

AGENDA ITEM SUMMARY

MEETING DATE:	April 7, 2025
AGENDA CATEGORY:	Regular Agenda
DATE OF AGENDA SHEET:	March 28, 2025
PREPARED BY:	Kelly Cave

SUBJECT: Board consideration and action on the Quit Claim Deed for the City of Rifle Park and Ride.

INTRODUCTION:

On February 21, 2025, James Fosnaught, Esq. requested that Garfield County quitclaim any interest it may have in a parcel of land that the County sold and conveyed to the State Highway Commission of Colorado in 1953 (the "Parcel") (see attached letter and exhibits). The deed contained a deed restriction that it was "for present and future highway purposes only."

The Parcel is part of the Park and Ride redevelopment of Railroad Avenue and Centennial Parkway in Rifle. Under a memorandum of understanding between CDOT and the City of Rifle, CDOT wishes to convey the Parcel (known as Parcel 3 in the MOU) to the City.

Rather than seeking a declaratory judgment to void the deed restriction, the City is requesting that the County quitclaim its interest in the Parcel to avoid litigation.

LEGAL REQUIREMENTS:

The City of Rifle would like to proceed with the redevelopment of the Park and Ride without outstanding title issues. The City may pursue a quiet title action or declaratory judgment action to void the deed restriction. In such event, the County may defend the deed restriction with applicable legal fees and court costs. Pursuant to C.R.C.P. Rule 105, the City may request the proposed quitclaim deed and pay \$20.00 to the County to avoid litigation.

After the Board considers these factors and the evidence presented at the hearing and decides on the action requested, the quitclaim deed could be presented for signature on the Board's consent agenda at the following business meeting.

ITEMS TO CONSIDER:

Redevelopment of the Park and Ride could be viewed as a "highway purpose." If the Board agrees, the quitclaim deed will distinguish the need for litigation. If the Board does not believe that the Park and Ride is a "highway purpose," the quitclaim deed should not be approved and the City can pursue litigation. These are observations only and not a recommendation regarding action to be taken by the Board.