



**THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF MONTEZUMA
STATE OF COLORADO**

At a regular meeting of the Board of County Commissioners, Montezuma County, Colorado, duly convened and held the 11th day of October, 2022, with the following persons in attendance:

Commissioners Present: Jim Candelaria, Chairman
Kent Lindsey
Gerald Koppenhafer

Commissioners Absent:
County Attorney: Ian McLaren
County Administrator: Travis Anderson
County Clerk: Kim Percell

The following proceedings, among others, were taken:

RESOLUTION # RES-04-2022

WHEREAS, There is 1 (one) tract of land located at 10459 Road 42, Mancos, Colorado, consisting of 49.47 acres, more or less, owned by Montezuma County, located east of Highway 184, West of Road 42, situated in in Sections 21 & 22, Township 36N, Range 13W, N.M.P.M., and

WHEREAS, the tract of land was conveyed to the Montezuma County Board of County Commissioners (hereinafter "BOCC") by the Town of Mancos pursuant to Town of Mancos Ordinance No. 467, which granted the property to the BOCC for the purposes of harvesting gravel, and

WHEREAS, Town of Mancos Ordinance No. 467 stipulated that ten (10) acre portions of the tract of land would revert to the Town of Mancos upon written notification from Montezuma County indicating that all of the gravel had been harvested from the ten (10) acre portions that were to revert, and

WHEREAS, Montezuma County has determined that no more gravel can be harvested from 16.96 acres, more or less, of the tract of land that was conveyed to Montezuma County pursuant to Town of Mancos Ordinance No. 467, and

WHEREAS, the 16.96 acres, more or less, that cannot yield any more gravel is legally described as:

A tract of land located in the N/2SE/4SE/4 and the S/2NE/4SE/4 of Section 21 and in the W/2NW/4SW/4SW/4 of 22, Township 36 North, Range 13 West, New Mexico Principal Meridian, Montezuma County, Colorado, being more particularly described as follows:

Beginning at the Southeast Corner of the N/2SE/4SE/4 of said Section 21 from which point the Southeast Corner of said Section 21 bears S00°23'24"E a distance of 655.32 feet; thence, S87°44'51"W a distance of 1316.92 feet along the South line of said N/2SE/4SE/4 Section 21; thence, N00°34'23"E a distance of 663.28 feet along the West line of said N/2SE/4SE/4 Section 21; thence, continuing N00°34'23"E a distance of 124.05 feet to along the West line of said



S/2NE/4SE/4 Section 21; thence, S88°42'19"E a distance of 472.27 feet; thence, S13°13'43"E a distance of 99.34 feet to the North line of said N/2SE/4SE/4 of Section 21; thence, continuing S13°13'43"E a distance of 43.92 feet; thence, S05°41'59"E a distance of 298.03 feet; thence, S41°15'51"E a distance of 139.82 feet; thence, S65°16'05"E a distance of 18.93 feet; thence, N58°26'59"E a distance of 36.57 feet; thence, N32°18'13"E a distance of 32.67 feet; thence, N75°25'53"E a distance of 73.23 feet; thence, S61°33'40"E a distance of 52.82 feet; thence, N87°35'25"E a distance of 69.84 feet; thence, N71°10'49"E a distance of 106.56 feet; thence, N86°37'01"E a distance of 121.24 feet; thence, N71°48'20"E a distance of 79.05 feet; thence, N28°12'47"E a distance of 25.42 feet; thence, N21°35'58"W a distance of 75.11 feet; thence, N41°53'07"W a distance of 65.44 feet; thence, along the arc of a curve to the right having a length of 156.00 feet a radius of 51.39 feet and the long chord of which bears N44°05'18"E a distance of 102.63 feet; thence, S47°56'17"E a distance of 155.18 feet to the West line of said /2NW/4SW/4SW/4 of Section 22 from which point the Northwest Corner of said W/2NW/4SW/4SW/4 of Section 22 bears N00°23'24"W a distance of 260.87 feet and the Southwest Corner of said W/2NW/4SW/4SW/4 of Section 22 bears S00°23'24"E a distance of 394.45 feet; thence, continuing S47°56'17"E a distance of 57.27 feet; thence, S75°06'23"E a distance of 96.70 feet; thence, S32°02'54"E a distance of 124.46 feet; thence, N79°21'34"E a distance of 30.03 feet; thence, N26°54'08"E a distance of 161.18 feet; thence, N59°55'07"E a distance of 30.27 feet to the East line of said W/2NW/4SW/4SW/4 of Section 22; thence, S00°11'04"E a distance of 388.36 feet along said East line of the W/2NW/4SW/4SW/4 of Section 22; thence, S89°41'01"W a distance of 329.21 feet along the South line of said W/2NW/4SW/4SW/4 of Section 22 to the point of beginning and containing 16.96 acres more or less, and

WHEREAS, Montezuma County wishes to convey the above-described 16.96 acres, more or less, to the town of Mancos while retaining ownership of the remaining 32.51 acres, more or less, or the tract of land located at 10459 Road 42, Mancos, Colorado 81328, which is legally described as:

A tract of land located in the N/2SE/4SE/4 and the S/2NE/4SE/4 of Section 21 and in the W/2NW/4SW/4SW/4 and the W/2SW/4NW/4SW/4 Section 22, Township 36 North, Range 13 West, New Mexico Principal Meridian, Montezuma County, Colorado, being more particularly described as follows:

Beginning at a point on the East line of the said W/2NW/4SW/4SW/4 Section 22 from which point the Southeast Corner of said W/2NW/4SW/4SW/4 Section 22 bears S00°11'04"E a distance of 388.36 feet; thence, N00°11'04"W a distance of 266.90 feet along said East line of the W/2NW/4SW/4SW/4 Section 22; thence, continuing N00°11'04"W a distance of 655.26 feet along the East line of said W/2SW/4NW/4SW/4 Section 22; thence, S89°42'14"W a distance of 333.92 feet along the North line of said W/2SW/4NW/4SW/4 Section 22; thence, S88°24'42"W a distance of 1294.21 feet along the North line of said S/2NE/4SE/4 Section 21; thence, S00°34'23"W a distance of 539.23 feet along the West line of said S/2NE/4SE/4 Section 21; thence, S88°42'19"E a distance of 472.27 feet; thence, S13°13'43"E a distance of 99.34 feet to the North line of said N/2SE/4SE/4 of Section 21; thence, continuing S13°13'43"E a distance of 43.92 feet; thence, S05°41'59"E a distance of 298.03 feet; thence, S41°15'51"E a distance of 139.82 feet; thence, S65°16'05"E a distance of 18.93 feet; thence, N58°26'59"E a distance of 36.57 feet; thence, N32°18'13"E a distance of 32.67 feet; thence, N75°25'53"E a distance of 73.23 feet; thence, S61°33'40"E a distance of 52.82 feet; thence, N87°35'25"E a distance of 69.84 feet; thence, N71°10'49"E a distance of 106.56 feet; thence, N86°37'01"E a distance of 121.24 feet; thence, N71°48'20"E a distance of 79.05 feet; thence, N28°12'47"E a distance of 25.42 feet; thence, N21°35'58"W a distance of 75.11 feet; thence, N41°53'07"W a distance of 65.44 feet; thence, along the



arc of a curve to the right having a length of 156.00 feet a radius of 51.39 feet and the long chord of which bears N44°05'18"E a distance of 102.63 feet. thence, S47°56'17"E a distance of 155.18 feet to the West line of said W/2NW/4SW/4SW/4 of Section 22 from which point the Northwest Corner of said W/2NW/4SW/4SW/4 of Section 22 bears N00°23'24"W a distance of 260.87 feet and the Southwest Corner of said W/2NW/4SW/4SW/4 of Section 22 bears S00°23'24"E a distance of 394.45 feet; thence, continuing S47°56'17"E a distance of 57.27 feet; thence, S75°06'23"E a distance of 96.70 feet; thence, S32°02'54"E a distance of 124.46 feet; thence, N79°21'34"E a distance of 30.03 feet; thence, N26°54'08"E a distance of 161.18 feet; thence, N59°55'07"E a distance of 30.27 feet to the point of beginning and containing 32.51 acres more or less; and,

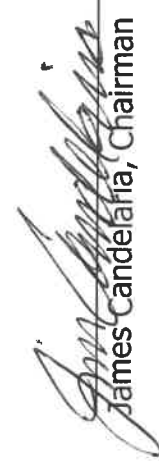
WHEREAS, Section 30-28-101(d)(10) of the Colorado Revised Statutes, and Section 9103.4 of the Montezuma County Land Use Code allow the Board of County Commissioners to exempt from the subdivision regulations any division of land that the Board determines is not within the purposes of such regulations, and

WHEREAS, the purpose of Montezuma County's conveyance to the Town of Mancos of the 16.96 acres, more or less, described above is a government-to-government conveyance that is intended to fulfil the terms of an existing contract, and

WHEREAS, the Board of County Commissioners for Montezuma County, Colorado, has determined that Montezuma County's conveyance to the Town of Mancos of the 16.96 acres is not within the purposes of the subdivision regulations set forth in Title 30, Chapter 28, Part 1 of the Colorado Revised Statutes and the Montezuma County Land Use Code;

NOW, THEREFORE BE IT RESOLVED that the Board of County Commissioners for Montezuma County, Colorado, find that this exemption does not create a situation intended to be regulated by subdivision regulations set forth in the Colorado Revised Statutes and the Montezuma County Land Use Code based on the fact that the conveyance of land by Montezuma County to the Town of Mancos is a government-to-government conveyance that is intended to fulfill the terms of an existing contract. The request for an exemption is hereby GRANTED and shall be referred to as Resolution # RES-04-2022, as recorded.

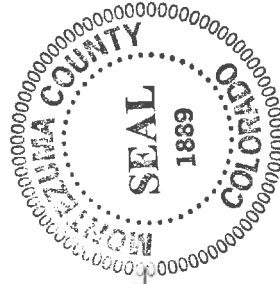
Commissioners voting in favor of the Resolution were:

 James Candelaria, Chairman
 Kent Lindsey
 Gerald Koppenhafer

I certify that the above foregoing Exemption is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners for Montezuma County, Colorado, and the votes upon same are true and correct.

Dated this 11th day of October, 2022.


County Clerk and Recorder,
Montezuma County, Colorado



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