case where a Building that has been sold to a third party contains luminous (Tritium) exit signs, the Property Management Program will notify CDPHE of the change in ownership status.

Inspection and/or abatement of lead-based paint is not required prior to the Disposal or leasing of Real Property. However, EPA and HUD jointly promulgated the Requirements for

Disclosure of Known Lead-Based Paint and/or Lead-Based Paint Hazards in Housing (42 U.S.C. § 4852d, 40 C.F.R. § 745, 24 C.F.R. § 35). This Rule requires certain disclosure documentation for the Disposal or leasing of housing built prior to 1978. The relevant disclosure documents can be obtained from the Property Management Program. Any known lead-based paint should be disclosed to the purchaser of any Real Property.

All Disposal costs associated with the sale of Real Property can be passed on to the successful purchaser. This can include survey, appraisal, advertising, and closing costs where applicable. The survey, if required, must be provided prior to determining the Fair Market Value of Real Property.

From time to time the Property Management Program will have a need to dispose of non-Real Property improvements. The Property Management Program will determine the method of disposal, such as auction, demolition, removal by contractor, or other methods.

7.3.1.1 - ROLES AND RESPONSIBILITIES FOR DISPOSAL AND EXCHANGES OF REAL PROPERTY

Property Management Program Responsibilities

- Confirm that all documents from the Real Estate Document Processing Checklist are complete and accounted for (see Exhibit B) and complete all items that are the responsibility of the Property Management Program.
- Confirm Pre-approval from the Chief engineer and Executive Director has been accomplished.
- Market Real Property.
- Purchase and sale agreement negotiation and execution (when contract is required):
 - Risk Management review, if necessary (see Section 7.1.7.1)
 - Attorney General and any other additional reviews, if necessary (see Section 7.1.7.2)
- Coordinate the execution of Real Property Conveyance documents.
- Post transaction requirements:
 - Submit cash transmittal to Headquarters Accounting Program.
 - Notify Region Business Manager when the sale proceeds are moved to the Region Pool. Proceeds from the Disposal of Real Property in which Federal Aid Transportation funds were used in the project that acquired the Real Property must be credited to a Title 23 U.S.C. eligible project, which the Region may designate. (Note: 10 percent of all Project Property Disposals shall be credited to the Property Management Program’s “Disposal Project Fund” to account for the cost of appraisals, surveys and marketing for the disposal of Real Property).
- Update and maintain Real Property Inventory per the requirements noted in Section 7.13.
- Report changes or additions in the Real Property Inventory to the Headquarters Accounting Program.

Region Responsibilities

- Obtain pre-approval from the Chief Engineer and Executive Director before submitting the disposal documents to Property Management.

- Complete and submit all required documents from the Real Estate Document Processing Checklist (see Exhibit B) to the Property Management Program.
- Provide project account coding for where the sale proceeds will be deposited.

Responsibilities by either Property Management Program or Region depending on workload

- Create Property Description and illustration.
 - For Disposals initiated by CDOT:
 - CDOT creates Property Description and illustration.
 - For Disposals initiated by others:
 - CDOT requires the requester to create Property Description and illustration.
 - CDOT Review/Approve Property Description and illustration submitted by the requester.
- Appraisals/Waiver Valuations
- ROFR letters
- Real Property closings:
 - Provide buyer/title company with electronic funds transfer information.
 - Execute closing statement or complete closing with title company.
 - Provide wire confirmation report for cash transmittal process.
 - Record Conveyance documents if the Real Property is not closed using a title company.

Headquarters Accounting Program Responsibilities

- Update the Asset Record when it receives updates of the Real Property Inventory from the Property Management Program.

7.3.2 - ROLES AND RESPONSIBILITIES FOR DISPOSAL AND EXCHANGES OF REAL PROPERTY ON ACTIVE PROJECTS

Disposal and Exchanges on active projects shall be handled in the same manner as Disposals and Exchanges of Real Property on closed projects; however, the Region will work through the Department’s Project Development ROW Services program instead of the Property Management Program. TC approval is not required for exchanges on active projects.

SECTION 7.4 - ABANDONMENTS/RELINQUISHMENTS

Abandonments and Relinquishments are terms that are similar, but not exactly the same. Abandonments are defined by C.R.S. § 43-2-106. Relinquishments are defined by 23 C.F.R. § 620.203.

7.4.1 - ABANDONMENT PROCEDURE

- TC declares a section of a State Highway “no longer necessary as a State Highway.”
- Political Subdivision of the State must pass a resolution to accept the abandoned State Highway within 90 days of the TC Resolution:
 - If no Political Subdivision of the State adopts a resolution to accept the State Highway, CDOT may dispose of the abandoned portion of State Highway in accordance with C.R.S. § 43-2-106. The Disposal of the State Highway shall follow the requirements of C.R.S. § 43-1-210(5) and 23 C.F.R. § 710.403 and follow the procedures defined in Chapter 7.3.

7.4.2 - RELINQUISHMENT PROCEDURE

- Identify a Political Subdivision of the State that will adopt a section of State Highway that is no longer necessary as a State Highway.
 - Negotiate an IGA with Political Subdivision of the State that addresses the following:
 - Financials transactions, if any
 - Maintenance agreements
 - Future Obligations
 - TC declares a section of State Highway “no longer necessary as a State Highway”.
 - Political Subdivision of the State must pass a resolution to adopt the Relinquished State Highway within 90 days of the TC Resolution.
 - Conveyance via deed and payment.
- If CDOT does not find a Political Subdivision of the State willing to accept the Relinquished portion of State Highway, the TC shall consider a resolution to Dispose of the Real Property. The Disposal of the State Highway shall follow the requirements of C.R.S. § 43-1-210(5) and 23 C.F.R. § 710.403 and follow the procedures defined in Chapter 7.3.

Both procedures end with the declaration of Excess Project Property if a Political Subdivision of the State does not want to adopt the section of State Highway. The only difference between the procedures is proactively seeking a Political Subdivision of the State partner before issuing a TC resolution (Relinquishment) or passing a TC resolution and then seeking a Political Subdivision of the State to accept the section of State Highway (Abandonment). CDOT has determined that the best practice when a section of State Highway is no longer needed for State Highway is to proactively seek acknowledgment from the Political Subdivision of the State that they will accept the State Highway as a local road. Therefore, CDOT should always pass a resolution for Relinquishments rather than Abandonments.

7.4.3 - ROLES AND RESPONSIBILITIES FOR ABANDONMENTS/RELINQUISHMENTS

Region Responsibilities

- Prior to the Relinquishment:
 - Identify a Political Subdivision of the State that will accept the portion of State Highway.
 - Draft the Relinquishment IGA using the standard IGA template (see Exhibit A - Document Links) and negotiate the following with the Political Subdivision of the State that will be accepting the portion of State Highway:
 - Maintenance agreements
 - Future obligations
 - The requirement for the Department to execute a resolution declaring the Relinquishment.
 - The requirement for the Political Subdivision of the State to execute a resolution accepting the Relinquishment.
 - Payment terms, if necessary.
 - Submit all required documents from the Real Estate Document Processing Checklist (see Exhibit B) to the Property Management Program.
- After the IGA has been fully executed:
 - Provide fully the executed IGA and the required documents listed above to the Property Management Program.
- After the approving resolution of Relinquishment has been issued by the TC:
 - Ensure the Political Subdivision of the State passes a resolution to adopt the Relinquished State Highway within 90 days of the TC Resolution, per the terms of the IGA.
 - Complete transaction per terms of IGA.

Property Management Program Responsibilities

- After the IGA is executed by the Region:
 - Obtain FHWA approval, unless otherwise specified in the SOA.
 - Prepare a Relinquishment resolution for approval by the TC:
 - Use the executed IGA as an exhibit to the Relinquishment resolution indicating the Political Subdivision of the State's intent to accept the relinquished State Highway.
- Once the approving resolution of Relinquishment has been issued by the TC and the Political Subdivision of the State passes a resolution to adopt the relinquished State Highway:
 - Coordinate the execution of Real Property conveyance documents.
 - Update Real Property Inventory per requirements of Section 7.13.
 - Report changes in the Real Property Inventory to the Headquarters Accounting Program.

Headquarters Accounting Program Responsibilities

- Update the Asset Record when it receives updates of the Real Property Inventory from the Property Management Program.

SECTION 7.5 - GENERAL LEDGER PROPERTY ACQUISITIONS

CDOT may acquire General Ledger Property for the purposes described in C.R.S. § 43-1-211 in accordance with C.R.S. § 43-1-111.

The method of General Ledger Property valuations is determined by the estimated value of the property to be acquired. The methodology is determined by the valuation limits set forth in C.R.S. § 24-30-202(5)(b).

All acquisitions of General Ledger Property shall be via a purchase and sale agreement that is signed by the State Controller or delegate and shall include appropriate diligence measures and timeframes to complete evaluations for environmental concerns, constructability requirements, and complete or review ALTA Survey documents prior to closing on an acquisition of General Ledger Property.

7.5.1 - ROLES AND RESPONSIBILITIES GENERAL LEDGER PROPERTY ACQUISITIONS

Property Management Program Responsibilities

- Contract execution.
- Closing with title company.
- Transfer of funds.
- Constructability evaluation.
- Update Real Property Inventory per requirements of Section 7.13.

Region Responsibilities

- Review of appraisal or broker opinion of value.

Responsibilities by Either Property Management Program or Region Depending on Workload

- Environmental evaluations.
- Identifying the need and funding source.
- Negotiations with the property Owner.
- Appraisal
- Create or review ALTA survey and Property Description and illustration.
- Selection of title company.

SECTION 7.6 - REAL PROPERTY CONVEYANCES

7.6.1 - REAL PROPERTY DISPOSALS AND RELINQUISHMENTS

- All Conveyances of Real Property or Real Property Interests shall be transferred by appropriate instruments and shall:
 - Be without warranties of any kind.
 - Be subject to all easements.
 - May require restrictions due to historical, archaeological, or other environmental concerns.
 - Contain a reversion clause in accordance with 23 C.F.R. § 710.409 when disposing of a Real Property for less than Fair Market Value.

7.6.2 - GENERAL LEDGER PROPERTY ACQUISITIONS

- CDOT takes title as “Department of Transportation, State of Colorado”.
- CDOT’s legal address is 2829 West Howard Place, Denver, Colorado 80204.
- CDOT should make every effort to have General Ledger Property conveyed via a warranty deed, alternative Conveyances may be considered on a case-by-case basis.

SECTION 7.7 - ACCESS CONTROL MODIFICATIONS

In most instances, Access Control Lines have been designated by CDOT to exercise its police power rights to protect the health, safety and welfare of the traveling public. CDOT does not compensate the underlying fee Owner when police power is used to designate an Access Control Line. This Section is only intended to set protocol for modifications or crossings of Access Control Lines acquired with police power. In rare instances when CDOT paid fair market value for the designation or acquisition of an Access Control Line, CDOT shall follow the disposal procedures set forth in Section 7.3 of this manual to release or dispose of an Access Control Line.

In certain instances, abutting Owners may have certain Access Rights to adjacent State Highways. All decisions regarding the permitting, reconstruction, and relocation of direct access to State Highways are controlled by State law, C.R.S. §, 43-2-147, as amended, the State Highway Access Code, 2 CCR 601-1, and the State Highway Access Category Assignment Schedule.

7.7.1 - ROLES AND RESPONSIBILITIES FOR ACCESS CONTROL MODIFICATIONS

Owner Responsibilities

- Property Description and illustration:
 - Must be completed in accordance with Chapter 2 of the ROW Manual. Any new survey needs to have a survey tied to the original CDOT ROW and the project survey stationing (unless otherwise directed by the Region).

Property Management Program Responsibilities

- Confirm that all documents from the Real Estate Document Processing Checklist are complete and accounted for (see Exhibit B) and complete all items that are the responsibility of the Property Management Program.
- Draft and Execute appropriate Access Control Line Modification Document or Access Control Line Crossing License (see Exhibit A - Document Links).
 - Attorney General and any other additional reviews, if necessary (see Section 7.1.7.2)
 - Risk Management review, if necessary (see Section 7.1.7.1)
- Coordinate the execution of Access Control Line Modification Documents.
- Update and maintain Real Property Inventory per the requirements noted in Section 7.13.

Region Responsibilities

- Complete and submit all required documents from the Real Estate Document Processing Checklist (see Exhibit B) to the Property Management Program.
- Reviewing and issuing any other required approval documents including SUP or access permits.
- Record Access Control Line Modification Document with appropriate County Clerk and Recorder.

- Provide copy of recorded Access Control Line Modification Document to the Property Management Program.
- Legal description and illustration (if initiated by CDOT).

7.7.2 - ACCESS CONTROL LINE CROSSING LICENSES

All Access Control Line Crossing Licenses require a SUP from the Region Permits Office for construction activities located within the ROW.

- Temporary Access Control Line Crossings Licenses:
 - Utilities for the duration of construction, only for the physical, at grade crossings of the Access Control Lines (foot or vehicular).
 - Access Control Line Crossing licenses are not required for utility installations that are being strung or bored above or under the Access Control Lines if no at-grade crossings are required for construction.
 - Construction activities, such as grading, landscaping, etc.
- Permanent Access Control Line Crossings Licenses:
 - Bike and Pedestrian Trails

7.7.3 - ACCESS CONTROL LINE MODIFICATION DOCUMENTS

- Designation - The designation of an Access Control Line restricts physical, at-grade crossings of a legally described line.
- The following Access Control Line Modification Documents may also require a State Highway Access Permit from the Region Permits Office:
 - Release - The release of an Access Control Line removes the restriction of physical, at-grade crossings of a legally described line.
 - Amend and restate - modifies the location of a legally described line that restricts physical, at-grade crossings.

SECTION 7.8 - ROW ENCROACHMENT LICENSE

CDOT's policy does not allow encroachments within the ROW limits pursuant to C.R.S. § 43-5-301. All Encroachment Licenses shall be executed using CDOT's Encroachment License template (see Exhibit A - Document Links).

Existing encroachments may only be allowed to continue under the following criteria:

- The encroachment must have been in existence on or before January 1, 1983.
- The adjacent Owner who is encroaching must request that an encroachment license be prepared and executed which includes clauses whereby the holder agrees to save and hold CDOT harmless under all circumstances, the encroachment cannot be increased in size, and if in the future the structure that is encroaching is damaged, the encroachment will be removed and will not be allowed to be reconstructed.
- The encroachment license contains a 90-day cancellation clause, the encroachment license is not transferable without written permission by CDOT, and other terms and conditions as may be needed to protect and preserve the State Highway ROW.

7.8.1 - ROLES & RESPONSIBILITIES FOR ROW ENCROACHMENT LICENSES

Owner

- Property Description and illustration:
 - Surveys must be carried out in accordance with Chapter 2 of the ROW Manual. Any new survey needs to have a survey tied to the original CDOT ROW and the project survey stationing (unless otherwise directed by the Region).
- Purchase and maintain insurance in compliance with Section 7.1.7.1.

Property Management Program Responsibilities

- Confirm that all documents from the Real Estate Document Processing Checklist are complete and accounted for (see Exhibit B) and complete all items that are the responsibility of the Property Management Program.
- Draft and execute encroachment license:
 - Attorney General and any other additional reviews, if necessary (see Section 7.1.7.2).
 - Risk Management review, if necessary (see Section 7.1.7.1).
- Update and maintain Real Property Inventory with the recorded Encroachment License per the requirements noted in Section 7.13.

Region Responsibilities

- Complete and submit all required documents from the Real Estate Document Processing Checklist (see Exhibit B) to the Property Management Program.
- Reviewing and issuing any other required approval documents including SUP or access permits.
- Record Encroachment License with appropriate County Clerk and Recorder.
- Provide copy of recorded Encroachment License to the Property Management Program.

SECTION 7.9 - ANNEXATIONS

It is the policy of the Department to request and assist in the Annexations of Department owned Real Property when the Annexation is needed by the Department to obtain municipal services or to clear up jurisdictional questions related to municipal boundaries. Jurisdictional questions occasionally arise when a municipal boundary runs down the center of a State Highway, thus dividing responsibility for that State Highway between two or more Political Subdivisions of the State.

Further, it is generally the policy of the Department not to execute Annexation petitions prepared by Political Subdivisions of the State or Owners. The Department may, at its discretion, execute an Annexation petition of Department owned Real Property, sought by Political Subdivisions of the State or Owners other than the Department, under the following circumstances:

- To facilitate a Political Subdivision of the State in their solution of a jurisdictional question where a municipal limit does not incorporate the entire width of the State Highway ROW. In these instances, the Department may initiate a petition to have a part of the State Highway annexed to the Political Subdivision of the State.
- When all impacted Political Subdivisions of the State and Owners indicate support of the Annexation, via resolution or signed statement, respectively, the Department may execute an Annexation petition.

All Annexation requests shall be in compliance with C.R.S. §§ 31-12-101 through 31-12-123. Nothing in this policy shall be construed to prevent the Annexation of Department owned Real Property to a Political Subdivision of the State by means of an Annexation election. The Department shall neither support nor oppose an Annexation election regarding its Real Property.

7.9.1 - ROLES AND RESPONSIBILITIES FOR ANNEXATIONS

Owner

- Property Description and illustration:
 - Must be done in accordance with Chapter 2 of the ROW Manual. Any new survey needs to have a survey tied to the original CDOT ROW and the project survey stationing (unless otherwise directed by the Region).

Property Management Program Responsibilities

- Review and execute the Annexation agreement:
 - Attorney General and any other additional reviews, if necessary (see Section 7.1.7.2).
 - Risk Management review, if necessary (see Section 7.1.7.1).
- Update and maintain Real Property Inventory with the recorded Annexation Agreement as noted in Section 7.13.

Region Responsibilities

- If CDOT is requesting the Annexation:

- Record Annexation documents with appropriate county Clerk and Recorder.
- Provide copy of recorded Annexation documents to the Property Management Program.

Political Subdivision of the State or Owner

- Surveys must be carried out in accordance with Chapter 2 of the ROW Manual. Any new survey needs to have a survey tied to the original CDOT ROW and the project survey stationing (unless otherwise directed by the Region).
- If a Political Subdivision of the State or Owner is requesting the Annexation:
 - Record Annexation documents with appropriate county Clerk and Recorder.
 - Provide copy of recorded Annexation documents to the Property Management Program.

SECTION 7.10 - DONATIONS

When land and/or improvements are donated to CDOT for use as a General Ledger Parcel, the Region must submit a letter, donation form, deed or bill of sale to the Property Management Program for inclusion in the Real Property Inventory. The Property Management Program will furnish the Region and Asset Management with the new property number from CDOT's official accounting system. The Real Property Inventory must include the Fair Market Value for the property at the time of donation.

7.10.1 - ROLES AND RESPONSIBILITIES FOR DONATIONS

Property Management Program Responsibilities

- Confirm that all documents from the Real Estate Document Processing Checklist are complete and accounted for (see Exhibit B) and complete all items that are the responsibility of the Property Management Program.
- Obtain appropriate approvals:
 - Attorney General and any other additional reviews, if necessary (see Section 7.1.7.2).
 - Risk Management review, if necessary (see Section 7.1.7.1).
- Update and maintain Real Property Inventory with the recorded Conveyance document as noted in Section 7.13.

Region Responsibilities

- Complete and submit all required documents from the Real Estate Document Processing Checklist (see Exhibit B) to the Property Management Program.
- Reviewing and issuing any other required approval documents including special use or access permits.
- Provide copy of recorded Annexation Documents to the Property Management Program.

Responsibilities by Either Property Management Program or Region Depending on Workload

- Environmental evaluations.
- Negotiations with the property Owner.
- Create or review ALTA survey and Property Descriptions and illustration (unless the donation is initiated by the Owner).
- Selection of title company, if needed.
- Record donation documents with appropriate County Clerk and Recorder.

SECTION 7.11 - PUBLIC FACILITIES LICENSE

When a Political Subdivision of the State desires to use Project Property for public use or install a facility, such as a bike/pedestrian trail, the Political Subdivision of the State is required to contact the Region Permits Office and complete a SUP application prior to construction of these facilities. The SUP will ensure compliance with CDOT design and construction standards. A Public Facilities License is required prior to the issuance of the SUP.

If a Political Subdivision of the State desires to use General Ledger Property for public use or install a facility, such as a bike/pedestrian trail, the Political Subdivision of the State is required to contact the Property Management Program for approval. Any subsequent Public Facility Licenses resulting on General Ledger Property will have appropriate design and construction standards.

The Public Facilities License will include requirements for the Political Subdivision of the State to maintain the facility, provide adequate liability insurance in compliance with Section 7.1.7.1, to provide recognition by the Political Subdivision of the State that the facility is not a public park or other 4(f) or 6(f) facility that may encumber Real Property in the future. The Public Facilities License will also include a revocation clause in the event the Real Property is needed for future Department purposes.

All Public Facility Licenses shall be executed using CDOT's Public Facility License template (see Exhibit A - Document Links).

7.11.1 - ROLES AND RESPONSIBILITIES FOR PUBLIC FACILITIES LICENSE

Political Subdivision of the State Responsibilities

- Submit SUP application to have facilities located on Project Property.
- Contact the Property Management Program to have facilities located on General Ledger Property.
- Create construction drawings and legal descriptions.

Property Management Program Responsibilities

- Confirm that all documents from the Real Estate Document Processing Checklist are complete and accounted for (see Exhibit B) and complete all items that are the responsibility of the Property Management Program.
- Draft Public Facilities License.
- Obtain appropriate approvals:
 - Attorney General and any other additional reviews, if necessary (see Section 7.1.7.2).
 - Risk Management review, if necessary (see Section 7.1.7.1).
- Public Facilities License Execution.
- Update and maintain Real Property Inventory with the recorded Conveyance Document as noted in Section 7.13.

Region Responsibilities

- Prior to construction, review Political Subdivision of the State SUP application:

- Determine if Public Facilities License is needed in addition to SUP.
- Determine if Access Control Line Crossing License is required.
- Complete and submit all required documents from the Real Estate Document Processing Checklist (see Exhibit B) to the Property Management Program.
- Review and issue any other required approval documents including a SUP.

Responsibilities by Either Property Management Program or Region Depending on Workload

- Draft and Execute Access Control Line Crossing License (if necessary).

Staff Bridge

- All proposed modifications to any existing structures or new structures shall conform to the CDOT Standard Specification for Road and Bridge Construction 2025 or most recent edition and be approved by CDOT Staff Bridge (see Exhibit A - Document Links).

SECTION 7.12 - LANDSCAPING LICENSE

CDOT may permit Landscaping of Project Property by the adjacent Owner or Political Subdivision of the State when it does not compromise the integrity and the safety of the State Highway. Landscaping licenses are exempted from the fair market value requirement for ROW use agreements by 23 C.F.R. § 710.403(e)(1) because the landscaping license relieves the Department of its maintenance responsibilities of the licensed Project Property, making an overall economic benefit. Installation of items in the ROW other than those defined as Landscaping including, but not limited to, signage, permanent irrigation systems or commercial activities shall not be permitted, and if installed may result in the revocation of the license.

Temporary access to Project Property for activities such as grading required by an adjacent property Owner which does not include the installation of Landscaping shall be permitted by a SUP; a Landscaping license shall not be required.

Landscaping and temporary grading activities that require crossing of an Access Control Line will require the issuance of an Access Control Line Crossing License in addition to a Landscaping permit or a SUP.

Regardless of the type of request, if a ROW fence is removed by an Owner receiving a Landscaping license or SUP for temporary grading, the Owner must replace the fence with an approved CDOT fence including gates for CDOT access to CDOT owned Project Property.

Landscaping work on Project Property within the boundaries of a Political Subdivision of the State (pursuant to C.R.S. § 43-2-135), may require separate approval of the appropriate Political Subdivision of the State.

Areas not eligible for landscaping:

- Areas containing environmental restrictions such as wetlands or habitat for threatened or endangered species as identified during environmental studies prior to approval of the initial permit for the permitted area.
- Sponsorship of interchanges or Rest Areas under the jurisdiction of CDOT's Adopt-a-Highway and/or Colorado Logos Inc. programs. This type of sponsorship is not permitted by a Landscaping License.
- Areas under construction or planned to be under construction.
- Any median that separates traffic lanes on the State Highway.

7.12.1 - ROLES AND RESPONSIBILITIES OF REGION FOR LANDSCAPING LICENSES

Owner Responsibilities

- Submit SUP application to have Landscaping located within CDOT ROW.
- Create construction drawings and legal descriptions:
 - Include Landscape designs, specific seed mixtures, type of plantings, etc.
- Description of how and where the Owner proposes to access the ROW.
- Detailed temporary irrigation plans (if applicable).

- Documented proof that applicant is the Owner of property adjacent to the Project Property that will be the subject of the Landscaping License and/or SUP.

Property Management Program Responsibilities

- Confirm that all documents from the Real Estate Document Processing Checklist are complete and accounted for (see Exhibit B) and complete all items that are the responsibility of the Property Management Program.
- Draft Landscaping license.
- Draft and execute Access Control Line Crossing License (if necessary).
- Obtain appropriate approvals:
 - Attorney General and any other additional reviews, if necessary (see Section 7.1.7.2).
 - Risk Management review, if necessary (see Section 7.1.7.1).
- Landscaping license execution.
- Update and maintain Real Property Inventory with the recorded Landscaping License as noted in Section 7.13.

Region Responsibilities

- Prior to construction, review Owner's SUP application:
 - Determine if Landscaping license is needed in addition to SUP.
 - Determine if Access Control Line Crossing License is required.
- Complete and submit all required documents from the Real Estate Document Processing Checklist (see Exhibit B) to the Property Management Program.
- Reviewing and issuing any other required approval documents including SUP.

SECTION 7.13 - REAL PROPERTY INVENTORY

CDOT's Property Management Program is responsible for maintaining the Real Property Inventory. The Real Property Viewer is the official repository for the Real Property Inventory.

7.13.1 - PROPERTY TYPES IN THE REAL PROPERTY INVENTORY

Although only Excess, Uneconomic Remnant and General Ledger Properties are required to be maintained in the Real Property Inventory, the Property Management Program also keeps a full inventory of the following types of property:

- Real Property
- Abandonments
- Relinquishments
- Encroachments

7.13.2 - ADDING AND REMOVING PROPERTIES FROM THE REAL PROPERTY INVENTORY

When the Region submits final ROW Plans to the Property Management Program, the Property Management Program incorporates the plan set into the Real Property Viewer as CDOT's official document of record for that section of State Highway.

When a parcel is identified as Excess Project Property after a ROW Plan has been added to the Real Property Inventory, the Property Management Program will add that parcel to the Real Property Viewer, thereby incorporating it in the Real Property Inventory.

When General Ledger Property is acquired by either the Region or Property Management Program, the Property Management Program will add the property to the Real Property Viewer, thereby incorporating it into the Real Property Inventory.

Upon Disposal, Exchange, Abandonment, or Relinquishment of Real Property, the Property Management Program will mark the property as "sold" in the Real Property Viewer, thereby removing it from the Real Property Inventory.

7.13.3 - CHANGE IN PROPERTY TYPE

When Project Property inside the ROW is needed for a Building, or other non-ROW Purposes, the Region will notify the Property Management Program. The Property Management Program will obtain FHWA approval when federal funds were involved in the ROW acquisition. In certain situations, a sale or trade may be a consideration. Alternately, a pay back of federal funds may be necessary. The Property Management Program will update the Real Property Inventory once the change in use has been completed.

7.13.4 - REQUIRED REAL PROPERTY INVENTORY DOCUMENTATION

23 C.F.R. § 710.201 requires the Property Management Program to keep adequate files of all property management activity. The Property Management Program has created a Real Estate Document Processing Checklist to certify that all documents are completed and accounted for (See Exhibit B).

SECTION 7.14 - ASSET MANAGEMENT

The Property Management Program has the responsibility to maintain an inventory of Buildings and Rest Areas. The inventory will also contain Building and Rest Area condition records in compliance with CDOT Procedural Directive 60.1.

7.14.1 - ROLES AND RESPONSIBILITIES

Property Management Program Responsibilities of Asset Management

- Ensure the Buildings and Rest Area inventory is accurate and complete.
- Ensure compliance with Procedural Directive 60.1.

Region Responsibilities

- Participate in annual Building and Rest Area inspections that are required by Procedural Directive 60.1.
- Inform the Property Management Program of any new and demolished Buildings or Rest Areas or changes in square footage that need to be updated on the property inventory
- Submit damage or loss claims for Buildings and Rest Areas to CDOT's Office of Risk Management.
- Notify the Property Management Program of damage or loss claims for Buildings and Rest Areas that have been submitted to CDOT Risk Management.

CDOT's Office of Risk Management and Headquarters Accounting Program Responsibilities

- Update the Asset Record when updates of Buildings and Rest Areas are received from the Property Management Program including any valuation adjustments.

SECTION 7.15 - PROTECTION OF REAL PROPERTY

The Property Management Program is responsible for reasonable safety measures when CDOT has acquired ownership or is in possession of Buildings and Real Property.

7.15.1 - PROJECT PROPERTY SECURITY

Measures for the protection of Buildings and Real Property may include changing locks, boarding of windows and doors, posting of “No Trespassing” signs, installation of perimeter fencing, arranging for periodic safety inspections, or coordinating additional scrutiny by local police, and completing required environmental inspections and abatement. It is the responsibility of the Regions to ensure safety of all sites. Buildings should be removed after they have been permanently vacated, and the following are documented:

- There is no probability of their disposition through public sale, salvage, or other means; or
- It is in public interest because of health, safety, aesthetics, neighborhood preservation, and/or environmental factors.

7.15.2 - PROJECT PROPERTY RODENT CONTROL

CDOT is required to control rodents and other pests on Project Property. This is the responsibility of the Region on all Project Property. Implementation of an effective plan should start no later than the relocation of the first occupant on the project. CDOT must determine the need for control measures through periodic field inspections on urban projects and on rural projects containing garbage dumps, landfills, a substantial number of buildings, or other inducing situations. Inspections must be completed by a qualified individual (may be third party) and documented in the parcel file. If needed, control measures should be implemented prior to demolition or removal of improvements. Control measure implementation may extend beyond the ROW and require working with adjacent property Owners and Political Subdivisions of the State.

7.15.3 - REAL PROPERTY SPILL MANAGEMENT

The Property Management Program houses spill reports received from external Political Subdivisions of the State (CDPHE, NRC, etc.) for incidents that impact Real Property. Upon receipt, the Property Management Program distributes such reports to staff designated by each Region. Inquiries about Region distribution lists or specific incidents may be directed to the Property Management Program.

The Property Management Program maintains funding and contracts with qualified firms for response services for known or suspected hazardous substance spills or discharges on all Real Property. Services include emergency response, environmental investigation, cleanup, and disposal operations for known or suspected hazardous substances including, but not limited to, petroleum products including long-term monitoring and remediation under the authority of EPA, CDPHE or OPS where applicable. The Property Management Program coordinates with Region leadership to distribute contact information for emergency response services. When emergency services are utilized, a summary should be provided to the Property Management Program that includes the incident location, a description of the activities completed, and a

Region point of contact for follow-up. Non-emergency hazardous material services can be coordinated through the Property Management Program.

7.15.4 - REAL PROPERTY REGULATED WASTE ASSOCIATED WITH STRUCTURES

To ensure compliance with worker protection and material handling/disposal regulations promulgated by OSHA, EPA, and CDPHE, any structure that is slated for renovation or demolition as part of CDOT operations, regardless of ownership status or who is completing the work, must be evaluated for regulated wastes as detailed in the following subsections. It is the responsibility of the Region to contact the Property Management Program to initiate the process. Structures may be Buildings, bridges, Rest Areas, retaining walls, or other constructed features. The Property Management Program is responsible for completing inspections, either by qualified Property Management Program staff or a qualified third party, and, if applicable, abatement operations. Funding for the work is the responsibility of the Region for Project Property during an active project. Funding for the work on General Ledger Property is the responsibility of the Property Management Program.

Inspection and abatement activities can add significant time and cost to projects, depending on circumstances, so coordination with the Property Management Program should begin early in project planning. Initial information provided should include:

- Funding source/coding
- Anticipated schedule
- Full scope of work
- Details of the improvements included in the request
- Project team member(s) for coordination

7.15.4.1 - ASBESTOS

ACMs that are associated with structures are regulated by CDPHE under Regulation 8 (5 CCR 1001-10), and by OSHA (Standard 1926.1101). The following subsections detail the requirements for complying with these regulations when renovation or demolition of structures will be completed by any entity as part of CDOT operations. Certain ACMs are permitted, per Regulation 8, to remain and be disposed of with standard construction and demolition waste. In those cases, notice must be provided to the entity(s) completing work that the material is present and OSHA regulations for worker safety apply.

Asbestos in soil, or regulated asbestos contaminated soil, is regulated by CDPHE under Section 6 CCR 1007-2 Part 1, Section 5.5. Guidance for handling of asbestos in soil is provided in:

- CDOT's CDPHE-approved Regulated Asbestos-Contaminated Soil Management Standard Operating Procedure (available via the CDOT library or by contacting the Property Management Program).
- CDOT's 250 Specification (available from CDOT's Standards & Specifications Unit).
- CDOT's Hazardous Materials Guidance (available from CDOT's Environmental Programs Branch).

The Property Management Program staff includes a state-certified asbestos professional(s) who can provide guidance as needed.

7.15.4.1.1 - INSPECTION

Regulation 8 stipulates that any renovation or demolition activity that may disturb ACM must have an asbestos inspection completed prior to work commencement. The inspection must be completed by a Colorado-certified asbestos building inspector who must supply a written report with the inspection findings. The Property Management Program coordinates asbestos inspections prior to renovation or demolition for all CDOT owned or acquired Real Properties at the request of the Region project team. The inspection report will be provided to the Region project team following the Property Management Program's review and allows for compliance with EPA, CDPHE, and OSHA regulations during and after project activities.

An asbestos inspection requires full access to areas of planned impact and involves destructive sampling of building materials for laboratory analysis. Inspection activities do not typically include the repair of damage incurred by the sampling process; this may be added to the scope if required at additional cost.

Along with the inspection report, the Colorado-certified asbestos building inspector must also provide a completed and signed CDPHE Demolition Notification Application Form unless asbestos abatement is required. Once signed, the form shall be provided to the project team and should then be supplied to the entity completing the renovation/demolition work for final completion and submission to CDPHE as discussed in Section 7.15.4.1.

7.15.4.1.2 - ABATEMENT

Regulation 8 requires the abatement (removal) of certain ACMs prior to renovation or demolition activities. Regulation 8 also stipulates the proper handling and disposal procedures for assumed or confirmed ACM. The determination of what materials require abatement is based on the results of an asbestos inspection (as described in Section 7.15.4.1). Abatement is completed by a Colorado-certified general abatement contractor. The Property Management Program coordinates asbestos abatement for all CDOT owned or acquired properties at the request of the project team.

Prior to abatement, the Colorado-certified general abatement contractor must obtain an Asbestos Abatement Permit from CDPHE. An asbestos inspection report is required along with the permit application, and CDPHE requires a minimum of a 10-working day review period for each submitted application. The review period may be waived at CDPHE's discretion in instances that jeopardize public health and safety.

Following abatement, a clearance inspection is required by a Colorado-certified Air Monitoring Specialist and is typically completed by the same individual or firm who completed the asbestos inspection. Once all required abatement is confirmed complete, the Colorado-certified Air Monitoring Specialist will then sign the Demolition Notification Application Form and provide it to the project team.

7.15.4.2 - HEAVY METAL-BASED PAINT

Paint on property improvements (buildings, bridges, light poles, etc.) may contain hazardous concentrations of heavy metals, specifically lead and chromium. OSHA standards apply for worker protection during disturbance of lead- and chromium-containing paint (29 CFR 1926.62 and 29 CFR 1926.1126, respectively). Solid waste generated during construction, renovation, or demolition activities requires hazardous waste characterization (per 40 CFR 262.11) and may be subject to EPA and Resource Conservation and Recovery Act (RCRA) regulations for handling and disposal.

Property Management Program coordinates paint inspections prior to renovation or demolition for all CDOT-owned or acquired properties at the request of the project team. Paint inspections are often completed in conjunction with asbestos inspections but may be separated based on project needs. Certification is not required for paint sampling unless it is conducted on residential dwellings or child-occupied facilities (5 CCR 1001-23).

Following inspection, a summary report will be provided to the project team that identifies if project activities will require worker protection per OSHA. The report will also provide information regarding anticipated project waste and specify if special handling and disposal is required. Further detail regarding heavy metal-based paint is provided in subsection 250 of the CDOT Standard Specification for Road and Bridge Construction 2025 or most recent edition (see Exhibit A - Document Links).

7.15.4.3 - OTHER REGULATED BUILDING MATERIALS

Other Regulated Building Materials must be identified if any Building is scheduled for renovation or demolition. If an asbestos inspection report is completed it will include an RBM Inventory. If an asbestos inspection report has not been completed, an RBM Inventory can be completed by CDOT Staff.

RBM removal and disposal may be completed by the Region, coordinated by Property Management Program (at additional cost), or included in a demolition scope. If asbestos abatement is required, RBM removal may be included in the abatement scope. If the removal is completed as part of demolition, the removal and proper disposal of RBMs must be included in the contract specifications.

7.15.5 - DEMOLITION OF REAL PROPERTY IMPROVEMENTS

Demolition of CDOT-owned or acquired improvements may be coordinated by Property Management Program or the Region and may be completed by CDOT, a contractor separate from construction, or included in a construction scope. Funding for the work is the responsibility of the Region for Project Property during an active project. Funding for the work is the responsibility of the Property Management Program for work on General Ledger Property and Project Property that is part of a closed project. It may be expedient to contract for clearance separately from construction following acquisition of Project Property, depending on the size of the project, the number of improvements, or the length of time between acquisition and construction. Regardless of what entity completes the work, all disposal activities require an environmental clearance as described in the CDOT NEPA Manual,

as well as the inspections and removal of material as detailed in Section 7.15.4 prior to commencement.

The entity completing demolition is responsible for the procurement of and fees associated with any State, county, or local jurisdiction demolition permits. All demolition projects (and some renovation projects) require the submission of a CDPHE Demolition Notification Form, including associated fees. CDPHE requires a minimum of a 10-working day review period of each Form prior to approval. The review period may be waived at CDPHE's discretion in situations where demolition immediately follows asbestos abatement activity. The Form requires a Colorado-certified asbestos building inspector or Colorado-certified Air Monitoring Specialist signature as detailed in Section 7.15.4. The Form will also indicate if certain ACMs allowed for inclusion in C&D waste (per Regulation 8) are present; in this instance, written notice must be provided to the entity completing demolition of what ACM is present, the applicability of OSHA regulations, and specifying that all such material must be disposed of at a facility certified by the State for receiving such waste.

Demolition of buildings requires the proper disconnection of existing utilities. This may be coordinated in part or wholly by the Region, Property Management Program, or other entity completing the work. Certain utility companies require signed contracts, fees, and/or long coordination windows to complete the work.

If the Property Management Program is responsible for demolition, the Region should coordinate directly with the Environmental and Hazardous Materials staff identified on the Property Management Program website. Initial information that should be provided to Property Management Program includes:

- the funding source/coding
- anticipated schedule
- full scope of work
- details of the improvements included in the request
- planned property use and desired condition following demolition
- identify the project team member(s) for coordination

SECTION 7.16 - GENERAL LEDGER PROPERTY SUPPORT

7.16.1 - REGULATION COMPLIANCE

- Waste tire registration - the Property Management Program serves as the primary point of contact for waste tire certifications that are held by maintenance facilities as generators and/or haulers. These certifications are managed by CDPHE under 6 CCR 1007-2 Section 10.
- SPCC Plans - Spill Prevention, Control, and Countermeasure (SPCC) regulations are promulgated by EPA (40 CFR Part 112) for the storage of petroleum, oils, and lubricants (POLs). Facilities that store certain volumes of POLs require an SPCC plan that is updated regularly. Certain plans require a Professional Engineer's stamp. The Property Management Program maintains a database of facilities that currently have SPCC plans and coordinates plan updates in accordance with the regulation.

7.16.2 - WATER AND SPILL MANAGEMENT

- The Property Management Program provides support to General Ledger Property whose water is supplied by a private well for well and water quality issues.
- The Property Management Program serves as the stormwater manager for Property Management Program led construction projects. Property Management Program staff includes a Transportation Erosion Control Supervisor and CDOT storm water preparer-certified individual(s) who can provide guidance as needed.
- Septic - the Property Management Program provides project design and management services for septic improvements at General Ledger Properties.
- Floor Drains- the Property Management Program provides support with the management of wash water that is collected in floor drains at the facilities. This includes the installation and continued operation and maintenance of a network of treatment systems at facilities that are not connected to a publicly owned treatment works (POTW).

EXHIBIT A - DOCUMENT LINKS

- Guidance Documents
 - [CDOT Standard Specification for Road and Bridge Construction 2023 or most recent edition](https://www.codot.gov/business/designsupport/cdot-construction-specifications/2023-construction-specifications/2023-specs-book) (https://www.codot.gov/business/designsupport/cdot-construction-specifications/2023-construction-specifications/2023-specs-book)
 - [FHWA Stewardship and Oversight Agreement](https://www.codot.gov/business/designsupport/assets/colorado_stewardship_and_d_oversight_agreement_2024-1.pdf) (https://www.codot.gov/business/designsupport/assets/colorado_stewardship_and_d_oversight_agreement_2024-1.pdf)
 - [State of Colorado Fiscal Rules](https://osc.colorado.gov/financial-operations/fiscal-rules-procedures/fiscal-rules) (https://osc.colorado.gov/financial-operations/fiscal-rules-procedures/fiscal-rules)

- Standard Contract Templates
 - [State Real Estate Programs Branch](https://osa.colorado.gov/real-estate/real-estate-forms) (https://osa.colorado.gov/real-estate/real-estate-forms)
 - [Gross Lease Agreement](https://osa.colorado.gov/sites/osa/files/documents/REP1%20Gross%20Lease%20Template%2003%202025.docx) (https://osa.colorado.gov/sites/osa/files/documents/REP1%20Gross%20Lease%20Template%2003%202025.docx)
 - [Amendment to Lease](https://osa.colorado.gov/sites/osa/files/documents/REP2%20Lease%20Amendment%20Template%2003%202025.docx) (https://osa.colorado.gov/sites/osa/files/documents/REP2%20Lease%20Amendment%20Template%2003%202025.docx)
 - [Easement Agreement – Grantee](https://osa.colorado.gov/sites/osa/files/documents/REP5%20Easement%20State%20Grantor%20Template%2003%202025.docx) (https://osa.colorado.gov/sites/osa/files/documents/REP5%20Easement%20State%20Grantor%20Template%2003%202025.docx)
 - [Easement Agreement – Grantor](https://osa.colorado.gov/sites/osa/files/documents/REP5%20Easement%20State%20Grantor%20Template%2003%202025.docx) (https://osa.colorado.gov/sites/osa/files/documents/REP5%20Easement%20State%20Grantor%20Template%2003%202025.docx)
 - [Interagency Lease Agreement](https://osa.colorado.gov/sites/osa/files/documents/REP3%20Interagency%20Lease%20Template%2003%202025.docx) (https://osa.colorado.gov/sites/osa/files/documents/REP3%20Interagency%20Lease%20Template%2003%202025.docx)
 - [State Owned Property Lease](https://osa.colorado.gov/sites/osa/files/documents/REP4%20State%20Owned%20Lease%20Template%2003%202025.docx) (https://osa.colorado.gov/sites/osa/files/documents/REP4%20State%20Owned%20Lease%20Template%2003%202025.docx)
 - [Sublease](https://osa.colorado.gov/sites/osa/files/documents/REP7%20Sublease%20Template%2003%202025.docx) (https://osa.colorado.gov/sites/osa/files/documents/REP7%20Sublease%20Template%2003%202025.docx)
 - [CDOT Specific Templates](https://drive.google.com/drive/folders/19q9NhmzwNC_-EcmFRHAnBjDxKRdp7Tzd) (https://drive.google.com/drive/folders/19q9NhmzwNC_-EcmFRHAnBjDxKRdp7Tzd)
 - [Conveyance Documents](https://drive.google.com/drive/folders/1UhwCw7iel3xZ024KQ3jYOaxKHUI9K0h-) (https://drive.google.com/drive/folders/1UhwCw7iel3xZ024KQ3jYOaxKHUI9K0h-)
 - [Relinquishment IGA Template](https://drive.google.com/drive/folders/1PrGd-tArFWICGSrw7xkBd07toMzk3w1K?usp=drive_link) (https://drive.google.com/drive/folders/1PrGd-tArFWICGSrw7xkBd07toMzk3w1K?usp=drive_link)

- [CDOT Workforce Housing Lease Documents](#)
(https://drive.google.com/drive/folders/1WBWslaq96iT1CPZP6hx5WAUF5og-K4im?usp=drive_link)
- [CDOT Real Property Vacant Land Lease](#)
(<https://drive.google.com/drive/u/0/folders/1HrAPeD8vfj5PsgDQkHiEjHRGdMK6Aw3h>)
 - [Telecommunication Lease Documents](#)
(<https://drive.google.com/drive/u/0/folders/1-JObx1vMZfsxOvUivUJWJZ2i5Tq5qXiL>)
 - [Mineral Rights Lease](#)
(https://drive.google.com/drive/folders/1BszkwxjK4mSJcoRs31TJ2qc7xT-uxON6?usp=drive_link)
- [License Agreements](#)
(https://drive.google.com/drive/u/0/folders/1fCPU0_wdHjFHVJZeGBj8mBZWfIHxz1P-)
 - [Access Control Line Crossing License](#)
(https://docs.google.com/document/d/1ERgS5vn0u624PwVde09HI4FyT2W-jLnx/edit?usp=drive_link&oid=110869497545883470769&rtpof=true&sd=true)
 - [Encroachment License](#)
(https://docs.google.com/document/d/1b82xdP41gxcYoHN7INxRHDSjtoNJwjs/edit?usp=drive_link&oid=110869497545883470769&rtpof=true&sd=true)
 - [Fence Change Agreement](#)
(https://drive.google.com/file/d/1aN5eDQny2Xop8grXItNhq8Pka2s-DS2t/view?usp=drive_link)
 - [Landscaping License](#)
(https://docs.google.com/document/d/1ol6__y8yqghcHcTdB4dlvHpG3Qaejg-0/edit?usp=drive_link&oid=110869497545883470769&rtpof=true&sd=true)
 - [Public Facilities License Agreement](#)
(https://docs.google.com/document/d/1VY6Z8JdeZX42PPdqohjEXBueVtmzIV1n/edit?usp=drive_link&oid=110869497545883470769&rtpof=true&sd=true)
- [Access Modification Documents](#)
(https://drive.google.com/drive/folders/10oAE0yr3cz38iZ1mPRU0mX_aFWy9phQo?usp=drive_link)
 - [Amended and Restated Access Control](#)
(https://docs.google.com/document/d/1G4ZI_IzRrKVLGyYD3pb3uxdr1fdckAPt/edit?usp=drive_link&oid=110869497545883470769&rtpof=true&sd=true)

- [Designation of Access Control](https://docs.google.com/document/d/1kFf_pTddUHRPvXcY-GuUxQByF9zChuCF/edit?usp=drive_link&ouid=110869497545883470769&rtpof=true&sd=true)
(https://docs.google.com/document/d/1kFf_pTddUHRPvXcY-GuUxQByF9zChuCF/edit?usp=drive_link&ouid=110869497545883470769&rtpof=true&sd=true)
- [Release of Access Control](https://docs.google.com/document/d/1Ev7JUbtIXrgGR01k6hjoSp1eY7emCamO/edit?usp=drive_link&ouid=110869497545883470769&rtpof=true&sd=true)
(https://docs.google.com/document/d/1Ev7JUbtIXrgGR01k6hjoSp1eY7emCamO/edit?usp=drive_link&ouid=110869497545883470769&rtpof=true&sd=true)

EXHIBIT B – REAL ESTATE PROCESSING CHECKLIST

REQUIRED DOCUMENTATION FOR LEASES

- [Service Request Cover Sheet](#)
- Signed 128
- Stamped Property Description and illustration
- Region approval**
- FHWA concurrence (interstate)*
- Certificate of Insurance
- Risk/AG approval if modifications to agreement*
- Market rent analysis
- Draft Lease
- Executed MLA (Telecommunication Leases only)
- Draft SLA (Telecommunication Leases only)
- Stamped drawings (Telecommunication Leases only)
- Proof of ownership (Mineral Rights Leases only)
- Payment for first term
- Bonus payment (Mineral Rights Leases only)

REQUIRED DOCUMENTATION FOR DISPOSALS

- [Service Request Cover Sheet](#)
- Signed 128
- Stamped Property Description and illustration
- Region approval**
- Chief Engineer and Executive Director approval
- FHWA concurrence (interstate)*
- Draft Lease
- Stamped drawings
- Acquisition deeds

REQUIRED DOCUMENTATION FOR ACCESS CONTROL LINE CROSSING LICENSE OR MODIFICATIONS (AMEND, RE-STATE, DESIGNATE)

- [Service Request Cover Sheet](#)
- Signed 128
- Stamped Property Description and illustration
- Region approval**
- FHWA concurrence (interstate)*
- Draft License or modification document

REQUIRED DOCUMENTATION FOR LICENSES (ENCROACHMENT, PUBLIC FACILITY, OR LANDSCAPING)

- [Service Request Cover Sheet](#)
- Signed 128
- Stamped Property Description and illustration
- Region approval**
- FHWA concurrence (interstate)*
- Certificate of Insurance

- Risk/AG approval if modifications to agreement*
- Draft License
- Proof of ownership (Mineral Rights Leases only)
- Payment for first term
- Proof that encroachment existed prior to Jan 1, 1983

* Property Management Program Responsibilities

**Region approvals include: RTD, Traffic, Maintenance, Access, Design, Safety, ROW, Planning, & Environmental