



## **ANOTHER TOLL ROAD UPDATE**

Over the last couple of months I have had the opportunity to talk with many disenfranchised property owners who live IN the Prairie Falcon Parkway Express corridor. Property owners who continue to experience a loss of value to their homes due to toll road documents that were recorded in error due to inconsistent language in legislation that passed in 2006.

In an effort to void existing toll road corridors and declare that toll road companies do not have a private property right or exclusive development right to any property in a toll road corridor a Senate Amendment was added to HB1007. An amendment that has potential, but one certain provision may have constitutional issues and be ruled out of order by the Conference Committee. Earlier this session, HB1323, sponsored by Senator Weins and Rep. Stafford had the same intent, to void all existing toll road corridors, but the House Transportation Committee postponed it indefinitely due to legal uncertainties regarding the voiding of an existing toll road corridor.

HB1007 addresses the following;

- (1). Voiding the existing toll road documents that are recorded to property titles in the corridor and which will remove the defacto “lis pendin”
- (2). Clearly direct in law, that a corridor listed in a private toll road company’s articles of incorporation DOES NOT GRANT A PROPERTY RIGHT or a DEVELOPMENT Remember, that in 1986 Ray Wells filed a 12 mile wide corridor in his articles of incorporation. There WERE NO toll road documents recorded to any property titles in 1986. Property values DID NOT plummet and real estate was still bought and sold without any problems. It is clear that the documents that were recorded in 2006 to the titles are the primary reason for the negative impacts on real estate in the corridor.
- (3). Addresses the **perpetuity issue!**
- (4) Prohibits any toll road company from claiming any property in their articles of Incorporation documents in the future. Requires governmental approval prior to Any toll road development.

When HB1007 passes it will prohibit any and all private toll road companies from any future filing of a corridor in their articles of incorporation, voids existing toll road documents that are currently

recorded to property titles and prohibits county clerk & recorders from recording toll road documents to titles in the future.

The Prairie Falcon Parkway Express toll road has NOT been approved by any governmental agency in any county or at the state level! In my opinion it is pure speculation. Speculation that should not be allowed to damage property titles, speculation that does not have a property right or exclusive development right to any private property.

If you have any questions or concerns please feel free to call me at 719-238-5600, or log onto [WWW.LEG.STATE.CO](http://WWW.LEG.STATE.CO) for updates on all legislation for the 66<sup>th</sup> General Assembly. Thank you for the opportunity to serve you!

Respectfully,

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