

RESOLUTION 17 - 2020

**THE BOARD OF COMMISSIONERS OF MONTROSE COUNTY, COLORADO
AUTHORIZING THE ACQUISITION OF RIGHT-OF-WAY FOR IMPROVEMENTS TO BLOSSOM ROAD AND
REPLACEMENT OF BRIDGE, AUTHORIZING THE EXPENDITURE OF FUNDS FOR SUCH ACQUISITION AND
ACCEPTANCE OF THE PROPERTY FOR COUNTY ROAD RIGHT-OF-WAY PURPOSES**

WHEREAS, pursuant to Colorado Revised Statutes 30-11-101(1)(b), 30-11-107(1)(e) and (2), the Board of County Commissioners ("Board") is empowered to provide for the management of the business and budget of the County and to acquire real estate for use by the County; and

WHEREAS, the Board has been informed by the Director of Public Works that acquisition of real property for use as county road right-of-way is necessary for the improvement of Blossom Road, including replacement of a bridge; and

WHEREAS, the Board has been further advised that acquisition of real estate described in Exhibit A and Exhibit B hereto has been negotiated with the land owner, and that said land owner is willing to convey such real property to Montrose County in consideration of a payment to the landowner of \$7850.00, as determined to be the fair market value by a Certified General Appraiser in the State of Colorado; and

WHEREAS, the Board desires to make this acquisition of real property to accomplish the purposes described by the Director of Public Works, and hereby finds that such acquisition is in the best interest of the public and benefits the public health, welfare and safety; and


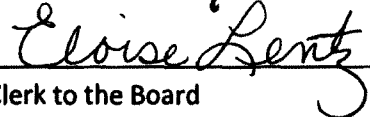
WHEREAS, the Board hereby finds that funds are available for this acquisition;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Montrose County that:

1. The expenditure of funds for the acquisition of the real property described in Exhibit A hereto is hereby authorized and appropriated in the amount of \$7850.00.
2. The Director of Public Works is hereby authorized and directed to take such actions as are necessary to effectuate the acquisition of this real property for use as a county road right-of-way.
3. The County Manager and Director of Finance are hereby instructed and authorized to prepare such budget amendments or transfers from accounts as may be needed to permit the acquisition of the real property.

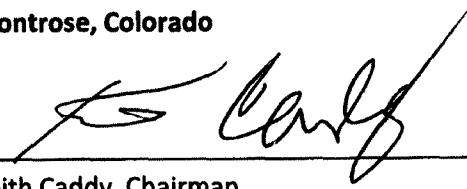
Approved and adopted this 1st day of April, 2020.

ATTEST:



Clerk to the Board



BOARD OF COUNTY COMMISSIONERS
Montrose, Colorado

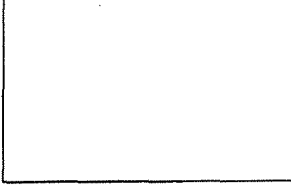

Keith Caddy, Chairman


Roger Rash, Vice-Chairman


Sue Hansen, Commissioner

BARGAIN AND SALE DEED

KNOW ALL BY THESE PRESENTS, That Morfitt Farms, LLLP, a Colorado limited liability partnership, the "Grantor," whose legal address is P.O. Box 628, Delta, Colorado, 81416 of the County of Delta and State of Colorado,



for the consideration of the sum of Seven-thousand-eight hundred-fifty dollars and no cents (\$ 7,850.00), in hand paid, hereby sells and conveys to Montrose County, Colorado, a body politic and political subdivision of the State of Colorado, the "Grantee," whose legal address is 317 South 2nd Street, Montrose, Colorado 81401 of the County of Montrose and State of Colorado the following real property situate in the County of Montrose and State of Colorado, to wit:

See Exhibit A and Exhibit B, attached hereto and incorporated by this reference.

also known by street address as: None – Right-of-way parcel
and assessor's schedule or parcel number: None – Right-of-way parcel
with all its appurtenances.

Signed this _____ day of _____, 20____.

Morfitt Farms, LLLP

By: _____

Its: _____

STATE OF COLORADO)
) ss.
_____ County of _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by _____

Witness my hand and official seal.
My commission expires:

Notary Public

Name and Address of Person Creating Newly Created Legal Description (§38-35-106.5, C.R.S.)

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LEGAL DESCRIPTION

A parcel of land lying North of the North Right of Way line of Blossom Road, containing 30,631 square feet, more or less, located in Section 33, Township 51 North, Range 10 West, N.M.P.M., in Montrose County, Colorado, said parcel being a portion of, and contained within the land as described in a Bargain and Sale Deed, recorded at Reception No. 693467 and being more particularly described as follows:

Beginning at a point on the north line of Blossom Road Right of Way from whence the $C\frac{1}{4}$ corner of said Section 33, bears S 86°46'27" E a distance of 472.20'; thence thence N 74°09'40" E a distance of 488.85'; thence S 00°25'00" E a distance of 130.00' to said Road Right of Way; thence along said Road Right of Way S 89°35'00" W a distance of 471.25' to the point of beginning.

Described Parcel containing an area of 0.70 acres, more or less.

Basis of Bearings: The basis of bearing for project reference is a line from the $W\frac{1}{4}$ corner of said Section 33 (a 3" cap on an aluminum pipe) to the $C\frac{1}{4}$ corner of said Section 33 (a 2" cap on rebar), having a bearing of N 89°35'00" E.



DOWL

www.dowl.com

222 South Park Avenue
Montrose, Colorado 81401
970-249-6828

BLOSSOM ROAD
PARCEL #349533300006, REC #693467
MORFITT "TRIANGLE"

PROJECT	7121.74812.01
DATE	1/20/2020
CHECKED	JSR 1/20/2020

Exhibit β

RECEPTION#: 919591, Date: 4/1/2020 12:16 PM,
 Pages: 5 of 5, RES
 Montrose County, CO. Tressa Guynes, Clerk and Recorder

U:\DOWL Projects\74812-01_Blossom Rd Bridge\70Survey\7121-74812 Blossom Rd-ROW Plan_12-13-2019.dwg PLOT DATE 2020-1-20 17:04 SAVED DATE 2020-01-20 17:04 USER: jccarter

