



BRYAN D. WEIMER, PWLF
Director

Lima Plaza
6924 South Lima Street
Centennial, Colorado 80112-3853
720-874-6500
arapahoegov.com



Board Summary Report

To: Board of County Commissioners

Through: Bryan Weimer, PWLF, Director, Public Works & Development

Through: James Katzer, PE, Transportation Division Manager *JK*

Prepared By: Cathleen Valencia, PE, Capital Improvement Program Manager *CAV*

Date: October 5, 2021

Subject: **C19-007 – Gun Club Widening Project – Quit Claim Deed for E470 ROW Dedication**

PURPOSE AND REQUEST

The Board of County Commissioners is requested to approve and accept the attached Quit Claim Deed from E470 Public Highway Authority (E470) for right-of-way for the Gun Club Road Widening project south of Quincy Avenue and authorize the Public Works and Development Department to record the deed.

BACKGROUND AND DISCUSSION

The City of Aurora in coordination with Arapahoe County are working on the preliminary design of the Gun Club Road Widening Project from Aurora Parkway to Quincy Avenue to upgrade the roadway from two-lanes to an ultimate six-lane arterial. The project will look to construct an initial, interim, phase of a four-lane arterial section in order to better work with the City and County’s fiscal constraints.

The roadway improvements abut a remnant parcel and Right-of-Way segment owned by the E-470 Public Highway Authority (Parcel ID: 2071-13-1-00-010). These parcels abut the Gun Club Road right-of-way for a distance of approximately 2,635 linear feet (in the northern section of the parcel shown in orange in the attached Exhibit B) and further south, abuts the apparent ROW segment around the curve of Gun Club Road (see area in blue in the attached Exhibit B). The existing right-of-way width of Gun Club Road is 80 feet where adjacent to the E-470 parcel. In order to accommodate the ultimate six-lane

configuration, a right-of-way width of 144 feet is needed. As a result, an additional 54 feet to 64 feet of right-of-way would be needed on the E-470 remnant and ROW parcel segments. This results in 3.32 acres (144,726.2 sq. ft.) of right-of-way for the orange segment (Exhibit B) area and 0.36 acres (15,764 sq. ft.) of right way for the blue segment (Exhibit B) that the City and County would need dedicated for purposes of these public roadway improvements.

ALTERNATIVES

The alternative would be to not accept the Quit Claim Deed for ROW dedication. The consequence of not accepting the Quit Claim Deed would be that the County would need to pay for needed ROW on the project some time in the future as E470 is looking to sell the parcel and has generously agreed to dedicate needed ROW at no cost prior to the sale.

FISCAL IMPACT

E470 has generously dedicated the ROW to the County at **no cost**. The land being dedicated is worth approximately \$45,000/ acre. Without the generous dedication the County would be required to purchase the ROW at a cost of approximately \$165,600.

ALIGNMENT WITH STRATEGIC PLAN

- Be fiscally sustainable
- Provide essential and mandated service
- Be community focused

CONCURRENCE

Public Works staff, and the County Attorney's office have reviewed and approved of the Quit Claim Deed.

Enclosures:

Resolution
Quit Claim Deed
Exhibit B

CC:

Email

Bryan D. Weimer, Public Works Director
James Katzer, Transportation Division Manager
Robert Hill, Assistant County Attorney
Todd Weaver, Finance Director
Loren Kohler, Accountant III

Cathleen Valencia, CIP Manager
File (C19-007)

RESOLUTION

RESOLUTION NO. _____. It was moved by Commissioner _____ and duly seconded by Commissioner _____ to approve and accept the Quit Claim Deed from the E470 Public Highway Authority as ROW dedication for the Gun Club Road Widening Project; and further to authorize Public Works and Development Department to record the deed on behalf of Arapahoe County, all as presented to the Board this day.

The vote was:

Commissioner Baker, ____; Commissioner Holen, ____; Commissioner Jackson, ____;
Commissioner Sharpe, ____; Commissioner Warren-Gully ____.

The Chair declared the motion carried and so ordered.

QUITCLAIM DEED

THIS QUITCLAIM DEED is made this 27th day of September, 2021, between **E-470 PUBLIC HIGHWAY AUTHORITY**, a body corporate and political subdivision of the State of Colorado (“the Grantor”), whose street address is 22470 E. Stephen D. Hogan Parkway, Suite 100, Aurora, Colorado 80018, and **ARAPAHOE COUNTY, COLORADO**, a political subdivision of the State of Colorado (“Grantee”), whose street address is 5334 South Prince Street, Littleton, Colorado 80120.

WITNESS, that the Grantor, for and in consideration of the payment of Ten and no/100s Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has remised, released, sold and QUIT CLAIMED, and by these presents does remise, release, sell, and QUIT CLAIM unto Grantee, its heirs 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 Arapahoe and the State of Colorado, as described in the following legal description, attached and hereby made a part of this Quit Claim Deed:

EXHIBIT “A”

Said property is conveyed for road purposes, and except to the extent necessary for subjacent and/or lateral support of roadways or other improvements made to the land, all oil and gas and other minerals rights associated with the property, are excepted from and not included in this conveyance.

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 the Grantor, either in law or equity, to the only proper use, benefit and behoof of the Grantee, its heirs and assigns forever.

IN WITNESS WHEREOF, the Grantor has executed this Quitclaim Deed on the date set forth above.

E-470 PUBLIC HIGHWAY AUTHORITY

Tim Stewart
By: Tim Stewart
Its: Executive Director

STATE OF COLORADO)
) ss.
COUNTY OF Arapahoe)

The foregoing instrument was acknowledged before me this 27th day of September, 2021 by Tim Stewart as Executive Director of E-470 Public Highway Authority.

Witness my hand and official seal.
My commission expires Sept. 25, 2023

Diane Lundquist
Notary Public

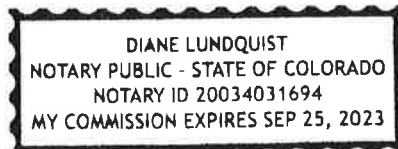


Exhibit A

Legal Description of Property

EXHIBIT A PROPERTY DESCRIPTION

EXHIBIT A LEGAL DESCRIPTION

A tract or parcel of land over and across Parcel TK-65 as described at Reception No. A7162781, in the public records of Arapahoe County, located in the Northeast Quarter of section 13, Township 5 South, Range 66 West of the Sixth Principal Meridian, County of Arapahoe, State of Colorado, said tract or parcel being more particularly described as follows:

For the purpose of this description the bearings are referenced to the east line of the Northeast Quarter of section 13, Township 5 South, Range 66 West of the 6th P.M., assumed to bear South 00°00'40" East, a distance of 2645.69 feet (South 00°00'34" East, a distance of 2645.63 feet per E-470 Segment 3 R.O.W. plans). Monumented by the calculated position at the Northeast Corner and a found 3 1/4" aluminum cap marked "PLS 38318 2018" on a #6 rebar at the East Quarter Corner of said Section 13.

Commencing at the East Quarter corner of Section 13, Township 5 South, Range 66 West of the 6th Principal Meridian;

THENCE South 89°43'10" West, along the south line of said Northeast Quarter said Section 13, a distance of 40.00 feet to the west Right of Way line of Gun Club Road.

THENCE North 00°00'40" West, along said west Right of Way line, a distance of 11.07 feet to the southeast corner of Parcel RE-65 RT as indicated on said E-470 Segment 3 Right of Way plans as recorded in Plat Book No. 03408 in the office of the Arapahoe County Clerk and Recorder and the Point of Beginning;

THENCE North 60°53'43" West, along the southwesterly line of said parcel RE-65 RT, a distance of 74.12 feet;

THENCE North 01°17'04" East, a distance of 398.59 feet;

THENCE North 00°31'07" East a distance of 176.33 feet;

THENCE North 00°00'36" East, a distance of 2023.12 feet to the north line of the Northeast Quarter of said Section 13 and the north line of said Parcel RE-65 RT;

THENCE North 89°29'31" East along said north lines, a distance of 53.37 feet to said west Right of Way line of Gun Club Road;

THENCE South 00°00'40" East, along said west Right of Way line, a distance of 2634.46 feet to the Point of Beginning.

Containing 143597 Square Feet or 3.297 Acres more or less.

\\Survey\1701030\Drawings\ROW Exhibits\Stanley-E470 PHA RE-65 RT ROW.dwg

OWNER

**E-470 PUBLIC HIGHWAY
AUTHORITY**

APN. 2073-13-1-00-010

CALC: RD

DATE: 7/20/2021

DRWN: AVV

JOB No. 1701-030

SHEET 1 OF 2

PARCEL

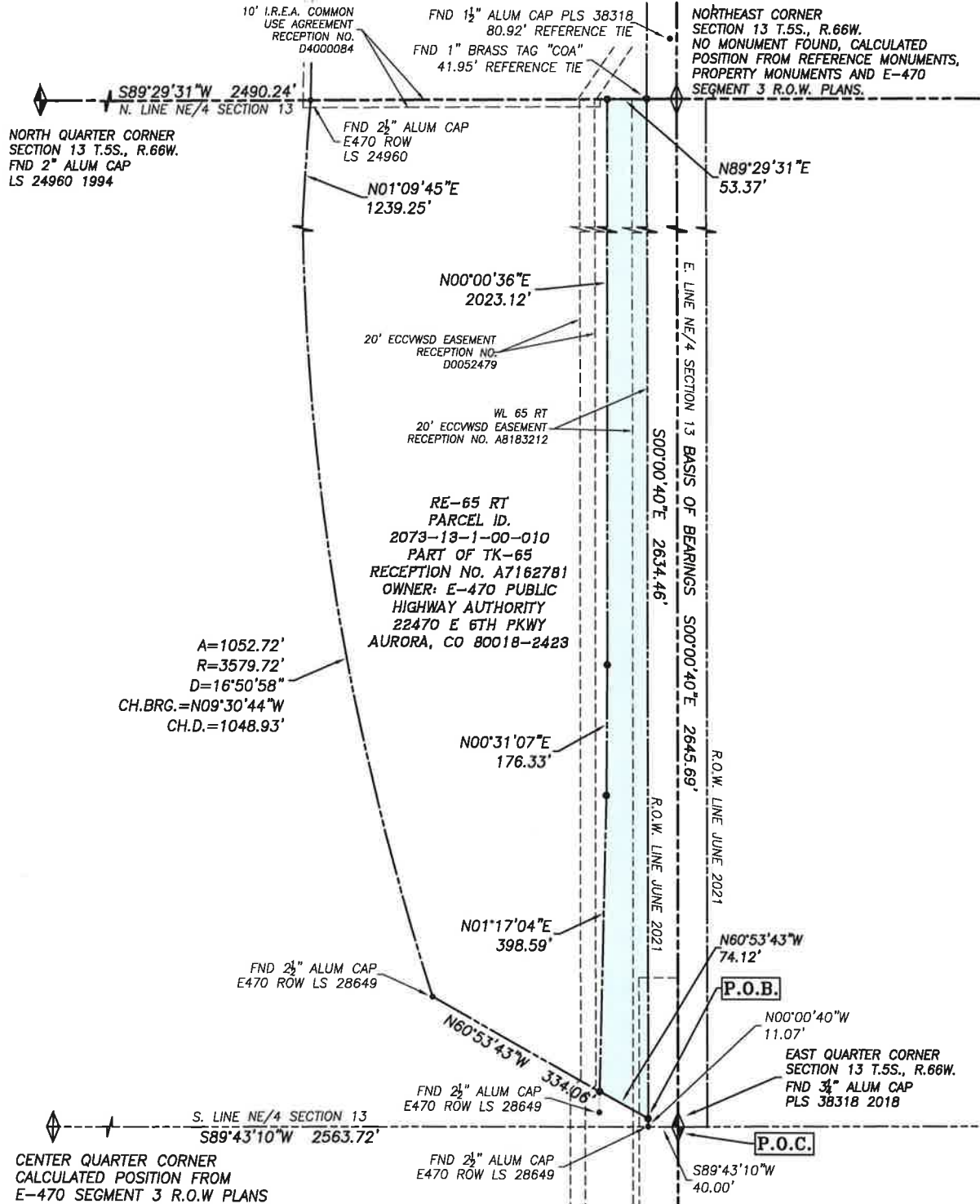
NE 1/4 SEC. 13, T.5S., R.66W.

ARAPAHOE COUNTY,
COLORADO

THIS DOES NOT REPRESENT
A MONUMENTED SURVEY.



ILLUSTRATION FOR EXHIBIT A



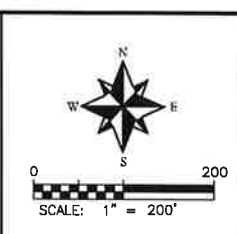
RE-65 RT
PARCEL ID.
2073-13-1-00-010
PART OF TK-65
RECEPTION NO. A7162781
OWNER: E-470 PUBLIC
HIGHWAY AUTHORITY
22470 E 6TH PKWY
AURORA, CO 80018-2423

A=1052.72'
R=3579.72'
D=16°50'58"
CH.BRG.=N09°30'44"W
CH.D.=1048.93'

\\Survey\1701039\Drawings\Parcel Exhibit.dwg

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E-470 PUBLIC HIGHWAY AUTHORITY	
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<small>SHEET 2 OF 2</small>	

PARCEL
NE 1/4 SEC. 13, T.5S., R.66W.
ARAPAHOE COUNTY,
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DALEY LAND SURVEYING, INC.

17011 LINCOLN AVE #301
PARKER, CO 80134

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For the purpose of this description the bearings are referenced to the east line of the Northeast Quarter of section 13, Township 5 South, Range 66 West of the 6th P.M., assumed to bear South 00°00'40" East, a distance of 2645.69 feet (South 00°00'34" East, a distance of 2645.63 feet per E-470 Segment 3 R.O.W. plans). Monumented by the calculated position at the Northeast Corner and a found 3 1/4" aluminum cap marked "PLS 38318 2018" on a #6 rebar at the East Quarter Corner of said Section 13.

Commencing at the East Quarter corner of Section 13, Township 5 South, Range 66 West of the 6th Principal Meridian;

THENCE South 89°43'10" West, along the south line of said Northeast Quarter said Section 13, a distance of 40.00 feet to the west Right of Way line of Gun Club Road and a point on the east line of Parcel TK-65 as described at Reception No. A7162781 and indicated on the E-470 Segment 3 Right of Way plans as recorded in Plat Book No. 03408 in the office of the Arapahoe County Clerk and Recorder to the northeast corner of that parcel of land described at Reception No. B3155864 in the office of the Arapahoe County Clerk and Recorder and the Point of Beginning;

THENCE continuing South 89°43'10" West, along said south line of the Northeast Quarter, the north line of said parcel of land described at Reception No. B3155864 and along said Parcel TK-65, a distance of 31.24 feet;

THENCE North 60°53'43" West, along said north line of that parcel of land described at Reception No. B3155864 and along said Parcel TK-65, a distance of 39.09 feet;

THENCE North 01°17'04" East, a distance of 28.27 feet to the southerly line of Parcel RE-65 RT as indicated on said E-470 Segment 3 Right of Way plans;

THENCE South 60°53'43" East, along said southerly line, a distance of 74.12 feet to said west Right of Way line of Gun Club Road;

THENCE South 00°00'40" East, along said west Right of Way line, a distance of 11.07 feet to the Point of Beginning.

Containing 1588 Square Feet, or 0.036 Acres, more or less.

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DATE: 7/20/2021

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JOB No. 1701-030

SHEET 1 OF 2

PARCEL

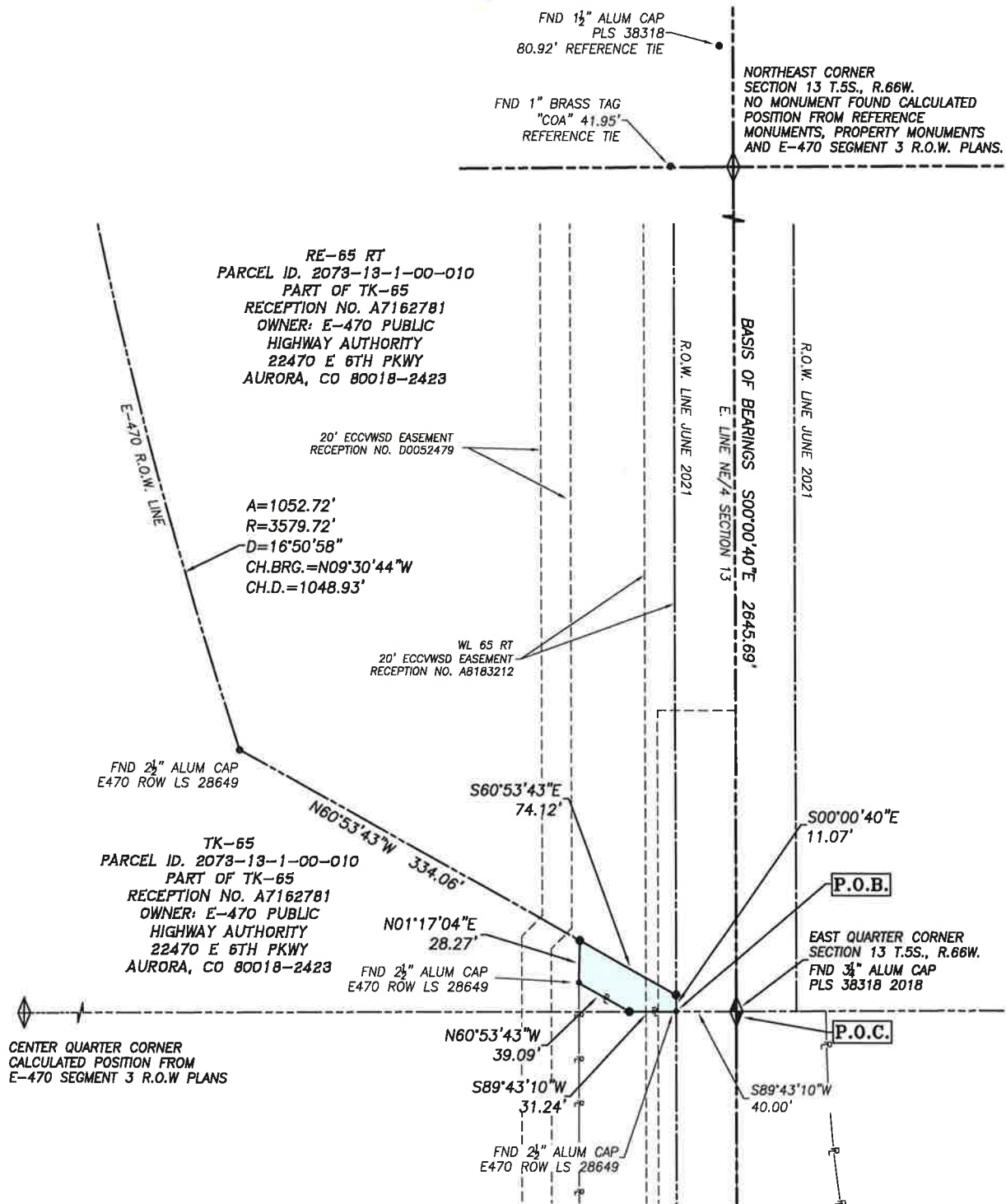
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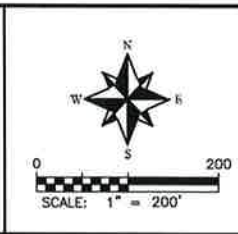
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