

TOWN OF PALMER LAKE, COLORADO

RESOLUTION NO. 46-2021

A RESOLUTION TO APPROVING A DRAINAGE AGREEMENT WITH NIKKI AND WILLIAM MCDONALD ON PRIVATE PROPERTY, 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 sometimes requiring the use of private property to do so; and

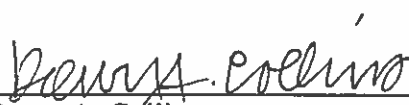
WHEREAS, need has been identified for a perpetual easement in order to provide for the maintenance of an identified drainage corridor.

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 Existing resolutions or parts of resolutions covering the same matters embraced in this Resolution are hereby repealed and all resolutions or parts of resolutions inconsistent with the provisions of this Resolution are hereby repealed.

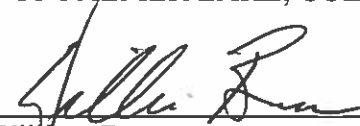
INTRODUCED, RESOLVED, AND PASSED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE ON THIS 23rd DAY OF SEPTEMBER 2021.

ATTEST:



Dawn A. Collins
Town Administrator/Clerk

TOWN OF PALMER LAKE, COLORADO

BY: 

William Bass
Mayor

GRANT OF DRAINAGE EASEMENT

DATE OF PREPARATION: AUGUST 24, 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 **WILLIAM P. AND NIKKI D. MCDONALD** (being the owners of the hereinafter described real property) hereinafter called "GRANTORS", do 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 68 through 70 inclusive, Block 34, 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, being more particularly described as follows:

The northerly 10.00 feet of said Lots 68 through 70 inclusive.

The above-described easement contains .017 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.

EASEMENT SKETCH

PORTION OF LOTS 68 THROUGH 70, BLOCK 34 PALMER LAKE
AMENDED FILING, EL PASO COUNTY, COLORADO

GRANTORS: WILLIAM P. AND NIKKI D. MCDONALD
GRANTEE: TOWN OF PALMER LAKE

LOWER GLENWAY STREET

VALLEY CRESCENT STREET

LOT 70

LOT 69

LOT 68

BLOCK 34

10' DRAINAGE EASEMENT



NORTH
1" = 50'

S. VALLEY ROAD

GMS, INC.
PROJECT NO. 17071.109
AUGUST 24, 2021
DRAWN: KLW

 DRAINAGE EASEMENT