

Resolution # TC-16-5-[]

R3 Acquisition and Settlement for SH 65 & Mesa North, Project Number STA 065A-022, project Code 20703

Approving the property acquisitions and settlement amounts, which have been agreed to or ordered for the properties specified below.

Approved by the Transportation Commission on _____, 2016.

WHEREAS, the Transportation Commission is authorized pursuant to Section 43-1-106(8), C.R.S. to formulate the general policy with respect to management, construction and maintenance of public highways and other transportation systems in the state and to promulgate and adopt all budgets of CDOT; and

WHEREAS, pursuant to Colorado law at Section 43-1-208, C.R.S., the Colorado General Assembly has conferred the power of eminent domain upon the Transportation Commission to acquire private property necessary for state highways purposes; and

WHEREAS, on September 26, 2016 the Colorado Supreme Court announced its decision in *Department of Transportation v. Amerco Real Estate Company, et al.*, 2016SA75; and

WHEREAS, the *Amerco Real Estate Company* opinion held that the Transportation Commission must decide that the public interest or convenience will be served by a proposed alteration of a state highway and that the Commission's decision must be made in consideration of the portions of land of each landowner to be taken and an estimate of the damages and benefits accruing to each landowner prior to authorizing condemnation of property; and

WHEREAS, the *Amerco Real Estate Company* opinion also held that "the decision whether, and if so precisely how and for how much, to take particular property, for a particular proposed highway alteration project, clearly involves the kind of judgment and discretion that is non-delegable in the absence express statutory authorization." *Amerco Real Estate Company*, 2016SA75, ¶15; and

WHEREAS, prior to the *Amerco* opinion, the Chief Engineer and or CDOT staff began negotiations for acquisition of certain parcels of land without Transportation Commission approval; and

WHEREAS, the Transportation Commission, as part of its non-delegable duties, must now approve and ratify all actions taken by CDOT prior to the *Amerco Real Estate Company* opinion in relation to the below acquisitions and must approve the actual size of the acquisitions and must approve the final settlement amounts; and

WHEREAS, CDOT has acquired the following properties for the amounts listed below through settlement;

CDOT Region 3				
Property Location	Approved Chief Engineer's Estimate of Damages and Benefits or Appraised Value	Approved Size of Acquisition	Actual Size of Acquisition	Settlement, Amount
10897 Highway 65, Mesa, Colorado 81643	\$830	783.08 sq ft	783.08 sq ft	\$830
10900 Highway 65, Mesa, Colorado 81643	\$200	256.56 sq ft	256.56 sq ft	\$200
10986 Highway 65, Mesa Colorado 81643	\$200	10.78 sq ft	10.78 sq ft	\$200

NOW THEREFORE BE IT RESOLVED, the Transportation Commission hereby declares that the public interest or convenience will be served by the proposed changes to State Highway 65 by virtue of the SH 65 & Mesa North, Project Number STA 065A-022, project Code 20703. All approvals or other actions taken by CDOT with respect to the above listed acquisitions prior to September 26, 2016, are hereby affirmed, ratified, and made effective as officially sanctioned actions of the Transportation Commission. Since the 10897 Properties listed above involve voluntary settlements between CDOT and the landowners, the Transportation Commission determines that tender to the landowners or condemnation of the Properties is unnecessary. If acquisition of the Properties requires acquisition of buildings, structures, or improvements on real property as well as acquisition of tenant-owned improvements both real and personal property, or other real estate, the Transportation Commission authorizes CDOT to acquire those items for the agreed-upon amounts. The Transportation Commission hereby approves the acquisition of the parcel(s), approves the actual size of the acquisitions, and the settlement amounts listed above.

Herman Stockinger, Secretary
 Transportation Commission of Colorado

Date




COLORADO

Department of Transportation

Office of the Chief Engineer
4201 East Arkansas Ave, Suite 262
Denver, CO 80222

MEMORANDUM

TO: TRANSPORTATION COMMISSION

FROM: JOSH LAIPPLY, CHIEF ENGINEER 

DATE: November 3, 2016

SUBJECT: REPORT PURSUANT TO COLORADO REVISED STATUTES, §43-1-208 REGARDING PROJECT NUMBER STR 065A-022, SH 65 MESA NORTH

Background

This written report to the Transportation Commission is pursuant to Colorado Revised Statutes ("C.R.S."), Section 43-1-208(1) (statute attached with this memorandum). I deem it desirable to improve the roadway surface, replace guardrails and bridge rails, repair bridge scour and bridge decks, and install new ADA compliant handicap ramps to this portion of SH 65.

The SH 65 Mesa North Project ("Project") is necessary for improving the roadway surface, replacing guardrails and bridge rails, repairing bridge scour and bridge decks, and installing new ADA compliant handicap ramps. This will increase the longevity of the highway surface, improve the integrity and longevity of bridges, and create a safer highway for both vehicles and pedestrians, and is therefore desirable. I hereby request that the Transportation Commission determine that the proposed changes of the Project serve the public interest and/or convenience of the travelling public.

The location of the properties required for the Project ("Properties") are individually listed on the Chief Engineer's Cost Estimate ("Cost Estimate"), attached to this report.

If the Transportation Commission determines that the proposed changes will serve the public and/or convenience of the traveling public, I respectfully request that the Transportation Commission enter a resolution upon its minutes, approve the same, and authorize CDOT to either make tender or to initiate and conduct condemnation proceedings for the Property.

Description of Portion of Highway to be Changed and Proposed Changes

The Project will improve the roadway surface, replace guardrails and bridge rails, repair bridge scour and bridge decks, and install new ADA compliant handicap ramps to increase the longevity of the highway surface, improve the integrity and longevity of bridges, and create a safer highway for both vehicles and pedestrians for this portion of SH 65. This is

a highway improvement project which was initially approved by the Transportation Commission on by a budget action on October 28, 2015. I have determined that it is necessary to improve the roadway surface, replace guardrails and bridge rails, repair bridge scour and bridge decks, and install new ADA compliant handicap ramps to this portion of SH 65 to increase the longevity of the highway surface, improve the integrity and longevity of bridges, and create a safer highway for both vehicles and pedestrians.

Description of Properties Needed for Project

There are multiple Properties necessary for completion of the Project. The following is a list of the parcels required and a description of each parcel's purpose for the Project.

1. Address: 10897 Highway 65, Mesa, CO 81643
Landowner's Name: First Methodist Episcopal Church of Mesa
Current Size of Property: 0.27 acres
Proposed Size of Acquisition: PE-100 = 128.30 sq. ft.; TE-100 = 654.78 sq. ft.
Purpose of Parcels Necessary for Project:
 - PE-100: The purpose of this Permanent Easement is for the removal, installation, and structural maintenance of ADA ramps, sidewalk, asphalt, curb and gutter.
 - TE-100: The purpose of this Temporary Easement is to provide additional temporary workspace for constructing ADA ramps, sidewalk, curb and gutter, and replacing sidewalk, fencing, sprinklers and landscaping. The required duration of use for this Temporary Easement is four (4) months.

2. Address: 10983 Highway 65, Mesa, CO 81643
Landowner's Name: OEE, LLC, a Colorado limited liability company
Current Size of Property: 0.3439 acres
Proposed Size of Acquisition: RW-101 = 99.70 sq. ft.; TE-101 = 261.80 sq. ft.
Purpose of Parcels Necessary for Project:
 - RW-101: This is a fee simple parcel for the installation, operation, maintenance, repair and replacement of highway improvements.
 - TE- 101: The purpose of this Temporary Easement is to provide additional temporary workspace for constructing ADA ramps and curb and gutter. The required duration of use for this Temporary Easement is four (4) months.

3. Address: 11011 Highway 65, Mesa, CO 81643
Landowner's Name: Mesa Creek Inc., an Illinois Corporation
Current Size of Property: 0.69 acres
Proposed Size of Acquisition: PE-102 = 1121.86 sq. ft.; TE-102 = 368.95 sq. ft.
Purpose of Parcels Necessary for Project:
 - PE-102: The purpose of this Permanent Easement is for the removal, installation, and structural maintenance of ADA ramps, sidewalk, asphalt, curb and gutter.
 - TE-102: The purpose of this Temporary Easement is to provide additional temporary workspace for constructing ADA ramps, sidewalk, curb and gutter, and replacing sidewalk, fencing, sprinklers and landscaping. The required duration of use for this Temporary Easement is four (4) months.

4. Address: 10900 Highway 65, Mesa, CO 81643
Landowner's Name: Segrest Wagon Wheel Real Estate LLC
Current Size of Property: 0.50 acres
Proposed Size of Acquisition: TE-103 = 256.56 sq. ft.
Purpose of Parcels Necessary for Project:
 - TE-103: The purpose of this Temporary Easement is to provide additional temporary workspace for constructing ADA ramps, sidewalk, curb and gutter, and replacing sidewalk, fencing, sprinklers and landscaping. The required duration of use for this Temporary Easement is four (4) months.

5. Address: 10986 Highway 65, Mesa, CO 81643
Landowner's Name: Grand Junction Lodge #173 Ancient Free and Accepted Masons of Colorado
Current Size of Property: 0.49 acres
Proposed Size of Acquisition: TE-104 = 10.78 sq. ft.
Purpose of Parcels Necessary for Project:
 - TE-104: The purpose of this Temporary Easement is to provide additional temporary workspace for constructing ADA ramps, curb and gutter. The required duration of use for this Temporary Easement is four (4) months.

6. 49012 KE Road, Mesa, CO 81643
Landowner's Name: United States Postal Service
Current Size of Property: 0.11 acres
Proposed Size of Acquisition: TE-105 = 167.80 sq. ft.
Purpose of Parcels Necessary for Project:
 - TE-105: The purpose of this Temporary Easement is to provide additional temporary workspace for constructing ADA ramps and replacing asphalt.

Estimate of Damages and Benefits

The Cost Estimate approved by the Region ROW Manager, Tim Woodmansee on November 1, 2016, attached to this report, individually lists the estimate of land acquisition costs, property value, and/or damages for each of the Properties required for this Project. If applicable, the Cost Estimate also describes whether the Properties accrue any benefits because of the Project. In my opinion, the Cost Estimate represents a reasonable budget of the property values, damages, and/or benefits, if any, related to the Properties. The following list describes how the value of each property was determined:

1. Address: 10897 Highway 65, Mesa, CO 81643
Landowner's Name: First Methodist Episcopal Church of Mesa
Name of Person who Determined Property Value: Tim Woodmansee
Property Value Determined by: Value was based on comparable sales of similar Properties near the location of the subject property.

2. Address: 10983 Highway 65, Mesa, CO 81643
Landowner's Name: OEE, LLC, a Colorado limited liability company
Name of Person who Determined Property Value: Tim Woodmansee
Property Value Determined by: Value was based on comparable sales of similar Properties near the location of the subject property.
3. Address: 11011 Highway 65, Mesa, CO 81643
Landowner's Name: Mesa Creek Inc., an Illinois Corporation
Name of Person who Determined Property Value: Tim Woodmansee
Property Value Determined by: Value was based on comparable sales of similar Properties near the location of the subject property.
4. Address: 10900 Highway 65, Mesa, CO 81643
Landowner's Name: Segrest Wagon Wheel Real Estate LLC
Name of Person who Determined Property Value: Tim Woodmansee
Property Value Determined by: Value was based on comparable sales of similar Properties near the location of the subject property.
5. Address: 10986 Highway 65, Mesa, CO 81643
Landowner's Name: Grand Junction Lodge #173 Ancient Free and Accepted Masons of Colorado
Name of Person who Determined Property Value: Tim Woodmansee
Property Value Determined by: Value was based on comparable sales of similar Properties near the location of the subject property.
6. 49012 KE Road, Mesa, CO 81643
Landowner's Name: United States Postal Service
Name of Person who Determined Property Value: Tim Woodmansee
Property Value Determined by: Value was based on comparable sales of similar Properties near the location of the subject property.

The estimates provided are for budgetary purposes only, and are subject to change. I anticipate that these figures will increase or decrease as the Department obtains additional information about the acquisition and the Property, as appraisals are considered and evaluated, and as litigation expenses and risks are considered. CDOT will re-submit the final settlement, ascertainment or verdict for commission approval.

Attachments

§43-1-208, C.R.S.

Legal Descriptions of Parcels PE-100, TE-100, RW-101, TE-101, PE-102, TE-102, TE-103, TE-104, TE-105

Right-of-Way Plans

Chief Engineer's Cost Estimate

Proposed Resolution

COLORADO DEPARTMENT OF TRANSPORTATION												Project Code: 20703		State Highway # 65	
CHIEF ENGINEER'S RIGHT-OF-WAY COST ESTIMATE												Project No: STR 065A-022			
Location: SH 65 Mesa North Resurfacing												Region Right-of-Way Mapper			
The following is the estimated cost of right of way required for the construction of the above captioned project as required by CRS 43-1-208. As shown, the totals include the estimated value of the land to be acquired, the value of any improvements thereon and the damage and benefits, if any, to the remaining land. This estimate is prepared and used for budgetary purposes only, and should not be considered an indication of actual market value.												Date: 11/01/2016			
Parcel	Owner	Area	Unit	\$/Unit	Unit Value %	Land Value	Improvements	Damages / (Benefits)	Land Rental (mos)	Land Rental Cost	Total	Region Right-of-Way Mapper			
												Land Rental (mos)	Land Rental Cost		
PE-100	First Methodist Episcopal Church of Mesa	128.3	SF	\$7.00	@ 50%	\$ 449					\$ 500				
TE-100	First Methodist Episcopal Church of Mesa	654.78	SF	\$7.00	@ 10%					\$ -	\$ 200				
RW-101	OEE, LLC	99.7	SF	\$7.00	@ 100%	\$ 698					\$ 700				
TE-101	OEE, LLC	261.8	SF	\$7.00	@ 10%				4	\$ 61	\$ 200				
PE-102	Mesa Creek Inc., an Illinois Corporation	1121.86	SF	\$7.00	@ 50%	\$ 3,927					\$ 3,950				
TE-102	Mesa Creek Inc., an Illinois Corporation	368.95	SF	\$7.00	@ 10%				4	\$ 86	\$ 200				
TE-103	Segrest Wagon Wheel Real Estate LLC	256.56	SF	\$7.00	@ 10%				4	\$ 60	\$ 200				
TE-104	Grand Junction Lodge #173 Ancient Free and Accepted Masons of Colorado	10.78	SF	\$7.00	@ 10%				4	\$ 3	\$ 200				
TE-105	United States Postal Service	167.8	SF	\$7.00	@ 10%		\$ 227		4	\$ 39	\$ 430				
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Sheet Totals											\$ 5,073	\$ 227	\$ -	\$ 249	\$ 6,580

EXHIBIT "A"

PROJECT NUMBER: STR 065A-022

PARCEL NUMBER: PE100

PROJECT CODE: 20703

DATE: August 25, 2016

DESCRIPTION

A Permanent Easement of land No. 100 of the Department of Transportation, State of Colorado Project No. STR 065A-022 containing 128.30 sq. ft. (0.0029 acres), more or less, located in the Lots 22 and 23, Block 1 Map of the Town of Mesa, described in Reception No. 32782 recorded at Mesa County Clerk and Recorder's Office on 10/24/1900, and in the NE ¼ of the NE 1/4 Section 30, Township 10 South, Range 96 West, of the 6th Principal Meridian, in Mesa County, Colorado, said tract or parcel being more particularly described as follows:

Beginning at a point on the Westerly right-of-way line of State Highway 65, whence a 3 inch Brass Cap being a MCSM NE Section Corner of Section 30 T10S, R96W, 6th PM, bears N 2°55'49" E a distance of 576.17 feet;

1. Thence S 0°03'16" E a distance of 24.65 feet along said right-of-way to the right-of-way of KE Road (East)
2. Thence along said right-of-way S 89°57'33" W a distance of 5.24 feet
3. Thence N 0°06'23" E a distance of 24.64 Feet
4. Thence N 89°56'37" E a distance of 5.17 feet, to the TRUE POINT OF BEGINNING

Basis of Bearings: All bearings are based on the "State Plane " grid bearing from a 3 inch Brass Cap being a MCSM NE Section Corner of Section 30 T10S, R96W, 6th PM whence a 3" Brass Cap MCSM East Quarter Corner for Section 30 bears S. 0°03'16" E., a distance of 2685.29 feet (basis of bearing-assumed);

The above described parcel contains ±128.30 sq. ft. (0.0029 acres) more or less.

The purpose of the above Permanent Easement is for removal, installation and structural maintenance of ADA Ramps, sidewalk, asphalt, curb and gutter.

For and on behalf of the Colorado Department of Transportation

Mark C. Wagner, PLS 38138

222 South 6th Street, Grand Junction, CO



EXHIBIT "A"

PROJECT NUMBER: STR 065A-022

PARCEL NUMBER: RW-101

PROJECT CODE: 20703

DATE: February 17, 2016

DESCRIPTION

A tract or parcel No. RW-101 of the Department of Transportation, State of Colorado Project No. STR 065A-022 containing 99.70 sq. ft. (0.0023 acres), more or less, located in the Lot 1 Block 1, Town of Mesa, in Section 30, Township 10 South, Range 96 West of the 6th P.M., Book 5292 Page 623, recorded on 04/27/2012, Rec # 2609051, and in the NE ¼ of the NE 1/4 Section 30, Township 10 South, Range 96 West, of the 6th Principal Meridian, in Mesa County, Colorado, said tract or parcel being more particularly described as follows:

Beginning at a point on the Westerly right-of-way line of State Highway 65, whence a 3 inch Brass Cap being a MCSM NE Section Corner of Section 30 T10S, R96W, 6th PM, bears N 44°41'16" E a distance of 42.62 feet;

1. Thence S 0°03'16" E a distance of 20.69 feet along said right-of-way
2. Thence N 33°54'13" W a distance of 11.18 Feet
3. Thence N 0°00'00" E a distance of 11.35 Feet to the South right-of-way of State Street
4. Thence along said right-of-way N 89°25'47" E a distance of 6.22 feet, to the TRUE POINT OF BEGINNING

Basis of Bearings: All bearings are based on the "State Plane " grid bearing from a 3 inch Brass Cap being a MCSM NE Section Corner of Section 30 T10S, R96W, 6th PM whence a 3" Brass Cap MCSM East Quarter Corner for Section 30 bears S. 0°03'16" E., a distance of 2685.29 feet (basis of bearing-assumed);

The above described parcel contains ± 99.70 sq. ft. (0.0023 acres) more or less.

For and on behalf of the Colorado Department of Transportation

Mark C. Wagner, PLS 38138

222 South 6th Street, Grand Junction, CO



EXHIBIT "A"

PROJECT NUMBER: STR 065A-022

PARCEL NUMBER: PE102

PROJECT CODE: 20703

DATE: August 25, 2016

DESCRIPTION

A Permanent Easement No. 102 of the Department of Transportation, State of Colorado Project No. STR 065A-022 containing 1121.86 sq. ft. (0.0258 acres), more or less, located in the East 215 feet of the south 10 acres of the SE ¼ of the SE ¼ of Section 19, Township 10 South, Range 96 West, of the 6th Principal Meridian, in Mesa County, Colorado, said tract or parcel being more particularly described as follows:

Beginning at a point on the Westerly right-of-way line of State Highway 65, whence a 3 inch Brass Cap being a MCSM SE Section Corner of Section 19 T10S, R96W, 6th PM, bears N 89°25'47" E a distance of 30.00 feet;

1. Thence N 0°01'39" W a distance of 55.97 feet along said right-of-way
2. Thence S 90°00'00" W a distance of 8.01 feet
3. Thence S 0°09'54" E a distance of 17.95 Feet
4. Thence S 45°17'45" W a distance of 20.65 Feet
5. Thence N 89°49'04" W a distance of 9.29 Feet
6. Thence S 0°04'49" W a distance of 23.85 Feet to the South Section Line of Section 19
7. Thence along said Section Line N 89°25'47" E a distance of 31.98 feet, to the TRUE POINT OF BEGINNING

Basis of Bearings: All bearings are based on the "State Plane " grid bearing from a 3 inch Brass Cap being a MCSM SE Section Corner of Section 19 T10S, R96W, 6th PM whence a 3" Brass Cap MCSM East Quarter Corner for Section 19 bears N. 0°01'39" W., a distance of 2668.55 feet (basis of bearing-assumed);

The above described parcel contains ± 1121.86 sq. ft. (0.0258 acres) more or less.

The purpose of the above Permanent Easement is for removal, installation and structural maintenance of ADA Ramps, sidewalk, asphalt, curb and gutter.

For and on behalf of the Colorado Department of Transportation

Mark C. Wagner, PLS 38138

222 South 6th Street, Grand Junction, CO

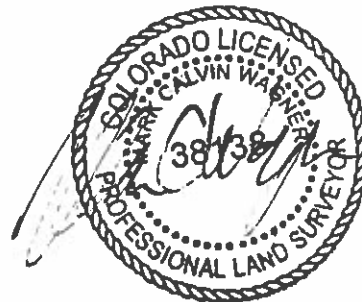


EXHIBIT "A"

PROJECT NUMBER: STR 065A-022
TEMPORARY EASEMENT NUMBER: TE-100

Project Code: 20703

Date: 10/31/2016

DESCRIPTION

A Temporary Easement No. TE-100 of the Department of Transportation, State of Colorado, Project No. STR 065A-022 containing 0.0150 acres (654.78 sq. ft.), more or less, in the NE Quarter of the NE Quarter of Section 30, Township 10 South, Range 96 West, of the 6th Principle Meridian, in Mesa County, Colorado, said temporary easement being more particularly described as follows:

Beginning at a point on the Westerly right-of-way line of State Highway 65, whence a 3 inch Brass Cap being a MCSM NE Section Corner of Section 30, T10S, R96W, 6th PM, bears N 2°55'49" E, a distance of 576.17 feet to the TRUE POINT OF BEGINNING;

1. Thence N 0°03'16" W, a distance of 68.42 feet;
2. Thence S 90°00'00" W, a distance of 8.21 feet;
3. Thence S 0°02'50" E, a distance of 88.14 feet;
4. Thence S 90°00'00" W, a distance of 3.78 feet;
5. Thence S 0°03'16" E, a distance of 4.93 feet;
6. Thence N 89°57'33" E, a distance of 6.76 feet;
7. Thence N 0°06'23" E, a distance of 24.64 feet;
8. Thence N 89°56'37" E, a distance of 5.17 feet, more or less, to the TRUE POINT OF BEGINNING

The above described Temporary Easement contains 0.0150 acres (654.78 sq. ft.), more or less.

The purpose of the above described Temporary Easement is for ADA Ramps, Curb and Gutter replacement, removal and replacement of sidewalk, fence sprinkles and landscaping.

Basis of Bearings: All bearings are based on the "State Plane " grid bearing from a 3 inch Brass Cap being a MCSM NE Section Corner of Section 30 T10S, R96W, 6th PM whence a 3" Brass Cap MCSM East Quarter Corner for Section 30 bears S. 0°03'16" E., a distance of 2685.29 feet (basis of bearing-assumed);

For and on Behalf of the Department
of Transportation, State of Colorado
Mark C. Wagner, PLS 38138
222 South 6th Street, Grand Junction, CO

EXHIBIT "A"

PROJECT NUMBER: STR 065A-022
TEMPORARY EASEMENT NUMBER: TE-101

Project Code: 20703

Date: 10/31/2016

DESCRIPTION

A Temporary Easement No. TE-101 of the Department of Transportation, State of Colorado, Project No. STR 065A-022 containing 0.0024 acres (106.5660 sq. ft.), more or less, in the NE Quarter of the NE Quarter of Section 30, Township 10 South, Range 96 West, of the 6th Principle Meridian, in Mesa County, Colorado, said temporary easement being more particularly described as follows:

Beginning at a point on the Westerly right-of-way line of State Highway 65, whence a 3 inch Brass Cap being a MCSM NE Section Corner of Section 30, T10S, R96W, 6th PM, bears N 55°25'58" E, a distance of 53.65 feet to the TRUE POINT OF BEGINNING;

1. Thence S 89°25'47" W a distance of 2.99 feet
2. Thence S 0°00'00" W a distance of 10.79 feet
3. Thence S 34°12'56" E a distance of 9.60 feet
4. Thence S 0°00'00" W a distance of 5.00 feet
5. Thence N 89°59'58" E a distance of 11.83 feet
6. Thence N 0°03'16" W a distance of 3.00 feet
7. Thence S 90°00'00" W a distance of 6.66 feet
8. Thence N 34°46'55" W a distance of 13.28 feet
9. Thence N 0°01'14" E a distance of 9.85 feet, more or less, to the TRUE POINT OF BEGINNING

The above described Temporary Easement contains 0.0024 acres (106.5660 sq. ft.), more or less.

The purpose of the above described Temporary Easement is for ADA Ramps, Curb and Gutter replacement.

Basis of Bearings: All bearings are based on the "State Plane " grid bearing from a 3 inch Brass Cap being a MCSM NE Section Corner of Section 30 T10S, R96W, 6th PM whence a 3" Brass Cap MCSM East Quarter Corner for Section 30 bears S. 0°03'16" E., a distance of 2685.29 feet (basis of bearing-assumed);

For and on Behalf of the Department
of Transportation, State of Colorado
Mark C. Wagner, PLS 38138
222 South 6th Street, Grand Junction, CO

EXHIBIT "A"

PROJECT NUMBER: STR 065A-022
TEMPORARY EASEMENT NUMBER: TE-102

Project Code: 20703

Date: 10/31/2016

DESCRIPTION

A Temporary Easement No. TE-102 of the Department of Transportation, State of Colorado, Project No. STR 065A-022 containing 0.0085 acres (368.95 Sq. Ft.), more or less, in the SE Quarter of the SE Quarter of Section 19, Township 10 South, Range 96 West, of the 6th Principle Meridian, in Mesa County, Colorado, said temporary easement being more particularly described as follows:

Beginning at a point on the Easterly right-of-way line of State Highway 65, whence a 3 inch Brass Cap being a MCSM SE Section Corner of said Section 19, T10S, R96W, 6th PM, bears S 28°20'24" E, a distance of 63.25 feet to the TRUE POINT OF BEGINNING;

1. Thence N 0°01'39" W a distance of 3.00 feet
2. Thence S 90°00'00" W a distance of 11.00 feet
3. Thence S 0°00'00" W a distance of 16.68 feet
4. Thence S 45°04'42" W a distance of 19.53 feet
5. Thence N 89°49'04" W a distance of 12.09 feet
6. Thence S 0°04'49" W a distance of 28.91 feet
7. Thence N 89°25'47" E a distance of 5.00 feet
8. Thence N 0°04'49" E a distance of 23.85 feet
9. Thence S 89°49'04" E a distance of 9.29 feet
10. Thence N 45°17'45" E a distance of 20.65 feet
11. Thence N 0°09'54" W a distance of 17.95 feet
12. Thence S 90°00'00" E a distance of 8.01 feet and the POINT OF BEGINNING. The above described Temporary Easement contains 0.0085 acres(368.95 Sq. Ft.), more or less.

The purpose of the above described Temporary Easement is for ADA Ramps, Sidewalk, Curb and Gutter replacement, removal and replacement of sprinkles and landscaping as needed.

Basis of Bearings: All bearings are based on the "State Plane " grid bearing from a 3 inch Brass Cap being a MCSM SE Section Corner of Section 19 T10S, R96W, 6th PM whence a 3" Brass Cap MCSM East Quarter Corner for Section 19 bears N. 0°01'39" W., a distance of 2668.55 feet (basis of bearing-assumed);

For and on Behalf of the Department
of Transportation, State of Colorado
Mark C. Wagner, PLS 38138
222 South 6th Street, Grand Junction, CO

EXHIBIT "A"

PROJECT NUMBER: STR 065A-022
TEMPORARY EASEMENT NUMBER: TE-103

Project Code: 20703

Date: 10/31/2016

DESCRIPTION

A Temporary Easement No. TE-103 of the Department of Transportation, State of Colorado, Project No. STR 065A-022 containing 0.0059 acres(256.56 sq. ft.), more or less, in the NW Quarter of the NW Quarter of Section 29, Township 10 South, Range 96 West, of the 6th Principle Meridian, in Mesa County, Colorado, said temporary easement being more particularly described as follows:

Beginning at a point on the Easterly right-of-way line of State Highway 65, whence a 3 inch Brass Cap being a MCSM NW corner of said Section 29, T10S, R96W, 6th PM, bears N 2°50'46" E, a distance of 615.98 feet to the TRUE POINT OF BEGINNING;

1. Thence N 89°54'46" E a distance of 3.00 feet
2. Thence N 0°00'00" E a distance of 11.50 feet
3. Thence S 90°00'00" E a distance of 6.80 feet
4. Thence N 0°00'00" E a distance of 13.60 feet
5. Thence N 87°52'27" W a distance of 6.82 feet
6. Thence N 0°03'50" W a distance of 28.93 feet
7. Thence S 90°00'00" W a distance of 3.00 feet
8. Thence S 0°03'16" E a distance of 54.28 feet and the TRUE POINT OF BEGINNING.

The above described Temporary Easement contains 0.0059 acres (256.56 sq. ft.), more or less.

The purpose of the above described Temporary Easement is for ADA Ramps, Curb and Gutter replacement, removal and replacement of sprinkles and landscaping, as needed.

Basis of Bearings: All bearings are based on the "State Plane " grid bearing from a 3 inch Brass Cap being a MCSM NW Section Corner of Section 29 T10S, R96W, 6th PM whence a 3" Brass Cap MCSM West Quarter Corner for Section 29 bears S. 0°03'16" E., a distance of 2685.29 feet (basis of bearing-assumed);

For and on Behalf of the Department
of Transportation, State of Colorado
Mark C. Wagner, PLS 38138
222 South 6th Street, Grand Junction, CO

EXHIBIT "A"

PROJECT NUMBER: STR 065A-022
TEMPORARY EASEMENT NUMBER: TE-104

Project Code: 20703

Date: 10/31/2016

DESCRIPTION

A Temporary Easement No. TE-104 of the Department of Transportation, State of Colorado, Project No. STR 065A-022 containing 0.0002 acres(10.78 sq. ft.), more or less, in the NW Quarter of the NW Quarter of Section 29, Township 10 South, Range 96 West, of the 6th Principle Meridian, in Mesa County, Colorado, said temporary easement being more particularly described as follows:

Beginning at a point on the Easterly right-of-way line of State Highway 65, whence a 3 inch Brass Cap being a MCSM NW corner of said Section 29, T10S, R96W, 6th PM, bears N 44°05'45" W, a distance of 43.16 feet to the TRUE POINT OF BEGINNING;

1. Thence S 88°09'00" E a distance of 9.50 feet
2. Thence S 0°00'00" W a distance of 0.98 feet
3. Thence N 90°00'00" W a distance of 9.50 feet
4. Thence N 0°03'16" W a distance of 1.29 feet and the TRUE POINT OF BEGINNING. The above described Temporary Easement contains 0.0002 acres (10.78 sq. ft.), more or less.

The purpose of the above described Temporary Easement is for ADA Ramps, Curb and Gutter replacement.

Basis of Bearings: All bearings are based on the "State Plane " grid bearing from a 3 inch Brass Cap being a MCSM NW Section Corner of Section 29 T10S, R96W, 6th PM whence a 3" Brass Cap MCSM West Quarter Corner for Section 29 bears S. 0°03'16" E., a distance of 2685.29 feet (basis of bearing-assumed);

For and on Behalf of the Department
of Transportation, State of Colorado
Mark C. Wagner, PLS 38138
222 South 6th Street, Grand Junction, CO

EXHIBIT "A"

PROJECT NUMBER: STR 065A-022

PARCEL NUMBER: TE-105

PROJECT CODE: 20703

DATE: October 31, 2016

DESCRIPTION

A Temporary Easement No. TE-105 of the Department of Transportation, State of Colorado Project No. STR 065A-022 containing 167.80 sq. ft. (0.0039 acres), more or less, located in the South 105 feet of Lots 23 and 24 of Block "A" in the Kerlee Addition to the Town of Mesa, Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ Section 20, Township 10 South, Range 96 West, of the 6th Principal Meridian, in Mesa County, Colorado, said tract or parcel being more particularly described as follows:

Beginning at a point on the Easterly right-of-way line of State Highway 65, whence a 3 inch Brass Cap being a MCSM SW Section Corner of Section 20, T10S, R96W, 6th PM, bears S 50°12'19" W a distance of 39.03 feet;

1. Thence along Said Right-of Way N 0°01'39" E, 41.21 feet
2. Thence S 90°00'00" E, 1.65 feet
3. Thence S 0°00'00" W, 12.59 feet
4. Thence S 13°38'44" E, 29.45 feet to the Right-of Way of KE Road
5. Thence along said Right-of-Way, S 89°57'33" W, 8.62 feet, to the TRUE POINT OF BEGINNING

Basis of Bearings: All bearings are based on the "State Plane " grid bearing from a 3 inch Brass Cap being a MCSM SW Section Corner of Section 20 T10S, R96W, 6th PM whence a 3" Brass Cap MCSM West Quarter Corner for Section 20 bears N. 0°01'39" W., a distance of 2668.55 feet (basis of bearing-assumed);

The above described parcel contains \pm 167.80 sq. ft. (0.0039 acres) more or less.
The purpose of the above Temporary Easement is for removal and installation of ADA Ramps, sidewalk, asphalt, Curb and Gutter.

For and on behalf of the Colorado Department of Transportation

Mark C. Wagner, PLS 38138

222 South 6th Street, Grand Junction, CO

Sheet Revisions			Sheet Revisions			Sheet Revisions		
Date	Description	Initials	Date	Description	Initials	Date	Description	Initials
03/03/16	Added word Sidewalk to PE102 and TE102	MCW						
03/21/16	Corrected lot information for TE102	MCW						
04/13/16	Change RW100 to PE100	MCW						
06/02/16	Correct permanent easement tabulation and Monument quantities	MCW						
08/25/16	Update PE Remarks on Property Sheet	MCW						

Right of Way Plans		
Title Sheet		
Project Number:	STR 065A-022	
Project Location:	SH 65 Mesa North Resurfacing	
Town of Mesa, Mesa County, State of Colorado		
Project Code:	Last Mod. Date:	Sheet No.:
20703	08-23-2016	1.01

DEPARTMENT OF TRANSPORTATION

STATE OF COLORADO RIGHT OF WAY PLANS OF PROPOSED FEDERAL AID PROJECT NO. STR 065A-022 STATE HIGHWAY NO. 65 MESA COUNTY Sections 19, 20, 29 and 30 T10S, R96W 6th PM RIGHT OF WAY

R.O.W. Length of Project = 0.13 Miles
 Const. Length of Project = 25.38 Miles

SHEET NO.	INDEX OF SHEETS
1.01	(1) Title Sheet
2.01-2.01	(1) Tabulation of Properties
3.01-3.01	(1) Project Control Diagram
4.01-4.01	(1) Land Survey Control Diagram
5.01-5.01	(1) Monumentation Sheets
6.01-6.0X	(NA) Tabulation of Road Approach Sheets
7.01-7.02	(2) Plan Sheets
8.01-8.01	(1) Ownership Map
(8) Total Sheets	
Scales of Original 11x17 Drawings	
Plan Sheets 1"=20'	
Ownership Map 1"=50'	

Basis of Bearings: Bearings used in the calculations of coordinates are based on a grid bearing of N 0°03'16" W from MCSM 1759 to MCSM 1752. Both monuments are 3" Flat Mesa County Aliquot Brass Caps, marked appropriately for their control number. The survey data was obtained from a Global Positioning System (GPS) survey based on the Mesa County Virtual Reference Station (MCVRS).

1. This Right-of-Way Plan is not a boundary survey of the adjoining property and is prepared for the Colorado Department of Transportation purposes only.

2. For title information, The Colorado Department of Transportation relied on Title Commitments and Memorandums of Ownership prepared by Abstract & Title Company of Mesa County for (Westcor Land Title Insurance Co.)

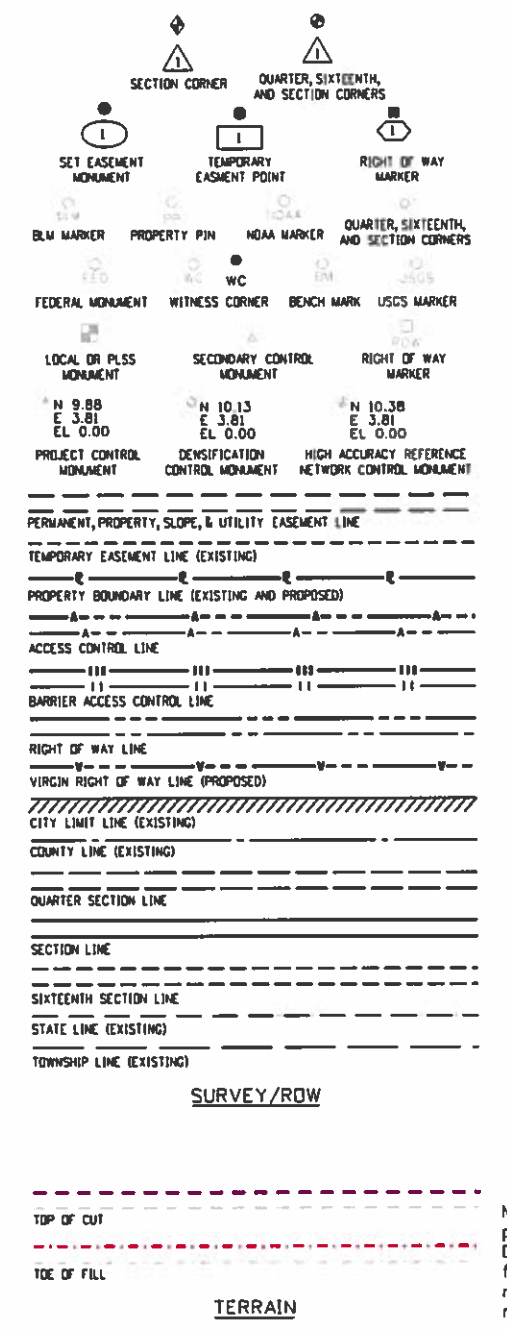
3. This plan set is subject to change and may not be the most current set. It is the user's responsibility to verify with CDDT that this set is the most current. The information contained on the attached drawing is not valid unless this copy bears an original signature of the Professional Land Surveyor hereon named.

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 the certification shown hereon.

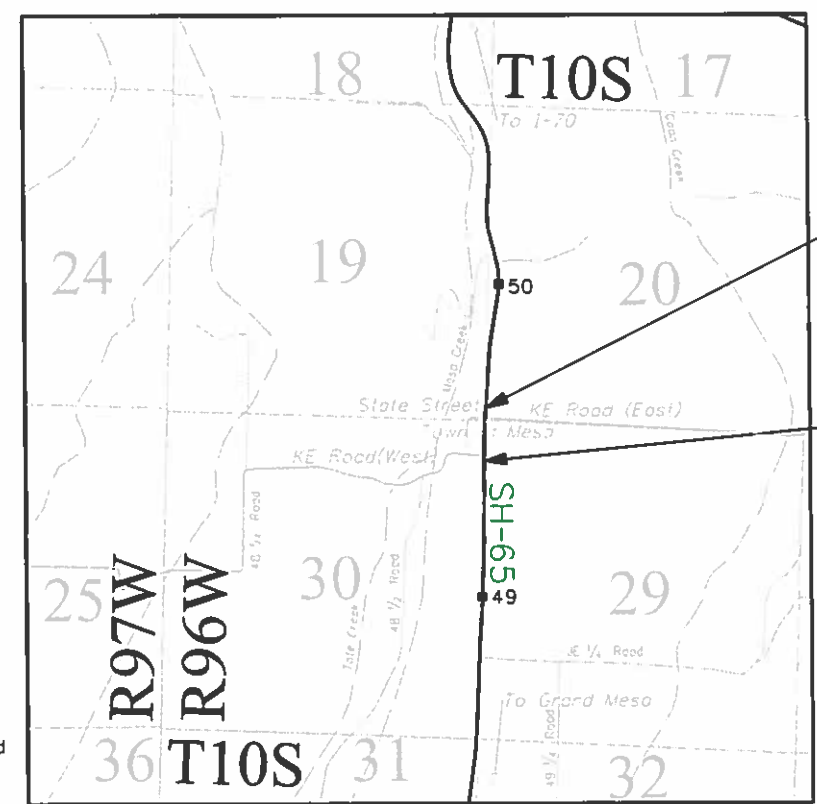
COLORADO DEPARTMENT OF TRANSPORTATION
 FEDERAL-AID HIGHWAY PROJECT
 ROW PLANS AUTHORIZED: *Chaffee* 11-4-16
 CDDT ROW PROGRAM MANAGER

PLANS CERTIFICATION: DATE OF DEPOSITION: AT THE COUNTY LAND SURVEY RIGHT OF WAY SURVEYS AT PAGE RECEPTION NUMBER

SIGNED: 8/25/2016 8:21:24 AM C:\Users\wagnerm\Documents\Projects\20703\ROW_65_mesa_south\ROW_Survey\Drawings\20703ROW_65.mxd



End Const Project
 M.P.: 61.38



End ROW Project
 Station: 269+53.46
 M.P.: 49.57


Begin ROW Project
 Station: 262+71.06
 M.P.: 49.44

Begin Const Project
 M.P.: 36.0

Existing ROW from road petitions, plats and ROW project S 0065(4)
 Note: For a complete listing of symbology used within this set of plans, please refer to the M-100-1 Standard Symbols of the Colorado Department of Transportation M&S Standards Publication. Existing topo features are shown as screened weight (gray scale). Proposed or new features are shown as full weight without screening, except as noted with the word (proposed).



SURVEYOR STATEMENT (ROW PLAN)
 I, Mark C. Wagner, a professional land surveyor licensed in the State of Colorado, do hereby state to the Colorado Department of Transportation that based upon my knowledge, information and belief, research, calculations and evaluation of the survey evidence were performed and this Right-of-Way Plan was prepared under my responsible charge in accordance with applicable standards of practice defined by Colorado Department of Transportation publications. This statement is not a guaranty or warranty, either expressed or implied.
 PLS No. 38138


Colorado Department of Transportation
 222 South 6th Street
 Room 317
 Grand Junction, CO 81501
 Phone: 970-683-6234 FAX: 970-683-6227
Region 3 **LED**

Sheet Revisions			Sheet Revisions			Sheet Revisions		
Date	Description	Initials	Date	Description	Initials	Date	Description	Initials
03/03/16	Added word Sidewalk to PE102 and TE102	MCW		XXXXXXXX	XXX		XXXXXXXX	XXX
03/21/16	Corrected lot information for TE105	MCW						
04/13/16	Converted RW-100 into PE100	MCW						
08/25/16	Update PE Remarks	MCW						

Right of Way Plans			
Tabulation of Properties			
Project Number: STR 065A-022			
Project Location: SH 65 Mesa North Resurfacing			
SH 65 Mesa County Colorado			
Project Code:	Last Mod. Date:	Subset:	Sheet No.:
20703	08-25-2016	2.01 of 2.01	2.01

Sheet 4 - Tabulation of Properties

R.O.W. TABULATION OF PROPERTIES IN MESA COUNTY S.H. NO. 65

Parcel No.	Ownership Name and Mailing Address	Site Address	Location	Area In Square Feet (Acres)					Book and Page No. And/Or Reception No.	Title Commitment No.	Remarks
				Area Of Parcel	Existing ROW	Net Area	Remainder Left	Remainder Right			
PE100	First Methodist Episcopal Church of Mesa, a Colorado Non-profit Corporation	Same	NE1/4 NE1/4 S30 T10SR96W6thPM	128.30		128.30				4606CEM	The purpose of the above Permanent Easement is for removal, installation and structural maintenance of ADA Ramps, sidewalk, asphalt, curb and gutter
TE100	10897 Highway 65 Mesa, CO 81643		Lots 22 and 23, Block 1 Town of Mesa Lots 20 through 23, Block 1 Town of Mesa	(0.0029) (0.0150)		(0.0029) (0.0150)					For ADA Ramps Curb and Gutter replacement, removal and replacement of sidewalk, fence, sprinklers and landscaping
RW101	OEE, LLC, a Colorado Limited Liability Company	10983 Highway 65 Mesa CO, 81643	NE1/4 NE1/4 S30 T10SR96W6thPM	99.70		99.70	14879.91			4605CEM	
TE101	PO Box 84 Mesa CO, 81643		Lot 1, Block 1 Town of Mesa in Section 30, Township 10 South, Range 96 West of the 6th PM, Bk 5292 Pg 623 04/27/2012 Rec # 2609051	(0.0023) (0.0060)		(0.0023) (0.0060)	(0.3416)				For ADA Ramps Curb and Gutter replacement
PE102	Mesa Creek Inc., an Illinois Corporation PO Box 114 Mesa, CO 81643-0114	11011 Highway 65 Mesa, CO 81643	SE1/4SE1/4S19 T10SR96W6thPM	1121.86		1121.86				4604CEM	The purpose of the above Permanent Easement is for removal, installation and structural maintenance of ADA Ramps, sidewalk, asphalt, curb and gutter
TE102			Beginning 473R S of the NW Cor Sec 29 T10S, R96W, of the 6th PM, E 155ft, To Beg Exc HWY as DESC in Bk 3714 Page 882 08/10/2004 Rec # 2207376	(0.0258) (0.0085)		(0.0258) (0.0085)					For ADA Ramps, Sidewalk, Curb and Gutter replacement, removal and replacement of sprinklers and landscaping as needed
TE103	Segrest Wagon Wheel Real Estate LLC 221 Highway 6 & 50 Fruita, CO 81521	10900 Highway 65 Mesa CO 81643	NW1/4 NW1/4 S29 T10SR96W6thPM	256.56		256.56				Bk 4609 Pg 322 Rec # 2425593	For ADA Ramps Curb and Gutter replacement, removal and replacement of sprinklers and landscaping as needed
TE104	Grand Junction Lodge #173 Ancient Free and Accepted Masons of Colorado 2400 Consistory Court Grand Junction, CO 81501	10986 Highway 65 Mesa, CO 81643	NW1/4 NW 1/4 S29 T10SR96W6thPM	10.78		10.78				Bk 5433 Pg 6 Rec # 2644763	For ADA Ramps Curb and Gutter replacement
TE105	United States Postal Service 222 S Riverside Plaza Unit 200 Chicago, IL 60606-5808	49012 KE Road Mesa CO 81643	SW1/4SW1/4S20 T10SR96W6thPM	167.80		167.80				Bk 1158 Pg 28 Rec # 1166127	For ADA Ramps Curb and Gutter replacement and asphalt patching

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Colorado Department of Transportation
 222 South 6th Street
 Room 317
 Grand Junction, CO 81501
 Phone: 970-683-6234 FAX: 970-683-6227
 Region 3 LED

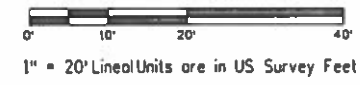
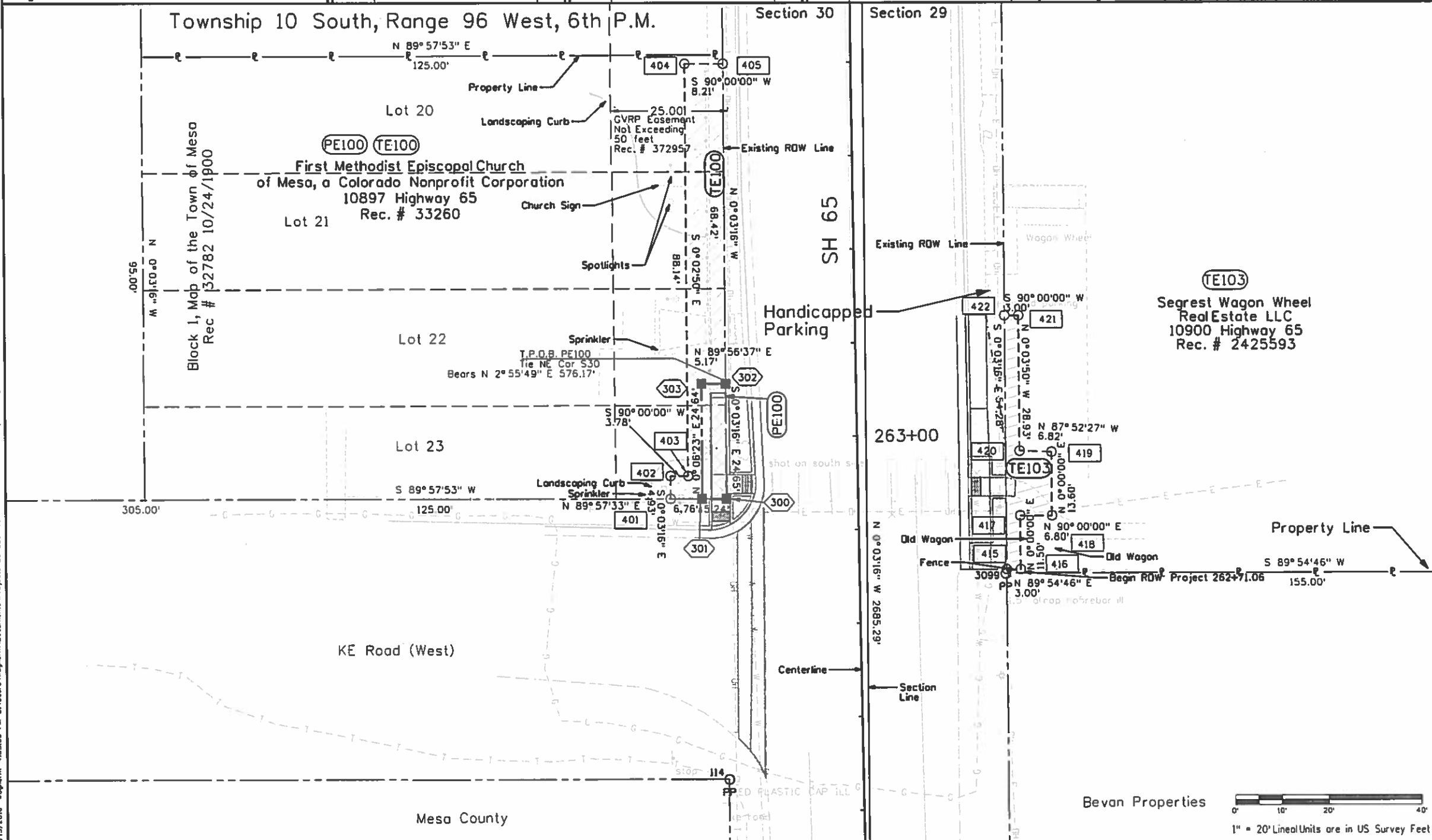
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04/13/16	Change RW100 to PE100	MCW

Sheet Revisions		
Date	Description	Initials
	XXXXXXXX	XXX

Sheet Revisions		
Date	Description	Initials
	XXXXXXXX	XXX

Right of Way Plans			
Plan Sheet			
Project Number: STR 065A-022			
Project Location: SH 65 Mesa North Resurfacing			
Town of Mesa, Mesa County, State of Colorado			
Project Code	Last Mod. Date	Subset	Sheet No.
20703	04-13-2016	7.01 of 7.02	7.01

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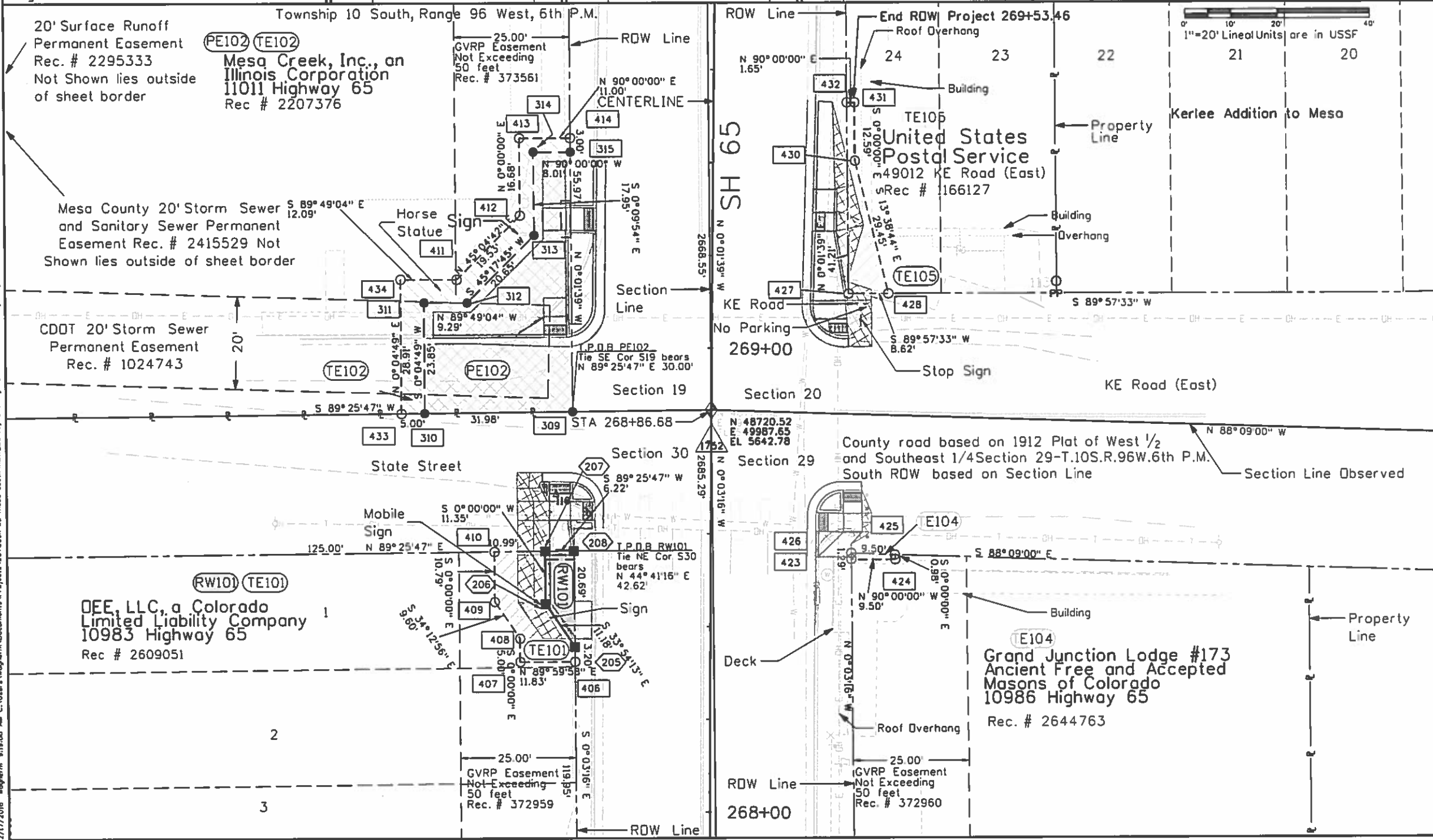
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Sheet Revisions		
Date	Description	Initials
mm/dd/yy	XXXXXXXX	XXX

Sheet Revisions		
Date	Description	Initials
mm/dd/yy	XXXXXXXX	XXX

Sheet Revisions		
Date	Description	Initials
mm/dd/yy	XXXXXXXX	XXX

Right of Way Plans			
Plan Sheet			
Project Number: STR 065A-022			
Project Location: SH 65 Mesa North Resurfacing			
Town of Mesa, Mesa County, State of Colorado			
Project Code:	Last Mod. Date:	Sheet	Sheet No.
20703	02-17-2016	7.02 of 7.02	7.02



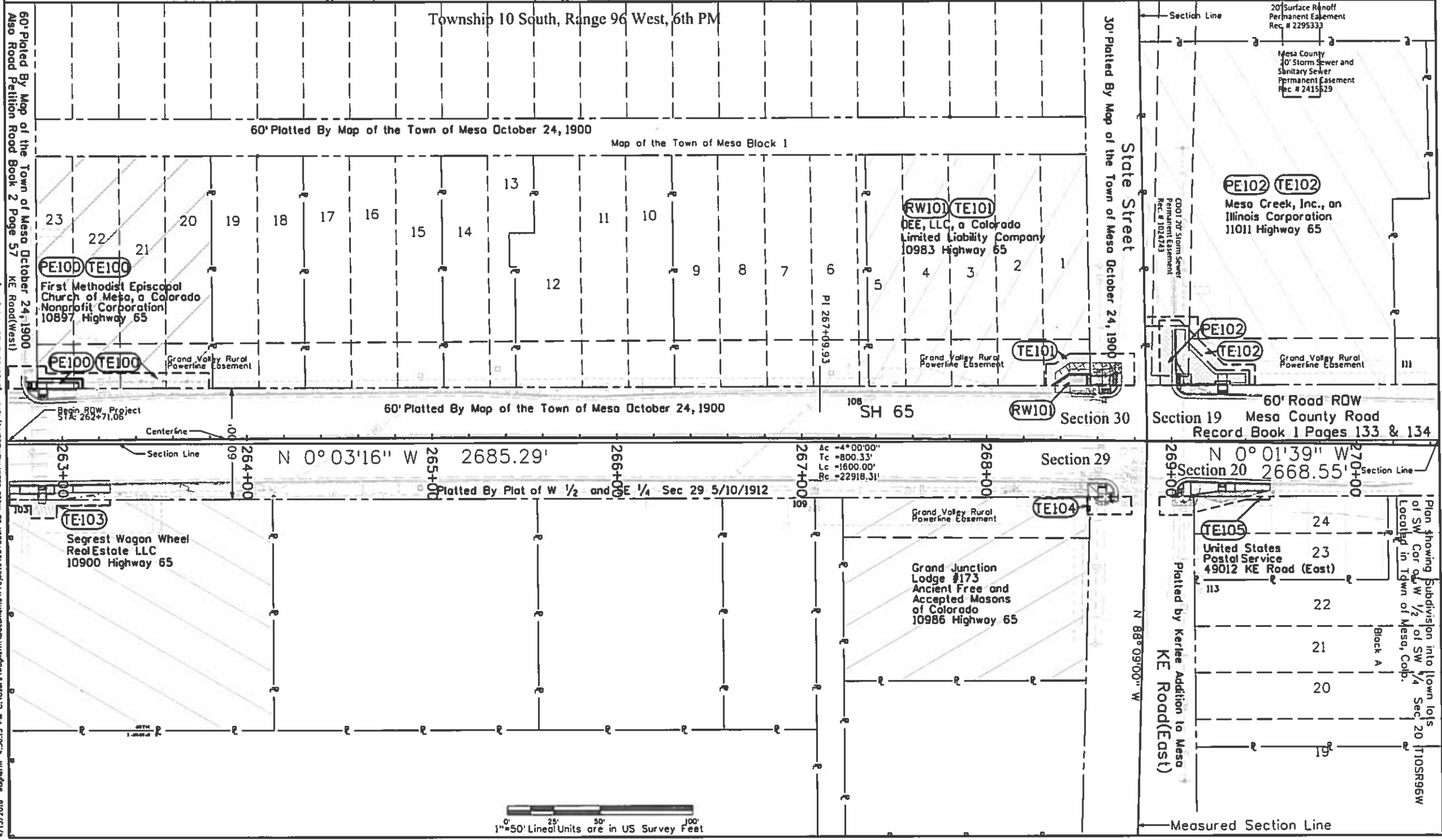
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Region 3 LED

Sheet Revisions			Sheet Revisions			Sheet Revisions		
Date	Description	Initials	Date	Description	Initials	Date	Description	Initials
04/13/16	Change RW100 to PE100	MCW		XXXXXXXX	XXX		XXXXXXXX	XXX

Right of Way Plans			
Ownership Sheet			
Project Number:	STR 065A-022		
Project Location:	SH 65 Mesa North Resurfacing		
Town of Mesa, Mesa County, State of Colorado			
Project Code:	Last Mod. Date:	Subset:	Sheet No.:
20703	04-13-2016	8.01 of 8.01	8.01



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