

RESOLUTION NO. 24-07

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES,
COLORADO, ACCEPTING THE CONVEYANCE OF REAL PROPERTY AND
EASEMENTS TO THE CITY OF CASTLE PINES**

WHEREAS, the City of Castle Pines (“City”) and the Board of County Commissioners of the County of Douglas, State of Colorado (“County”) entered into that intergovernmental agreement dated September 12, 2023, titled *Intergovernmental Agreement Between the City of Castle Pines and the Board of County Commissioners of the County of Douglas, State of Colorado, Regarding the Relocation of South Havana Street Project and a Financial Contribution for a Future Traffic Signal* (herein the “IGA”); and

WHEREAS, the IGA requires the County to convey to the City, and for the City Council to accept, the County’s interest in the land identified as the “County Parcels” in Section 3.c of the IGA (*see* IGA Sections 3.c and 4.b); and

WHEREAS, the IGA requires the County to convey to the City the easement held by the County (“Existing Easement”) that is recorded at Reception Number 2003135859 in the real property records of the Clerk and Recorder’s Office for the County of Douglas, Colorado (“Clerk & Recorder”) (*see* IGA Section 4.b); and

WHEREAS, in furtherance of the County’s obligation to convey the County Parcels to the City, the County has executed the instrument titled *Quitclaim Deed Right-of-Way*, a copy of which is attached hereto as **Exhibit 1** (the “Quitclaim Deed”); and

WHEREAS, in furtherance of the County’s obligation to convey the Existing Easement to the City, the County has executed the instrument titled *Quitclaim Deed Easements*, a copy of which is attached hereto as **Exhibit 2** (the “Easement Deed”); and

WHEREAS, the City Council finds that the Quitclaim Deed purports to convey the County Parcels to the City and the Easement Deed purports to convey the Existing Easement to the City; and

WHEREAS, the City Council desires to accept the conveyance of the County Parcels and the Existing Easement to the City.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO, THAT:

Section 1. The recitals above are incorporated herein for all purposes.

Section 2. The City Council accepts the conveyance of the County Parcels described in Exhibit A and Exhibit B attached to the Quitclaim Deed, and the City Council authorizes the Mayor to execute any document necessary to accept the conveyance of the County Parcels to the City.

Section 3. The City Council accepts the conveyance of the Existing Easement described in Exhibit A and Exhibit B attached to the Easement Deed, and the City Council authorizes the Mayor to execute any document necessary to accept the conveyance of the Existing Easement to the City.

Section 4. The City Clerk is authorized and directed to: (a) record the Quitclaim Deed and the Easement Deed in the real property records in the office of the Clerk & Recorder; and (b) obtain a recorded copy of the Quitclaim Deed and Easement Deed to be filed in the City's records.

Section 5. Effective Date. This Resolution shall take effect upon its approval by the City Council.

INTRODUCED, READ AND ADOPTED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES by a vote of 7 in favor and 0 against this 23rd day of January 2024.



ATTEST:

Tobi Duffey

Tobi Duffey, MMC, City Clerk

Tracy Engerman
Tracy Engerman (Jan 26, 2024 14:05 MST)

Tracy Engerman, Mayor

APPROVED AS TO FORM:

Linda C. Michow

Linda C. Michow, City Attorney

EXHIBIT 1
to Resolution 24-07

QUITCLAIM DEED Right-of-Way
[Attached hereto]

EXHIBIT A

PROJECT NUMBER: IM 0252-317
PARCEL NUMBER: 2B
PROJECT CODE: 12255
DATE: FEBRUARY 20, 2002

LEGAL DESCRIPTION

A Tract or Parcel No. 2B of the Department of Transportation, State of Colorado, Project No. IM 0252-317 containing 5.39 acres, more or less, which lies in the NE $\frac{1}{4}$ and SE $\frac{1}{4}$ of Section 3, and in the NW $\frac{1}{4}$ of Section 2, all in Township 7 South, Range 67 West, of the 6th Principal Meridian, County of Douglas, State of Colorado, said parcel being more particularly described as follows:

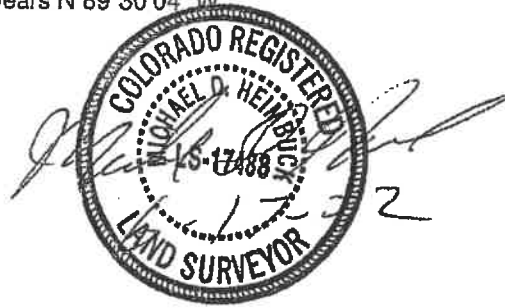
Commencing at the East $\frac{1}{4}$ corner of said Section 3, Township 7 South, Range 67 West, 6th P.M., said point being the TRUE POINT OF BEGINNING;

1. Thence S 00°06'44" E, along the East line of the SE $\frac{1}{4}$ of Section 3, a distance of 53.82 feet;
2. Thence departing said East line of the SE $\frac{1}{4}$ of Section 3, N 62°38'14" W, a distance of 171.28 feet to a point of curvature;
3. Thence along a curve to the left having a radius of 1920.00 feet, a central angle of 05°53'33" and an arc length of 197.46 feet (the chord of which bears N 65°35'00" W, a distance of 197.37 feet) to a point of non-tangency;
4. Thence N 21°28'05" E, a distance of 160.00 feet to a point of non-tangent curvature;
5. Thence along a curve to the right having a radius of 2080.00 feet, a central angle of 01°50'41" and an arc length of 66.96 feet (the chord of which bears S 67°36'27" E, a distance of 66.96 feet) to a point of non-tangent curvature;
6. Thence along a curve to the left having a radius of 440.00 feet, a central angle of 48°45'14" and an arc length of 374.40 feet (the chord of which bears N 02°37'50" W, a distance of 363.21 feet) to a point of tangency;
7. Thence N 27°00'27" W, a distance of 782.44 feet to a point on the North line of a parcel as described in Reception No. 302251, Book 471, Page 536;
8. Thence along the North line of said parcel, S 89°46'33" E, a distance of 157.45 feet;
9. Thence departing the North line of said parcel, S 27°00'27" E, a distance of 710.39 feet to a point of curvature;
10. Thence along a curve to the right having a radius of 580.00 feet, a central angle of 49°35'58" and an arc length of 502.09 feet (the chord of which bears S 02°12'28" E, a distance of 486.56 feet) to a point of non-tangent curvature;
11. Thence along a curve to the right having a radius of 2080.00 feet, a central angle of 00°11'08" and an arc length of 6.73 feet (the chord of which bears S 62°43'47" E, a distance of 6.73 feet) to a point of tangency;
12. Thence S 62°38'14" E, a distance of 363.16 feet;
13. Thence S 89°58'48" W, a distance of 244.05 feet to the TRUE POINT OF BEGINNING.

The above described Parcel contains 5.39 acres, more or less.

BASIS OF BEARINGS: All bearings are based on the line between the East ¼ corner of Section 3, Township 7 South, Range 67 West of the 6th Principal Meridian being a 3.25" aluminum cap stamped "Benchmark Engineering Ltd., T7S R67W ¼ S3/S2 1998 RLS 16401" and the West ¼ corner of Section 3, Township 7 South, Range 67 West of the 6th Principal Meridian being a 3.25" aluminum cap stamped "RLS 10734, T7S R67W S4/S3 ¼ 1984" which bears N 89°30'04" W.

Prepared for and on behalf of the
State of Colorado
Michael D. Helmbuck, PLS 17488
8751 E. Hampden Avenue, Suite B-1
Denver, CO 80231



MOUNTAIN SURVEYING & MAPPING, INC.

8751 E. HAMPDEN AVE. #B-1
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(303) 306-1858

EXHIBIT A

Sheet 3 of 3

SCALE 1" = 200' CHECKED BY: M.D.H. DATE 02 / 20 / 02 BY SC/RLP
JOB NO. 01064 FILE NAME: Proj\CDOT\00063\Overall_ROW\OVERALL_ROW_TAKINGS
IM 0252-317, PC 12255, PARCEL NO. 2B NOTES:

PARCEL MAP

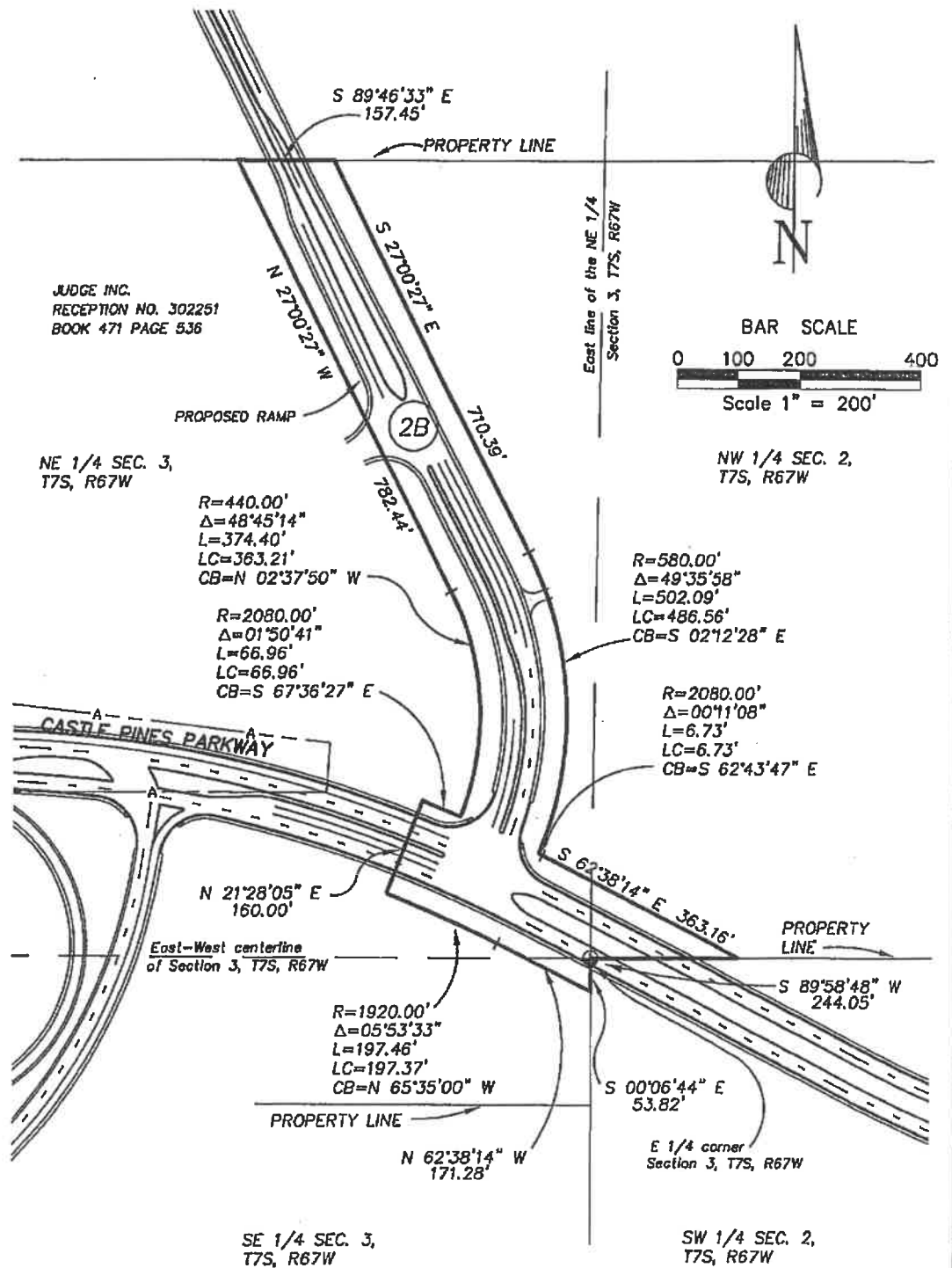


EXHIBIT B

PROJECT NUMBER: IM 0252-317
PARCEL NUMBER: 1A
PROJECT CODE: 12255
DATE: FEBRUARY 20, 2002

LEGAL DESCRIPTION

A Tract or Parcel No. 1A of the Department of Transportation, State of Colorado, Project No. IM 0252-317 containing 0.50 acres, more or less, which lies in the SW $\frac{1}{4}$ of Section 2, Township 7 South, Range 67 West, of the 6th Principal Meridian, County of Douglas, State of Colorado, said parcel being more particularly described as follows:

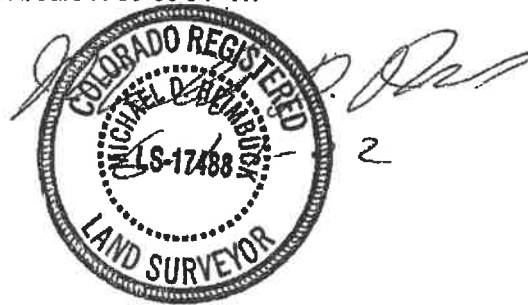
Commencing at the West $\frac{1}{4}$ corner of said Section 2, Township 7 South, Range 67 West, 6th P.M., said point being the TRUE POINT OF BEGINNING;

1. Thence N 89°58'48" E, a distance of 244.05 feet;
2. Thence S 27°21'46" W, a distance of 160.00 feet;
3. Thence N 62°38'14" W, a distance of 191.88 feet to the West line of the SW $\frac{1}{4}$ of Section 2;
4. Thence N 00°06'44" W, along said West line of the SW $\frac{1}{4}$ of Section 2, a distance of 53.82 feet to the TRUE POINT OF BEGINNING.

The above described Parcel contains 0.50 acres, more or less.

BASIS OF BEARINGS: All bearings are based upon the line between the West $\frac{1}{4}$ corner of Section 2, Township 7 South, Range 67 West of the 6th Principal Meridian being a 3.25" aluminum cap stamped "Benchmark Engineering Ltd., T7S R67W $\frac{1}{4}$ S3/S2 1998 RLS 16401" and the West $\frac{1}{4}$ corner of Section 3, Township 7 South, Range 67 West of the 6th Principal Meridian being a 3.25" aluminum cap stamped "RLS 10734, T7S R67W S4/S3 $\frac{1}{4}$ 1984" which bears N 89°30'04" W.

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EXHIBIT B

Sheet 2 of 2

SCALE 1" = 200' CHECKED BY: M.D.H. DATE 2 / 20 / 02 BY SC, RLP
JOB NO. 01064 FILE NAME: Proj\COOT\00063\Overall_ROW\OVERALL_ROW_TAKINGS
IM 0252-317, PC 12255, PARCEL NO. 1A NOTES:

PARCEL MAP

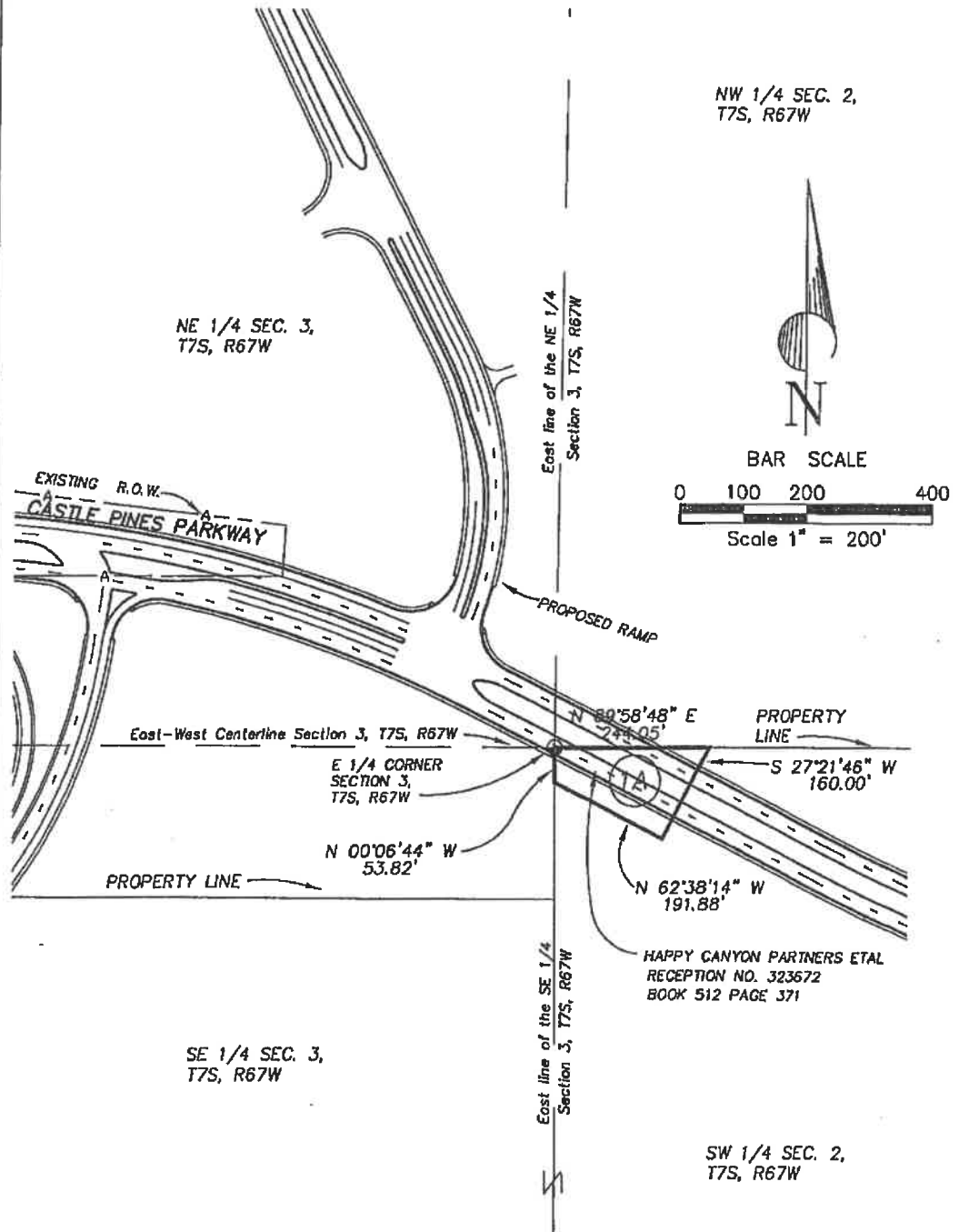


EXHIBIT 2
to Resolution 24-07

QUITCLAIM DEED Easements
[Attached hereto]

EXHIBIT "A"

PROJECT NUMBER: IM 0252-317
PARCEL NUMBER: PE-2
PROJECT CODE: 12255
DATE: FEBRUARY 20, 2002

LEGAL DESCRIPTION

A Permanent Easement No. PE-2 of the Department of Transportation, State of Colorado, Project No. IM 0252-317 containing 0.93 acre, more or less, which lies in the NE ¼ and SE ¼ of Section 3, Township 7 South, Range 67 West, of the 6th Principal Meridian, County of Douglas, State of Colorado, said permanent easement being more particularly described as follows:

Commencing at the East ¼ corner of said Section 3, Township 7 South, Range 67 West, 6th P.M., thence N 89°30'04" W along the East-West Centerline of Section 3, a distance of 105.67 feet to a point said East-West Centerline of Section 3 and the TRUE POINT OF BEGINNING:

1. Thence departing the East-West Centerline of Section 3, S 62°38'14" E a distance of 119.10 feet to a point on the East line of the SE ¼ of Section 3;
2. Thence along said East line of the SE ¼ of Section 3, S 00°06'44" E, a distance of 50.01 feet;
3. Thence departing said East line of the SE ¼ of Section 3, N 89°30'04" W, a distance of 199.99 feet;
4. Thence N 51°51'32" W a distance of 170.00 feet to a point on the East-West Centerline of Section 3;
5. Thence along said East-West Centerline of Section 3, N 89°30'04" W, a distance of 62.40 feet;
6. Thence departing said East-West Centerline of Section 3, N 31°54'06" E, a distance of 121.38 feet to a point of non-tangent curvature;
7. Thence along a curve to the right having a radius of 1920.00 feet, a central angle of 05°53'33" and an arc length of 197.46 feet (the chord of which bears S 65°35'00" E, a distance of 197.37 feet) to a point of tangency;
8. Thence S 62°38'14" E, a distance of 52.18 feet to the TRUE POINT OF BEGINNING.

The above described Permanent Easement contains 0.93 acre, more or less.

The purpose of the above described Permanent Easement is for slope grading and drainage.

BASIS OF BEARING: All bearings are based upon the line between the East ¼ Corner of Section 3, Township 7 South, Range 67 West of the 6th Principal Meridian being a 3.25" aluminum cap stamped "Benchmark Engineering Ltd., T7S R67W ¼ S3/S2 1998 RLS 16401" and the West ¼ Corner of Section 3, Township 7 South, Range 67 West of the 6th Principal Meridian being a 3.25" aluminum cap stamped "RLS 10734, T7S R67W S4/S3 ¼ 1984" which bears N 89°30'04" W.

Prepared for and on behalf of the
State of Colorado
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1.

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EXHIBIT "A"
SHEET 2 OF 2

SCALE 1" = 100' CHECKED BY: M.D.H. DATE 02 / 20 / 02 BY SC/RLP
JOB NO. 01084 FILE NAME: . Proj\CDOT\00063\Overall_ROW\OVERALL_ROW_TAKINGS
IM 0252-317, PC 12255, PERMANENT EASEMENT NO. 2 NOTES:

PERMANENT EASEMENT

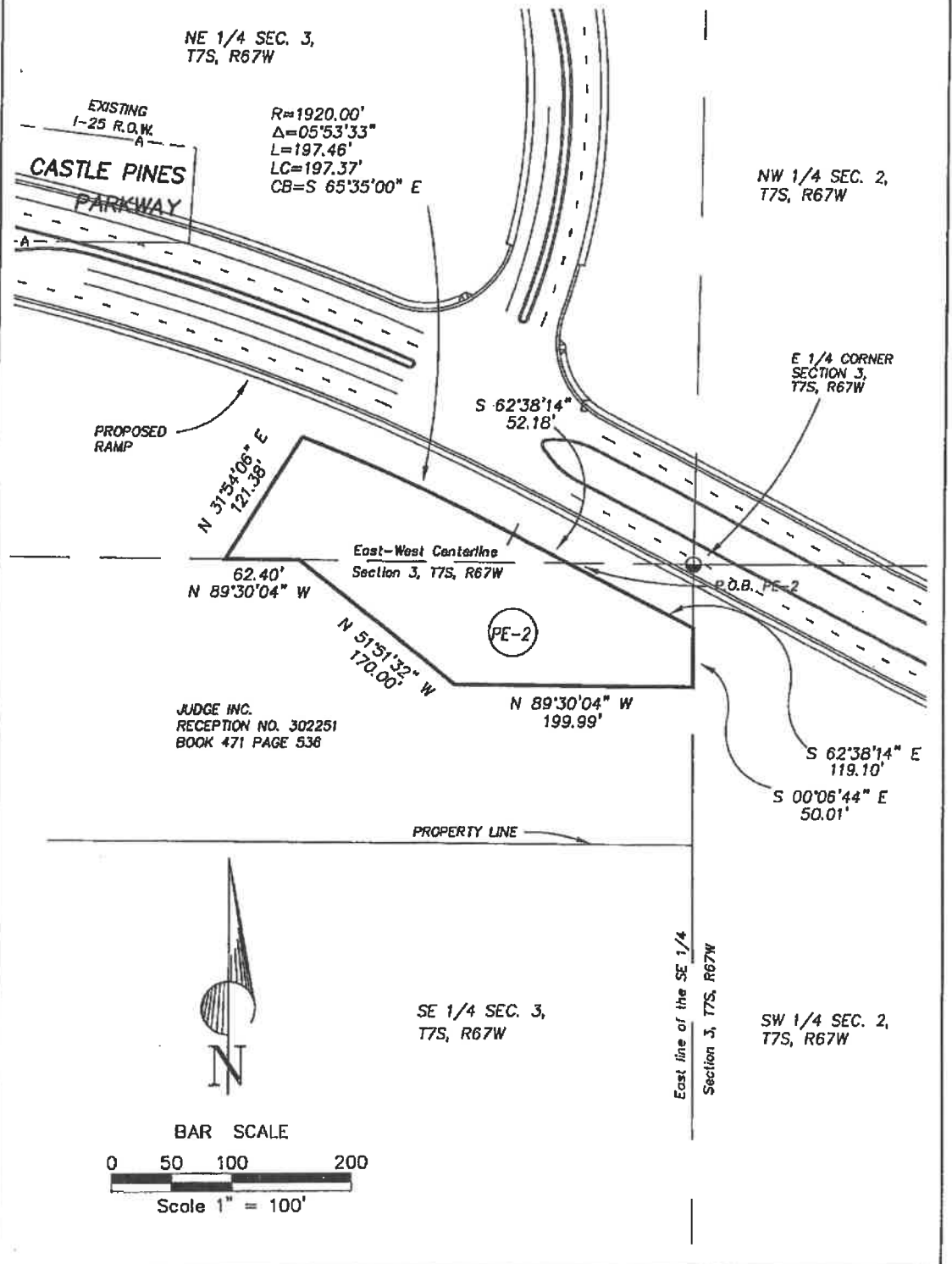


EXHIBIT "B"

PROJECT NUMBER: IM 0252-317
PARCEL NUMBER: PE-2A
PROJECT CODE: 12255
DATE: FEBRUARY 20, 2002

LEGAL DESCRIPTION

A Permanent Easement No. PE-2A of the Department of Transportation, State of Colorado, Project No. IM 0252-317 containing 3.36 acres, more or less, which lies in the NE ¼ of Section 3, and the NW ¼ of Section 2, all in Township 7 South, Range 67 West, of the 6th Principal Meridian, County of Douglas, State of Colorado, said parcel being more particularly described as follows:

Commencing at the East ¼ corner of said Section 3, Township 7 South, Range 67 West, 6th P.M., thence along the East line of NE ¼ Section 3, N 00°44'29" E, a distance of 125.56 feet to the TRUE POINT OF BEGINNING:

1. Thence departing said East line of NE ¼ Section 3, N 62°38'14" W, a distance of 90.19 feet to a point of curvature;
2. Thence along a curve to the left having a radius of 2080.00 feet, a central angle of 00°11'08" and an arc length of 6.73 feet (the chord of which bears N 62°43'47" W, a distance of 6.73 feet) to a point of non-tangent curvature;
3. Thence along a curve to the left having a radius of 580.00 feet, a central angle of 49°35'58" and an arc length of 502.09 feet (the chord of which bears N 02°12'28" W, a distance of 486.56 feet) to a point of tangency;
4. Thence N 27°00'27" W, a distance of 710.39 feet to the North line of a parcel as described in Reception No. 302251, Book 471, Page 536;
5. Thence along the North line of said parcel, S 89°46'33" E, a distance of 56.88 feet;
6. Thence departing the North line of said parcel, S 48°44'28" E, a distance of 370.00 feet;
7. Thence S 23°45'51" E, a distance of 125.00 feet;
8. Thence S 07°42'43" E, a distance of 850.00 feet;
9. Thence N 62°38'14" W, a distance of 81.11 feet to the TRUE POINT OF BEGINNING.

The above described Permanent Easement contains 3.36 acres, more or less.

The purpose of the above described Permanent Easement is for slope grading and drainage.

BASIS OF BEARINGS: All bearings are based upon the line between the East ¼ corner of Section 3, Township 7 South, Range 67 West of the 6th Principal Meridian being a 3.25" aluminum cap stamped "Benchmark Engineering Ltd., T7S R67W ¼ S3/S2 1998 RLS 16401" and the West ¼ corner of Section 3, Township 7 South, Range 67 West of the 6th Principal Meridian being a 3.25" aluminum cap stamped "RLS 10734, T7S R67W S4/S3 ¼ 1984" which bears N 00°44'29" E, a distance of 125.56 feet.

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EXHIBIT "B"
SHEET 2 OF 2

SCALE 1" = 200' CHECKED BY: M.D.H. DATE 02 / 20 / 02 BY SC/RLP

JOB NO. 01064 FILE NAME: Proj\CDOT\00063\Overall_ROW\OVERALL_ROW_TAKINGS

IM 0252-317, PG 12255, PERMANENT EASEMENT NO. 2A NOTES:

PERMANENT EASEMENT

