RESOLUTION NO. 23-

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

RESOLUTION TO APPROVE A MEMORANDUM OF AGREEMENT AND TO ACCEPT A SPECIAL WARRANTY DEED, A PERMANENT EASEMENT, AND TEMPORARY CONSTRUCTION EASEMENTS BETWEEN EL PASO COUNTY AND MONUMENT ACADEMY BUILDING CORPORATION REGARDING HIGHWAY 105 PROJECT A (STA 105A-014)

WHEREAS, pursuant to C.R.S. §§30-11-101(1)(d), 30-11-103 and 30-11-107(1)(a), the Board of County Commissioners of El Paso County, Colorado, has the authority to manage the concerns of the County and to make all contracts and do all other acts concerning the County when deemed by the Board to be in the best interests of the County; and

WHEREAS, the County is constructing improvements to the Pikes Peak Rural Transportation Authority ("PPRTA") approved project known as the El Paso County Highway 105 Project A, and as part of the project, the El Paso County Department of Public Works has identified a need to enter into a Memorandum of Agreement (the "Agreement"), a copy of which is attached hereto respectively as Exhibit 1 and incorporated herein by reference, with Monument Academy Building Corporation and El Paso County; and

WHEREAS, pursuant to the Agreement and subject to its terms and conditions, Monument Academy Building Corporation will grant a Special Warranty Deed for right-of-way ("Deed"), a copy of which is attached hereto as Exhibit 2, a Non-Exclusive Permanent Easement ("PE-5"), a copy of which is attached hereto as Exhibit 3, and two Temporary Construction Easements pursuant to the Temporary Construction Easement Agreements attached hereto as Exhibits 4 and 5 ("TE-5A" and "TE-5REV2"), at a total cost of Eighty-Nine Thousand Nine Hundred Dollars ($89,900.00); and

WHEREAS, the Board has determined that it would serve the best interests of the public to approve and enter into the Agreement and to approve and accept the Deed, PE-5, TE-5A, and TE-5REV2 to effectuate the hereinabove described transaction in furtherance of the El Paso County Highway 105 Project A.

NOW, THEREFORE, BE IT RESOLVED the Board of County Commissioners hereby approves, accepts, and enters into the Memorandum of Agreement, Special Warranty Deed, Non-Exclusive Permanent Easement, and Temporary Construction Easement Agreements, subject to the terms and conditions as stated therein.

BE IT FURTHER RESOLVED that Cami Bremer, duly elected, qualified member and Chair of the Board of County Commissioners, or Carrie Geitner, duly elected, qualified member and Vice-Chair, be and is hereby appointed and authorized on behalf of the Board, to execute all additional documents that are reasonable and necessary in order to complete the transaction described herein.

DONE THIS _____ day of _____, 2023 at Colorado Springs, Colorado.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
EL PASO COUNTY, COLORADO

By: _____
Steve Schleiker
El Paso County Clerk and Recorder

By: _____
Cami Bremer, Chair