

TOWN OF PALMER LAKE, COLORADO

RESOLUTION NO. 45-2021

A RESOLUTION TO APPROVE A DRAINAGE AGREEMENT WITH LEWIS-PALMER SCHOOL DISTRICT 38 FOR PALMER LAKE ELEMENTARY SCHOOL LOCATED AT 115 UPPER GLENWAY, PALMER LAKE, COLORADO

WHEREAS, the Board of Trustees of the Town of Palmer Lake, Colorado, pursuant to Colorado statute and the Town of Palmer Lake Municipal Code, is vested with the authority of administering the affairs of the Town of Palmer Lake, Colorado; and

WHEREAS, the Town Board of Trustees has an interest in addressing drainage on public property; and

WHEREAS, a need has been identified for a perpetual easement in order to provide for the maintenance of an identified drainage corridor.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE, COLORADO AS FOLLOWS:

1. The Town Board of Trustees hereby approves, and authorizes the Mayor to execute, the agreement for drainage easement attached as Exhibit A consisting of 3 pages and containing an Easement Sketch.
2. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Resolution is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of this Resolution. The Board of Trustees hereby declares that it would have passed this resolution and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.
3. Repeal. Existing resolutions or parts of resolutions covering the same matters embraced in this Resolution are hereby repealed and all resolutions or parts of resolutions inconsistent with the provisions of this Resolution are hereby repealed.


INTRODUCED, RESOLVED, AND PASSED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE ON THIS 23rd DAY OF SEPTEMBER 2021.

ATTEST:



Dawn A. Collins
Town Administrator/Clerk

TOWN OF PALMER LAKE, COLORADO

BY: 

William Bass
Mayor

GRANT OF DRAINAGE EASEMENT

DATE OF PREPARATION: SEPTEMBER 1, 2021

PREPARED BY: GMS, INC., CONSULTING ENGINEERS

RECEIVED of the **TOWN OF PALMER LAKE**, a Statutory Town in El Paso County, the sum of Ten Dollars (\$10.00), in hand paid, in consideration of which **LEWIS-PALMER SCHOOL DISTRICT 38** (being the owner of the hereinafter described real property) hereinafter called "GRANTOR", does hereby grant, sell and convey unto the said **TOWN OF PALMER LAKE**, hereinafter called "GRANTEE," its successors and assigns, a perpetual Easement for the maintenance of a drainage corridor, hereinafter referred to as "Easement", together with the right of ingress and egress to and from said Easement in the exercising of the rights herein granted; said Easement is shown on the attached "Easement Sketch" and is further described as follows:

A 10.00-foot-wide easement over, under and across a portion of Lots 38 and 76, Block 32, Palmer Lake Amended Filing according to the plat recorded in Plat Book B at Page 16 and the subject property recorded under Reception No. 216142008 of the records of El Paso County, Colorado, with the centerline of said easement being more particularly described as follows:

Commencing at the northeasterly corner of Lot 27 in said Block 32; thence N86°59'35"W (all bearings used in this easement description are relative to the northeast line of said Lot 27 which is assumed to bear S21°33'29"E, a distance of 194.64 feet and is monumented by a No. 4 rebar with orange cap PLS 14166 at the northeast and southeast corners of said Lot 27), a distance of 341.32 feet to the POINT OF BEGINNING of said centerline;

thence S15°38'01"E, a distance of 33.20 feet;

thence S35°44'50"E, a distance of 105.76 feet;

thence S20°10'53"E, a distance of 201.25 feet to a point on the southeasterly line of said Lot 38 and the Point of Termination of said centerline with the sidelines of said easement being extended or shortened so as to begin on the northwesterly line of said Lot 76 and end on said southeasterly line of Lot 38.

EXCEPTING THEREFROM:

That portion of the above described easement lying northeasterly of said Lot 76.

The above described easement contains 0.077 acres, more or less, and is subject to any rights-of-way or other easements as granted or reserved by instruments of record or as now existing across the above described parcel of land.

It is understood that the GRANTEE will restore the surface improvements as result of maintenance activities at no cost to the GRANTOR.

IN WITNESS WHEREOF, the undersigned have hereunto set their hand(s) and seal(s),
this 18th day of October, 2021.

GRANTOR:

Lewis-Palmer School District 38

by: Chris G. Taylor
Title: President
Board of Education

State of Colorado)

) ss

County of El Paso)

The foregoing instrument was acknowledged before me this 18 day of October,
2021 by Chris G. Taylor, Grantor.

My commission expires: November 13, 2023

Vicki A. Wood
Notary Public

Address:

146 N. Jefferson St.
Monument, CO 80132



Acknowledged by Town of Palmer Lake, Grantee

By: Allen J. [Signature]

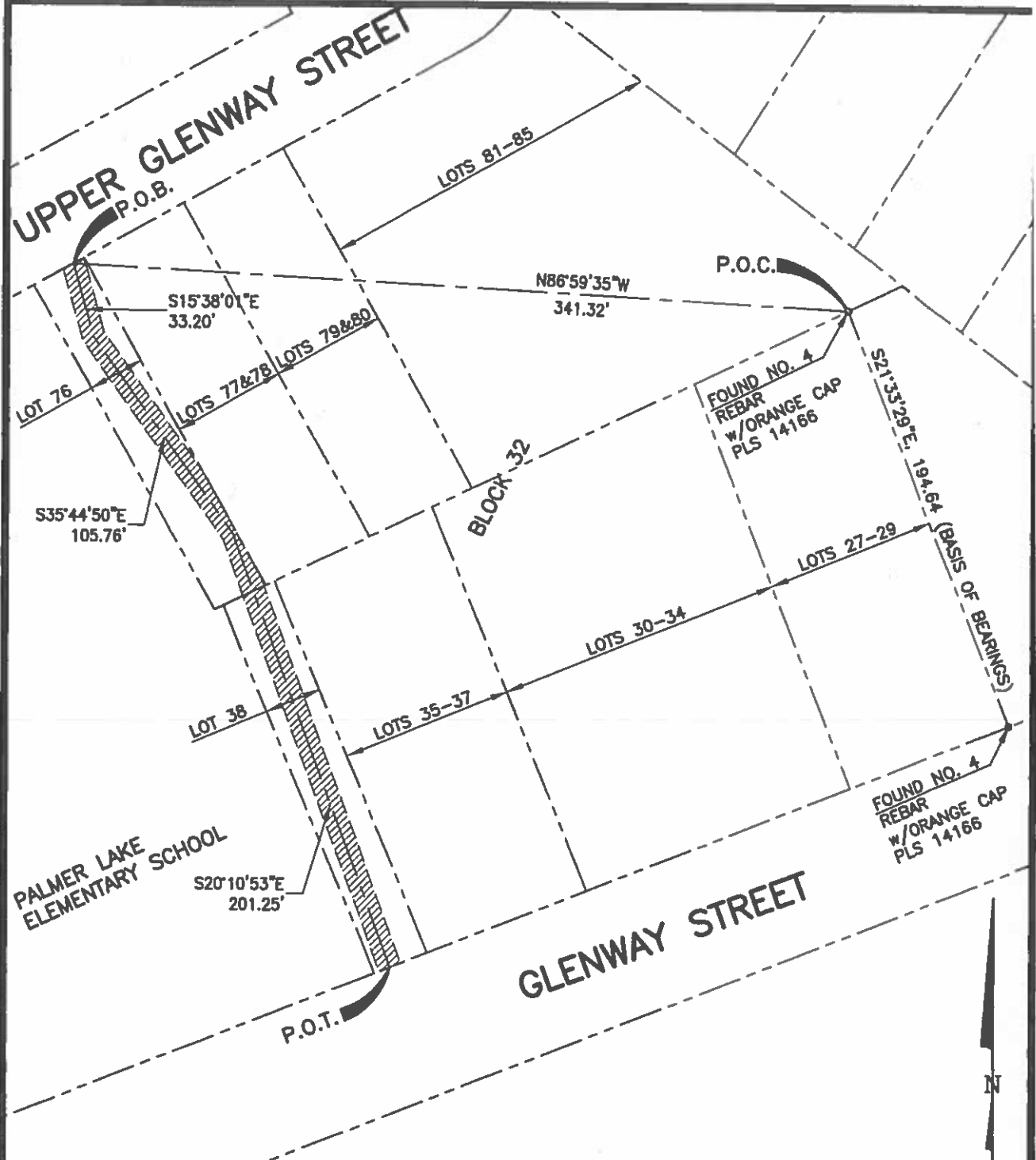
Title: Mayor

Ken L. White, P.L.S.
Colorado Professional Land Surveyor No. 25382
For and on behalf of
GMS, Inc., Consulting Engineers
611 North Weber Street, Suite 300
Colorado Springs, CO 80903

EASEMENT SKETCH

PORTION OF LOTS 38 AND 76, BLOCK 32 PALMER LAKE AMENDED FILING
EL PASO COUNTY, COLORADO

GRANTOR: LEWIS-PALMER SCHOOL DISTRICT 38
GRANTEE: TOWN OF PALMER LAKE



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GMS, INC.
PROJECT NO. 17071.109
SEPTEMBER 1, 2021
DRAWN: KLV

 DRAINAGE EASEMENT

NORTH
1" = 60'