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Chuck Broerman

El Paso County, CO

02/01/2022 03:46:54 PM



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RESOLUTION NO. 22- 33

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

**RESOLUTION TO CONVEY RIGHT-OF-WAY FOR CAPITAL DRIVE TO THE
CITY OF COLORADO SPRINGS VIA A QUITCLAIM DEED**

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" or "County") has the authority to purchase, hold, and sell real property when deemed by the Board to be in the best interests of the County; and

WHEREAS, the City of Colorado Springs (the "City") desires to acquire a portion of right-of-way located at Capital Drive owned by the County; and

WHEREAS, as part of the Sands Annexation, the City has agreed to accept this right-of-way and has committed to annex Capital Drive from Constitution Avenue north to its terminus via a separate transaction; and

WHEREAS, the El Paso County Department of Public Works has determined that the right-of-way property is no longer needed by the County and that the conveyance and subsequent annexation provides for the natural and well-ordered development within El Paso County and City of Colorado Springs as envisioned by the Colorado Revised Statutes; and

WHEREAS, the Board has determined that it would serve the best interests of the public to convey the right-of-way property as identified in the exhibit to the Quitclaim Deed attached hereto as Exhibit 1.

NOW THEREFORE, BE IT RESOLVED that the Board of County Commissioners hereby conveys the above-described right-of-way to the City of Colorado by way of a Quitclaim Deed subject to the terms and conditions cited therein.

BE IT FURTHER RESOLVED, that the duly elected, qualified member and Chair of the Board of County Commissioners, or the 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 1st day of February, 2022 at Colorado Springs, Colorado.

ATTEST:

By:


Chuck Broerman
El Paso County Clerk and Recorder



BOARD OF COUNTY COMMISSIONERS
EL PASO COUNTY, COLORADO

By:


Stan VanderWerf, Chair

QUITCLAIM DEED

EL PASO COUNTY, BY AND THROUGH THE BOARD OF COUNTY COMMISSIONERS OF EL PASO COUNTY, COLORADO, ("Grantor"), whose street address is 200 South Cascade Avenue, Suite 100, Colorado Springs, Colorado 80903, County of El Paso, and State of Colorado, for the consideration of one dollar (\$1.00) and other good and valuable consideration in hand paid, hereby remise, release, sells, and quitclaims to the **CITY OF COLORADO SPRINGS, COLORADO**, a home rule city and Colorado municipal corporation ("Grantee"), whose street address is 30 South Nevada Avenue, Suite 502, Colorado Springs, Colorado 80903, County of El Paso and State of Colorado, the below specified interest, which the "Grantor" may have in and to the following property interest, to wit:

40 foot Right of Way for Capital Drive as dedicated to El Paso County on the Plat of Marksheffel Industrial Park recorded December 30, 1985 in Plat Book Z-3 at page 125; and

80 foot Right of Way for Capital Drive as dedicated to El Paso County on the Plat of Rocky Mountain Industrial Park Filing No. 1 recorded January 28, 2002 at Reception No. 202014735; and

Right of Way for Capital Drive conveyed to El Paso County in the Warranty Deed from Jay H. Williams recorded November 30, 2000 at Reception No. 200144329;

Right of Way for Capital Drive conveyed to El Paso County in the Warranty Deed from Stephen J. Schnurr recorded November 30, 2000 at Reception No. 200144330,

all of the records of the El Paso County, Colorado Clerk and Recorder.

and all appurtenances.

IN WITNESS WHEREOF, Grantor has caused this deed to be executed and delivered by this _____ day of _____ 2021.

GRANTOR:

ATTEST:

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

By: _____
County Clerk and Recorder

By: _____
Stan VanderWerf, Chair

Quitclaim Deed
El Paso County, Colorado

STATE OF COLORADO)
) SS.
COUNTY OF EL PASO)

The foregoing instrument was acknowledged before me this _____ day of _____
2021 by Stan VanderWerf as Chair of the Board of County Commissioners of El Paso County,
Colorado.

Witness my hand and seal
My Commission Expires: _____

Notary Public

Grantee:
CITY OF COLORADO SPRINGS, COLORADO,
a home rule city and Colorado municipal corporation

Accepted:

By: _____
Darlene Kennedy
Real Estate Services Manager

Date: _____

City of Colorado Springs

Public Works Department

By: _____
Travis Easton
Public Works Director

Approved as to Form:

By: _____
City Attorney's Office



City of Colorado Springs

**Marksheffel Industrial Park ROW Dedication
(County) 40 ft. wide**

**The Sands Industrial Park Filing No. 1 ROW
Dedication (City) 40 ft. wide**

**Rocky Mountain Industrial Park
Filing No. 1 ROW Dedication
(County) 80 ft. wide**

**80 ft. ROW conveyed by Deeds
under El Paso County Resolution
recorded 11/30/2000 at Reception
No. 200144328**

1: 9,028



1,504.7 0 752.33 Feet

NAD_1983_StatePlane_Colorado_Central_FIPS_0502_Feet
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EXHIBIT A