

**TOWN OF MEAD, COLORADO
RESOLUTION NO. 03-R-2020**

**A RESOLUTION OF THE TOWN OF MEAD, COLORADO,
CONFIRMING THE TOWN'S INTENT TO ACCEPT A PORTION OF
COLORADO DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY
AS TOWN RIGHT-OF-WAY FOLLOWING ABANDONMENT OF SAID
RIGHT-OF-WAY BY THE TRANSPORTATION COMMISSION AND
APPROVING THAT CERTAIN INTERGOVERNMENTAL
AGREEMENT WITH THE STATE OF COLORADO (RE I-25
FRONTAGE ROAD, MEAD DEVOLUTION)**

WHEREAS, the Colorado Department of Transportation (CDOT) owns that portion of the I-25 Frontage Road described in **Exhibit 1** attached hereto (the "Road"); and

WHEREAS, C.R.S. § 43-2-106(1)(a) authorizes the Transportation Commission to determine that all or a portion of a state highway no longer functions as a part of the state highway system, and, with the agreement of each affected county or municipality, the state highway (or portion thereof) may be abandoned; and

WHEREAS, the Board of Trustees previously adopted Resolution No. 81-R-2017 dated November 27, 2017 (the "2017 Resolution") and Resolution No. 37-R-2019 dated May 28, 2019 (the "2019 Resolution") (together, the "Prior Resolutions") which evidence the Town's intent to accept the Road for maintenance and access control purposes; and

WHEREAS, the 2017 Resolution contemplated a one-time payment of \$53,500 from CDOT; and

WHEREAS, the 2019 Resolution contemplated a one-time payment of \$75,000 from CDOT; and

WHEREAS, the Board of Trustees desires to adopt this Resolution in order: (1) to clarify that the proper amount of the one-time payment to the Town of Mead from CDOT is \$53,500; and (2) to supersede and replace the Prior Resolutions in their entirety; and

WHEREAS, specifically, the Town and the State of Colorado (for the use and benefit of CDOT) have agreed on the terms that that certain Intergovernmental Agreement (regarding the I-25 Frontage Road, Mead Devolution) (Project No. CO253-269 (22781)) (the "CDOT IGA"), a copy of which is on file with the Town Clerk and is incorporated herein by reference; and

WHEREAS, the Board of Trustees desires to reaffirm the Town's intent to accept the Road for maintenance and access control purposes in exchange for a payment of \$53,500 from CDOT; and

WHEREAS, the Board of Trustees desires to approve the CDOT IGA and delegate authority to the Mayor to execute the CDOT IGA on behalf of the Town,

NOW THEREFORE, BE IT RESOLVED by the Board of Trustees of the Town of Mead, Weld County, Colorado, that:

Section 1. The foregoing recitals and findings are incorporated herein as findings and conclusions of the Board of Trustees.

Section 2. This Resolution supersedes and replaces the Prior Resolutions in their entirety. The Board of Trustees hereby: (a) approves the CDOT IGA is the form currently on file with the Town Clerk; (b) authorizes the Town Attorney in cooperation with the Town Manager to make non-material changes to the CDOT IGA that do not increase the Town's obligations; and (c) authorizes the Mayor to execute the CDOT IGA on behalf of the Town when in final form.

Section 3. The Board of Trustees is willing to accept for maintenance and access control the Road, as more particularly described in **Exhibit 1** attached hereto, in exchange for the one-time devolution payment of \$53,500.00 from CDOT, as set forth in the CDOT IGA.

Section 4. Effective Date. This resolution shall be effective immediately upon adoption.

Section 5. Repealer. All resolutions, or parts thereof, in conflict with this resolution are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such resolution nor revive any resolution thereby.

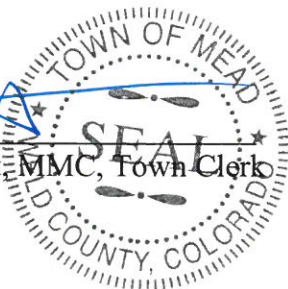
Section 6. Certification. The Town Clerk shall certify to the passage of this resolution and make not less than one copy of the adopted resolution available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 13TH DAY OF JANUARY, 2020.

ATTEST:

By: _____

Mary E. Strutt, MMC, Town Clerk



TOWN OF MEAD

By: _____

Colleen G. Whitlow, Mayor

EXHIBIT 1
I-25 Frontage Road ROW

DESCRIPTION
May 12, 2018

All of the existing Right-of-Way of I-25 Frontage Road, located in the NW ¼ of Section 26, Township 3 North, Range 68 West of the 6th Principal Meridian, County of Weld, State of Colorado, being more particularly described as follows:

Outlot G and Outlot F per The Final Plat of LYONS 66 PACIFIC COMMERCE PARK recorded at reception no. 3397412, June 20, 2006.

AND

Parcel 624A of CDOT Project Number: NH-IRCX 025-3(109) Unit 6, Project Code: 91032. Legal Description at reception no. 7343744, February 13, 2008.

The above description is intended to give up all of CDOT's interest in the I-25 Frontage Road in the area listed above.

For and on behalf of the
Colorado Department of Transportation
Thomas W. Nicholas, PLS 28657
10601 W. 10th Street
Greeley, CO 80634