AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

AgendaTitle:
Quit Claim Deed & Statement of Authority; Gunnison Heights Subdivision Association; Approximately 0.191 Acres Identified as the "Common Area" on the Plat Titled "Plat of Gunnison Heights Subdivision W1/2NE1/4 Sec 3, T49N, R1W, NMPM, Gunnison County, Colorado" Recorded in the Records of the Office of Clerk and Recorder of Gunnison County, Colorado on June 14, 1984, Bearing Reception No: 381601

Action Requested: Board of County Commissioners' Signature

Parties to the Agreement: Gunnison County & Gunnison Heights Subdivision Association

Term Begins: 6/18/2013 **Term Ends:** **Grant Contract #:**

Summary:
The Quit Claim Deed transfers the ownership of the small parcel of land on which Gunnison Heights Subdivision's well is located to Gunnison County. The transfer is necessary as part of the agreement for the connection of Gunnison Heights to the Antelope Hills Water System. The well has been disabled, but the connection to the central distribution line was used.

Fiscal Impact: User fees will cover costs. No fees associated with this.

Submitted by: B. Lucero for M. Crosby **Submitter's Email Address:** mcrosby@gunnisoncounty.org

Finance Review: (●) Required ( ) Not Required

Comments:

No cost for Gunnison County associated with this item.

Reviewed by: Lnienhueser Discharge Date: 6/12/2013

County Attorney Review: (●) Required ( ) Not Required

Comments:

The attached, revised deeds addresses the legal concerns/reasons for return and can now be approved by board. AT

Reviewed by: ATrezise Discharge Date: 7/30/2013 Certificate of Insurance Required Yes ( ) No (●)

County Manager Review:

Comments:

Reviewed by: MBirnie Discharge Date: 7/30/2013

(●) Consent Agenda ( ) Regular Agenda ( ) Worksession Time Allotted:

Agenda Date: 8/6/2013 Follow Up Agenda Date: N/A

Revised April 2013

QUITCLAIM DEED

THIS QUITCLAIM DEED is made this 15 day of July, 2013 by the Gunnison Heights Subdivision Association, a Colorado non-profit corporation, whose address is P.O. Box 865, Gunnison, Colorado 81230 (herein "Grantor") and the Board of County Commissioners of the County of Gunnison, Colorado whose address is 200 E. Virginia, Gunnison, Colorado 81230 (herein "Grantee");

WITNESSETH, that Grantor for and in consideration of the sum of Less Than Five Hundred Dollars, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has remised, released sold and QUITCLAIMED, and by these presents does remise, release, sell and QUITCLAIM unto Grantee and Grantee's successors and assigns, forever, all the right, title, interest, claim and demand which Grantor has in and to the real property, together with improvements, if any, situate, lying and being in the County of Gunnison and State of Colorado described as follows:

> That parcel of land consisting of approximately 0.191 acres identified as the "Common Area" on the plat titled "Plat of Gunnison Heights Subdivision W1/2NE1/4 Sec 3, T49N, R1W, NMPM, Gunnison County, Colorado" recorded in the records of the Office of Clerk and Recorder of Gunnison County, Colorado on June 14, 1984, bearing Reception No: 381601.

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever, of Grantor, either in law or equity, to the only proper use, benefit and behoof of Grantee and Grantee's successors and assigns forever.

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

GRANTOR:

GUNNISON HEIGHTS SUBDIVISION ASSOCIATION,
a Colorado nonprofit corporation

By: Neil Santarella
Neil Santarella, President

STATE OF COLORADO)
) ss.
COUNTY OF GUNNISON)

The foregoing Quitclaim Deed was acknowledged before me this 15th day of July, 2013 by Neil Santarella, President of the Gunnison Heights Subdivision Association, a Colorado nonprofit corporation, Grantor herein.

Witness my hand and official seal.
My commission expires: 6-28-16

Deborah Ferchau
Notary Public
Address:

NOTARY PUBLIC
DEBORAH FERCHAU
STATE OF COLORADO

ACCEPTANCE

The Board of County Commissioners of the County of Gunnison, Colorado on this ____ day of _____, 2013, hereby accepts the conveyance of the property identified above by the Gunnison Heights Subdivision Association, a Colorado nonprofit corporation.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

By: _____
Paula Swenson, Chairperson

By: _____
Phil Chamberland, Vice Chairperson

By: _____
Jonathan Houck, Commissioner

ATTEST:

_____
Deputy County Clerk

STATEMENT OF AUTHORITY

Pursuant to Colorado Revised Statutes, §38-30-172 and §7-30-105, the undersigned hereby executes this Statement of Authority on behalf of Gunnison Heights Subdivision Association, a Colorado non-profit corporation, an entity other than an individual, capable of holding title to real property (the "Entity"), and states as follows:

1. The name of the Entity is GUNNISON HEIGHTS SUBDIVISION ASSOCIATION.

2. The Entity is a non-profit corporation of the State of Colorado.

3. The mailing address for the Entity is PO Box 865, Gunnison, Colorado 81230.

4. The name or position of the person authorized to execute instruments conveying, encumbering, or otherwise affecting title to real property on behalf of the Entity is: Neil Santarella, President.

5. The limitations upon the authority of the person named above or holding the position described above to bind the entity are as follows: _____

_____.

(*If no limitations, insert "NONE"*).

6. Other matters concerning the manner in which the Entity deals with any interest in real property are: _____.
(*If no other matters, leave this section blank.*)

EXECUTED this 15 day of July, 2013.

Neil Santarella
Signature

Neil Santarella
Print Name

President
Title

STATE OF COLORADO)
)ss
County of Gunnison)

The foregoing instrument was acknowledged before me this 15th day of July 2013 by Neil Santarella, President of Gunnison Heights Subdivision Association, a Colorado non-profit corporation.

Witness my hand and official seal.
My commission expires: 6-28-16.

Deborah Ferchau
Notary Public
Address:

NOTARY PUBLIC
DEBORAH FERCHAU
STATE OF COLORADO