

RESOLUTION 44 - 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 replacement of the Blossom Road Uncompahgre River bridge; and

WHEREAS, the Board has been further advised that acquisition of real estate consisting of 0.265 acres as described in Exhibit A and Exhibit B hereto has been negotiated with the land owner, and that the parties have executed a Memorandum of Agreement of which a copy is attached hereto and by reference made a part hereof, and that said land owner is willing to convey such real property to Montrose County in consideration of a payment to the landowner of \$1,700.00; 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;


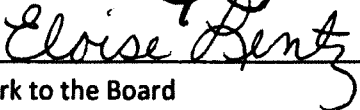
NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Montrose County that:

1. The expenditure of funds for the acquisition of the real property described in Exhibit A and Exhibit B hereto is hereby authorized and appropriated in the amount of \$1,700.00.
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 7th day of October, 2020.

ATTEST:



Clerk to the Board

BOARD OF COUNTY COMMISSIONERS
Montrose, Colorado


Keith Caddy, Chairman


Roger Rash, Vice-Chairman



Sue Hansen, Commissioner



EXHIBIT "A"

PROJECT CODE: 22047
PROJECT NUMBER: BRO C 210-009
PERMANENT EASEMENT NUMBER: PE-2
DATE: JUNE 12, 2020

LEGAL DESCRIPTION

A Permanent Easement No. PE-2 of the Department of Transportation, State of Colorado, Project Code 22047, Project Number BRO C 210-009, containing 11,560 square feet (0.265 acres), more or less, in the NE1/4 SW1/4 of Section 33, Township 51 North, Range 10 West, N.M.P.M., in Montrose County, Colorado, said Permanent Easement being more particularly described as follows:

Commencing at a point on the south side of Blossom Road Right of Way from whence the C1/4 corner of said Section 33, bears N 83°30'48" E a distance of 283.71'; the POINT OF BEGINNING;

1. Thence S 0°25'00" E a distance of 10.00' to a point;
2. Thence S 87°13'59" W a distance of 268.25' to a point;
3. Thence S 89°35'00" W a distance of 352.67' to a point;
4. Thence N 0°25'00" W a distance of 21.00' to a point on said road Right of Way;
5. Thence along said road Right of Way N 89°35'00" E a distance of 620.69' to the POINT OF BEGINNING.

The above described Permanent Easement contains 11,560 square feet (0.265 acres), more or less.

The purpose of the above described Permanent Easement is for the construction, road fill and maintenance of roadway improvements; along with all associated activities.

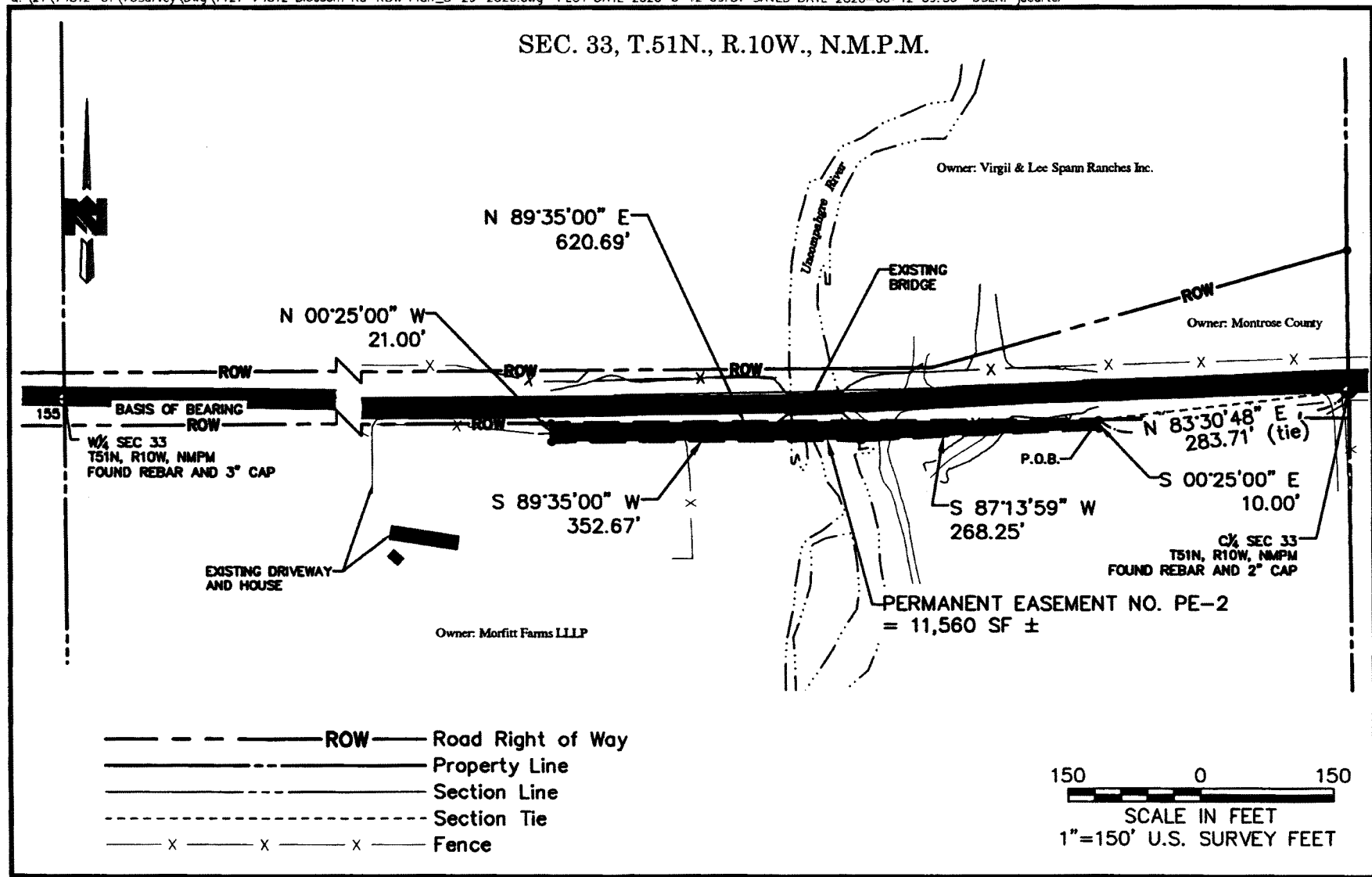
Basis of Bearings: The basis of bearing for project reference is a line from the W1/4 corner of said Section 33 (a 3" cap on rebar) to the C1/4 corner of said Section 33 (a 2" cap on rebar), having a bearing of N 89°35'00" E.

For and on behalf of the
DOWL
Joseph S. Rease, PLS 36067
(970) 497-8879
222 South Park Ave.
Montrose, CO 81401



Ex. B

C:\21\74812-01\70Survey\Dwg\7121-74812 Blossom Rd-ROW Plan_5-29-2020.dwg PLOT DATE 2020-6-12 09:57 SAVED DATE 2020-06-12 09:56 USER: jcarter



DOWL
 www.dowl.com
 222 South Park Avenue
 Montrose, Colorado 81401
 970-249-6828

BLOSSOM ROAD
 PERMANENT EASEMENT NO. PE-2
 FOR PROPERTY OWNER MORFITT

PROJECT	7121.74812.01
DATE	6/12/2020
CHECKED	JSR 6/12/2020
EXHIBIT B	