

RESOLUTION NO. 19-

BOARD OF COUNTY COMMISSIONERS
COUNTY OF EL PASO, STATE OF COLORADO

**RESOLUTION TO ACCEPT A QUITCLAIM DEED ASSOCIATED WITH THE
MONUMENT HILL ROAD SAFETY IMPROVEMENTS PROJECT**

WHEREAS, pursuant to C.R.S. §§ 30-11-101(1)(c)-(d), 30-11-102, 30-11-103, and 30-11-107(1)(a), the Board of County Commissioners of El Paso County, Colorado (hereinafter "Board") has the legislative authority to purchase and hold real and personal property for the use of the County when deemed by the Board to be in the best interests of the County; and

WHEREAS, the County is constructing a Pikes Peak Rural Transportation Authority (hereinafter "PPRTA") approved project known as the Monument Hill Road Safety Improvements Project, and as part of that project, the Department of Public Works (hereinafter "DPW") identified a need to obtain property owned by the Colorado Department of Transportation, State of Colorado (hereinafter "Grantor") and identified as Parcel Number 1-X; and

WHEREAS, Grantor has conveyed the Property to the County by way of a Quitclaim Deed (attached hereto as Exhibit 1) dated April 25, 2019, and recorded in the records of the El Paso County Clerk and Recorder on June 7, 2019, at Reception No. 219062876; and

WHEREAS, the Board has determined that it would serve the best interests of the public to accept the Quitclaim Deed as identified above, to effectuate the hereinabove described transaction for purposes which include, but are not limited to, road construction, drainage, slope, maintenance, repair, replacement, operation, ingress, and egress, related to the Monument Hill Road Safety Improvements Project.

NOW THEREFORE, BE IT RESOLVED that the Board of County Commissioners hereby accepts the Quitclaim Deed from Grantor, subject to the terms and conditions cited therein.

BE IT FURTHER RESOLVED, that Mark Waller, duly elected, qualified member and Chair of the Board of County Commissioners, or Longinos Gonzales, Jr., duly elected, qualified member and Vice Chair of the Board of County Commissioners, be and is hereby authorized and appointed on behalf of the Board to execute any and all documents necessary to carry out the intent of the Board as described herein.

DONE THIS _____ day of July, 2019, at Colorado Springs, Colorado.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
EL PASO COUNTY, COLORADO

By: _____
Chuck Broerman
El Paso County Clerk and Recorder

By: _____
Mark Waller, Chair

QUITCLAIM DEED

THIS DEED is dated April 25, 2019 and is made between DEPARTMENT OF TRANSPORTATION, STATE OF COLORADO the "Grantor", of the City and County of Denver and State of Colorado, and EL PASO COUNTY, a Political subdivision of the State of Colorado the "Grantee," whose legal address is 200 South Cascade Ave., Suite 150, Colorado Springs, CO 80903_of the County of El Paso and State of Colorado.

WITNESS, that the Grantor, for and in consideration of the sum of One Dollar and other good and valuable consideration, (\$ 1.00), the receipt and sufficiency of which is hereby acknowledged, does hereby remise, release, sell and QUITCLAIM unto the Grantee, and the Grantee's heirs and assigns, forever, all the right, title, interest, claim and demand which the Grantor has in and to the real property, together with any improvements thereon, located in the County of El Paso and State of Colorado, described as follows:

See Attached Exhibit "A" dated January 11, 2017
El Paso County Project No. 15-032
Parcel No.: 1X
(Former CDOT Project: SR STR(CX) 105(4)
(Former CDOT Project Code: 88175, Part of Parcel 21)

Except and reserving EACH AND EVERY RIGHT OF ACCESS to and from any part of the right of way of Interstate Highway No. 25, and from and to any part of the real property of the Grantee abutting along said highway, along or across the access line, AC-1, as described on exhibit "B" dated January 11, 2017.

IN THE EVENT THE PROPERTY HEREIN CONVEYED FAILS TO BE USED FOR PUBLIC TRANSPORTATION PURPOSES THEN THIS DEED SHALL BECOME NULL AND VOID AND THE PROPERTY SHALL REVERT TO THE DEPARTMENT OF TRANSPORTATION, STATE OF COLORADO

also known by street address as: N/A
and assessor's schedule or parcel number: N/A

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging, or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever of the Grantor, either in law or equity, to the only proper use, benefit and behoof of the Grantee, and the Grantee's heirs and assigns, forever.

IN WITNESS WHEREOF, the Grantor has executed this deed on the date set forth above.

ATTEST:

DEPARTMENT OF TRANSPORTATION
STATE OF COLORADO

Alicia Clemons
Alicia Clemons
Chief Clerk- Property Management

Joshua Laipply
Joshua Laipply, P.E.
Chief Engineer

STATE OF COLORADO }
City and County of Denver } ss:

The foregoing instrument was acknowledged before me this 25th day of April, 2019, by Joshua Laipply, P.E. as Chief Engineer and Alicia Clemons as Chief Clerk- Property Management for the State of Colorado, Department of Transportation.

Witness my hand and official seal.
My commission expires:

DAWN M ZARUBNICKY
Notary Public
State of Colorado
Notary ID # 20164036996
My Commission Expires 08-28-2020

Dawn M Zarubnick
Notary Public

Chuck Broerman
06/07/2019 02:44:10 PM
Doc \$0.00 5
Rec \$0.00 Pages
El Paso County, CO
219062876



EXHIBIT "A"

EL PASO COUNTY
PROJECT: MONUMENT HILL ROAD SAFETY IMPROVEMENTS

DATE: January 11, 2017

PARCEL NUMBER: 1-X

SITUATED IN

NW ¼ OF SECTION 14, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL
MERIDIAN
EL PASO COUNTY, COLORADO

LEGAL DESCRIPTION

A parcel of land, being a portion of the Right of Way for Interstate Highway I-25, located in the Northwest ¼ of Section 14, Township 11 South, Range 67 West of the 6th Principal Meridian, County of El Paso, state of Colorado, more particularly described as follows;

Beginning at a (found) CDOT R.O.W. Monument, a CDOT-Standard 3 ¼ inch diameter aluminum disk stamped "R.O.W. point no. 4073" for the easterly Right of Way line of Interstate Highway I-25, as shown in CDOT Right of Way (R.O.W.) Plans No. SR-STR(CX)105(4);

- 1) Thence southerly 590.66 feet, along the easterly Right of Way line of said Interstate Highway I-25, along the arc of a curve to the left, having a radius of 1080.00 feet, a central angle of 5°18'19" and the long chord of which bears South 11°49'22" East for a distance of 583.33 feet;
- 2) Thence South 27°29'26" East, continuing along said easterly Right of Way line of Interstate Highway I-25, for a distance of 81.83 feet;
- 3) Thence South 62°30'34" West for a distance of 20.00 feet;
- 4) Thence North 27°29'26" West for a distance of 81.83 feet;
- 5) Thence northwesterly 153.82 feet along the arc of a curve to the right, having a radius of 1100.00 feet, a central angle of 8°00'43" and the long chord of which is bears North 23°29'05" West for a distance of 153.69 feet;
- 6) Thence North 19°28'43" West a distance of 609.96 feet;
- 7) Thence southeasterly 62.50 feet along the arc of a curve to the left, having a radius of 100.00 feet, a central angle of 35°48'29", and the long chord of which bears South 37°22'58" East for a distance of 61.48 feet;
- 8) Thence South 55°17'12" East a distance of 152.72 feet and the POINT OF BEGINNING.

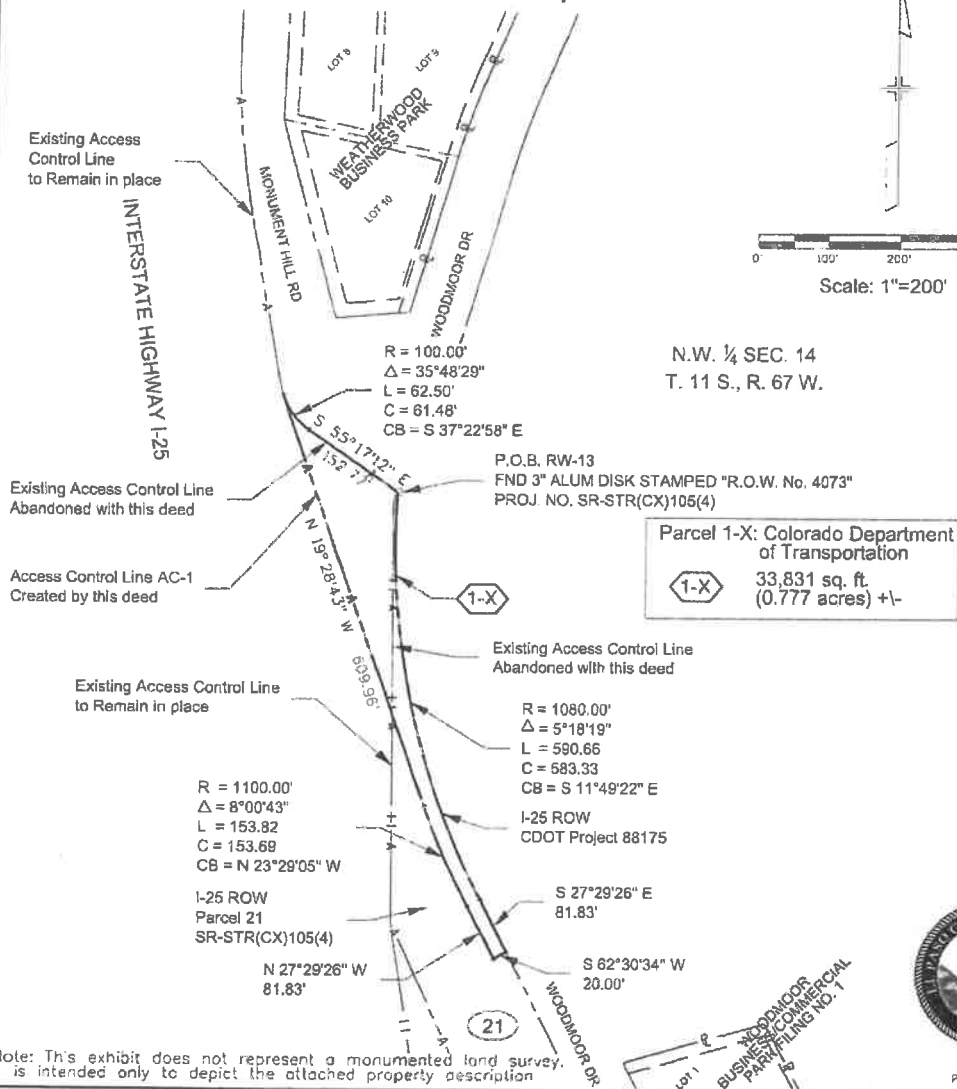
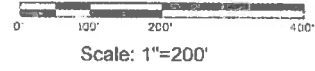
The above described parcel contains ± 0.777 acres. (33,830.8 sq. ft.)

EXHIBIT "A" (Cont.)

The bearings shown herein are based on an assumed bearing of South 7^o02' 12" East for the line between a (found) CDOT R.O.W. Monument, a CDOT-Standard 3 ¼ inch diameter aluminum disk stamped "R.O.W. point no. 4073", for the easterly Right of Way line of Interstate Highway I-25, as shown in CDOT Right of Way (R.O.W.) Plans No. SR-STR(CX)105(4) and a (found) CDOH concrete Right of Way monument for the easterly Right of Way line of Interstate Highway I-25, at station 904+00, 123' right (easterly) in the S.W. ¼ of the N.W. ¼ of Section 11, Township 11 South, Range 67 West of the 6th P.M., as shown on CDOH Right of Way plans number F.I.002-2(1)

Prepared by
Brad Danielson
For and behalf of
AECOM
6200 South Quebec Street
Green Wood Village, Colorado 80111

EXHIBIT "A" Cont.
 NW 1/4 Section 14
 T.11 S., R.67W.
 Sixth Principal Meridian



Note: This exhibit does not represent a monumented land survey. It is intended only to depict the attached property description.

AECOM JN: 60430648
 DRAWN BY: BD DATE: 1-11-2017 SCALE: 1"=200'

AECOM
 2315 BRIARGATE PARKWAY, SUITE 159
 COLORADO SPRINGS, CO 80920
 (719) 531-0001
 FAX (719) 531-3007
 AECOM PN: 60430648

PPRTA
 PUEBLO RURAL TRANSPORTATION AUTHORITY

EXHIBIT "A" Cont.
 PARCEL NUMBER 1-X

TITLE: El Paso County State of Colorado

REVISION: N/A	DRAWING NO.	SHEET NO. 3 of 3
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EXHIBIT "B"

EL PASO COUNTY
PROJECT: MONUMENT HILL ROAD SAFETY IMPROVEMENTS

DATE: January 11, 2017

PARCEL NUMBER: AC-1

SITUATED IN

NW ¼ OF SECTION 14, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL
MERIDIAN

EL PASO COUNTY, COLORADO

LEGAL DESCRIPTION

<u>F.I. 002-2-(1)</u> (Project No.)	<u>AC-1</u> (Parcel No.)	<u>Right (East)</u> (Location of Line)
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Commencing at a (found) CDOT R.O.W. Monument, a CDOT-Standard 3 ¼ inch diameter aluminum disk stamped "R.O.W. point no. 4073" for the easterly Right of Way line of Interstate Highway I-25, as shown in CDOT Right of Way (R.O.W.) Plans No. SR-STR(CX)105(4); Thence North 55°17'12" West for a distance of 152.72 feet; Thence northwesterly 62.50 feet, along the arc of a curve to the right, having a radius of 100.00 feet, a central angle of 35°48'29" and the long chord of which bears North 37°22'58" West for a distance of 61.48 feet to the Point of Beginning for access line AC-1;

- 1) Thence South 19°28'43" West for a distance of 473.90 feet to a point on the existing access line shown on CDOT Right of Way (R.O.W.) Plans No. SR-STR(CX)105(4) and the end of access line AC-1;

NO ACCESS

The bearings shown herein are based on an assumed bearing of South 7° 02' 12" East for the line between a (found) CDOT R.O.W. Monument, a CDOT-Standard 3 ¼ inch diameter aluminum disk stamped "R.O.W. point no. 4073", for the easterly Right of Way line of Interstate Highway I-25, as shown in CDOT Right of Way (R.O.W.) Plans No. SR-STR(CX)105(4) and a (found) CDOH concrete Right of Way monument for the easterly Right of Way line of Interstate Highway I-25, at station 904+00, 123' right (easterly) in the S.W. ¼ of the N.W. ¼ of Section 11, Township 11 South, Range 67 West of the 6th P.M., as shown on CDOH Right of Way plans number F.I.002-2(1)

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