

CHAPTER 171

GOVERNMENT - STATE

SENATE BILL 94-102

BY SENATORS Traylor, Feeley, and Mares;
also REPRESENTATIVES Grampsas, Keller, and Lawrence.

AN ACT

CONCERNING THE AUTHORITY OF THE DEPARTMENT OF INSTITUTIONS TO DISPOSE OF REAL PROPERTY COMMONLY KNOWN AS THE WHEAT RIDGE REGIONAL CENTER MAIN CAMPUS IN JEFFERSON COUNTY, COLORADO.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Definitions. As used in this act, unless the context otherwise requires:

(1) "Board" means the state board of land commissioners created by section 9 of article IX of the state constitution.

(2) "Campus" means those parcels of property owned by the state and collectively known as the "Wheat Ridge regional center main campus" in Jefferson County, Colorado.

(3) "Department" means the department of institutions created by section 24-1-118, Colorado Revised Statutes.

SECTION 2. Legislative declaration. (1) The general assembly finds that the state owns property commonly known as the Wheat Ridge regional center main campus. Currently, the department of institutions holds title to approximately 85 acres on such campus while the remaining land is held by the state board of land commissioners in trust for the state's public schools. Since 1916, the board has authorized the department to occupy and utilize campus lands held in its trust for the purpose of allowing the department to operate residential and training programs for persons with developmental disabilities.

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(2) The general assembly also finds and declares that the interests of the clients currently served by the department on the campus would be better served if the department vacated the campus and relocated its clients to state-operated community-based homes.

(3) The general assembly further finds and declares that it is in the best interest of the state to provide for the department to transfer its interest in campus lands to the board for the purpose of allowing the board to sell, exchange, lease, or otherwise dispose of such property and to utilize the proceeds from such disposition to convert the remaining campus lands to other uses.

SECTION 3. Authority of department to transfer real property - property description - authority of board to dispose of real property - selection of disposal method - sale at not less than appraised value - nonimpairment of north Jeffco metropolitan recreation and park district lease. (1) The executive director of the department is authorized to take such steps as are necessary to transfer and convey to the board all right, claim, and title currently held by the department in the following described parcels of real property, including all improvements thereon, located in Jefferson County, Colorado:

PARCEL 1:

Land currently leased to the north Jeffco metropolitan recreation and park district, legally described as:

The SW 1/4 of the SE 1/4 of Section 9, Township 3 S., Range 69 W., containing 40 acres more or less.

PARCEL 2:

Beginning at a point on the North line of the Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4) of Section Sixteen (16), Township Three (3) South, Range Sixty-nine (69) West of the Sixth Principal Meridian (6th P.M.), 180 feet East of the West line of said Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4); thence East along said North line of the Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4) 485.35 feet, more or less, to the Northeast corner of the Northwest Quarter of the Southeast Quarter of the Southeast Quarter (NW1/4 SE1/4 SE1/4) of said Section Sixteen (16); thence South along the East line of said Northwest Quarter of the Southeast Quarter of the Southeast Quarter (NW1/4 SE1/4 SE1/4) 167.5 feet to the point of intersection with the North line of the Denver and Intermountain Railroad Company right of way; thence South 74 deg. 24' West along said North line of the Denver and Intermountain Railroad right of way 661.3 feet, more or less, to the point of intersection with the East line of Miller Street, which point is also 30 feet East of the West line of the Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4) of said Section Sixteen (16); thence North along the East line of Miller Street and parallel to the West line of said Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4) 145 feet to a point; thence East 150 feet along a line parallel to and 200 feet South of the North line of said Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4) of said Section Sixteen (16) to a point; thence North 200 feet more or less, along a line parallel to and 150 feet East of the East line of Miller Street to the point of beginning and containing in all 3.3 acres, more or less; also that portion of the

SE1/4 SE1/4 of Section 16, Township 3 South, Range 69 West of the 6th P.M., Jefferson county, Colorado, which begins at a point on the North line of said SE1/4 SE1/4, which point lies 66.35 feet west of the NE corner of said SE1/4 SE1/4, and is also the intersection of the North line of said SE1/4 SE1/4 with the northerly line of the D & NW railway R of w, as described in Book 125 at page 234; thence West-along the North line of said SE1/4 SE1/4 599 feet; thence South 167.6 feet, more or less, to the northerly line of said D & NW right of way; thence North 74 deg. 22' East along the Northerly line of said right of way 622 feet to the point of beginning. Said parcel contains more or less 1.15 acres.

PARCEL 3:

The East half of the Southwest Quarter of the Northeast Quarter of Section 16, Township 3 South, Range 69 West, excepting that part lying South of the right of way of the Colorado and Southern Railway. (Approximately 15.72 acres)

PARCEL NO. 2 STATE OF COLORADO

DESCRIPTION

THE NORTHERLY 522.50 FEET OF THE EAST 26 ACRES OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 69 WEST OF THE 6TH P.M., COUNTY OF JEFFERSON, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 16, THENCE N00° 13'11"W, ON AND ALONG THE EAST LINE OF SAID NORTHWEST 1/4, A DISTANCE OF 794.95 FEET TO THE TRUE POINT OF BEGINNING, THENCE S89° 37'11"W, AND PARALLEL TO THE NORTH LINE OF SAID SOUTHEAST 1/4 OF THE NORTHWEST 1/4, A DISTANCE OF 859.27 FEET TO A POINT ON THE WEST LINE OF SAID EAST 26 ACRES OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4, THENCE N00° 13'11"W, ON AND ALONG WEST LINE A DISTANCE OF 522.50 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTHEAST 1/4 OF THE NORTHWEST 1/4, THENCE N89° 37'11"E, ON AND ALONG SAID NORTH LINE, A DISTANCE OF 859.27 FEET TO THE NORTHEAST CORNER OF SAID SOUTHEAST 1/4 OF THE NORTHWEST 1/4, THENCE S00° 13'11"E, ON AND ALONG THE EAST LINE OF SAID NORTHWEST 1/4, A DISTANCE OF 522.50 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

CONTAINS 448,966 SQ. FEET, 10.3068 ACRES, MORE OR LESS.

PARCEL NO. 3 WILMORE/DRIFTMIER TO STATE OF COLORADO

DESCRIPTION

ALL THAT PART OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 69 WEST OF THE 6TH P.M., COUNTY OF JEFFERSON, STATE OF COLORADO LYING NORTH OF THE NORTHERLY RIGHT OF WAY LINE OF RIDGE ROAD, SAID ROAD BEING THE ROAD NORTH OF AND PARALLEL TO THE COLORADO AND SOUTHERN (BURLINGTON NORTHERN) RAILROAD RIGHT OF WAY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 16, THENCE N00° 13'11"W, ON AND ALONG THE WEST LINE OF SAID NORTHEAST 1/4, A DISTANCE OF 71.25 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF RIDGE ROAD, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING, THENCE N00° 13'11"W, ON AND ALONG THE WEST LINE OF SAID NORTHEAST 1/4, A DISTANCE OF 1246.20 FEET TO THE NORTHWEST CORNER OF SAID SOUTHWEST 1/4 OF THE NORTHEAST 1/4, THENCE N89° 35'34"E, ON AND ALONG THE NORTH LINE OF SAID SOUTHWEST 1/4 OF THE NORTHEAST 1/4, A DISTANCE OF 665.06 FEET TO THE NORTHEAST CORNER OF SAID WEST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4, THENCE S00° 12'59"E, ON AND ALONG THE EAST LINE OF SAID WEST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4, A DISTANCE OF 1068.47 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF SAID RIDGE ROAD, THENCE S74° 38'30"W, ON AND ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 688.90 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

CONTAINS 769,653 SQ. FEET, 17.6688 ACRES, MORE OR LESS.

(2) (a) The board is authorized to sell, exchange, lease, or dispose of the property transferred to the board pursuant to subsection (1) of this section.

(b) The board shall take such steps as are necessary to ensure that the method of disposal selected for such property provides the maximum amount of return to the state.

(c) Any sale, exchange, lease, or disposal conducted by the board pursuant to the authority granted in this subsection (2) shall be at not less than the appraised value of the property as determined by an appraiser who is a member of the Member Appraisal Institute (MAI).

(3) Any document transferring or conveying the property described in subsection (1) of this section shall make provision for the board to assume the department's existing obligations under the lease entered into in August of 1969 between the department and the north Jeffco metropolitan recreation and park district legally described as:

The SW 1/4 of the SE 1/4 of Section 9, Township 3 S.,
Range 69 W., containing 40 acres more or less.

SECTION 4. Report to joint budget committee and capital development committee - recommendations. Subsequent to the transfer, sale, exchange, lease, or disposal of all or a portion of the property described in subsection (1) of section 3 of this act, which property consists of approximately 85 acres, the department and the board shall submit a joint written report regarding such transaction to the joint budget committee and the capital development committee which report shall contain detailed information regarding the results of the audit and the study conducted pursuant to paragraphs (a) and (b) of subsection (1) of section 5 of this act. If the report submitted pursuant to this section recommends utilizing the remaining campus land for use by state agencies, no such use shall proceed prior to review and comment by the joint budget committee and the capital development committee.

SECTION 5. Disposition of proceeds of sales - special revenue account - created - duties of the board. (1) All proceeds from the sale, exchange, lease, or disposal of the property described in subsection (1) of section 3 of this act shall be promptly transmitted to the state treasurer and placed in the Wheat Ridge regional center main campus special revenue account which is hereby created. The moneys in the account are continuously appropriated to the board for the purpose of accomplishing the following duties:

(a) To conduct an environmental audit of all remaining lands and structures. The audit shall include cost estimates for: Asbestos abatement or, if necessary, removal; other environmental hazards; structure demolition; and structure restoration.

(b) To conduct a study of the feasibility and the cost of rehabilitating portions of the remaining land and structures for other uses, including use as offices by state agencies;

(c) To demolish, rehabilitate, maintain, and protect the remaining lands and structures once they are fully vacated by the department.

(2) (a) Any proceeds remaining after the completion of the duties described in subsection (1) of this section shall be deposited in the general fund.

(b) In the event the proceeds from the disposition of property described in subsection (1) of section 3 of this act are inadequate for the board to perform the duties specified in paragraph (c) of subsection (1) of this section, such duties may be curtailed or eliminated until other revenue sources are identified.

SECTION 6. Applicability of standards of conduct governing state contracts. The provisions of part 2 of article 18 of title 24, Colorado Revised Statutes, are applicable to any transaction authorized by this act.

SECTION 7. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 28, 1994