

**TOWN OF MEAD, COLORADO
RESOLUTION NO. 12-R-2020**

**A RESOLUTION OF THE TOWN OF MEAD, COLORADO,
ACCEPTING A PERMANENT GRADING, DRAINAGE AND SUPPORT EASEMENT
FOR A PORTION OF OUTLOT E, AMENDED PLAT OF
MULLIGAN LAKE ESTATES**

WHEREAS, the Town desires to accept a permanent grading, drainage and support easement (the "Easement") to allow for certain grading and maintenance activities on a portion of Outlot E, Mulligan Lake Estates, as more particularly described in the Easement; and

WHEREAS, the Easement is located on property owned by the Mulligan Lake Estates Homeowners' Association, Inc., a Colorado nonprofit corporation ("Owner"); and

WHEREAS, the Easement consists of approximately 7,403 square feet (0.17 acres); and

WHEREAS, the Easement is attached to this Resolution as **Exhibit 1** and is incorporated herein by reference; and

WHEREAS, the Board of Trustees desires to authorize the Mayor to accept the Easement on behalf of the Town and further desires to authorize the Town Clerk to record a copy of the Easement in the Weld County real property records.


THEREFORE, BE IT RESOLVED by the Board of Trustees of the Town of Mead, Colorado as follows:

Section 1. The Easement is accepted in the form attached as **Exhibit 1**. The Board of Trustees authorizes the Mayor to proceed to execute the acceptance acknowledgement signature block set forth on the Easement on behalf of the Town. Following execution by the Mayor, the Town Clerk shall be authorized and is hereby instructed to record the fully executed Easement in the real property records of Weld County, Colorado.

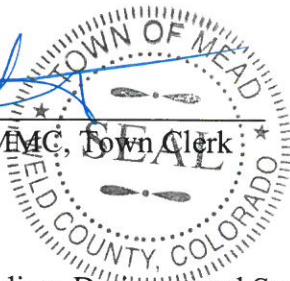
Section 2. Effective Date. This Resolution shall become effective immediately upon adoption.

INTRODUCED, READ, PASSED AND ADOPTED THIS 27th DAY OF JANUARY, 2020.


ATTEST:



Mary E. Strutt, MMC, Town Clerk



TOWN OF MEAD:

By: 

Colleen G. Whitlow, Mayor

Attachments:

Exhibit 1 - Grading, Drainage and Support Easement (Outlot E, Mulligan Lake Estates)



After recording, return to:

Town of Mead (Attn: Town Clerk)
441 Third Street, P.O. Box 626
Mead, CO 80542

GRADING, DRAINAGE, AND SUPPORT EASEMENT

This Grading, Drainage, and Support Easement is made this 8th day of January, 2020, by and between the Mulligan Lake Estates Homeowners' Association, Inc., a Colorado nonprofit corporation, whose address is 1155 South Main Street, Longmont, CO 80501 ("GRANTOR"), and the Town of Mead, whose address is 441 Third Street, P.O. Box 626, Mead, Colorado 80542 ("GRANTEE").

GRANTOR has granted, bargained, and conveyed, and by this easement does grant, bargain, convey and confirm unto GRANTEE, its successors and assigns forever, a permanent, nonexclusive easement under, upon, and through that real property described in Exhibit A (the "PROPERTY"), attached hereto and incorporated herein by this reference, for the following purposes:


1. Construction, reconstruction, operation, maintenance, and repair of drainage facilities and appurtenances (including, but not limited to, a surface drainage ditch), and any grading associated with such activities;
2. Grading, regrading, construction, reconstruction, maintenance, modification, and repair of slopes supportive of the roadbeds of adjacent roadways (WCR 32 and WCR 7);
3. Removal of impediments including, but not limited to, trees and other vegetation that interfere with or burden the full enjoyment of the rights granted herein to GRANTEE; and
4. Ingress and egress for the purpose of carrying out any of the above-described activities.

GRANTOR reserves the right to use and occupy the PROPERTY for any purpose not inconsistent with the rights and privileges granted herein, and which will not interfere with or endanger any of the GRANTEE's facilities on the PROPERTY or GRANTEE's use thereof, but in no event shall GRANTOR impound water or other substance on or over the PROPERTY, plant or allow any trees to grow on the PROPERTY, or alter or modify any slopes on the PROPERTY associated with the drainage facilities or roadbed support, without the prior written consent of GRANTEE.

Notwithstanding the foregoing, GRANTOR shall retain primary responsibility for general and ongoing upkeep of the PROPERTY including, but not limited to, trash and debris removal.

GRANTOR warrants that the PROPERTY is free and clear of all liens and encumbrances, and shall forever warrant and defend title to the same.

GRANTOR:


By: Jesse A. Glassman
Title: Mulligan Lake Estates HOA President

STATE OF COLORADO)
) ss.
COUNTY OF WELD)

The foregoing instrument was acknowledged before me this 9th day of Jan., 2020 by Jesse A. Glassman as President of Mulligan Lake Estates Homeowners' Association, Inc., a Colorado nonprofit corporation (GRANTOR).

Witness my hand and official seal: Laurene G. Uhlberg
Notary Public

My commission expires 08/22/22

LAURENE GUHLBERG
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20024027033
MY COMMISSION EXPIRES AUGUST 22, 2022

ACCEPTANCE:

The herein Grading, Drainage, and Support Easement is accepted by the Town of Mead (GRANTEE) this 27th day of January, 2020

Colleen Whitlow
Colleen Whitlow, Mayor



EXHIBIT A
(Legal Description)



PROPERTY DESCRIPTION

OUTLOT E - UTILITY EASEMENT

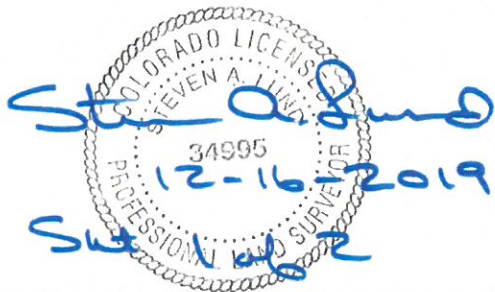
A parcel of land for utility easement purposes, being a portion of Outlot E, Amended Plat of Mulligan Lake Estates recorded April 7, 1993 as Reception No. 02327865 of the Records of Weld County, being situate in the Southwest Quarter of Section Fifteen (15), Township Three North (T.3N.), Range Sixty-eight West (R.68W.), Sixth Principal Meridian (6th P.M.), Town of Mead, County of Weld, State of Colorado being more particularly described as follows:

The Westerly 30.00 feet and the Southerly 30.00 feet of said Outlot E.

Said described parcel of land contains a total of 7,403 square feet or 0.17 acres, more or less (±).

SURVEYOR'S CERTIFICATE

I, Steven A. Lund, a Colorado Registered 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.



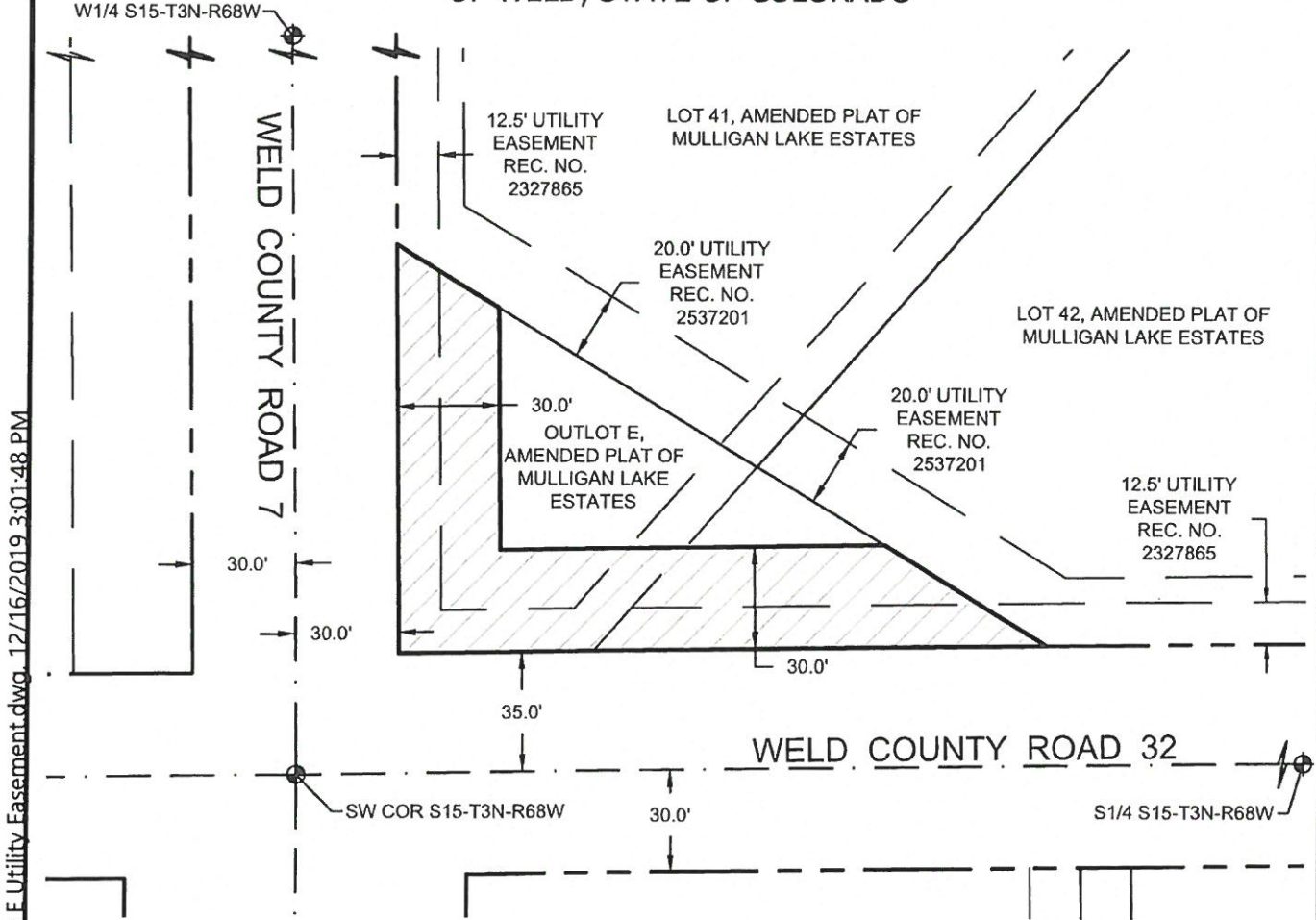
Steven A. Lund – on Behalf of Northern Engineering
Colorado Registered Professional
Land Surveyor #34995

NORTHERN ENGINEERING
820 8th Street
Greeley, Colorado 80631
(970) 488-1113



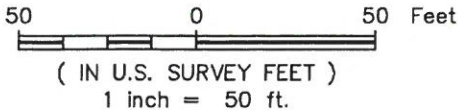
UTILITY EASEMENT EXHIBIT

A TRACT OF LAND BEING A PORTION OF OUTLOT E, AMENDED PLAT OF MULLIGAN LAKE ESTATES SITUATE WITHIN THE SOUTHWEST 1/4 OF SECTION 15, TOWNSHIP 3 NORTH, RANGE 68 WEST OF THE 6th P.M., TOWN OF MEAD, COUNTY OF WELD, STATE OF COLORADO



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NOTE: THIS EXHIBIT 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 SUPERCEDES THE EXHIBIT DRAWING.



Steven A. Lund
 Registered Professional Land Surveyor
 Colorado Registration No. 34995



FORT COLLINS: 301 North Hoxas Street, Suite 100, 80521
 GREELEY: 820 8th Street, 80631
 PHONE: 970.221.4158
 www.northernengineering.com