

RESOLUTION NO. R-014-094

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOUGLAS, COLORADO

A RESOLUTION AUTHORIZING THE ACQUISITION OF
INTERESTS IN REAL PROPERTY AS PUBLIC RIGHT-OF-WAY
FOR ROADWAY IMPROVEMENTS ASSOCIATED WITH THE
AIRPORT ROAD OVER PLUM CREEK BRIDGE REPLACEMENT PROJECT;
PROJECT NO. CI 2009-016 (THE "PROJECT")

WHEREAS, certain roadway and storm drainage improvements to Airport Road over Plum Creek in Douglas County, Colorado are necessary to accommodate increasing traffic volume and improve safety; and

WHEREAS, the Douglas County Department of Public Works Engineering wishes to begin construction on said Project, at said location, in the fall of 2014; and

WHEREAS, in furtherance of this Project, the Board of County Commissioners desires to accomplish the following:

- a. Formally declare Douglas County's intent to acquire interests in real property located within Douglas County for public purposes as necessary to construct the Project in fulfillment of the requirements of C.R.S. §38-1-121, *et seq.*;
- b. Authorize negotiations for the acquisition of such property interests as necessary for said Project;
- c. Accept the instruments of conveyance of the property interests acquired for this Project; and
- d. Authorize the Douglas County Attorney's Office to institute condemnation proceedings to acquire the property interests as necessary for the Project, in the event Douglas County staff is unable to acquire the interests despite good faith efforts to do so.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of the County of Douglas, State of Colorado:

Section 1. The Board of County Commissioners of the County of Douglas, State of Colorado hereby declares its intent to acquire fee estate and/or easement interests in land for public purposes as necessary to construct the road and drainage improvements associated with the Project. The following legal descriptions and/or depictions of the property interests to be acquired, as may be revised, are attached hereto and incorporated herein as:

Exhibits A-1, A-2, A-3, A-4 & A-5 - Property to be acquired in fee simple title as additional right-of-way.

Exhibits B-1, B-2 & B-3 - Temporary construction easement interests to be acquired to accommodate cut and fill slopes.

Exhibits C-1, C-2 & C-3 - Temporary construction easement interests to be acquired to accommodate a temporary traffic detour along a section of Lavaun Drive.

Section 2. The Public Works Engineering Director is hereby authorized to negotiate for the purchase of said property interests in good faith and to acquire said property interests as required for the construction of the Project.

Section 3. The Board of County Commissioners hereby accepts, upon recordation, the instruments of conveyance of the property interests acquired for the Project.

Section 4. If negotiations to acquire the above-described property interests are unsuccessful, the County Attorney is hereby authorized and directed to institute condemnation proceedings to acquire the property interests necessary for the construction of the Project and to seek the immediate possession of such property so that construction of the necessary improvements may begin as soon as reasonably possible.

Section 5. Pursuant to Section 2, paragraph 210.03 of the Douglas County Zoning Resolution; "lots conforming to the minimum lot area requirements of a zone district, that are reduced in land area due to a land acquisition by a governmental entity, shall be considered conforming to the minimum lot area requirements of the specific district for principal uses, accessory uses and uses permitted by special review".

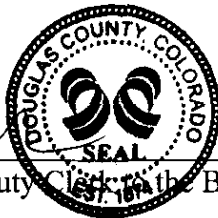
PASSED AND ADOPTED this 13 day of Sept., 2014, in Castle Rock, Douglas County, Colorado.

**THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOUGLAS, STATE OF COLORADO**

By: 
ROGER A. PARTRIDGE, Chair

ATTEST:


MELISSA PELLETIER, Deputy Clerk of the Board



SEAL

PROJECT CODE: 18543
PROJECT NUMBER: BRO C470-037
PARCEL NUMBER: RW-1
DATE: NOVEMBER 5, 2013

LEGAL DESCRIPTION

A tract or parcel of land No. RW-1 of the Department of Transportation, State of Colorado, Project Code 18543, Project Number BRO C470-037, containing 6690 square feet (0.154 acres), more or less, in the W1/2 SW1/4 Section 3, T-7-S, R-68-W, of the 6th P.M., Douglas County, Colorado, said tract or parcel being more particularly described as follows:

Beginning at the calculated W1/4 corner of said Section 3, whence the witness corner for the W1/4 corner of said Section 3, (a 3 1/4" Alum. Cap on a 2 3/8" Alum. Pipe – PLS 23053), bears South 01°20'00" West, a distance of 87.85 feet more or less, said point being the TRUE POINT OF BEGINNING;

1. Thence along the westerly line of said SW1/4, South 01°20'00" West, a distance of 69.79 feet, to the northerly right-of-way line of DCR 16 – Airport Road;
2. Thence along said right-of-way line, North 69°46'07" East, a distance of 179.02 feet;
3. Thence along said right-of-way line, North 76°59'29" East, a distance of 39.05 feet, to a point on the north line of said SW1/4 Section 3;
4. Thence along said north line, South 89°44'23" West, a distance of 204.41 feet more or less to the TRUE POINT OF BEGINNING.

The above described tract or parcel of land contains 6,690 square feet (0.154 acres), more or less.

Basis of Bearings: Bearings are based on the west line of the SW1/4 of Section 3, T-7-S, R-68-W, 6th P.M. being North 01°20'00" East from the S1/16 corner (a #4 rebar 0.2 feet below surface) to the south WC for the W1/4 corner (a 3 1/4" Alum. Cap on a 2 3/8" Alum. Pipe flush with ground, stamped PLS 23053).

For and on Behalf of the
Colorado Department of Transportation
Micheal Bouchard, PLS 24941
Farnsworth Group Inc.
4755 Forge Road, Suite 150
Colorado Springs, CO 80907



PROJECT CODE: 18543
PROJECT NUMBER: BRO C470-037
PARCEL NUMBER: RW-1A
DATE: NOVEMBER 5, 2013

LEGAL DESCRIPTION

A tract or parcel of land No. RW-1A of the Department of Transportation, State of Colorado, Project Code 18543, Project Number BRO C470-037, containing 36,713 square feet (0.843 acres), more or less, in the W1/2 SW1/4 Section 3, T-7-S, R-68-W, of the 6th P.M., Douglas County, Colorado, said tract or parcel being more particularly described as follows:

Beginning at a point whence the witness corner for the W1/4 corner of said Section 3, (a 3 1/4" Alum. Cap on a 2 3/8" Alum. Pipe – PLS 23053), bears North 42°21'22" West, a distance of 176.42 feet, said point being the TRUE POINT OF BEGINNING;

1. Thence North 71°39'30" East, a distance of 110.22 feet;
2. Thence North 43°45'53" East, a distance of 128.20 feet;
3. Thence North 83°45'48" East, a distance of 185.47 feet;
4. Thence North 73°25'29" East, a distance of 144.70 feet to the southerly right-of-way line of DCR 16 – Airport Road;
5. Thence along said right-of-way line, North 89°30'58" West, a distance of 253.11 feet;
6. Thence continuing along said right-of-way line, South 86°38'29" West, a distance of 41.92 feet;
7. Thence continuing along said right-of-way line, South 76°59'29" West, a distance of 159.45 feet;
8. Thence continuing along said right-of-way line, South 71°38'47" West, a distance of 110.67 feet;
9. Thence South 18°20'30" East, a distance of 123.93 feet more or less to the TRUE POINT OF BEGINNING.

The above described tract or parcel of land contains 36,713 square feet (0.843 acres), more or less.

Basis of Bearings: Bearings are based on the west line of the SW1/4 of Section 3, T-7-S, R-68-W, 6th P.M. being North 01°20'00" East from the S1/16 corner (a #4 rebar 0.2 feet below surface) to the south WC for the W1/4 corner (a 3 1/4" Alum. Cap on a 2 3/8" Alum. Pipe flush with ground, stamped PLS 23053).

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PROJECT CODE: 18543
PROJECT NUMBER: BRO C470-037
PARCEL NUMBER: RW-2
DATE: NOVEMBER 5, 2013

LEGAL DESCRIPTION

A tract or parcel of land No. RW-2 of the Department of Transportation, State of Colorado, Project Code 18543, Project Number BRO C470-037, containing 16,767 square feet (0.385 acres), more or less, in the NW1/4 Section 3, T-7-S, R-68-W, of the 6th P.M., Douglas County, Colorado, said tract or parcel being more particularly described as follows:

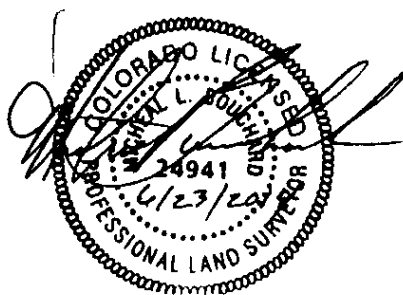
Beginning at the calculated W1/4 corner of said Section 3, whence the witness corner for the W1/4 corner of said Section 3, (a 3 1/4" Alum. Cap on a 2 3/8" Alum. Pipe – PLS 23053), bears South 01°20'00" West, a distance of 87.85 feet more or less, said point being the TRUE POINT OF BEGINNING;

1. Thence North 68°45'42" East, a distance of 138.14 feet;
2. Thence North 80°02'31" East, a distance of 286.57 feet;
3. Thence South 78°35'29" East, a distance of 221.86 feet;
4. Thence North 89°20'33" West, a distance of 300.09 feet;
5. Thence South 76°38'58" West, a distance of 191.19 feet;
6. Thence South 69°43'59" West, a distance of 41.98 feet to a point on the south line of said NW1/4 Section 3;
7. Thence along said south line, South 89°44'23" West, a distance of 103.03 feet more or less to the TRUE POINT OF BEGINNING.

The above described tract or parcel of land contains 16,767 square feet (0.385 acres), more or less.

Basis of Bearings: Bearings are based on the west line of the SW1/4 of Section 3, T-7-S, R-68-W, 6th P.M. being North 01°20'00" East from the S1/16 corner (a #4 rebar 0.2 feet below surface) to the south WC for the W1/4 corner (a 3 1/4" Alum. Cap on a 2 3/8" Alum. Pipe flush with ground, stamped PLS 23053).

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PROJECT CODE: 18543
PROJECT NUMBER: BRO C470-037
PARCEL NUMBER: RW-2A
DATE: NOVEMBER 5, 2013

LEGAL DESCRIPTION

A tract or parcel of land No. RW-2A of the Department of Transportation, State of Colorado, Project Code 18543, Project Number BRO C470-037, also being a slope easement as recorded in the office of the Douglas County Clerk and Recorder at Reception No. 9826655, containing 5,258 square feet (0.121 acres), more or less, in the NW1/4 Section 3, T-7-S, R-68-W, of the 6th P.M., Douglas County, Colorado, said tract or parcel being more particularly described as follows:

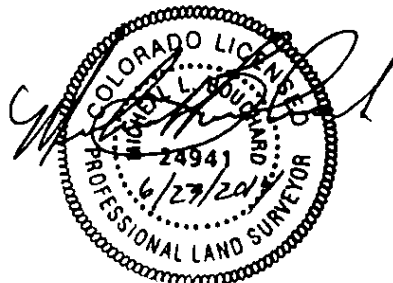
Beginning at a point whence the witness corner for the W1/4 corner of said Section 3, (a 3 1/4" Alum. Cap on a 2 3/8" Alum. Pipe – PLS 23053), bears South 66°01'20" West, a distance of 361.68 feet, said point being the TRUE POINT OF BEGINNING;

1. Thence South 76°38'58" West, a distance of 191.19 feet;
2. Thence South 69°43'59" West, a distance of 41.98 feet to the south line of said NW1/4 of Section 3;
3. Thence along said south line, North 89°44'23" East, a distance of 101.38 feet to a point on the northerly right-of-way line of DCR 16 – Airport Road;
4. Thence along said right-of-way line, North 76°59'29" East, a distance of 128.53 feet;
5. Thence North 02°22'03" West a distance of 29.32 feet more or less to the TRUE POINT OF BEGINNING.

The above described tract or parcel of land contains 5,258 square feet (0.121 acres), more or less.

Basis of Bearings: Bearings are based on the west line of the SW1/4 of Section 3, T-7-S, R-68-W, 6th P.M. being North 01°20'00" East from the S1/16 corner (a #4 rebar 0.2 feet below surface) to the south WC for the W1/4 corner (a 3 1/4" Alum. Cap on a 2 3/8" Alum. Pipe flush with ground, stamped PLS 23053).

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PROJECT CODE: 18543
PROJECT NUMBER: BRO C470-037
PARCEL NUMBER: RW-2B
DATE: NOVEMBER 5, 2013

LEGAL DESCRIPTION

A tract or parcel of land No. RW-2B of the Department of Transportation, State of Colorado, Project Code 18543, Project Number BRO C470-037, also being a drainage easement as recorded in the office of the Douglas County Clerk and Recorder at Reception No. 9826654, containing 8,656 square feet (0.199) acres, more or less, in the NW1/4 Section 3, T-7-S, R-68-W, of the 6th P.M., Douglas County, Colorado, said tract or parcel being more particularly described as follows:

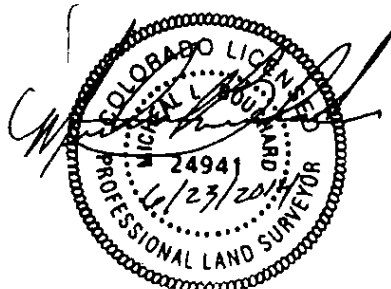
Beginning at a point whence the witness corner for the W1/4 corner of said Section 3, (a 3 1/4" Alum. Cap on a 2 3/8" Alum. Pipe – PLS 23053), bears South 66°01'20" West, a distance of 361.68 feet, said point being the TRUE POINT OF BEGINNING;

1. Thence South 89°20'33" East, a distance of 300.09 feet;
2. Thence South 78°35'29" East, a distance of 123.13 feet to a point on the northerly right-of-way line of DCR 16 – Airport Road;
3. Thence along said right-of-way line, North 89°26'53" West, a distance of 338.53 feet;
4. Thence continuing along said right-of-way line, South 86°38'29" West, a distance of 81.18 feet;
5. Thence North 02°22'03" West, a distance of 29.32 feet more or less to the TRUE POINT OF BEGINNING.

The above described tract or parcel of land contains 8,656 square feet (0.199 acres), more or less.

Basis of Bearings: Bearings are based on the west line of the SW1/4 of Section 3, T-7-S, R-68-W, 6th P.M. being North 01°20'00" East from the S1/16 corner (a #4 rebar 0.2 feet below surface) to the south WC for the W1/4 corner (a 3 1/4" Alum. Cap on a 2 3/8" Alum. Pipe flush with ground, stamped PLS 23053).

For and on Behalf of the
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PROJECT CODE: 18543
PROJECT NUMBER: BRO C470-037
TEMPORARY EASEMENT NUMBER: TE-1
DATE: NOVEMBER 5, 2013

LEGAL DESCRIPTION

A temporary easement No. TE-1 of the Department of Transportation, State of Colorado, Project Code 18543, Project Number BRO C470-037, containing 13,259 square feet (0.304 acres), more or less, in the W1/2 SW1/4 Section 3, T-7-S, R-68-W, of the 6th P.M., Douglas County, Colorado, said temporary easement being more particularly described as follows:

Beginning at a point whence the witness corner for the W1/4 corner of said Section 3, (a 3 1/4" Alum. Cap on a 2 3/8" Alum. Pipe – PLS 23053), bears North 42°21'22" West, a distance of 176.42 feet, said point being the TRUE POINT OF BEGINNING;

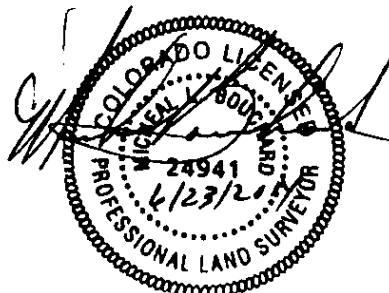
1. Thence North 18°20'30" West, a distance of 123.93 feet to the southerly right-of-way line of DCR 16 – Airport Road;
2. Thence along said right-of-way line, South 71°38'47" West, a distance of 57.30 feet;
3. Thence along said right-way line, South 66°48'04" West, a distance of 28.79 feet to a point on the west line of said Section 3;
4. Thence along said west line, South 01°20'00" West, a distance of 129.02 feet;
5. Thence North 71°39'30" East, a distance of 129.42 feet more or less to the TRUE POINT OF BEGINNING.

The above described temporary easement contains 13,259 square feet (0.304 acres), more or less.

The purpose of the above described temporary easement is for the construction of roadway improvements.

Basis of Bearings: Bearings are based on the west line of the SW1/4 of Section 3, T-7-S, R-68-W, 6th P.M. being North 01°20'00" East from the S1/16 corner (a #4 rebar 0.2 feet below surface) to the south WC for the W1/4 corner (a 3 1/4" Alum. Cap on a 2 3/8" Alum. Pipe flush with ground, stamped PLS 23053).

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PROJECT CODE: 18543
PROJECT NUMBER: BRO C470-037
TEMPORARY EASEMENT NUMBER: TE-1A
DATE: NOVEMBER 5, 2013

LEGAL DESCRIPTION

A temporary easement No. TE-1A of the Department of Transportation, State of Colorado, Project Code 18543, Project Number BRO C470-037, containing 5,182 square feet (0.119 acres), more or less, in the W1/2 SW1/4 Section 3, T-7-S, R-68-W, of the 6th P.M., Douglas County, Colorado, said temporary easement being more particularly described as follows:

Beginning at a point whence the witness corner for the W1/4 corner of said Section 3, (a 3 1/4" Alum. Cap on a 2 3/8" Alum. Pipe – PLS 23053), bears South 88°02'02" West, a distance of 496.82 feet, said point being the TRUE POINT OF BEGINNING;

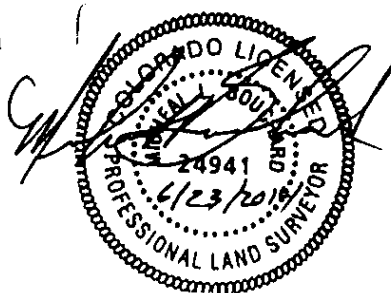
1. Thence North 73°25'29" East, a distance of 97.34 feet;
2. Thence South 15°40'16" West, a distance of 93.12 feet;
3. Thence South 90°00'00" West, a distance of 43.60 feet;
4. Thence North 21°37'45" West, a distance of 66.58 feet more or less to the TRUE POINT OF BEGINNING.

The above described temporary easement contains 5,182 square feet (0.119 acres), more or less.

The purpose of the above described temporary easement is for the construction of roadway improvements.

Basis of Bearings: Bearings are based on the west line of the SW1/4 of Section 3, T-7-S, R-68-W, 6th P.M. being North 01°20'00" East from the S1/16 corner (a #4 rebar 0.2 feet below surface) to the south WC for the W1/4 corner (a 3 1/4" Alum. Cap on a 2 3/8" Alum. Pipe flush with ground, stamped PLS 23053).

For and on Behalf of the
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PROJECT CODE: 18543
PROJECT NUMBER: BRO C470-037
TEMPORARY EASEMENT NUMBER: TE-2
DATE: NOVEMBER 5, 2013

LEGAL DESCRIPTION

A temporary easement No. TE-2 of the Department of Transportation, State of Colorado, Project Code 18543, Project Number BRO C470-037, containing 8,530 square feet (0.196 acres), more or less, in the NW1/4 Section 3, T-7-S, R-68-W, of the 6th P.M., Douglas County, Colorado, said temporary easement being more particularly described as follows:

Beginning at a point whence the witness corner for the W1/4 corner of said Section 3, (a 3 1/4" Alum. Cap on a 2 3/8" Alum. Pipe – PLS 23053), bears South 64°26'29" West, a distance of 420.81 feet, said point being the TRUE POINT OF BEGINNING;

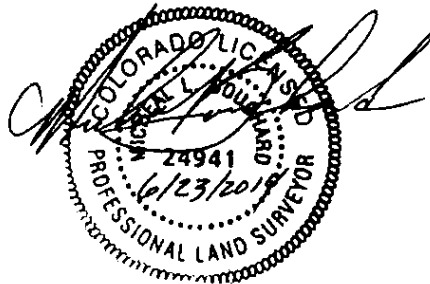
1. Thence North 80°02'31" East, a distance of 33.93 feet;
2. Thence South 78°35'29" East, a distance of 103.71 feet;
3. Thence North 12°06'36" East, a distance of 67.12 feet;
4. Thence North 78°33'05" West, a distance of 116.52 feet;
5. Thence South 25°15'42" West a distance of 81.94 feet more or less to the TRUE POINT OF BEGINNING.

The above described temporary easement contains 8,530 square feet (0.196 acres), more or less.

The purpose of the above described temporary easement is for the construction of roadway improvements.

Basis of Bearings: Bearings are based on the west line of the SW1/4 of Section 3, T-7-S, R-68-W, 6th P.M. being North 01°20'00" East from the S1/16 corner (a #4 rebar 0.2 feet below surface) to the south WC for the W1/4 corner (a 3 1/4" Alum. Cap on a 2 3/8" Alum. Pipe flush with ground, stamped PLS 23053).

For and on Behalf of the
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PROJECT NUMBER: CI 2009-016
TEMPORARY EASEMENT
DATE: JANUARY 7, 2014

LEGAL DESCRIPTION

A temporary easement of Douglas County, State of Colorado, Project Number **CI 2009-016**, containing 14,669 square feet (0.337 acres), more or less, in the NW 1/4, Section 3, T-7-S, R-68-W, of the 6th P.M., Douglas County, State of Colorado, and in Lot 8 of Louviers Industrial Park subdivision as recorded in the Douglas County Clerk and Recorders office at reception number 169388 said temporary easement being more particularly described as follows:

Beginning at the northerly lot corner common to lots 8 & 9 of said Louviers Industrial Park Subdivision;

Thence S 89°37'00" W, on the northerly line of said Lot 8, a distance of 306.73 feet, to the northwesterly lot corner of said Lot 8;

Thence S 17°34'30" E, on the westerly line of said Lot 8, a distance of 23.03 feet;

Thence N 89°37'00" E, a distance of 276.19 feet;

Thence S 21°09'37" E, a distance of 273.09 feet to a point on the southerly line of said Lot 8;

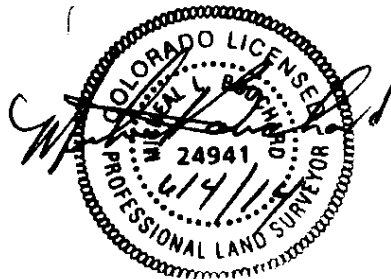
Thence on the southerly line of said Lot 8, on the arc of a curve to the right, an arc distance of 30.75 feet, having a delta of 22°01'28", said curve has a radius of 80.00 feet, the chord of which bears N 57°49'39" E, a distance of 30.56 feet to the southerly lot corner common to said Lots 8 & 9;

Thence N 21°09'37" W, on the line between said Lots 8 & 9, a distance of 279.40 feet to the POINT OF BEGINNING.

The above described parcel contains 14,669 square feet (0.337 acres), more or less.

The purpose of the above described temporary easement is for the construction and maintenance of a detour while roadway improvements are being made to Airport Road.

For and on Behalf of
Douglas County
Micheal Bouchard, PLS 24941
Farnsworth Group Inc.
4755 Forge Road, Suite 150
Colorado Springs, CO 80907



PROJECT NUMBER: CI 2009-016
TEMPORARY EASEMENT
DATE: JANUARY 7, 2014

LEGAL DESCRIPTION

A temporary easement of Douglas County, State of Colorado, Project Number CI 2009-016, containing 8,411 square feet (0.193 acres), more or less, in the NW 1/4, Section 3, T-7-S, R-68-W, of the 6th P.M., Douglas County, State of Colorado, and in Lot 9 of Louviers Industrial Park Subdivision as recorded in the Douglas County Clerk and Recorders office at reception number 169388 said temporary easement being more particularly described as follows:

Beginning at the northerly lot corner common to lots 8 & 9 of said Louviers Industrial Park Subdivision;

Thence N 89°37'00" E, on the northerly line of said Lot 9, a distance of 45.00 feet;

Thence S 11°20'34" W, a distance of 22.47 feet;

Thence S 21°09'37" E a distance of 250.33 feet to a point on the southerly line of said Lot 9;

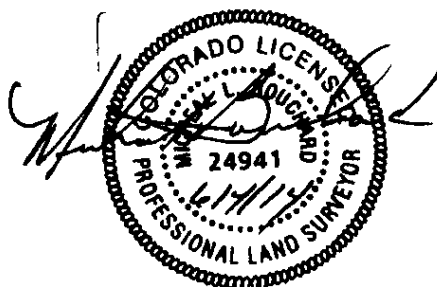
Thence on the southerly line of said Lot 9, on the arc of a curve to the left, having an arc distance of 30.75 feet, having a delta of 22°01'28", said curve has a radius of 80.00 feet, the chord of which bears S 79°51'07" W, a distance of 30.56 feet to the southerly lot corner common to Lots 8 & 9;

Thence N 21°09'37" W, on the lot line between said Lots 8 & 9, a distance of 279.40 feet to the POINT OF BEGINNING.

The above described temporary easement contains 8,411 square feet (0.193 acres), more or less.

The purpose of the above described temporary easement is for the construction and maintenance of a detour while roadway improvements are being made to Airport Road.

For and on Behalf of
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Real Property

Parcel

Public Land Survey System

Township

Section

General Features

School

Private Road

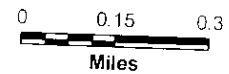
Railroad

Section of
detour to be
temporarily
improved

Detour
Site

Bridge
replacement
Site

US 14-169
As shown on this map, the project is a proposed improvement project for US Highway 14-169, which is a two-lane highway with a center turn lane. The project includes the construction of a new bridge over Plum Creek and Indian Creek, and the improvement of the existing roadway. The project is located in Douglas County, Oregon. The project is a two-lane highway with a center turn lane. The project includes the construction of a new bridge over Plum Creek and Indian Creek, and the improvement of the existing roadway. The project is located in Douglas County, Oregon. The project is a two-lane highway with a center turn lane. The project includes the construction of a new bridge over Plum Creek and Indian Creek, and the improvement of the existing roadway. The project is located in Douglas County, Oregon.



Design: 11/10/10
No. 15, N. 4th St., 101 Third St.
Crest 11/10/10 101 104

Colorado Department of Transportation

18500 East Colfax Avenue
Aurora, CO 80011
Phone: 303-365-7410 FAX: 303-365-7350

Region 1 KAW

Sheet Revisions

Rev	Description	Date

Sheet Revisions

Rev	Description	Date

Farnsworth GROUP

4755 FORGE ROAD, SUITE 150
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Right of Way Plans
Plan Sheet

Project Number: BRD C470-037
Project Location: AIRPORT ROAD
Project Code: OVER PLUM CREEK (C1 09 - 016)
Sheet No. 201

