

VACATION OF EASEMENT AND BILL OF SALE

THIS VACATION OF EASEMENT AND BILL OF SALE dated this ___ day of _____, 2021, between **EAGLE RIVER WATER AND SANITATION DISTRICT**, a quasi-municipal corporation and political subdivision of the State of Colorado (“Grantor”) and **TOWN OF VAIL**, a Colorado municipal corporation, whose address is 75 South Frontage Road West, Vail, Colorado 81657 (“Grantee”):

WHEREAS, Grantee is constructing a project for which it has requested the Grantor vacate the Sewer Easement and convey ownership of the eight-inch (8”) sewer main located within the Easement.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor does by these presents remise, release, sell and quitclaim unto Grantee, its successors and assigns, forever, all the right, title, interest, claim and demand which the Grantor has and to property and improvements situate, lying and being in the Town of Vail, County of Eagle, State of Colorado, described as follows:

See Exhibits Middle Creek Subdivision Water+Sewer Asbuilts 2005 and Final Plat Middle Creek Subdivision, attached hereto and incorporated herein by this reference.

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 and its successors and assigns forever.

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

GRANTOR:
**EAGLE RIVER WATER AND
SANITATION DISTRICT**, a quasi-
municipal corporation and political subdivision
of the State of Colorado

By: _____
Linn Brooks, General Manager

)

The foregoing instrument was acknowledged before me this ____ day of _____, 2021, by Linn Brooks as General Manager of the Eagle River Water and Sanitation District.

Witness my hand and official seal.

My commission expires: _____

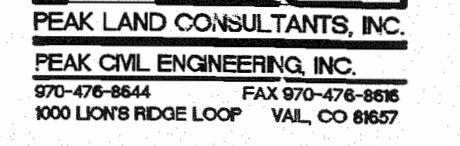
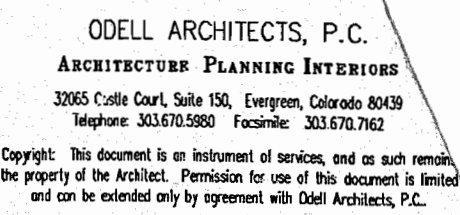
Notary Public

ACCEPTANCE

TOWN OF VAIL

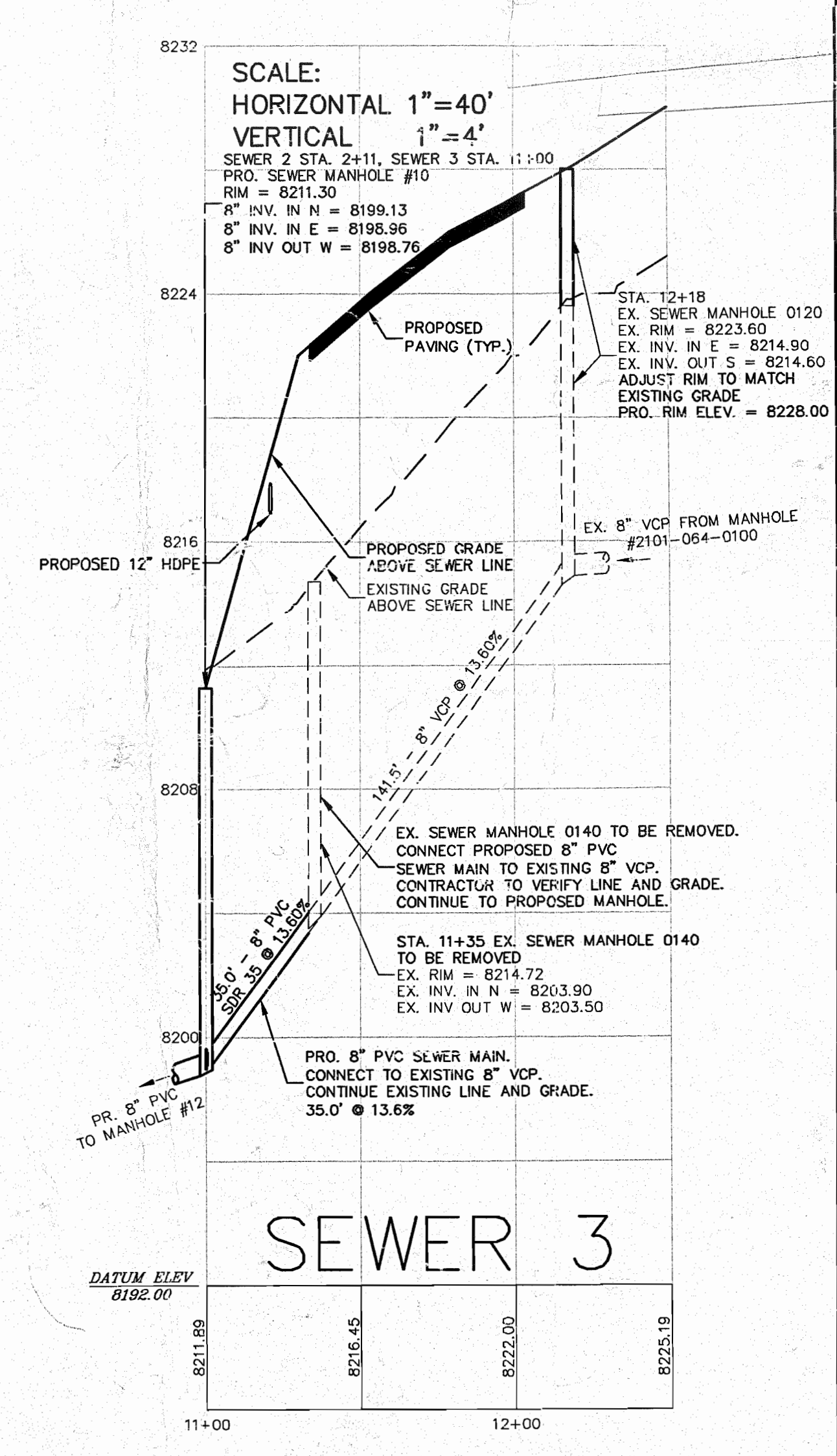
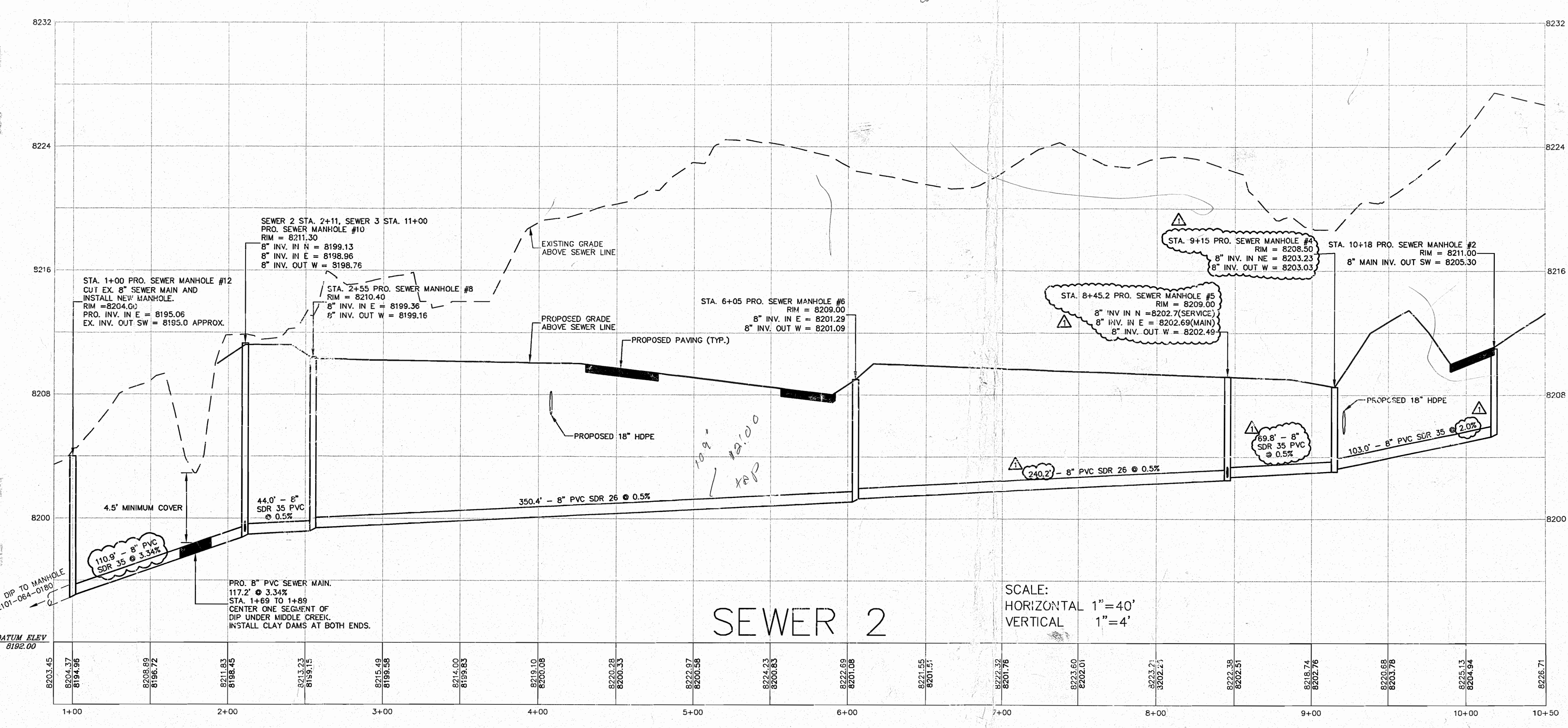
The Town of Vail, hereby accepts the property and improvements conveyed herein.

By: _____
Name: _____
Title: _____
Date: _____

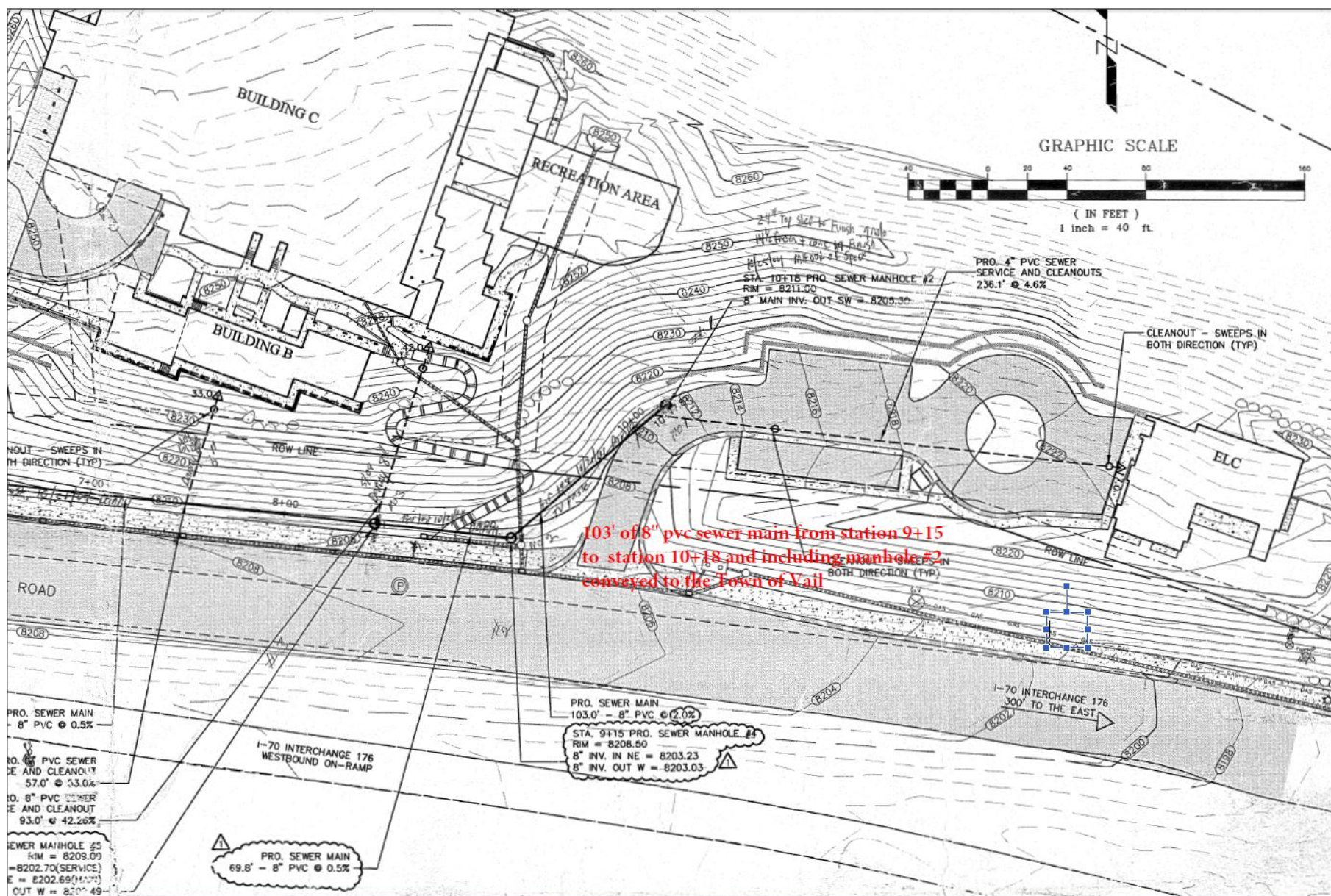


Development Plan
Mountain Bell Site
Vail, Colorado

2000



12



FINAL PLAT
MIDDLE CREEK SUBDIVISION
PART OF THE S½, OF THE SE¼ SECTION 6, TOWNSHIP 5 SOUTH, RANGE 80 WEST OF THE SIXTH PRINCIPAL MERIDIAN
TOWN OF VAIL, COUNTY OF EAGLE, STATE OF COLORADO

CERTIFICATE OF DEDICATION AND OWNERSHIP

KNOW ALL MEN BY THESE PRESENTS THAT THE TOWN OF VAIL, A MUNICIPAL CORPORATION, BEING SOLE OWNER IN FEE SIMPLE, OF ALL THAT REAL PROPERTY SITUATED IN THE TOWN OF VAIL, EAGLE COUNTY, COLORADO DESCRIBED AS FOLLOWS:

A TRACT OF LAND LOCATED IN THE SOUTH HALF, OF THE SOUTHEAST QUARTER, LYING NORTH OF INTERSTATE HIGHWAY 70 RIGHT-OF-WAY, SECTION 6, TOWNSHIP 5 SOUTH, RANGE 80 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF VAIL, COUNTY OF EAGLE, STATE OF COLORADO, ORIGINALLY DESCRIBED IN A QUIT CLAIM DEED, BOOK 246 AT PAGE 960, AND A PARCEL OF LAND DESCRIBED IN BOOK 218 AT PAGE 419, FILED OF RECORD IN THE OFFICE OF CLERK AND RECORDER OF COUNTY OF EAGLE, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 6, WHENCE THE NORTHEAST CORNER, OF THE SAID SOUTH HALF, OF THE SOUTHEAST QUARTER OF SECTION 6, BEARS N 00°28'16" W 1316.47 FEET BEING THE BASIS OF BEARING FOR THIS DESCRIPTION; THENCE ALONG THE EAST LINE OF THE SAID SOUTH HALF, OF THE SOUTHEAST QUARTER, N 00°28'16" W 685.54 FEET TO THE INTERSECTION OF THE SAID NORTH RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY 70 AND BEING THE TRUE POINT OF BEGINNING;

THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY 70, THE FOLLOWING EIGHT (8) COURSES:

- 1) N 71°38'09" W 198.00 FEET;
- 2) THENCE N 83°40'53" W 826.30 FEET;
- 3) THENCE N 74°25'59" W 204.70 FEET;
- 4) THENCE N 69°59'45" W 303.20 FEET;
- 5) THENCE N 80°00'52" W 424.40 FEET;
- 6) THENCE S 84°51'28" W 319.70 FEET;
- 7) THENCE S 80°08'42" W 211.80 FEET TO A POINT OF A NON-TANGENT CURVE;
- 8) THENCE 202.67 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 3990.00 FEET, A CENTRAL ANGLE OF 02°54'37" AND A CHORD WHICH BEARS S 85°27'36" W 202.65 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF THE SAID SOUTH HALF, OF THE SOUTHEAST QUARTER; THENCE ALONG THE SAID WEST LINE OF THE SOUTH HALF, OF THE SOUTHEAST QUARTER, N 00°16'30" W 347.38 FEET TO THE NORTHEAST CORNER OF THE SAID SOUTH HALF, OF THE SOUTHEAST QUARTER; THENCE ALONG THE NORTH LINE OF THE SAID SOUTH HALF, OF THE SOUTHEAST QUARTER, S 89°32'30" E 2634.93 FEET TO THE SAID NORTHEAST CORNER, OF THE SOUTH HALF, OF THE SOUTHEAST QUARTER; THENCE ALONG THE SAID EAST LINE, OF THE SOUTH HALF, OF THE SOUTHEAST QUARTER S 00°28'16" E 630.93 FEET TO THE TRUE POINT OF BEGINNING, SAID TRACT CONTAINS 24.995 GROSS ACRES OF LAND MORE OR LESS.

ALL RIGHTS AND INTERESTS IN THE FOREGOING DESCRIBED TRACT OF LAND, INCLUDING BUT NOT LIMITED TO, THE RIGHT OF EASEMENT, ARE HEREBY GRANTED TO THE TOWN OF VAIL, A MUNICIPAL CORPORATION, FOR THE PURPOSES OF PROVIDING SERVICES FOR WHICH THE EASEMENTS ARE ESTABLISHED.

THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS 08th DAY OF July, A.D. 2003 BY Richard Ken AS Mayor OF THE TOWN OF VAIL, A MUNICIPAL CORPORATION.

MY COMMISSION EXPIRES July 6, 2006

WITNESS MY HAND AND OFFICIAL SEAL

NOTARY PUBLIC

OWNER: TOWN OF VAIL, A MUNICIPAL CORPORATION
ADDRESS: 75 S FRONTAGE RD WEST VAIL, CO 81657

EXECUTED THIS 08th DAY OF July, A.D. 2003

ATTEST: Louise Donaldson TOWN CLERK

STATE OF Colorado SS

COUNTY OF Eagle

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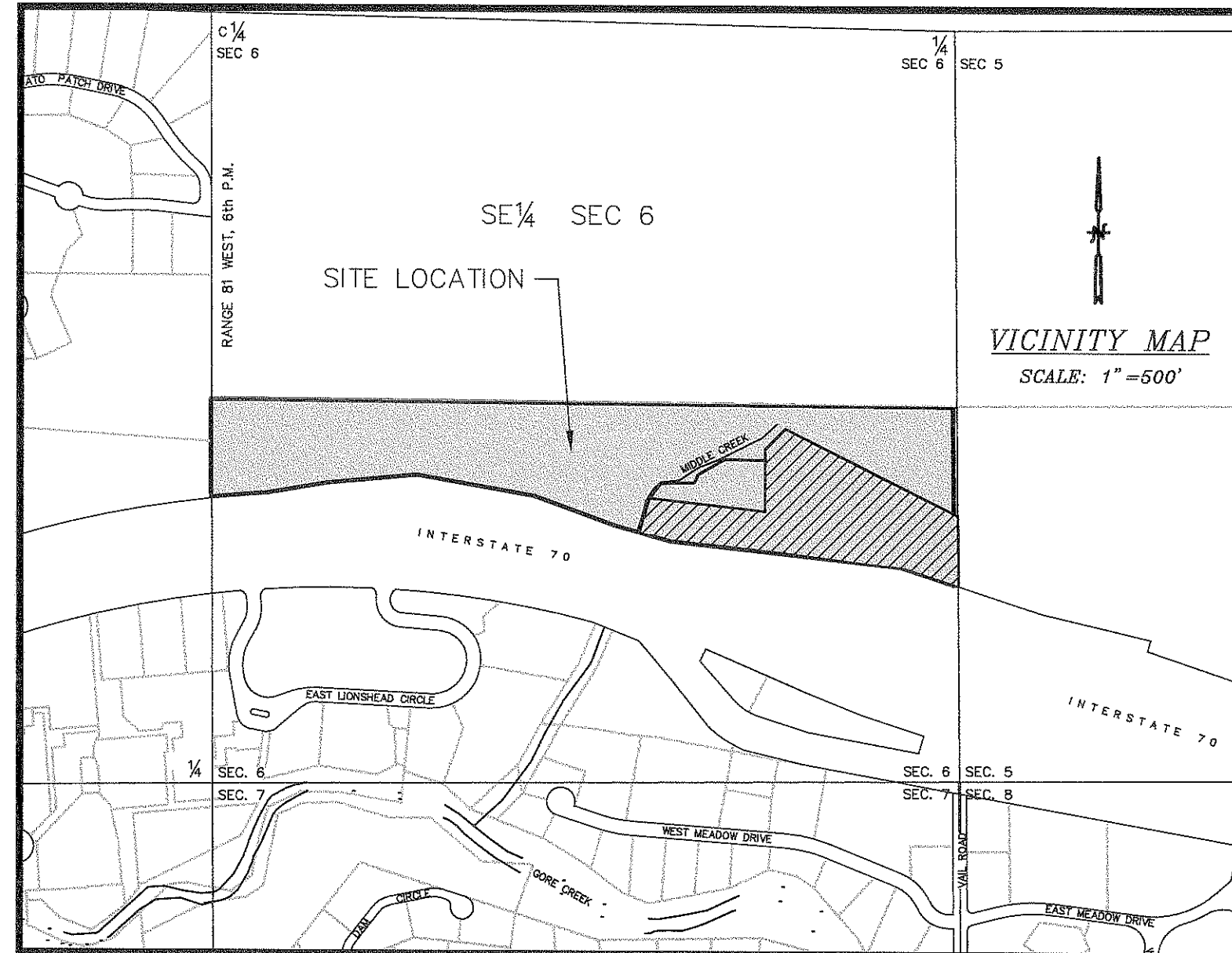
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OWNER: U.S. WEST COMMUNICATIONS, INC.
(SEE NOTE 9)

ADDRESS: US WEST COMMUNICATIONS, INC.
CORPORATE TAX DEPT MCB 3130
6300 S SYRACUSE WAY STE 700N
ENGLEWOOD, CO 80111

BY: Richard Ken TITLE: Mayor

STATE OF Colorado SS

COUNTY OF Eagle

THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS 08th DAY OF July, A.D. 2003 BY Richard Ken AS Mayor OF U.S. WEST COMMUNICATIONS, INC.

MY COMMISSION EXPIRES 9-14-04

WITNESS MY HAND AND OFFICIAL SEAL

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GENERAL NOTES:

- 1 DATE OF SURVEY: AUGUST, 2001 THRU JUNE 2002.
- 2 BASIS OF BEARINGS: MONUMENTS FOUND MARKING THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 6, BEING S00°28'16"E - 1319.92' (SEE DRAWING)
- 3 MONUMENTATION AS INDICATED HEREON.
- 4 FLOOD PLAIN INFORMATION SHOWN HEREON BASED UPON THE FEMA FLOOD INSURANCE STUDY FOR THE TOWN OF VAIL, DATED NOVEMBER 2, 1982, REFER TO FIRM COMMUNITY PANEL No. 080054 0002C AND PROFILE PANELS 07P THRU 09P.
- 5 THE MEDIUM ROCKFALL HAZARD AREA WAS DERIVED FROM THE GEOLOGICAL HAZARD STUDY CONDUCTED BY R.J. IRISH CONSULTING ENGINEERING GEOLOGIST, INC. DATED AUGUST 16, 2001.
- 6 THE HIGH HAZARD DEBRIS FLOW AREA WAS DERIVED FROM THE GEOLOGICAL HAZARD STUDY CONDUCTED BY R.J. IRISH CONSULTING ENGINEERING GEOLOGIST, INC. DATED AUGUST 16, 2001.
- 7 PEAK LAND SURVEYING, INC. REPLIED UPON THE ALTA/ACSM LAND TITLE SURVEY PLAT DATED AUGUST, 2001, BY PEAK LAND SURVEYING, INC. FOR THE BOUNDARY INFORMATION SHOWN HEREON. SAID SURVEY IS FILED WITH THE EAGLE COUNTY ENGINEERING AND SURVEYING OFFICE.
- 8 THE SOLE PURPOSE OF THIS FINAL PLAT IS TO CREATE LOT 1, LOT 2, AND TRACT A.
- 9 BY THE SIGNING OF THIS PLAT U.S. WEST COMMUNICATIONS AGREES TO VACATE THE ACCESS AND UTILITY EASEMENT RECORDED IN BOOK 218 AT PAGE 419 AND ACCEPT THE THE ACCESS, DRAINAGE, AND UTILITY EASEMENT CREATED BY THIS PLAT (SEE SHEET 3).
- 10 PEAK LAND SURVEYING, INC. DID NOT PERFORM A TITLE SEARCH OF THE SUBJECT PROPERTY TO ESTABLISH OWNERSHIP, EASEMENTS OR RIGHTS-OF-WAY OF RECORD. RECORD DOCUMENTS UTILIZED IN THIS FINAL PLAT WERE PROVIDED BY LAND TITLE GUARANTEE COMPANY, ORDER No. VC272436, DATED APRIL 26, 2001, AT 5:00 P.M..
- 11 NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

TITLE CERTIFICATE

Land Title Guarantee Co. HEREBY CERTIFY THAT I HAVE EXAMINED THE TITLE TO ALL LANDS SHOWN UPON THIS PLAT AND THAT TITLE TO SUCH LANDS IS VESTED IN Town of Vail

FREE AND CLEAR OF ALL LIENS, TAXES AND ENCUMBRANCES, EXCEPT AS FOLLOWS:

None

DATE THIS 10th DAY OF June, A.D. 2003

Karen Biggs AGENT

ATTEST: Louise Donaldson TOWN CLERK

TOWN OF VAIL, COLORADO

CHAIRMAN TOWN OF VAIL PLANNING AND ENVIRONMENTAL COMMISSION

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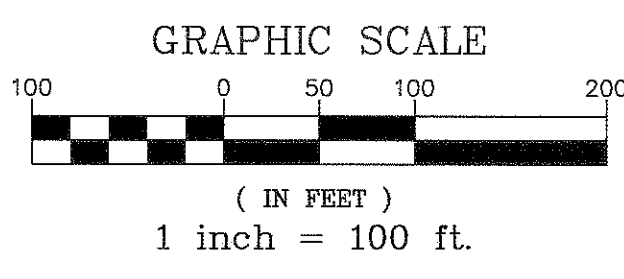
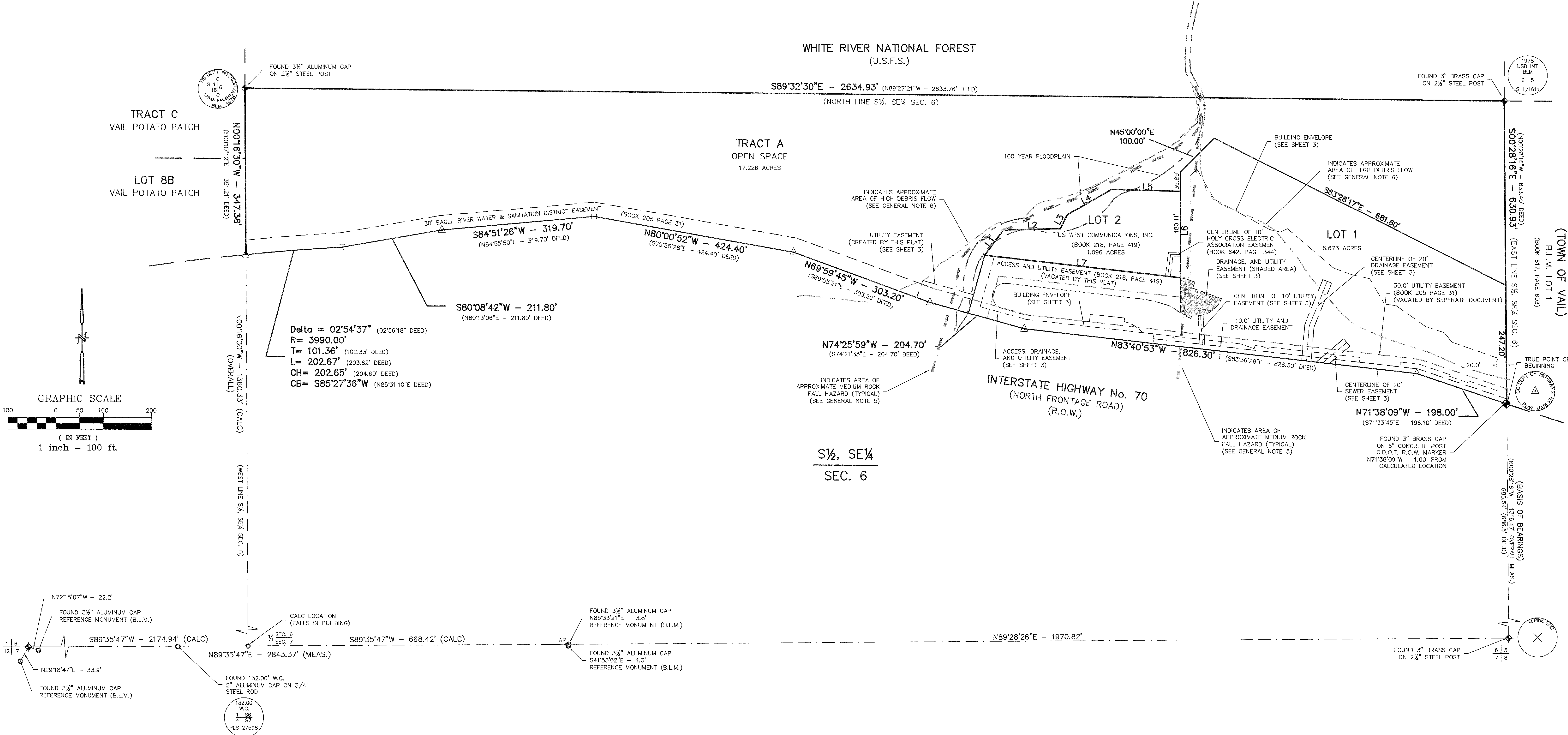
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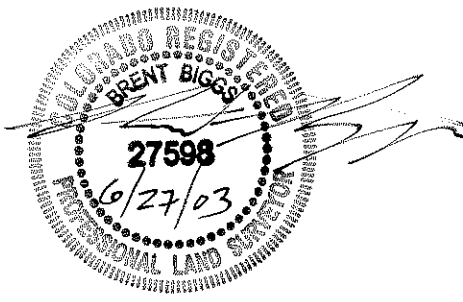
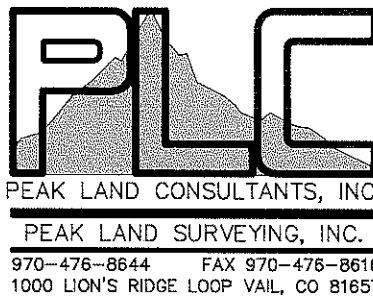
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FINAL PLAT
MIDDLE CREEK SUBDIVISION
PART OF THE S½, OF THE SE¼ SECTION 6, TOWNSHIP 5 SOUTH, RANGE 80 WEST OF THE SIXTH PRINCIPAL MERIDIAN
TOWN OF VAIL, COUNTY OF EAGLE, STATE OF COLORADO



LINE TABLE		
LINE	LENGTH	BEARING
L1	65.24'	S36°23'30"W
L2	120.00'	S88°30'00"W
L3	32.25'	S26°17'00"W
L4	107.00'	S60°09'00"W
L5	143.67'	N88°34'00"W
L6	180.11'	N00°00'00"W
L7	411.94'	S83°36'23"E

MONUMENT LEGEND	
□	FOUND 3" BRASS CAP ON 6" CONCRETE POST, C.D.O.T. R.O.W. MARKER
△	FOUND No. 5 REBAR WITH ALUMINUM CAP L.S. No. 27598

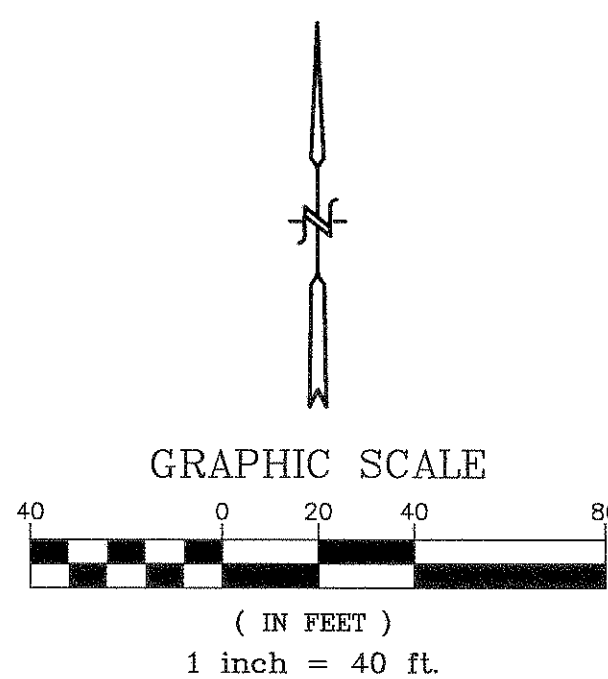


FINAL PLAT
MIDDLE CREEK SUBDIVISION
PART OF THE S½, OF THE SE¼ SECTION 6, TOWNSHIP 5 SOUTH, RANGE 80 WEST OF THE SIXTH PRINCIPAL MERIDIAN
TOWN OF VAIL, COUNTY OF EAGLE, STATE OF COLORADO

WHITE RIVER NATIONAL FOREST
(U.S.F.S.)

S89°32'30"E - 2634.93' (N89°27'21"W - 2633.76' DEED)
(NORTH LINE S½, SE¼ SEC. 6)

FOUND 3" BRASS CAP
ON 2½" STEEL POST



TRACT A
OPEN SPACE
17.226 ACRES

100 YEAR FLOODPLAIN

LOT 2

US WEST COMMUNICATIONS, INC.
(BOOK 218, PAGE 419)
1.096 ACRES

CENTERLINE OF 10'
HOLY CROSS ELECTRIC
ASSOCIATION EASEMENT
(BOOK 642, PAGE 344)

LOT 1

6.673 ACRES

LINE TABLE					
LINE	LENGTH	BEARING	LINE	LENGTH	BEARING
L1	65.24'	S36°23'30"W	L20	25.77'	S39°16'19"E
L2	120.00'	S88°30'00"W	L21	101.46'	S71°02'19"E
L3	32.25'	S26°17'00"W	L22	7.42'	S18°22'04"E
L4	107.00'	S60°09'00"W	L23	60.15'	S00°28'16"E
L5	143.67'	N88°34'00"W	L24	63.42'	N71°38'09"W
L6	180.11'	N00°00'00"W	L25	3.74'	S18°22'04"W
L7	411.94'	S83°36'23"E	L26	40.00'	N71°37'56"W
L8	20.21'	N45°00'00"E	L27	3.73'	N18°22'04"E
L9	71.83'	S30°15'18"E	L28	68.73'	N71°38'09"W
L10	133.30'	S61°30'46"E	L29	39.09'	N83°40'53"W
L11	22.31'	S77°21'04"E	L30	10.22'	N06°36'22"E
L12	16.14'	N63°24'48"E	L31	85.00'	S83°21'43"E
L13	127.16'	S49°53'48"E	L32	9.74'	S06°36'22"W
L14	39.20'	S70°04'49"E	L33	7.03'	N19°40'10"E
L15	38.35'	S77°51'42"E	L34	29.63'	S70°19'50"E
L16	61.17'	S30°21'04"E	L35	4.16'	N19°40'10"E
L17	25.77'	S81°42'13"E	L36	4.67'	S70°19'49"E
L18	74.88'	S54°29'47"E	L37	3.05'	S19°40'11"W
L19	41.02'	S72°23'01"E	L38	3.89'	S19°40'10"W
			L39	16.39'	N70°19'50"W

S00°28'16"E - 630.93' (N00°28'16"W - 633.40' DEED)

(TOWN OF VAIL)
BLK. LOT 1
(BOOK 617, PAGE 603)

(EAST LINE S½, SE¼ SEC. 6)

247.20'

20.0'

20.0'

20.0'

20.0'

UTILITY EASEMENT
(CREATED BY THIS PLAT)

INDICATES APPROXIMATE
AREA OF HIGH DEBRIS FLOW
(SEE GENERAL NOTE 6)

INDICATES APPROXIMATE
AREA OF HIGH DEBRIS FLOW
(SEE GENERAL NOTE 6)

BUILDING ENVELOPE

DRAINAGE AND UTILITY
EASEMENT (SHADED AREA)
(CREATED BY THIS PLAT)

CENTERLINE OF
20' DRAINAGE EASEMENT
(CREATED BY THIS PLAT)

CENTERLINE OF
20' SEWER EASEMENT
(CREATED BY THIS PLAT)

FOUND 3" BRASS CAP
ON 6" CONCRETE POST
C.D.O.T. R.O.W. MARKER
N71°38'09"W - 1.00' FROM
CALCULATED LOCATION

TRUE POINT OF
BEGINNING

N69°59'45"W - 303.20'
(S69°55'21"E - 303.20' DEED)

N74°25'59"W - 204.70'
(S74°21'35"E - 204.70' DEED)

INDICATES AREA OF
APPROXIMATE MEDIUM ROCK
FALL HAZARD (TYPICAL)
(SEE GENERAL NOTE 5)

ACCESS, DRAINAGE,
AND UTILITY EASEMENT
(CREATED BY THIS PLAT)
(SEE NOTE 9 ON SHEET 1)

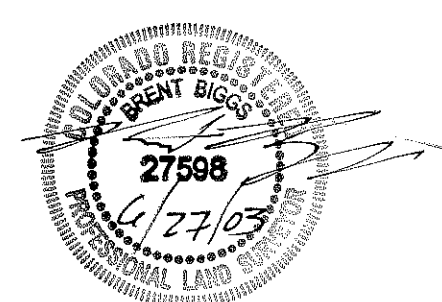
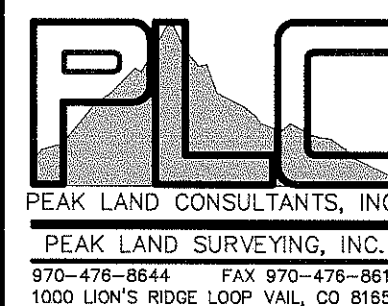
INTERSTATE HIGHWAY No. 70
(NORTH FRONTAGE ROAD)
(R.O.W.)

INDICATES AREA OF
APPROXIMATE MEDIUM ROCK
FALL HAZARD (TYPICAL)
(SEE GENERAL NOTE 5)

30.0' UTILITY AND
DRAINAGE EASEMENT
(BOOK 205 PAGE 31)
(VACATED BY SEPARATE DOCUMENT)

EASEMENT LINE TABLE		
LINE	LENGTH	BEARING
E1	45.33'	N07°18'24"E
E2	20.48'	S88°34'02"W
E3	20.00'	N06°19'07"E
E4	23.47'	N83°40'53"W
E5	7.50'	N06°05'08"E
E6	72.00'	N83°54'52"W
E7	15.61'	S06°05'08"W
E8	125.08'	N84°05'38"W
E9	46.16'	N74°19'09"W
E10	280.43'	S83°36'30"E
E11	16.09'	N73°40'51"W
E12	3.10'	S24°08'58"W
E13	10.00'	S65°51'02"E
E14	5.65'	S24°08'58"W
E15	64.37'	S70°19'50"E
E16	13.54'	S19°40'10"W
E17	18.00'	N70°19'50"W
E18	13.47'	N77°37'11"W
E19	72.70'	S00°02'03"E

EASEMENT CURVE TABLE						
CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD	CHORD BEARING
EC1	38°14'54"	69.17'	46.18'	23.98'	45.32'	N59°48'56"W
EC2	09°46'30"	88.00'	15.01'	7.52'	15.00'	S79°12'24"E
EC3	170°42'39"	26.50'	78.96'	326.19'	52.83'	S11°02'11"W
EC4	09°55'39"	238.00'	41.24'	20.67'	41.19'	N78°38'41"W
EC5	21°42'22"	59.00'	22.35'	11.31'	22.22'	N62°49'40"W
EC6	23°36'18"	62.50'	25.75'	13.06'	25.57'	S63°37'01"E
EC7	70°37'26"	62.50'	77.04'	44.27'	72.25'	N59°47'50"E

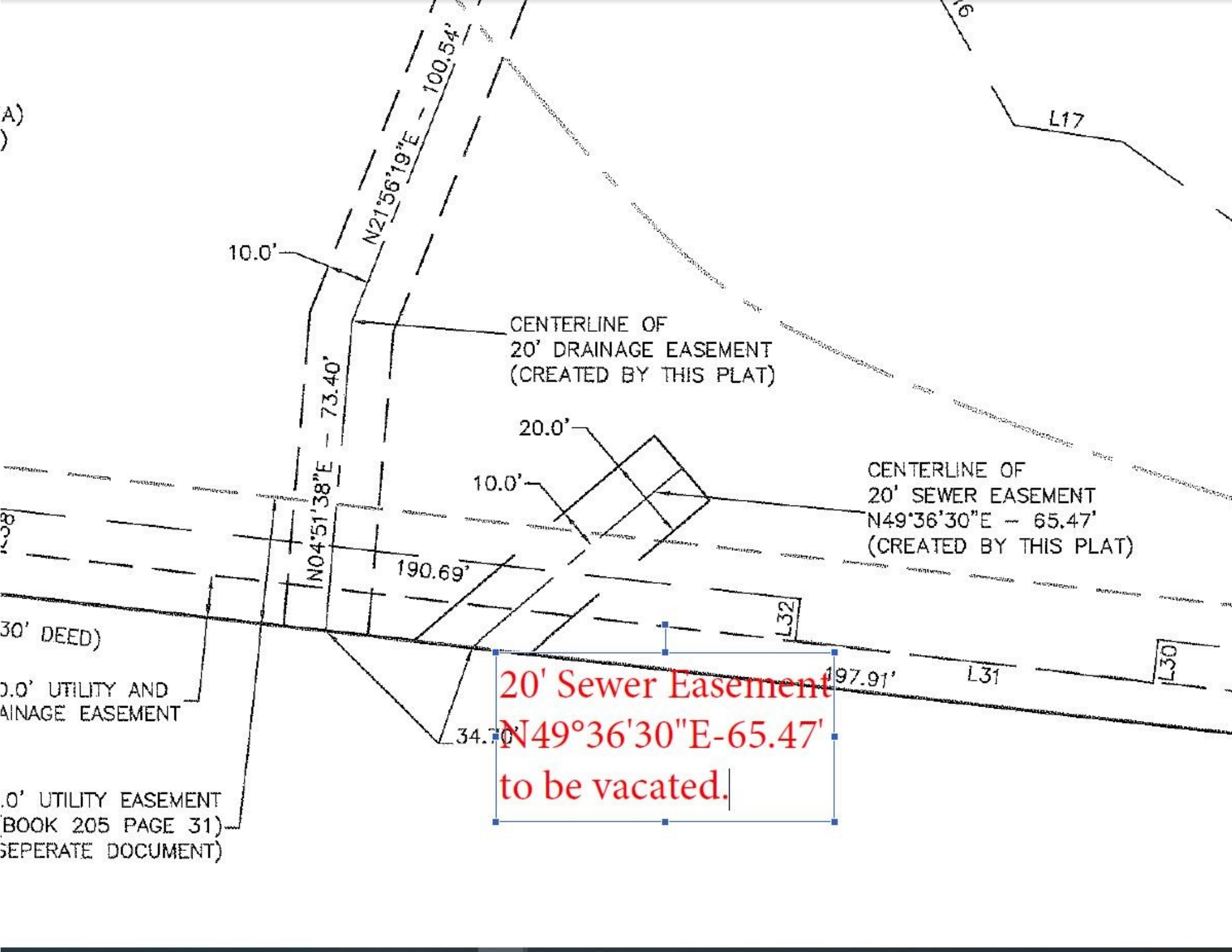


SHEET 3 of 3

DRAWN BY: JOHN

JOB No. 1039

A)
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10.0'

N21°56'19"E - 100.54'

CENTERLINE OF
20' DRAINAGE EASEMENT
(CREATED BY THIS PLAT)

20.0'

10.0'

CENTERLINE OF
20' SEWER EASEMENT
N49°36'30"E - 65.47'
(CREATED BY THIS PLAT)

N04°51'38"E - 73.40'

190.69'

30' DEED)

0.0' UTILITY AND
DRAINAGE EASEMENT

0.0' UTILITY EASEMENT
(BOOK 205 PAGE 31)
(SEPERATE DOCUMENT)

20' Sewer Easement
N49°36'30"E-65.47'
to be vacated.

34.70'

197.91'

L31

L30

L32

L17