

Resolution #2024-06-11

Abandonment of US 40 Frontage Road, Craig, Project BF-005-1(1) in 1956

Approved by the Transportation Commission on June 20, 2024

Whereas, CDOT owns 0.9 linear miles of roadway in the City of Craig, identified as US 40 Frontage Road that was constructed with project BF-005-1(1) in 1956; and;

Whereas, that portion of US 40 Frontage Road begins at MM 89 +/- and ends at MM 89.9+/- and is located north of US 40, just west of SH13; and;

Whereas, Region 3 has determined that abandoning this portion of US 40 Frontage Road would be in the best interest of Colorado taxpayers; and;

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

Whereas, the governing body of the City of Craig shall adopt a resolution agreeing to the State's abandonment of the portion of US 40 Frontage Road and agreeing that said highway segment no longer serves the ongoing purposes of the State Highway system; committing the City of Craig to assume ownership of said highway segment in the "as is" condition; and;

Whereas, within 90 days of the official notification of such abandonment by the Transportation Commission, the City of Craig shall execute a resolution or ordinance accepting the abandoned portion of US 40 Frontage Road as a city street; and;

Whereas, the Parties desire to enter into an Intergovernmental Agreement (IGA) and agree upon the condition of the abandonment of said highway segment by the State and acceptance by the City of Craig; and;

Whereas, after execution of the IGA CDOT will execute a quitclaim deed that will include a reversion provision stating that if the property that is the subject of the quitclaim deed is not used for transportation purposes, title to such property will automatically revert to CDOT; and;

Whereas, Transportation Commission is authorized pursuant to 43-2-106 to make determinations regarding abandonment of State Highway(s) to affected county(ies) or municipality(ies); and

Whereas, the Transportation Commission has determined the 0.9 linear miles of US 40 Frontage Road (MM 89 +/- to MM 89.9 +/-.) is no longer needed for State Highway purposes and can be abandoned to the City of Craig.

Now Therefore Be It Resolved, pursuant to the provisions of the CRS, Sections 43-2-106, the Transportation Commission declares approximately 0.9 linear miles of US 40 Frontage Road located between MM 89 +/- and MM 89.9 +/- as shown in Exhibit A, eligible for abandonment.

Herman F. Stockinger AIA

**Herman Stockinger, Secretary
Transportation Commission**