BOCC

RESOLUTION NO. 26-165

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

RESOLUTION APPROVING A PERMANENT EASEMENT CONVEYING LAND TO COLORADO DEPARTMENT OF TRANSPORTATION AND CONCERNING US HIGHWAY 24 AND STAPLETON

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 make such orders concerning the property belonging to the County when deemed by the Board to be in the best interests of the County; and

WHEREAS, the Colorado Department of Transportation ("CDOT") has identified El Paso County as owners of real property needed for construction and maintenance for roadway improvements. The Department of Public Works has identified a need to enter into a Real Property Donation Agreement and to approve and convey the Permanent Easement, copies of which are attached hereto as Exhibits 1 and 2 respectively, and incorporated herein by reference; and

WHEREAS, the Board has determined that it would serve the best interests of the public to approve the Real Property Donation Agreement and to approve and convey the Permanent Easement to effectuate the hereinabove described transaction.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners hereby approves and conveys property through the Real Property Donation Agreement and Permanent Easement to Grantee 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 9th day of June, 2026, at Colorado Springs, Colorado.

ATTEST:

By: _____
Steve Schleiker
El Paso County Clerk and Recorder

BOARD OF COUNTY COMMISSIONERS
EL PASO COUNTY, COLORADO

By: _____
Carrie Geitner, Chair

Steve Schleiker
06/10/2026 09:47:13 AM
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El Paso County, CO
226054626

Exhibit 1

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION
2829 W. Howard Pl.
Denver, Colorado 80204

COLORADO
Department of Transportation
Division of Transportation Development

REAL PROPERTY DONATION

Project Code: 26947
Parcel No: PE-01
Location: US 24 & Stapleton

Property owners whose real property is needed for a transportation improvement project may donate all or any part of the property to the Colorado Department of Transportation (CDOT) or may donate (waive receipt of) all or any portion of just compensation due to the owner for the property required for the project.

Where the property owner wishes to use the donation for a tax deduction, the owner should seek advice from the Internal Revenue Service or a tax expert regarding the current rules for valuation. It is the property owner's responsibility to ascertain the fair market value of the property for tax purposes. CDOT will pay the reasonable cost of an appraisal for tax purposes if the value of the acquisition is estimated by CDOT at $5,000 or more and the appraisal is prepared by an independent appraiser.

If the property is contaminated, the costs to clean up such contamination will not exceed the value of the property.

Donation of the property is made voluntarily and with full knowledge of the right to receive just compensation. See the attached "Exhibit A" which is incorporated herein.

The undersigned hereby releases CDOT from obtaining an appraisal of the acquired property, waives the right to receive an appraisal other than an appraisal for tax purposes as described above, and waives the right to receive just compensation for the property. The undersigned hereby agrees to execute the necessary conveyance instruments to transfer said property free and clear of all liens and encumbrances.

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

_____ _____
Carrie Geitner, Chair Date

ACCEPTED FOR

_____ _____
Colorado Department of Transportation Date

Attachment (Exhibit A)

cc: Project Development Branch, ROW Services (original)
Property Owner
Region ROW

CDOT Form #1344
12/05

Previous editions are obsolete and may not be used

EXHIBIT "A"

PROJECT NUMBER: STM 0243-098
PERMANENT EASEMENT NUMBER: PE-1
PROJECT CODE: 26947
DATE: Thursday, April 9, 2026
DESCRIPTION

A Permanent Easement No. PE-01 of the Department of Transportation, State of Colorado, Project No. STM 0243-098 containing 22000 sq. ft. (0.505 acres), more or less, in the North 1/2 of Section 33, Township 12 South, Range 64 West, of the 6th Principal Meridian, in El Paso County, Colorado, said Permanent Easement being a portion of the land conveyed by a Warranty Deed recorded at Reception Number 094145343 on October 21, 1994, in the records of the clerk and recorder of said county, being more particularly described as follows:

COMMENCING at the North 1/4 corner of said Section 33, being a recovered 3-1/4 inch aluminum cap stamped "CDOT T12S R64W 1/4 S28 S33 2001 PLS No 22103", thence along the West line of the Northeast 1/4 of said Section 33, S00°29'58"E a distance of 531.66 feet, to a point of intersection with the Northwest boundary of said parcel at Reception Number 094145343, also being the South corner of the East boundary of a parcel of land conveyed by a Warranty Deed recorded at Reception Number 214007733 on January 29, 2014, in the records of the clerk and recorder of said county, also being the **TRUE POINT OF BEGINNING**,

1. **THENCE** departing the common boundary of parcels at Reception Numbers 094145343 and 214007733, S44°04'21"E, a distance of 100.00 feet, to the Northwest Right-of-Way of U.S. Highway 24 (CDOT Project No. NH 0243-058);

2. **THENCE** along the Northwest Right-of-Way of said U.S. Highway 24, S45°55'39"W, a distance of 95.11 feet, to a point of intersection with said West line of the Northeast 1/4 of Section 33;

3. **THENCE** continuing along the Northwest Right-of-Way of U.S. Highway 24, S45°55'39"W, a distance of 124.89 feet;

4. **THENCE** departing the Northwest Right-of-Way of U.S. Highway 24, N44°04'21"W a distance of 100.00 feet, to the common boundary of said parcels at Reception numbers 094145343 and 214007733;

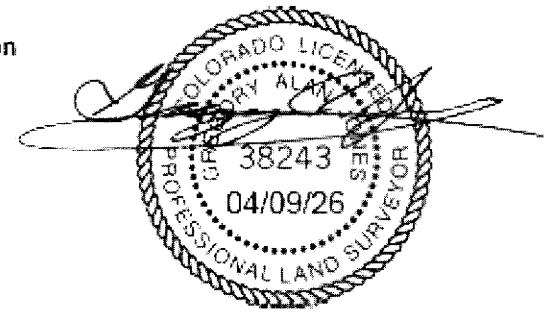
5. **THENCE** along the common boundary of said parcels at Reception numbers 094145343 and 214007733, N45°55'39"E, a distance of 220.00 feet, to the **TRUE POINT OF BEGINNING**.

The above described Permanent Easement contains 22000 sq. ft. (0.505 acres), more or less.

Basis of Bearings: All bearings are based on a line bearing S00°29'58"E a distance of 1312.48 feet between the North 1/4 corner of Section 33, Township 12 South, Range 64 West, of the 6th Principal Meridian, being a recovered 3-1/4 inch aluminum cap stamped "CDOT T12S R64W 1/4 S28 S33 2001 PLS 22103", and the Center North 1/16 corner of said Section 33 being recovered 2-1/2 inch aluminum cap stamped "4M Group T12S R64W C N1/16 33 2008 LS 37909".

I, Gregory A. Jones, a duly licensed land surveyor under the laws of the state of Colorado, do hereby certify that this legal description was prepared by me or under my direct supervision and that it is correct to the best of my knowledge and belief. It is not to be construed, nor does it represent a monumented land survey.

For and on behalf of the
Colorado Department of Transportation
Gregory A. Jones, PLS 38243
5615 Wills Blvd., Pueblo, CO 81008



PERMANENT EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that EL PASO COUNTY BY AND THROUGH THE BOARD OF COUNTY COMMISSIONERS OF EL PASO COUNTY, COLORADO, Grantor, for and in consideration of the sum of ZERO DOLLARS ($00.00), and other valuable consideration, in hand paid by DEPARTMENT OF TRANSPORTATION, STATE OF COLORADO, Grantee, receipt of which is hereby acknowledged, has given and granted and by these presents does hereby give and grant unto the said Grantee, its heirs, successors, and assigns a PERPETUAL EASEMENT on, along, over and across the following described premises, for the construction and maintenance of roadway improvements to-wit:
See Attached Exhibit "A" for:

Project Number: STM 0243-098
Parcel Number: PE-01
Project Code: 26947

Signed this ____ day of _____, 202_

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

By: _____
County Clerk and Recorder

By: _____
Chair

State of COLORADO)
) ss
County of EL PASO)

The foregoing instrument was acknowledged before me this ____ day of _____, 20___, by _____ as Chair of the Board of County Commissioners of El Paso County, Colorado.

Witness my hand and official seal.

_____
Notary Public

My commission expires: _____

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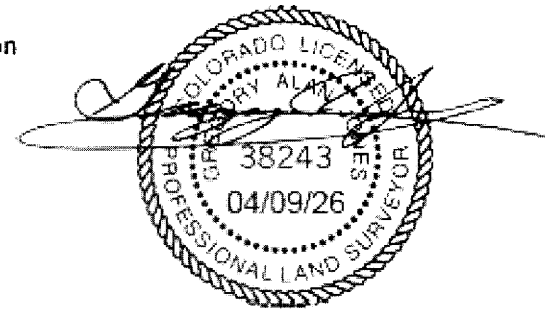
For and on behalf of the
Colorado Department of Transportation
Gregory A. Jones, PLS 38243
5615 Wills Blvd., Pueblo, CO 81008