

TOWN OF SUPERIOR
ORDINANCE NO. O-13
SERIES 2020

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF
SUPERIOR APPROVING THE CONVEYANCE OF CERTAIN REAL
PROPERTY TO BOULDER CREEK ROGERS FARM, LLC

WHEREAS, pursuant to C.R.S. § 31-15-713, the Board of Trustees is authorized to sell or dispose of real property, by ordinance, held by the Town for purposes other than governmental purposes;

WHEREAS, the Board of Trustees finds and determines that the unimproved real property held by the Town and described in Exhibit A, attached hereto and incorporated herein by this reference (the "Property"), is not used or held for any governmental or municipal purpose and has never been used as a street; and

WHEREAS, the Board of Trustees wishes to transfer the Property to Boulder Creek Rogers Farm, LLC.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SUPERIOR, COLORADO, as follows:

Section 1. Based on the foregoing findings, the Board of Trustees hereby authorizes and approves the conveyance of the Property to Boulder Creek Rogers Farm LLC by quitclaim deed, in exchange for the contribution to the Town of up to \$50,000 toward an art installation on the Property, or at another location as approved by the Town, in consultation with the Town's Cultural Arts and Public Spaces Advisory Committee and the Parks, Recreation, Open Space and Trails Advisory Committee.

Section 2. The Mayor is hereby authorized to execute a quitclaim deed for the Property, subject to approval of the Town Attorney.

Section 3. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one or part or parts be declared unconstitutional or invalid.

Section 4. Safety. This Ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

INTRODUCED, READ, PASSED AND ORDERED PUBLISHED this 24th day of August, 2020.

Clint Folsom

Clint Folsom, Mayor

ATTEST:

Phyllis L. Hardin

Phyllis L. Hardin, Town Clerk-Treasurer



PROPERTY DESCRIPTION

Multiple parcels of land, being part of Douglas Street Right of Way, located in the Northeast Quarter (NE1/4) of Section Twenty-four (24), Township One South (T.1S.), Range Seventy West (R.70W.) of the Sixth Principal Meridian (6th P.M.), Town of Superior, County of Boulder, State of Colorado and being more particularly described as follows:

Parcel 1

BEGINNING at the Northwest corner of Lot 12, Block O of South Addition and assuming the North line of said Block O as bearing South 89°33'40" West being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/2011, a distance of 300.00 feet with all other bearings contained herein relative thereto;

THENCE North 00°26'20" West a distance of 60.00 feet to the Southwest corner of Lot 7, Block L of said South Addition;

THENCE North 89°33'40" East along the South line of said Lot 7 a distance of 140.00 feet;

THENCE South 00°26'20" East a distance of 60.00 feet to the Northeast corner of said Lot 12;

THENCE South 89°33'40" West along the North line of said Lot 12 a distance of 140.00 feet to the **POINT OF BEGINNING**.

Parcel 2

BEGINNING at the Northeast corner of Lot 1, Block O of South Addition and assuming the North line of said Block O as bearing South 89°33'40" West being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/2011, a distance of 300.00 feet with all other bearings contained herein relative thereto;

THENCE South 89°33'40" West along the North line of said Lot 1 a distance of 140.00 feet;

THENCE North 00°26'20" West a distance of 60.00 feet to the Southwest corner of Lot 6, Block L of said South Addition;

THENCE North 89°33'40" East along the South line of said Lot 6 a distance of 140.00 feet;

THENCE South 00°26'20" East a distance of 60.00 feet to the **POINT OF BEGINNING**.

Said described Parcels 1 and 2 contains 16,800 Square Feet or 0.386 Acres, more or less (±), and is subject to any rights-of-way or other easements of record or as now existing on said described parcel of land.

SURVEYORS STATEMENT

I, Paul B. Groves, a Colorado Licensed Professional Land Surveyor do hereby state that this Property Description was prepared under my personal supervision and checking, and that it is true and correct to the best of my knowledge and belief.

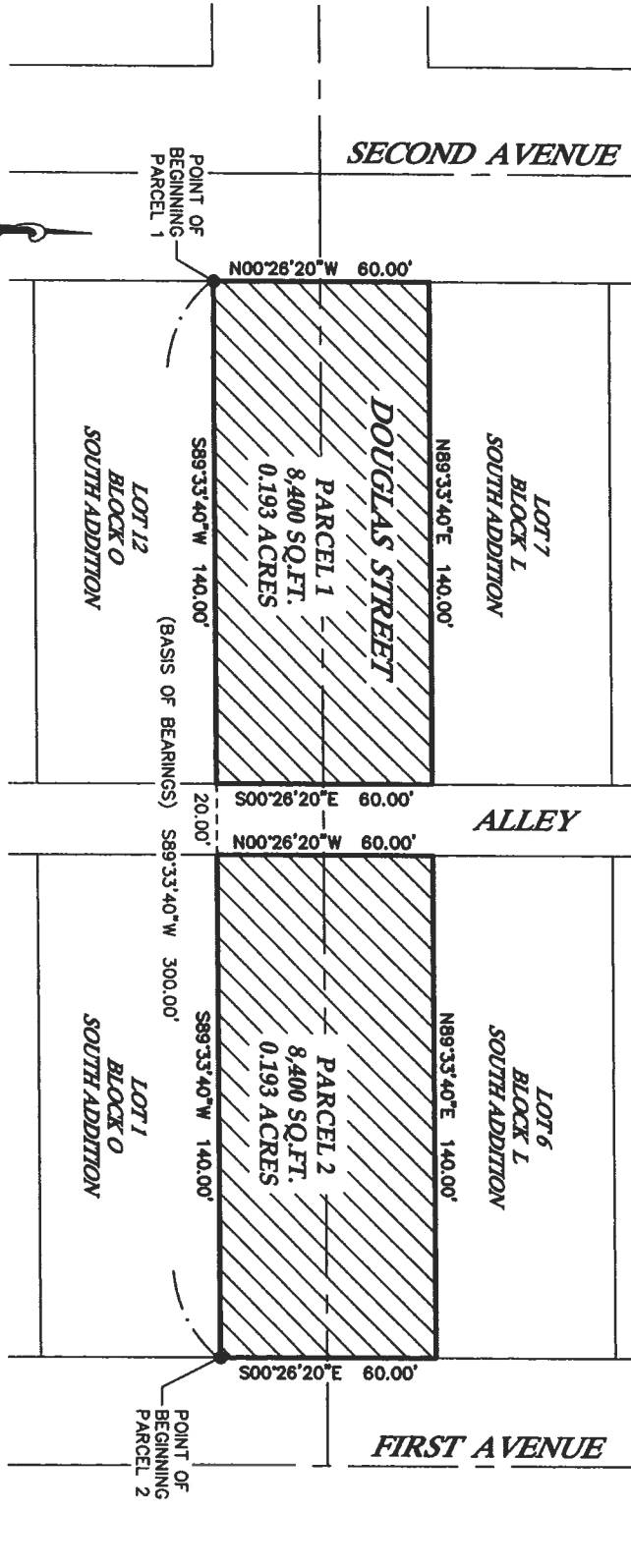
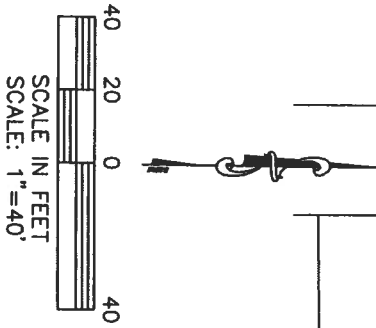


Paul B. Groves - on behalf of King Surveyors
Colorado Licensed Professional
Land Surveyor #38209

KING SURVEYORS
650 East Garden Drive
Windsor, Colorado 80550
(970) 686-5011

NOTE: This exhibit drawing is not intended to be a monumented land survey. Its sole purpose is as a graphic representation to aid in the visualization of the written property description which it accompanies. The written property description supersedes the exhibit drawing.

NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon. (13-80-105 C.R.S. 2012)



Paul B. Groves - On Behalf of King Surveyors
 Colorado Licensed Professional
 Land Surveyor #358209



KING SURVEYORS

650 E. Garden Drive | Windsor, Colorado 80550
 phone: (970) 686-5011 | fax: (970) 686-5821
 email: contact@KingSurveyors.com

PROJECT NO:20190701
 DATE: 1/27/2020
 CLIENT: BOULDER CREEK
 DWG: 20190701EXH-Douglas
 DRAWN: CSK CHECKED: PG