

**RESOLUTION NO. 29**  
**Series of 2018**

**A RESOLUTION APPROVING A FORD PARK WATER LINE EASEMENT; AND  
SETTING FORTH DETAILS IN REGARD THERETO**

WHEREAS, the Town of Vail (the "Town"), in the County of Eagle and State of Colorado is a home rule municipal corporation duly organized and existing under the laws of the State of Colorado and the Town Charter;

WHEREAS, the members of the Town Council of the Town (the "Council") have been duly elected and qualified;

WHEREAS, the Town is the owner of certain real property commonly known as Ford Park (the "Property"); and

WHEREAS, the Town wishes to grant the Eagle River Water and Sanitation District (the "ERWSD") a water line easement in various locations on Property (the "Water Easement").

NOW, THEREFORE, be it resolved by the Town Council of the Town of Vail, Colorado:

Section 1. The Council hereby approves the Water Easement and authorizes the Town Manager to execute the Water Easement on behalf of the Town in substantially the same form as attached hereto as **Exhibit A** and in a form approved by the Town Attorney.

Section 2. This Resolution shall take effect immediately upon its passage.

INTRODUCED, READ, APPROVED AND ADOPTED this 17th day of July, 2018.

\_\_\_\_\_  
Dave Chapin, Mayor

ATTEST:

\_\_\_\_\_  
Patty McKenny, Town Clerk



## Form 6.4: Water Easement – Eagle River Water & Sanitation District

### WATER EASEMENT

THIS EASEMENT is made this \_\_\_\_\_ day of \_\_\_\_\_, 2018, by and between the Town of Vail, a Colorado Municipal Corporation (hereinafter referred to as "Grantor"), \_\_\_\_\_ successors and assigns, and Eagle River Water and Sanitation DISTRICT, a quasi-municipal corporation of the State of Colorado within the County of Eagle, (hereinafter referred to as "District").

WITNESSETH, that for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration paid by the District to Grantor, the receipt of which is hereby acknowledged, the Grantor does hereby grant, convey and transfer unto the District, its successors and assigns, a perpetual easement and right to construct, install, remove, replace, add to, maintain, repair, operate, change or alter underground water lines and all underground and surface appurtenances related thereto such as valve boxes, meter vaults and manholes (hereinafter "water lines"), together with any and all water lines situate therein, all necessary rights-of-way for convenient ingress and egress thereto and therefrom, and the right to occupy and use, from time to time, as much of the adjoining land of the Grantor as may be reasonably necessary for any of the aforesaid purposes, over, under and across the following described premises, situate in the County of Eagle, State of Colorado, to-wit:

**See EXHIBIT A attached hereto and incorporated herein by reference.**

Grantor warrants that the Grantor has the lawful right to grant and convey such easement, rights-of-way, and water lines. Further, Grantor warrants that the water lines are free and clear of all liens and encumbrances.

Grantor will at no time permit, place or construct any structure, building or improvement of any kind, temporary or permanent, on any part of the above-described premises. Any structure, building or improvement located on the above-described premises as of the date of this Easement, may be removed by the District without liability for damages arising therefrom.

Following the completion of the purpose of any entry by the District upon such easement for any of the aforesaid objects, the District shall restore the premises to substantially the same condition existing at the time of the entry thereon, except for shrubs, plants, sidewalks, driveways or parking areas thereon located or damaged thereby.

All provisions of the Easement, including all benefits and burdens, shall run with the land and shall be binding upon and inure to the benefit of the successors and assigns of the parties hereto, subject to the provisions hereof.

IN WITNESS WHEREOF, the parties hereto have set their hands and seal the day and year first above written.

GRANTOR:

\_\_\_\_\_  
(Name of Grantor)

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF \_\_\_\_\_)

\_\_\_\_\_  
The foregoing Easement was subscribed and sworn to before me this \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_  
\_\_\_\_\_.

WITNESS my hand and official seal.

(S E A L)

\_\_\_\_\_  
Notary Public

My commission expires:

\_\_\_\_\_  
ACCEPTED by the District this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

By: \_\_\_\_\_  
General Manager

# EXHIBIT

FORD PARK

TOWN OF VAIL, EAGLE COUNTY, COLORADO

## EASEMENT PARCEL DESCRIPTION:

FIVE STRIPS OF LAND, SITUATED IN A PART OF SECTION 8, TOWNSHIP 5 SOUTH, RANGE 80 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF VAIL, COUNTY OF EAGLE, STATE OF COLORADO; SAID STRIPS OF LAND BEING TWENTY FEET IN WIDTH CENTERED ON EXISTING BURIED WATER LINES MORE PARTICULARLY DESCRIBED AS FOLLOWS:

### WATER LINE "A":

BEGINNING AT THE  $N\frac{1}{4}$  CORNER OF SAID SECTION 8, FROM WHENCE THE  $CN\frac{1}{16}$  CORNER OF SAID SECTION 8 BEARS  $S00^{\circ}32'20''W$  1322.01 FEET, SAID LINE FORMING THE BASIS OF BEARINGS FOR THE FOLLOWING DESCRIPTION; THENCE  $S00^{\circ}32'20''W$  582.59 FEET TO A POINT BEING ON THE SOUTHERLY RIGHT-OF-WAY OF INTERSTATE HIGHWAY No. 70; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY  $S71^{\circ}07'08''E$  323.96 FEET; THENCE 47.50 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 5900.00 FEET, AN INTERIOR ANGLE OF  $00^{\circ}27'41''$  AND A CHORD WHICH BEARS  $S73^{\circ}28'18''E$  47.50 FEET TO THE TRUE POINT OF BEGINNING; THENCE DEPARTING SAID SOUTHERLY RIGHT-OF-WAY  $S87^{\circ}23'55''W$  99.15 FEET TO THE POINT OF TERMINUS.

### WATER LINE "B":

THE TRUE POINT OF BEGINNING BEING THE SAME AS WATER LINE "A"; THENCE  $S01^{\circ}32'48''E$  256.54 FEET; THENCE  $S42^{\circ}28'38''E$  122.71 FEET; THENCE  $S30^{\circ}29'09''E$  346.59 FEET TO THE POINT OF TERMINUS.

### WATER LINE "C":

BEGINNING AT THE  $N\frac{1}{4}$  CORNER OF SAID SECTION 8, FROM WHENCE THE  $CN\frac{1}{16}$  CORNER OF SAID SECTION 8 BEARS  $S00^{\circ}32'20''W$  1322.01 FEET, SAID LINE FORMING THE BASIS OF BEARINGS FOR THE FOLLOWING DESCRIPTION; THENCE  $S00^{\circ}32'20''W$  582.59 FEET TO A POINT BEING ON THE SOUTHERLY RIGHT-OF-WAY OF INTERSTATE HIGHWAY No. 70; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY  $S71^{\circ}07'08''E$  323.96 FEET; THENCE 1030.39 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 5900.00 FEET, AN INTERIOR ANGLE OF  $10^{\circ}00'22''$  AND A CHORD WHICH BEARS  $S78^{\circ}14'39''E$  1029.08 FEET TO THE TRUE POINT OF BEGINNING; THENCE DEPARTING SAID RIGHT-OF-WAY  $S11^{\circ}14'47''W$  6.48 FEET; THENCE  $S67^{\circ}01'27''E$  58.04 FEET TO THE POINT OF TERMINUS.

### WATER LINE "D":

THE TRUE POINT OF BEGINNING BEING THE SAME AS WATER LINE "C"; THENCE  $S11^{\circ}14'47''W$  150.49 FEET; THENCE  $S33^{\circ}57'02''E$  68.75 FEET; THENCE  $S00^{\circ}26'12''W$  147.22 FEET; THENCE  $S89^{\circ}59'59''E$  63.15 FEET; THENCE  $S00^{\circ}00'01''W$  47.32 FEET; THENCE  $S39^{\circ}18'37''W$  340.91 FEET; THENCE  $S69^{\circ}54'07''W$  127.16 FEET TO THE POINT OF TERMINUS.

### WATER LINE "E":

BEGINNING AT THE  $CN\frac{1}{16}$  CORNER OF SAID SECTION 8, FROM WHENCE THE  $N\frac{1}{4}$  CORNER BEARS  $N00^{\circ}32'20''E$  1322.01 FEET, SAID LINE FORMING THE BASIS OF BEARINGS FOR THE FOLLOWING DESCRIPTION; THENCE  $S87^{\circ}44'55''E$  625.14 FEET TO THE TRUE POINT OF BEGINNING; THENCE  $S28^{\circ}49'44''E$  163.09 FEET; THENCE  $S38^{\circ}27'11''E$  38.90 FEET; THENCE  $S48^{\circ}13'00''E$  36.50 FEET; THENCE  $S59^{\circ}36'42''E$  79.67 FEET; THENCE  $S74^{\circ}22'30''E$  63.38 FEET; THENCE  $S86^{\circ}20'32''E$  95.85 FEET; THENCE  $N87^{\circ}01'47''E$  76.64 FEET TO THE POINT OF TERMINUS.



P.O. Box 15  
Avon, CO 81620  
(970) 479-8698 • fax (970) 479-0055

# EXHIBIT

FORD PARK

TOWN OF VAIL, EAGLE COUNTY, COLORADO

## EASEMENT PARCEL DESCRIPTION:

TWO PARCELS OF LAND, SITUATED IN A PART OF SECTION 8, TOWNSHIP 5 SOUTH, RANGE 80 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF VAIL, COUNTY OF EAGLE, STATE OF COLORADO; SAID PARCELS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

### FIRE HYDRANT "A":

BEGINNING AT THE  $CN\frac{1}{8}$  CORNER OF SAID SECTION 8, FROM WHENCE THE  $N\frac{1}{4}$  CORNER BEARS  $N00^{\circ}32'20"E$  1322.01 FEET, SAID LINE FORMING THE BASIS OF BEARINGS FOR THE FOLLOWING DESCRIPTION; THENCE  $S89^{\circ}09'43"E$  627.27 FEET TO THE TRUE POINT OF BEGINNING; THENCE  $N59^{\circ}00'01"E$  14.46 FEET; THENCE  $S30^{\circ}59'59"E$  20.00 FEET; THENCE  $S59^{\circ}00'01"W$  14.64 FEET; THENCE  $N30^{\circ}29'09"W$  20.00 FEET TO THE TRUE POINT OF BEGINNING.

### FIRE HYDRANT "B":

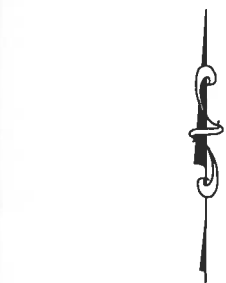
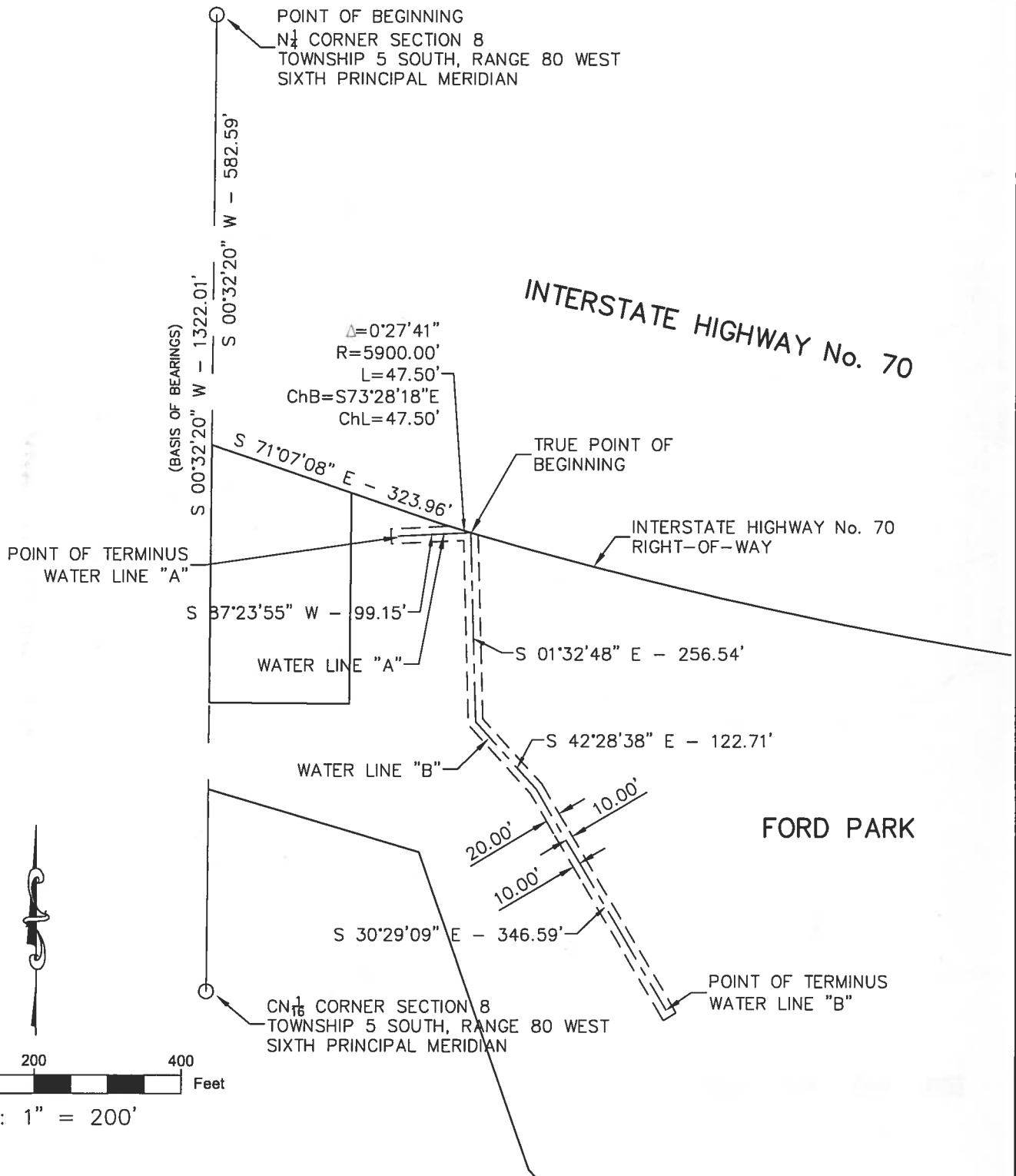
BEGINNING AT THE  $CN\frac{1}{8}$  CORNER OF SAID SECTION 8, FROM WHENCE THE  $N\frac{1}{4}$  CORNER BEARS  $N00^{\circ}32'20"E$  1322.01 FEET, SAID LINE FORMING THE BASIS OF BEARINGS FOR THE FOLLOWING DESCRIPTION; THENCE  $S74^{\circ}24'56"E$  1093.22 FEET TO THE TRUE POINT OF BEGINNING; THENCE  $N69^{\circ}54'07"E$  20.00 FEET; THENCE  $S20^{\circ}11'07"E$  15.54 FEET; THENCE  $S69^{\circ}48'53"W$  20.00 FEET; THENCE  $N20^{\circ}11'07"W$  15.51 FEET TO THE TRUE POINT OF BEGINNING.



# EXHIBIT

FORD PARK

TOWN OF VAIL, EAGLE COUNTY, COLORADO



SCALE: 1" = 200'



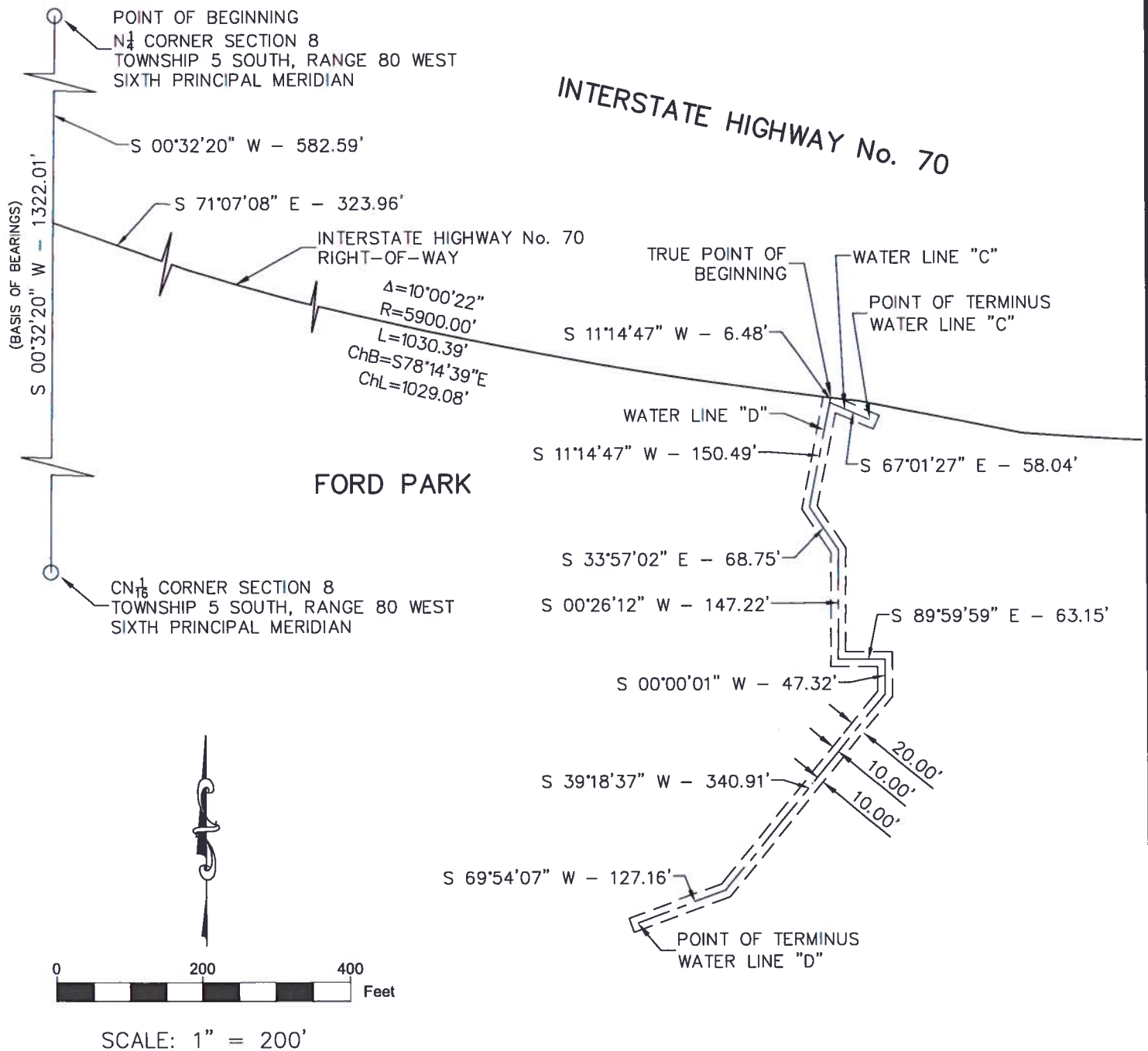
Gore Range  
Surveying, LLC  
P.O. Box 15  
Avon, CO 81620  
(970) 479-8698 • fax (970) 479-0055

SHEET 3 OF 7

# EXHIBIT

## FORD PARK

TOWN OF VAIL, EAGLE COUNTY, COLORADO

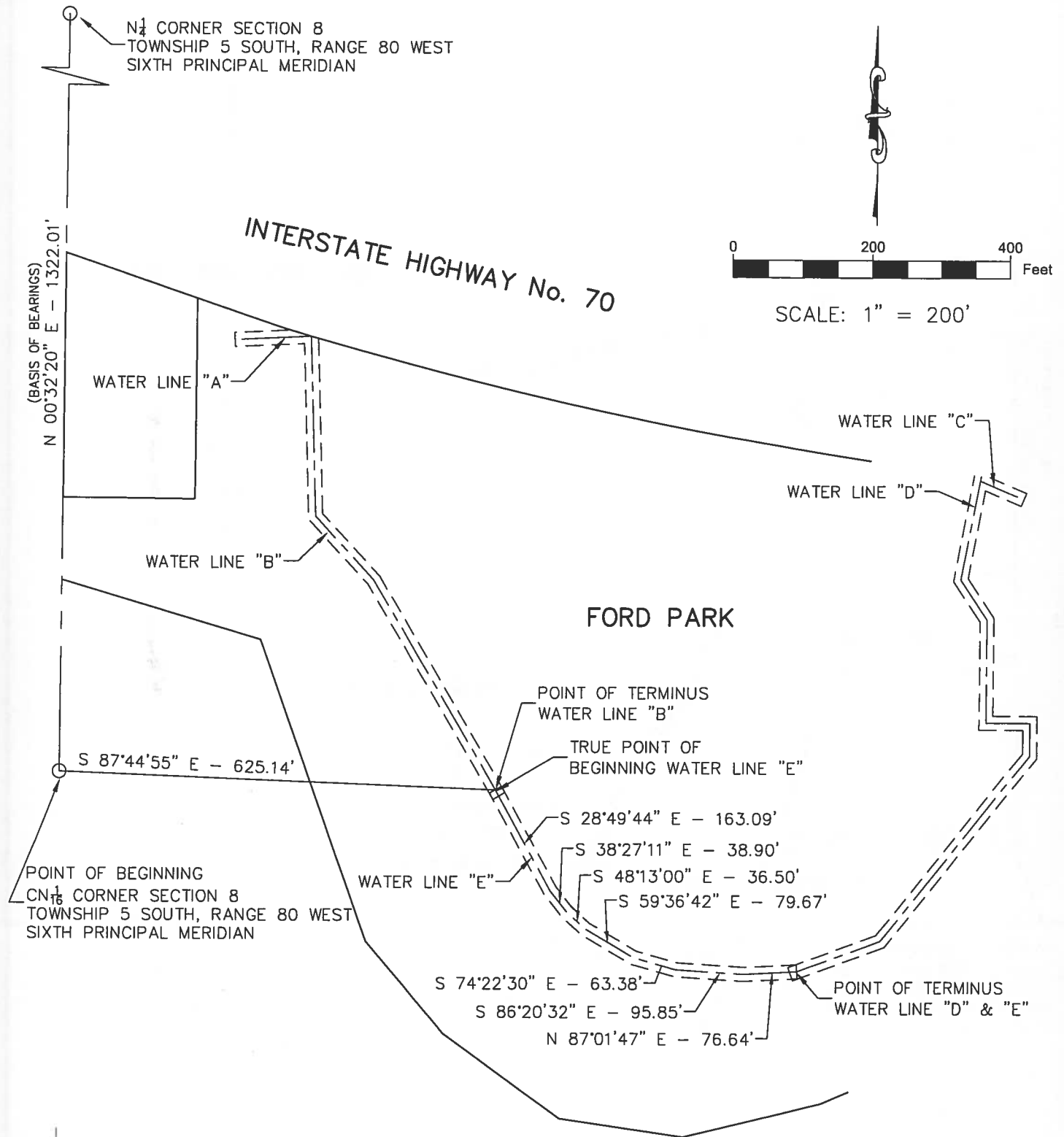




# EXHIBIT

## FORD PARK

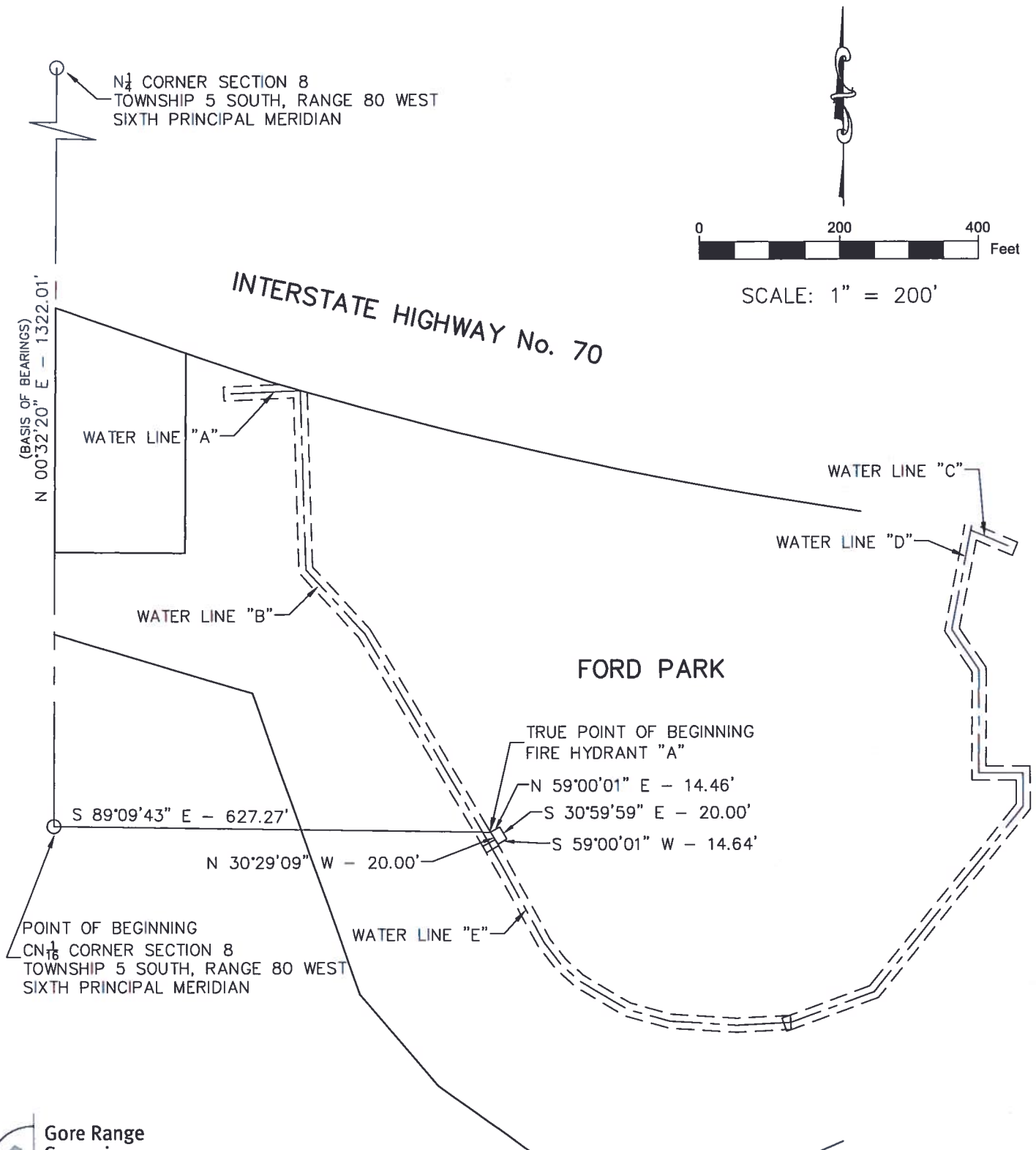
TOWN OF VAIL, EAGLE COUNTY, COLORADO



# EXHIBIT

FORD PARK

TOWN OF VAIL, EAGLE COUNTY, COLORADO



Gore Range  
Surveying, LLC

P.O. Box 15  
Avon, CO 81620  
(970) 479-8698 • fax (970) 479-0055

SHEET 6 OF 7

# EXHIBIT

## FORD PARK

TOWN OF VAIL, EAGLE COUNTY, COLORADO

