

**RESOLUTION NO. 140-99**

**AUTHORIZING THE EXCHANGE OF REAL ESTATE  
WITH THE UNITED STATES OF AMERICA**

WHEREAS, pursuant to Resolution No. 42-99, passed and adopted on April 7, 1999, the City and the Bureau of Land Management, Grand Junction Resource Area, entered into an Agreement to Initiate a Land Exchange for real estate located in an area commonly known as the Grand Mesa Slopes; and

WHEREAS, pursuant to Section 206 of the Federal Land Policy and Management Act of 1976 (43 USC 1716, as amended), the City and the Bureau of Land Management jointly conducted public meetings to give interested parties an opportunity to analyze and comment upon the proposed land exchanges; and

WHEREAS, the City and the Bureau of Land Management have not received any protests or objections to the proposed land exchanges; and

WHEREAS, the Bureau of Land Management has issued a Notice of Decision to approve the proposed land exchanges; and

WHEREAS, the United States of America has agreed to issue a Patent whereby the following described real estate will be conveyed to the City:

Township 2 South, Range 2 East of the Ute Meridian

Section 1: the Southeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  (SE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ), and also  
Section 10: the Northwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  (NW  $\frac{1}{4}$  SE  $\frac{1}{4}$ ), and the Southwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  (SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ), and also  
Section 15: the West  $\frac{1}{2}$  of the Northwest  $\frac{1}{4}$  (W  $\frac{1}{2}$  NW  $\frac{1}{4}$ ), and also

Township 12 South, Range 97 West of the 6<sup>th</sup> Principal Meridian

Section 30: Lot 11, Lot 13 and Lot 14, and also

Township 12 South, Range 98 West of the 6<sup>th</sup> Principal Meridian

Section 12: Lot 13, and also  
Section 13: Lot 4, and also  
Section 14: Lot 5, and also  
Section 25: the Southeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  (SE  $\frac{1}{4}$  SE  $\frac{1}{4}$ ),

all in the County of Mesa, State of Colorado; and

WHEREAS, in exchange for receiving title to the aforescribed real estate, the City has agreed to convey the following described real estate to the United States of America:

Township 1 South, Range 2 East of the Ute Meridian

Section 10: the Southeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  (SE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ), and also

- Section 11: the North  $\frac{1}{2}$  of the Southeast  $\frac{1}{4}$  (N  $\frac{1}{2}$  SE  $\frac{1}{4}$ ) and the Northeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  (NE  $\frac{1}{4}$  SW  $\frac{1}{4}$ ), and also
- Section 12: the Northwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  (NW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ), and also
- Section 13: the Northwest  $\frac{1}{4}$  (NW  $\frac{1}{4}$ ) and the Northwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  (NW  $\frac{1}{4}$  NE  $\frac{1}{4}$ ), Except beginning at the Southeast corner of the North  $\frac{1}{2}$  of the Northeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  (NE  $\frac{1}{4}$  NE  $\frac{1}{4}$  NW  $\frac{1}{4}$ ) of said Section 13, thence South 577 feet, thence N 88°00'00" W 529 feet, thence N 40°00'00" W 585 feet, thence N 19°00'00" W 131 feet, thence N 72°00'00" E 300 feet, thence South 105 feet to the Southwest corner of the North  $\frac{1}{2}$  of the NE  $\frac{1}{4}$  NE  $\frac{1}{4}$  NW  $\frac{1}{4}$  of said Section 13, thence East 660 feet to the Point of Beginning, and also

Township 2 South, Range 1 East of the Ute Meridian

- Section 1: The Northwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  (NW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ), and also

Township 2 South, Range 2 East of the Ute Meridian

- Section 4: Lot 3, Except the Northeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  (NE  $\frac{1}{4}$  NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ), the South  $\frac{1}{2}$  of the Southwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  (S  $\frac{1}{2}$  SW  $\frac{1}{4}$  NW  $\frac{1}{4}$ ), and the Southeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  (SE  $\frac{1}{4}$  NW  $\frac{1}{4}$ ),

all in the County of Mesa, State of Colorado; and

WHEREAS, the City Council has determined that the aforescribed real estate is not held or used by the City for parks or other governmental purposes; and

WHEREAS, an independent appraisal estimates the value of the aforescribed City owned real estate to be \$283,000.00 and the aforescribed real estate owned by the United States of America to be \$263,000.00. Because the City's property has an estimated value of \$20,000 greater than the property of the United States of America, the City shall not be required to reimburse the Bureau of Land Management for expenses incurred throughout the due diligence process, including the costs of appraisals, environmental assessments, cultural surveys and archaeological surveys which amounts are estimated to be in excess of \$20,000.

WHEREAS, the City Council has determined that the exchange of the real estate as described above will benefit the City's operation and management of real estate in the general vicinity of the Grand Mesa Slopes.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

1. That the City Council, for and in consideration of the City receiving a Patent to the real estate presently owned by the United States of America as aforescribed, hereby authorizes the conveyance of the aforescribed City owned real estate to the United States of America.

2. That the officers, employees and agents of the City are hereby authorized and directed to take all actions necessary and appropriate to effectuate the provisions of this Resolution and Resolution No. 42-99, including, without limitation, the execution and delivery of such certificates and documents as may be necessary or desirable to accomplish the exchange of the aforescribed real estate with the United States of America.

PASSED and ADOPTED this 1st day of December, 1999.

Attest:

/S/ Gene Kinsey  
President of the City Council

/s/ Stephanie Nye  
City Clerk