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April 8, 2008

Senate Veterans and Military Affairs Committee
 Colorado State Capitol
 200 E. Colfax, Room 271
 Denver CO 80203

Dear Members of the Senate Veterans and Military Affairs Committee:

HB08-1007 is a transportation bill that has been assigned to the Senate State Affairs Committee. Citizen organizations throughout the Super Slab corridor are opposed to this bill. Please vote NO for the following reasons:

1. HB08-1007 specifies a separate process for a PREEXISTING private toll road company (formerly called the Super Slab) and another process for a new private toll road company, thereby creating an unfair advantage for one company over others. Laws should fairly apply to everyone, not be crafted for just one company.
2. HB08-1007 hides disclosure of private toll roads from the public. This bill would conceal a private toll road project from citizens until the project is included in the statewide transportation plan. At that point, it is too late for citizens to express concerns on the project!
3. A "new" private toll road will not be required to provide a map of the route to County Commissioners as required by "preexisting" private toll roads. A property owner will have no way to learn if they may be in the path of a private toll road! This is not proper disclosure.
4. This bill presents a huge liability issue for SELLERS and REAL ESTATE BROKERS. Colorado state law requires realtors and homeowners to fully disclose any adverse condition affecting a property to future buyers. This bill creates a BUYER BEWARE scenario and would defraud homebuyers.
5. HB08-1007 grants special legal immunity to the Super Slab, a private company, (also called a preexisting toll road company) and to title companies. This would prevent due process for property owners that may have been damaged.

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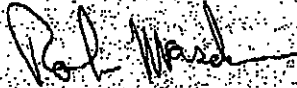
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6. HB08-1007 does NOT clear property titles that have been clouded by the Super Slab. In the bill, the written notice, disclaimer of interest or map filed or recorded is declared void, but does not require the title companies to record the void on affected titles! The title company will only record the "void" upon sale of the property. Therefore, the cloud will continue to adversely influence property value. With this bill, title companies will receive immunity and property owners will have NO LEGAL remedy for the possible harm.

7. This bill does not remove the stigma the Super Slab has placed on property owners because the "corridor" still exists and therefore continues to adversely affect business and property values.

HB08-1007 is terribly flawed. Please vote NO on HB08-1007.

Respectfully,



Robert D. Masden, District 3
Weld County Commissioner