AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Discussion; Riverwalk Trail Easement

Action Requested: Discussion

Parties to the Agreement:

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

Summary:

Several months ago I spoke to the Board about the easements along the river at Riverwalk. The survey is complete and Board direction is requested.

Fiscal Impact:

Submitted by: Marlene D. Crosby **Submitter's Email Address:** mcrosby@gunnisoncounty.org

Finance Review: ○ Required ◉ Not Required

Comments:

Reviewed by: Discharge Date:

County Attorney Review: ◉ Required ○ Not Required

Comments:
ok db 1/16/20

Reveiwed by: GUNCOUNTY1\dBaumgarten Discharge Date: 1/16/2020 Certificate of Insurance Required

Yes ○ No ◉

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\mbirnie Discharge Date: 1/27/2020

○ Consent Agenda ◉ Regular Agenda ○ Worksession Time Allotted: DCM Report

Agenda Date: 2/4/2020

Revised April 2015

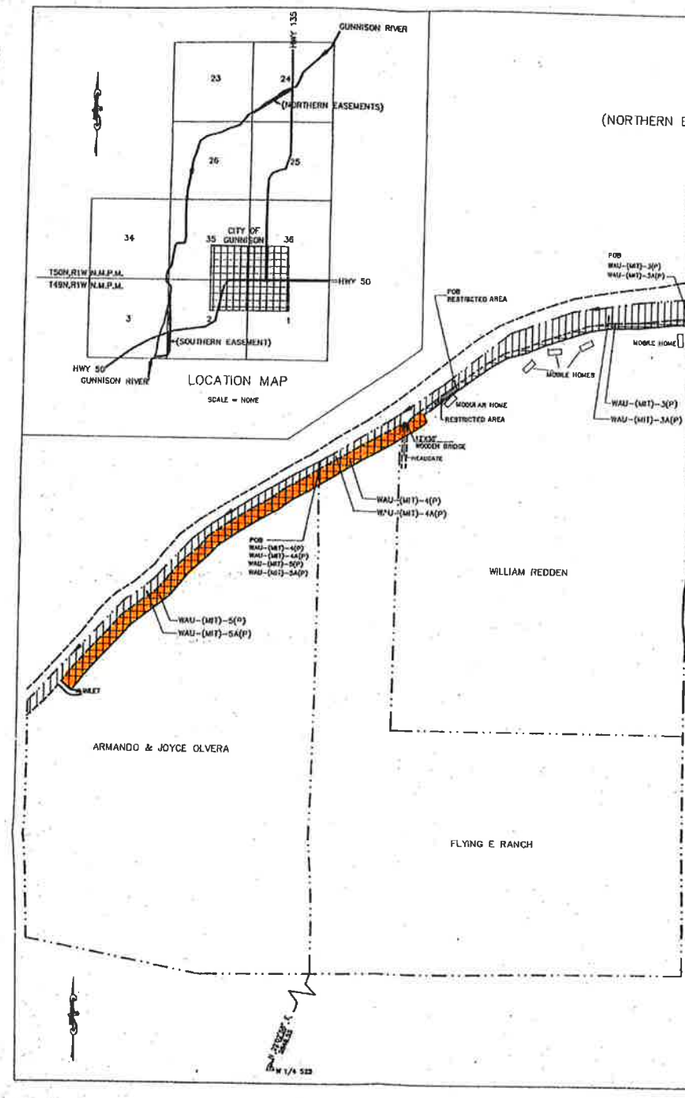


EXHIBIT A

(SOUTHERN EASEMENT)

PERIMETER DESCRIPTION OF A PERPETUAL PUBLIC FISHING AND FISH HABITAT DEVELOPMENT EASEMENT TO ALLOW ACCESS TO AND ALONG THE RIGHT (WEST) BANK OF THE MAIN CHANNEL OF THE GUNNISON RIVER, SOUTH OF U. S. HIGHWAY 50, DIRECTLY WEST OF THE GUNNISON COUNTY AIRPORT, IN PARTS OF SECTIONS 2 AND 3, TOWNSHIP 49 NORTH, RANGE 1 WEST OF THE NEW MEXICO PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL WAU-(MIT)-2(P)
EASEMENT ALONG RIVER:

Beginning at a point where the south right-of-way line of U. S. Highway 50 intersects the normal high waterline of the Gunnison River on the right bank of the main channel, from whence the southeast corner of Section 2, T. 49 N., R. 1 W., NMPM, bears S. 05° 30' W., 1370 feet, and considering the west line of the SW 1/4 of the SW 1/4 of said Section 2 to bear N 01° 03' E., and all other bearings relative thereto.

Thence S. 82° 51' W. 35 feet along said south right-of-way line to a point that is 25 feet from and perpendicular to the normal high waterline of said river;

Thence southwesterly on a line that is parallel to and 25 feet from said normal high waterline for a distance of 400 feet;

Thence northwest, 25 feet, to a point that is perpendicular to and 50 feet from the normal high waterline at said river;

Thence continuing southwesterly on a line that is parallel to and 50 feet from the normal high waterline for a distance of 850 feet more or less to a boundary line of the property as described in book 681 on page 327 of the Gunnison County Courthouse, Gunnison, Colorado;

Thence S 51° 48' E., 53 feet along said boundary line to the normal high waterline of said Gunnison River;

Thence southeasterly along said high waterline, 1270 feet more or less to the point of beginning.

Said parcel contains 1.2 acres more or less.

Excepting therefrom a concrete slab and certain structures enclosed in a chain link fence, 12 ft. x 12 ft., which bears S. 22° W., 780 feet from the point of beginning.

Together with:

A PERPETUAL PUBLIC FISHING AND FISH HABITAT DEVELOPMENT EASEMENT TO ALLOW ACCESS TO THE BED OF THE MAIN CHANNEL OF THE GUNNISON RIVER, MORE PARTICULARY DESCRIBED AS FOLLOWS:

PARCEL WAU-(MIT)-2A(P)
EASEMENT WITHIN RIVER:

Beginning at a point where the south right-of-way line of U. S. Highway 50 intersects the normal high waterline of the Gunnison River on the right bank of the main channel, from whence the southeast corner of Section 2, T. 49 N., R. 1 W., NMPM, bears S. 05° 30' W., 1370 feet, and considering the west line of the SW 1/4 of the SW 1/4 of said Section 2 to bear N 01° 03' E., and all other bearings relative thereto.

Thence southwesterly along said normal high waterline, 1270 feet to a boundary line of the property as described in book 681 on page 327 of the Gunnison County Courthouse, Gunnison, Colorado;

Thence S 51° 48' E., 30 feet along said boundary line to a corner of the property;

Thence N. 43° 48' E., 817 feet along the approximate centerline of the Gunnison River to another corner of the property;

Thence northeasterly along portions of the east boundary of the property, the following four courses;

N. 01° 03' E., 53 feet;
N. 18° 37' E., 268 feet;
N. 74° 37' E., 46 feet;
N. 10° 24' E., 50.4 feet to the south right-of-way line of U. S. Highway 50;

Thence S. 82° 51' W., 50 feet along said right-of-way line, more or less to the point of beginning.

Said parcel contains 2.2 acres more or less.

Note; the boundaries of these easements are controlled by the cable to the normal high waterline and centerline of the Gunnison River and boundaries of record. Due to the effects of accretion, some small changes in location over long periods of time will probably occur. However, under no circumstances will the hereinbefore described easements encroach upon any existing dwelling or permanent building along said river.

Also said public fishing easements are for access to the Gunnison River only, and not private lands adjoining said river.

BOOK 695 PAGE 648 EXHIBIT A

(NORTHERN EASEMENTS)

PERIMETER DESCRIPTIONS OF THREE PERPETUAL PUBLIC FISHING AND FISH HABITAT DEVELOPMENT EASEMENTS TO ALLOW ACCESS TO AND ALONG THE LEFT (SOUTH) BANK OF THE MAIN CHANNEL OF THE GUNNISON RIVER, WEST OF COLORADO STATE HIGHWAY 135, APPROXIMATELY 2 MILES NORTH OF THE TOWN OF GUNNISON COLORADO, IN PART OF THE WEST 1/2 OF SECTION 24, TOWNSHIP 50 NORTH, RANGE 1 WEST OF THE NEW MEXICO PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL WAU-(MIT)-3(P)
EASEMENT ALONG RIVER:

Beginning at a point where the west right-of-way line of Colorado State Highway 135 intersects the normal high waterline of the Gunnison River on the left bank of the main channel, from whence the southeast corner of Section 24, T. 50 N., R. 1 W., NMPM, bears S. 48° 39' E., 3158 feet, and considering the west line of the SW 1/4 of the SW 1/4 of said Section 24 to bear N 0° 05' E., and all other bearings relative thereto.

Thence S. 01° 12' 30" E., 20 feet along said west right-of-way line to a point that is 20 feet from said perpendicular to the normal high waterline of said river;

Thence southwesterly on a line that is parallel to and 20 feet from the normal high waterline for a distance of 1082 feet to a point that is approximately 100 feet northeast of a diversion headgate for a ditch with a southerly course;

Thence southeast, 30 feet, to a point that is perpendicular to and 50 feet from the normal high waterline of said river;

Thence continuing southwesterly on a line that is parallel to and 50 feet from the normal high waterline for a distance of 120 feet to the west boundary line of the property;

Thence North, 60 feet along said property line to the normal high waterline of the Gunnison River;

Thence northeasterly, 1210 feet along said normal high waterline to the point of beginning.

Restricted therefrom an area 20 feet by 100 feet that is to be used for access only. No fishing or bathing is to be allowed in this area. Said area being more particularly described as follows:

Beginning at a point on the normal high waterline of the Gunnison River on the left bank of the main channel, from whence the southeast corner of said section 24 bears S. 38° 33' E., 4317 feet;

Thence S. 35° 42' E., 20 feet;
Thence S. 53° 25' W., 100 feet;
Thence N. 36° 46' W., 20 feet to said normal high waterline;

Thence N. 53° 25' E., 100.4 feet along said normal high waterline to the point of beginning.
Said parcel contains 0.8 acre more or less.

PARCEL WAU-(MIT)-4(P)
EASEMENT ALONG RIVER:

Beginning at a point where the west boundary line of the property intersects the normal high waterline of the Gunnison River on the left bank of the main channel, from whence the West 1/4 Corner of Section 25, T. 50 N., R. 1 W., NMPM, bears S. 13° 10' W., 4700 feet, and considering the west line of the SW 1/4 of the SW 1/4 of Section 24, T. 50 N., R. 1 W., NMPM, to bear N 0° 05' E., and all other bearings relative thereto.

Thence South, 60 feet along said west boundary line to a point that is perpendicular to and 50 feet from the normal high waterline of said river;

Thence southeasterly on a line that is parallel to and 50 feet from the normal high waterline of the Gunnison River for a distance of 1200 feet to the normal high waterline at an inlet flowing into said river;

Thence northeasterly 50 feet along said inlet waterline to the normal high waterline of the main channel of said Gunnison River;

Thence northeasterly 1200 feet along said normal high waterline to the point of beginning.
Said parcel contains 1.4 acres more or less.

Together with:

THREE PERPETUAL PUBLIC FISHING AND FISH HABITAT DEVELOPMENT EASEMENTS TO ALLOW ACCESS TO THE BED OF THE MAIN CHANNEL OF THE GUNNISON RIVER, MORE PARTICULARY DESCRIBED AS FOLLOWS:

PARCEL WAU-(MIT)-3A(P)
EASEMENT WITHIN RIVER:

Beginning at a point where the west right-of-way line of Colorado State Highway 135 intersects the normal high waterline of the Gunnison River on the left bank of the main channel, from whence the southeast corner of Section 24, T. 50 N., R. 1 W., NMPM, bears S. 48° 39' E., 3158 feet, and considering the west line of the SW 1/4 of the SW 1/4 of said Section 24 to bear N 0° 05' E., and all other bearings relative thereto.

Thence southwesterly 1210 feet along said normal high waterline to the west boundary line of the property;

Thence North, 30 feet along said west boundary line to the center line of the Gunnison River;

Thence northeasterly 1222 feet along said center line to the west right-of-way line of Colorado State Highway 135;

Thence S. 01° 12' 30" E., 30 feet along said right-of-way line to the point of beginning.
Said parcel contains 0.8 acre more or less.

PARCEL WAU-(MIT)-4A(P)
EASEMENT WITHIN RIVER:

Beginning at a point where the west boundary line of the property intersects the normal high waterline of the Gunnison River on the left bank of the main channel, from whence the West 1/4 Corner of Section 25, T. 50 N., R. 1 W., NMPM, bears S. 13° 10' W., 4700 feet, and considering the west line of the SW 1/4 of the SW 1/4 of Section 24, T. 50 N., R. 1 W., NMPM, to bear N 0° 05' E., and all other bearings relative thereto.

Thence North, 30 feet along said west boundary line to the center line of the Gunnison River;

Thence northeasterly, 358 feet along said center line to the east boundary line of the property;

Thence South, 30 feet along said east boundary line to the normal high waterline of said river;

Thence southwesterly, 358 feet along said normal high waterline to the point of beginning.
Said parcel contains 0.2 acre more or less.

PARCEL WAU-(MIT)-5(P)
EASEMENT ALONG RIVER:

Beginning at a point where the east boundary line of the property intersects the normal high waterline of the Gunnison River on the left bank of the main channel, from whence the West 1/4 Corner of Section 25, T. 50 N., R. 1 W., NMPM, bears S. 13° 10' W., 4700 feet, and considering the west line of the SW 1/4 of the SW 1/4 of Section 24, T. 50 N., R. 1 W., NMPM, to bear N 0° 05' E., and all other bearings relative thereto.

Thence South, 30 feet along said east boundary line to a point that is perpendicular to and 50 feet from the normal high waterline of said river;

Thence southeasterly on a line that is parallel to and 50 feet from the normal high waterline at the main channel of said Gunnison River;

Thence northeasterly 1300 feet along said normal high waterline to the point of beginning.
Said parcel contains 0.8 acre more or less.

PARCEL WAU-(MIT)-5A(P)
EASEMENT WITHIN RIVER:

Beginning at a point where the east boundary line of the property intersects the normal high waterline of the Gunnison River on the left bank of the main channel, from whence the West 1/4 Corner of Section 25, T. 50 N., R. 1 W., NMPM, bears S. 13° 10' W., 4700 feet, and considering the west line of the SW 1/4 of the SW 1/4 of Section 24, T. 50 N., R. 1 W., NMPM, to bear N 0° 05' E., and all other bearings relative thereto.

Thence North, 30 feet along said east boundary line to the center line of the Gunnison River;

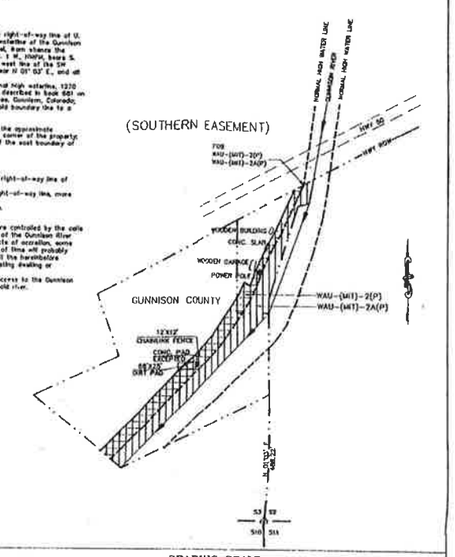
Thence southeasterly, 1435 feet along said center line to the west line of said Section 24;

Thence S. 0° 05' W., 30 feet along said east line to the normal high waterline of said river;

Thence northeasterly 1450 feet along said normal high waterline to the point of beginning.
Said parcel contains 1.0 acre more or less.

Note; the boundaries of these easements are controlled by the cable to the normal high waterline and centerline of the Gunnison River and boundaries of record. Due to the effects of accretion, some small changes in location over long periods of time will probably occur. However, under no circumstances will the hereinbefore described easements encroach upon any existing dwelling or permanent building along said river.

Also said public fishing easements are for access to the Gunnison River only, and not private lands adjoining said river.



GRAPHIC SCALE

(IN FEET)
1 inch = 200 ft.

— LEGEND —

- MONUMENTED LAND SURVEY CORNERS
- NORMAL HIGH WATER LINE
- PARCEL LINES
- EASEMENT LINES
- EASEMENT ALONG RIVER
- EASEMENT WITHIN RIVER
- RESTRICTED AREA PARCEL WAU-(MIT)-3(P)

NOTE: DEEDS OF RECORD IN GUNNISON COUNTY COURTHOUSE

BOOK	PAGE
674	925
674	926
674	927
672	717
681	327
591	468

5-15-1991 D.J.R.	ADDED RESTRICTED AREA
3-05-1991 D.J.R.	SPECIFIC PARCEL NUMBERS ADDED TO PLAT

ALWAYS THINK SAFETY

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

EXHIBIT A

WAYNE N. ASPINALL UNIT
(CURECANTI PROJECT)
GUNNISON RIVER
FISHING EASEMENTS

EXHIBIT A

DESIGN D.J.R. TECHNICAL APPROVAL
DRAWN BY COMPUTER SUBMITTED
CHECKED APPROVED

VALUE ENGINEERING PAYS

GRAND JUNCTION, CO. 12-12-1990 622-417-27