

2024

RESOLUTION NO. 24-182

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

RESOLUTION TO ACCEPT A SPECIAL WARRANTY DEED FROM MOUNTAIN VIEW RANCHES TO EL PASO COUNTY, COLORADO FOR A PORTION OF MYERS ROAD RIGHT-OF-WAY

WHEREAS, pursuant to C.R.S. §§ 30-11-101(1)(c)-(d), 30-11-102 and 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 purchase and hold real and personal property for the use of the County when deemed by the Board to be in the best interests of the County; and

WHEREAS, Mountain View Ranches wishes to convey right-of-way for the existing Myers Road across its property prior to developing said property, and the County wishes to accept the transfer of ownership of a portion of the Myers Road right-of-way ("ROW Property"), all as described in the Special Warranty Deed attached as Exhibit 1; and


WHEREAS, the Board has determined that it would serve the best interests of the public to accept the Special Warranty Deed as identified above to effectuate the hereinabove described transaction associated with the ROW Property; and

NOW THEREFORE, BE IT RESOLVED that the Board of County Commissioners hereby grants the Special Warranty Deed to the County 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 7th day of May, 2024, at Colorado Springs, Colorado.

ATTEST:

By:  _____
Steve Schleiker
El Paso County Clerk and Recorder

BOARD OF COUNTY COMMISSIONERS
EL PASO COUNTY, COLORADO

By:  _____
Cami Bremer, Chair

SPECIAL WARRANTY DEED

THIS DEED, made this 12th day of February, 2024, between Mountain View Ranches, a New Hampshire LLC (if applicable), whose mailing address is 277 Locust St STE A, Dover, NH 03820 ("Grantor"), and EL PASO COUNTY BY AND THROUGH THE BOARD OF COUNTY COMMISSIONERS OF EL PASO COUNTY, COLORADO, whose street address is 200 S. Cascade Avenue, Colorado Springs, CO 80903 ("Grantee" or "County").

WITNESSETH, that Grantor, for and in consideration of the sum of Ten Dollars and No Cents (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto Grantee, and Grantee's heirs, successors and assigns forever, all the real property, together with all improvements, if any, situate, lying and being in the County of El Paso, State of Colorado described as follows:

See Exhibit A, attached hereto and incorporated herein by reference

TOGETHER WITH all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, claim and demand whatsoever of Grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the said premises above bargained and described with the appurtenances, unto Grantee, and Grantee's heirs, successors and assigns forever. Grantor, for Grantor and Grantor's heirs, successors and assigns, does covenant and agree that Grantor shall and will WARRANT AND FOREVER DEFEND the above bargained premises in the quiet and peaceable possession of Grantee, and Grantee's heirs, successors and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under Grantor and hereby warrants that the Property is free and clear of any lien or encumbrances, of whatever kind or nature soever, including taxes for 2023 and 2024 tax proration, except any easements, rights-of-way, and restrictions of record and taxes for subsequent years.

IN WITNESS WHEREOF, Grantor has executed this deed on the date set forth above.

GRANTOR:

Aleksander Bologna

By:


Aleksander Bologna, Member

STATE OF Florida)
)
COUNTY OF DeWard) SS.

The foregoing instrument was acknowledged before me this 12 day of February, 2021, by Aleksander Bologna, as *Member of Mountain View Ranches, LLC, a New Hampshire LLC.*

Witness my hand and official seal.



Notary Public

My Commission expires: 5/4/2027.



EXHIBIT A

LEGAL DESCRIPTION:

A 60 FOOT RIGHT OF WAY FOR EXISTING MYERS ROAD, LOCATED IN THE SOUTH HALF OF SECTION 3 AND THE EAST HALF OF SECTION 4, TOWNSHIP 17 SOUTH, RANGE 61 WEST OF THE 6TH P.M., COUNTY OF EL PASO, STATE OF COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL BEARINGS FOR THIS DESCRIPTION ARE BASED ON THE SOUTH LINE OF SECTION 3, TOWNSHIP 17 SOUTH, RANGE 61 WEST OF THE 6TH P.M., BEING MONUMENTED AT THE SOUTHEAST CORNER OF SECTION 3 BY A FOUND 2-1/2" ALUMINUM CAP ON A 3/4" REBAR "PLS 30106" AND AT THE SOUTHWEST CORNER OF SECTION 3 BY A FOUND 2-1/2" ALUMINUM CAP ON A 3/4" REBAR "PLS 30106", ASSUMED TO BEAR S 89°11'11" W FOR A DISTANCE OF 5184.96 FEET.

COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTH HALF OF SECTION 3;

THENCE N 00°39'24" E ON THE EAST LINE OF SAID SOUTH HALF OF SECTION 3 FOR A DISTANCE OF 64.06 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF MYERS ROAD, SAID POINT BEING THE POINT OF BEGINNING;

THENCE ON SAID SOUTH RIGHT OF WAY LINE OF MYERS ROAD THE FOLLOWING FOUR (4) COURSES;

1. S 88°44'26" W FOR A DISTANCE OF 322.52 FEET;
2. S 89°30'53" W FOR A DISTANCE OF 3093.56 FEET;
3. S 89°32'37" W FOR A DISTANCE OF 1950.75 FEET;
4. N 89°56'56" W FOR A DISTANCE OF 2422.90 FEET TO A POINT ON THE WEST LINE OF SAID EAST HALF OF SECTION 4, FROM WHICH THE SOUTHWEST CORNER OF SAID EAST HALF OF SECTION 4 BEARS S 00°02'53" E FOR A DISTANCE OF 77.40 FEET;

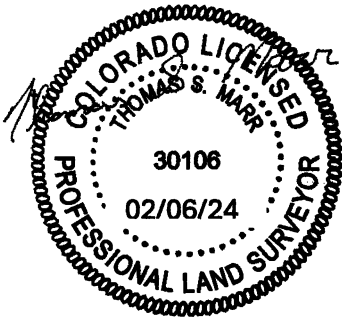
THENCE N 00°02'53" W ON THE WEST LINE OF SAID EAST HALF OF SECTION 4, FOR A DISTANCE OF 60.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF MYERS ROAD;

THENCE ON SAID NORTH RIGHT OF WAY LINE OF MYERS ROAD THE FOLLOWING FOUR (4) COURSES;

1. S 89°56'56" E FOR A DISTANCE OF 2422.74 FEET;
2. N 89°32'37" E FOR A DISTANCE OF 1950.47 FEET;
3. N 89°30'53" E FOR A DISTANCE OF 3093.14 FEET;
4. N 88°44'26" E FOR A DISTANCE OF 324.12 FEET TO A POINT ON THE EAST LINE OF SAID SOUTH HALF OF SECTION 3;

THENCE S 00°39'24" W ON SAID EAST LINE OF THE SOUTH HALF OF SECTION 3 FOR A DISTANCE OF 60.03 FEET TO THE POINT OF BEGINNING.

CONTAINING 467,406 SQUARE FEET OR 10.730 ACRES MORE OR LESS.



THOMAS S. MARR
COLO. PLS 30106