

CHAPTER 335

GOVERNMENT - STATE

HOUSE BILL 15-1310

BY REPRESENTATIVE(S) Rankin, Becker K., Brown, Court, Hamner, Mitsch Bush, Pettersen, Ryden, Thurlow, Vigil, Hullinghorst, Kagan, Pabon;
also SENATOR(S) Baumgardner, Jones.

AN ACT

CONCERNING THE AUTHORITY OF THE DIVISION OF PARKS AND WILDLIFE TO ACQUIRE REAL PROPERTY FOR THEIR GARFIELD COUNTY ADMINISTRATIVE OFFICE AND PUBLIC SERVICE CENTER, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. Legislative declaration. (1) The general assembly finds that:

(a) The division of parks and wildlife (division) maintains an administrative office and public service center in Garfield county. The department of natural resources owns the building and surface improvements for the benefit of the division of parks and wildlife and the parks and wildlife commission, but the land on which the building and improvements are located, approximately 3.8 acres, is owned by the Colorado Wildlife Heritage Foundation. The department leases the land from the Colorado Wildlife Heritage Foundation under a ten-year lease that ends in 2020.

(b) The department of natural resources also holds an agreement with the Colorado Wildlife Heritage Foundation that gives the division the option to purchase the land for a price of \$552,500 provided the option is exercised prior to September 1, 2015. The option continues after that date but the purchase price for the land will be based on a market value appraisal.

(c) The division believes the market value is currently in excess of \$552,500;

(d) The division wishes to acquire fee title to the land in order to eliminate the need to lease the land and to eliminate the annual lease payments;

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

(e) The Colorado Wildlife Heritage Foundation wishes to sell the land;

(f) Section 33-1-105.5 (7), Colorado Revised Statutes, grants the parks and wildlife commission the authority to acquire fee title interest in real property without using a bid process if the purchase is approved by the general assembly acting by bill;

(g) Section 33-1-102 (10), Colorado Revised Statutes, specifies that the "division" means the division of parks and wildlife and its employees, and, when necessary, allows the term to refer to the parks and wildlife commission.

SECTION 2. Division of parks and wildlife authority to acquire real property. (1) The state of Colorado, acting by and through the division of parks and wildlife, is authorized to purchase real property located on the southerly side of Interstate 70 Exit 109, in Garfield county, being a 3.792 acres tract in Section 35, Township 5 South, Range 90 West of the 6th Principal Meridian. The real property will be acquired by the division of parks and wildlife for the division's administrative office and public service center.

(2) The real property may be acquired by the division of parks and wildlife for the sum of five hundred fifty-two thousand five hundred dollars (\$552,500).

(3) The real property may not be subject to any restrictive covenants, contracts, or zoning requirements that restrict public access to the property or restrict any alternative state use of the property.

(4) The state controller must approve all agreements relating to the purchase of the real property prior to closing.

(5) Any title to real property received by the division of parks and wildlife will be held by the state for the benefit and use of the division of parks and wildlife.

SECTION 3. Capital construction appropriation. For the 2015-16 state fiscal year, \$552,500 is appropriated to the department of natural resources for use by the division of parks and wildlife. This appropriation is from the wildlife cash fund created in section 33-1-112 (1), C.R.S. To implement this act, the division of parks and wildlife may use this appropriation for capital construction related to the acquisition of real property authorized in section 2 of this act.

SECTION 4. 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: June 5, 2015