AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Boundary Line Adjustment; Paul and Jacquelyn Kings

Action Requested: Board of County Commissioners' Signature

Parties to the Agreement:

Term Begins: **Term Ends:** **Grant Contract #:**

Summary:

Kingsbury Boundary Line Adjustment
E1/2NE1/4 Section 19 and NW1/4 Section 20 Township 15 South, Range 85 West, 6th P.M.

Fiscal Impact:

Submitted by: Neal Starkebaum **Submitter's Email Address:** nstarkebaum@gunnisoncounty.org

Finance Review: ○ Required ◉ Not Required

Comments:

Reviewed by: Discharge Date:

County Attorney Review: ◉ Required ○ Not Required

Comments:
ok db 9/14/16

Reveiwed by: GUNCOUNTY1\dBaumgarten Discharge Date: 9/14/2016 Certificate of Insurance Required

Yes ○ No ◉

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\mbirnie Discharge Date: 9/14/2016

○ Consent Agenda ◉ Regular Agenda ○ Worksession Time Allotted: 5

Agenda Date: 9/20/2016

Revised April 2015

Gunnison County Community
Development Department
Offices of Planning, Building and Environmental Health
221 N. Wisconsin St., Ste. D
Gunnison, CO 81230
Phone: (970) 641-0360 Fax: (970)641-8585

September 12, 2016

TO: **Board of County Commissioners**
Matthew Birnie, County Manager
David Baumgarten, County Attorney

FROM: **Neal Starkebaum**
Assistant Director

SUBJECT: **Kingsbury Boundary Line Adjustment**
E1/2NE1/4 Section 19 and NW1/4 Section 20
Township 15 South, Range 85 West, 6th P.M.

Chuck Cliggett, P.C., Attorney at Law, representing Paul and Jacquelyn Kingsbury, owners, request a change to the boundaries on two existing properties.

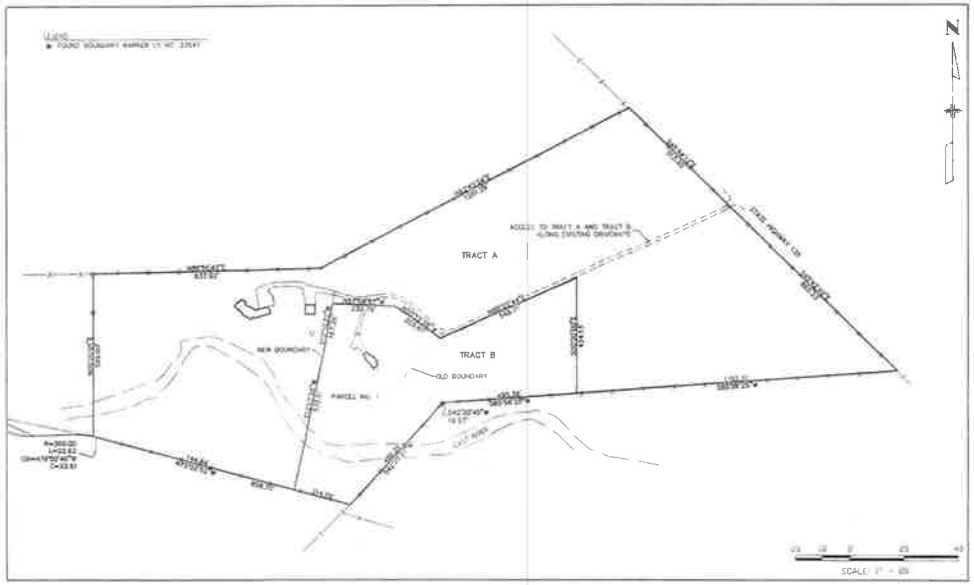
The boundary line adjustment will allow the improved historic structure on Tract A to be included on Tract B.

The plat and Attorney's Opinion were reviewed by the County Attorney's Office on July 12, 2016.

BOUNDARY LINE ADJUSTMENT PLAT OF

KINGSBURY PROPERTY

LOCATED WITHIN THE
E1/2 NE1/4 SECTION 19 AND NW1/4 SECTION 20
TOWNSHIP 15 SOUTH, RANGE 85 WEST
6TH PRINCIPAL MERIDIAN
GUNNISON COUNTY, COLORADO



ATTORNEY'S OPINION

I Charles I. Coggins, being an attorney-at-law duly licensed to practice before the courts of record of the State of Colorado, do hereby certify that I have examined the title to all lands herein dedicated and shown upon this plat and title to such lands is in the dedicator free and clear of all liens, taxes and encumbrances, except as follows:

Dated this ___ day of _____, 2016

Charles F. Coggins

NOTES:

1. This Plat is to transfer Parcel No. 1 from Tract A to Tract B and does not create a new parcel.

2. According to Colorado Law you must commence 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.

BASIS OF BEARING

S87°10'27"W BETWEEN THE SOUTHEAST CORNER SECTION MONUMENTED WITH 3.25" ALUMINUM CAP, LS NO. 11250 AND THE SOUTHWEST CORNER OF THE MORRIS PARCEL MONUMENTED WITH A PLASTIC CAP, LS NO. 33647

LAND SURVEYOR'S CERTIFICATE

I, Norman C. Whitehead, a registered land surveyor in the State of Colorado, certify that this BOUNDARY LINE ADJUSTMENT PLAT was made under my direction and control and that the survey referred to herein was made under my direction and control and that the Plat and survey are true and correct to the best of my knowledge. Monuments have been found or set as shown on this Plat. This Plat contains all information required by Colorado Revised Statutes Section 38-33.3-209.

Dated this _____ day of _____, 2016

Norman C. Whitehead, PE-PLS
Colorado No. 27739

DESCRIPTION PARCEL NO. 1 (Property from Tract A to Tract B)

A TRACT OF LAND LOCATED WITHIN THE SE1/4 NE1/4 SECTION 19 AND THE SW1/4 NW1/4 SECTION 20, TOWNSHIP 15 SOUTH, RANGE 85 WEST BEING MORE DESCRIBED AS FOLLOWS:

Commencing at THE SOUTHEAST CORNER OF TRACT A thence N00°00'00"E a distance of 424.13 feet, thence S88°22'44"W a distance of 548.71 feet to the POINT OF BEGINNING thence S88°22'44"W LONG THE OLD BOUNDARY LINE OF TRACT B a distance of 72.15 feet, thence S31°22'10"W ALONG SAID BOUNDARY a distance of 487.52 feet, thence S80°37'36"W a distance of 263.84 feet, thence N12°07'58"E a distance of 332.51 feet, thence N10°16'32"E a distance of 187.26 feet, thence S87°09'57"E a distance of 230.79 feet, thence S00°12'28"E a distance of 203.87 feet to the POINT OF BEGINNING

Containing 135,867 square feet or 4.338 acres, more or less

NEW BOUNDARY DESCRIPTION TRACT A

A TRACT OF LAND LOCATED WITHIN THE E1/2 NE1/4 SECTION 19 AND THE NW1/4 SECTION 20, TOWNSHIP 15 SOUTH, RANGE 85 WEST BEING MORE DESCRIBED AS FOLLOWS:

Beginning THE SOUTHEAST CORNER OF TRACT B, thence N00°00'00"E a distance of 424.13 feet; thence S88°22'44"W a distance of 548.71 feet, thence N00°12'28"W a distance of 203.87 feet, thence N87°09'57"W a distance of 230.79 feet, thence S10°16'32"W a distance of 187.26 feet, thence N12°07'58"E a distance of 144.44 feet, thence S75°10'40"E a distance of 224.41 feet, thence N00°00'00"E a distance of 181.00 feet, thence N88°31'42"E a distance of 88.31 feet, thence N00°00'24"E a distance of 1,281.29 feet, to a point on the westerly right-of-way of State Highway 135, thence S47°44'13"E along said right-of-way a distance of 913.35 feet, thence N42°42'48"E along said right-of-way a distance of 85.23 feet, thence S85°56'35"W a distance of 193.27 feet to the POINT OF BEGINNING

Containing 1,656,516 square feet or 38.036 acres, more or less

NEW BOUNDARY DESCRIPTION TRACT B

TRACT OF LAND LOCATED WITHIN THE SE1/4 NE1/4 SECTION 19 AND THE SW1/4 NW1/4 SECTION 20, TOWNSHIP 15 SOUTH, RANGE 85 WEST BEING MORE DESCRIBED AS FOLLOWS:

Beginning THE SOUTHEAST CORNER OF TRACT B, thence S85°56'28"W a distance of 495.35 feet; thence S42°50'45"W a distance of 9.57 feet, thence S42°25'07"W a distance of 466.28 feet, thence N75°02'52"W a distance of 214.06 feet, thence N12°07'58"E a distance of 332.51 feet, thence N10°16'32"E a distance of 187.26 feet, thence S87°09'57"E a distance of 230.79 feet, thence S00°12'28"E a distance of 203.87 feet, thence N88°22'44"E a distance of 548.71 feet, thence S00°00'00"E a distance of 424.13 feet to the POINT OF BEGINNING

Containing 437,181 square feet or 10.036 acres, more or less

THE KINGSBURY SPRINGS IRREVOCABLE GRANDCHILDREN'S TRUST and the JACQUELYN KINGSBURY IRREVOCABLE GRANDCHILDREN'S TRUST (Tract A), as fee by quit claim Parcel No. 1 to THE KINGSBURY SPRINGS IRREVOCABLE GRANDCHILDREN'S TRUST and the JACQUELYN KINGSBURY IRREVOCABLE GRANDCHILDREN'S TRUST (Tract B), as fee by right, title and interest in Tract A as described herein.

Executed this ___ day of _____, 2016

Todd Kingsbury
Trustee THE KINGSBURY SPRINGS IRREVOCABLE GRANDCHILDREN'S TRUST

STATE OF COLORADO)
) ss.
County of Gunnison)

The foregoing instrument was acknowledged before me this _____ day of _____, 2016 Todd Kingsbury.

Witness my hand and official seal.
My commission expires: _____

Notary Public

Executed this ___ day of _____, 2016

Aimee Petit
Trustee JACQUELYN KINGSBURY IRREVOCABLE GRANDCHILDREN'S TRUST

STATE OF COLORADO)
) ss.
County of Gunnison)

The foregoing instrument was acknowledged before me this _____ day of _____, 2016 Aimee Petit.

Witness my hand and official seal.
My commission expires: _____

Notary Public

BOARD OF COUNTY COMMISSIONERS' APPROVAL

The within map of the boundary line adjustment KINGSBURY PROPERTY is approved this ___ day of _____, A.D. 2016

Chairperson, Gunnison County Board of Commissioners

Attest:

Gunnison County Clerk and Recorder

GUNNISON COUNTY CLERK AND RECORDER'S ACCEPTANCE

This Boundary Line Adjustment Plat was accepted for filing in the office of the Clerk and Recorder of Gunnison County, Colorado on this ___ day of _____, A.D. 2016, Reception Number _____, Time _____

County Clerk

KINGSBURY PROPERTY 22961 STATE HIGHWAY 1 GUNNISON COUNTY, COLO	
BOUNDARY LINE ADJUSTM	
Prepared By: NCW & Associates, Inc P.O. Box 2682 G (970) 349-6384 Co	
PROJECT PREPLAT	DWG 160
DATE 3/8/16	SHEET 1