

DEPARTMENT OF TRANSPORTATION STATE OF COLORADO

RIGHT OF WAY

CTY. RD. (AIRPORT) TO
E. CANON

REGIONAL ROAD NO.	DIVISION	PROJECT NO.	SHEET NO.	TOTAL SHEETS
VII	COLORADO	STA 050A-004	1	
REVISIONS				

V-File

CONVENTIONAL SIGNS

County Line	-----
Township or Range Line	-----
Land Lines Section Line 1/4 Section Line 1/16 Section Line	-----
Property or Tract Line	-----
City Limits	-----
Railroad	=====
Existing Road	=====
New Road	=====
Control of Access	-----
Access denied by Deed	-----
Right of Way Line	-----
Protected by Freeway (Virgin Location)	-----
Top of Cuts	-----
Toe of Fills	-----
Barbed Wire Fence	-----
Chain Link Fence	-----
Woven Wire-Combination Fence	-----
Snow Fence	-----
Wood Fence	-----
Deer Fence	-----
Trees	Deciduous: Coniferous:
Tel. & Teleg. Lines	-----
Electric Lines	-----
Elec. Trans. Tower	-----
Eluried Tel. Cable	-----
Eluried Electric Cable	-----
Gas Main	-----
Oil Main	-----
Water Main	-----
Sanitary Sewers	-----
Storm Sewers	-----
Road Approaches	-----
Section Corner	-----
Center of Section	-----
Culverts & Drains	-----
Proposed	-----
Existing	-----
Proposed (to be dashed)	-----
Existing (to be dashed)	-----
Elridges	-----

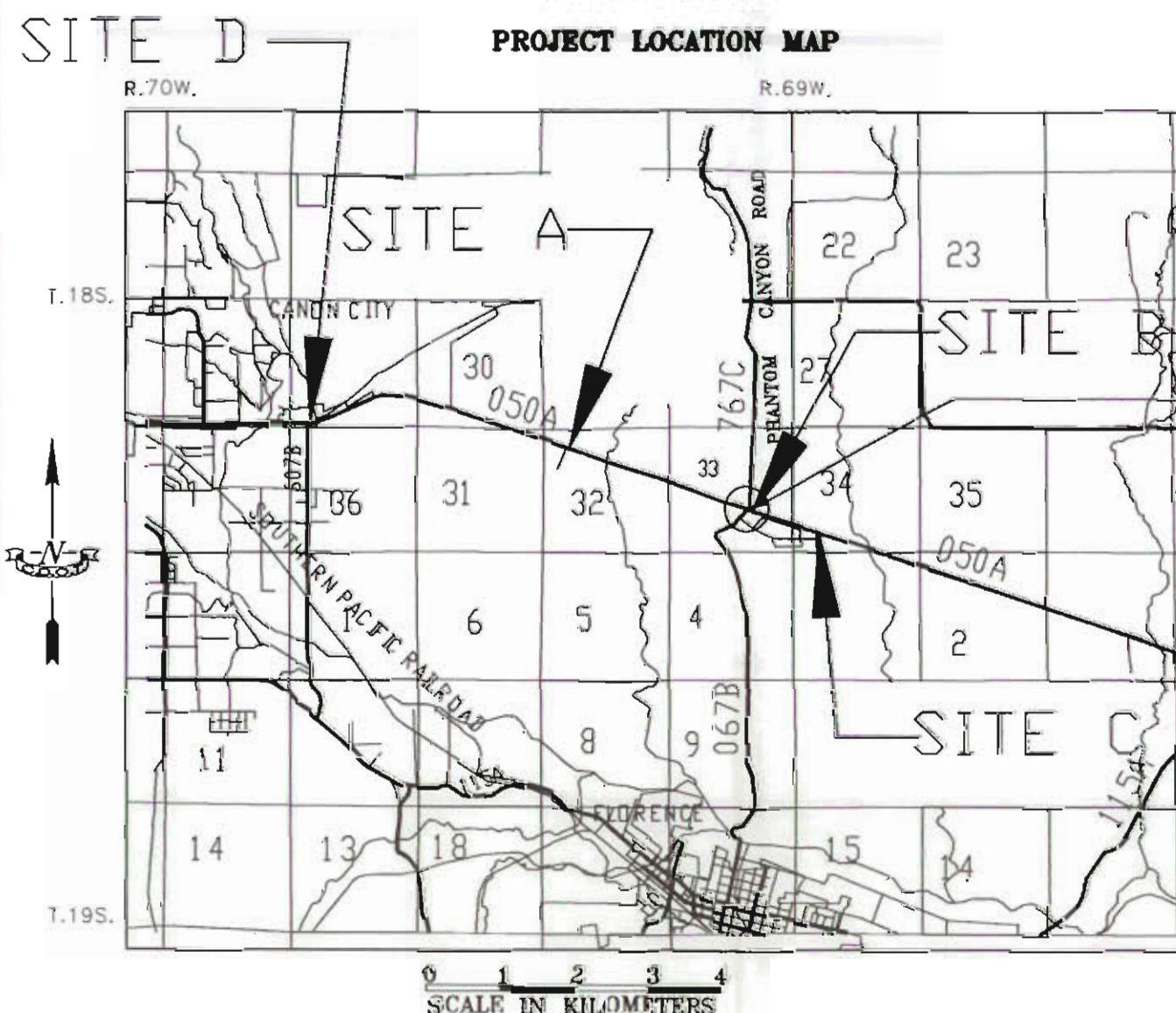
BASIS OF BEARINGS

BASIS OF BEARINGS: The bearings referenced on this survey can be determined from any monuments set or found as shown on the Control Diagram Sheet. The basis of bearings for project reference is a line from C.D.O.T. Control Monument #2857 and C.D.O.T. Control Monument #2858. Said line having a bearing of S. 72° 50' 53" E., at a distance of 279.74 Meters.

RIGHT OF WAY PLAN OF PROPOSED FEDERAL AID PROJECT NO. STA 050A-004 STATE HIGHWAY NO. 50 & 67 FREMONT COUNTY RIGHT OF WAY

SCALES OF ORIGINAL DRAWINGS

PLAN SHEETS 1 : 1000
R.O.W. LENGTH OF PROJECT = 28.348 meters



INDEX OF SHEETS

- 1 TITLE SHEET
- 2 TABULATION OF PROPERTIES SHEET
- 3 CONTROL SHEET
- 4 PLAN & MONUMENTATION SHEET
- 5 OWNERSHIP MAP SHEET

ROW PROJECT STA 050A-004

DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION	
AUTHORIZED	DATE
DIVISION ADMINISTRATOR	

NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discovered 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.

CERTIFICATION: The undersigned surveyor hereby certifies that this right-of-way plan delineates the property acquired by the Colorado Department of Transportation under Project STA 050A-004 and that the property has been monumented as shown on the plan. This right-of-way plan is null and void unless it bears the original signature and seal of the Professional Land Surveyor in responsible charge of the work.

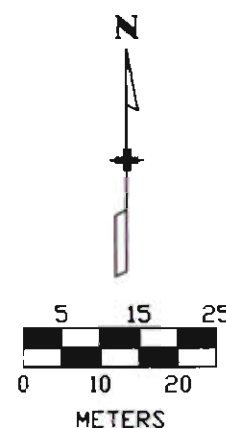
SURVEYOR CERTIFICATE	
ROW PLANS AND MONUMENTATION WERE DONE UNDER MY SUPERVISION AND CHECKING	
NAME:	_____
PLS NUMBER:	_____
DATE:	_____

DATE: AUGUST 1998
SUBACCOUNT: 11182
REGION 2

S.H. NO. 50 & 67

[illegible]

FILED CERTIFICATION
DEPOSITED THIS _____ DAY OF _____ 19____ AT _____ M. FOR INFORMATION
ONLY, IN BOOK _____ OF THE COUNTY LAND SURVEYS / RIGHT OF WAY
SURVEYS AT PAGE _____ RECEPTION NUMBER _____
SIGNED _____ DEPT.



FREMONT COUNTY

S 33, T 18 S, R 69 W,

OF THE 6TH P. M.



GENERAL NOTES

- 1.) This Control Survey is for the use of the Colorado Department of Transportation. This survey is NOT a complete Land or Right of Way survey, nor is this Control Diagram Sheet a Land or Right of Way Survey Plot.
- 2.) 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.
- 3.) No guarantee as to the accuracy of the information contained hereon is implied or expressed unless this copy bears an original signature and seal of Registered Land Surveyor named.
- 4.) All coordinates listed are MODIFIED GRID COORDINATES based on G.P.S. observations.
- 5.) All Elevations listed are based on the Datum of NAVD83.
- 6.) Field survey control precision computed to meet or exceed Colorado Department of Transportation Survey Manual Minimum Horizontal Control Tolerance for a type "B" survey requirements (+/- 76 mm at 95% certainty).

BASIS OF BEARING

BASIS OF BEARINGS: The bearings referenced on this survey can be determined from any monument set or found as shown on the Control Diagram Sheet. The basis of bearings for project reference is a line from C.D.O.T. Control Monument #2857 and C.D.O.T. Control Monument #2858. Said line having a bearing of S. 72° 00' 53" E., at a distance of 276.74 Meters.

SURVEY SYMBOL TABLE

- ▲ Control Monument / Project (type 2)
- Bench marks / Property Pins / Misc.
- ◇ Aliquot Corner

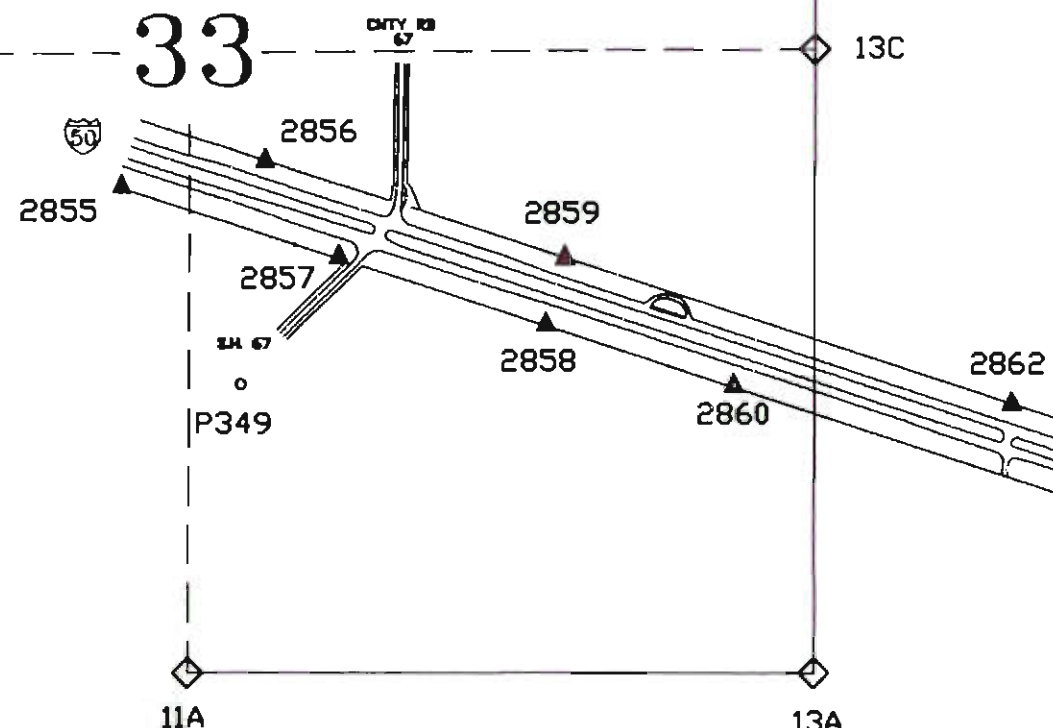
SURVEYOR CERTIFICATE

I hereby state that this survey was performed under my supervision and checking, for and on the behalf of the Colorado Department of Transportation, State of Colorado, and is not a Land Survey Plot or a Right of Way Survey Plot, and is to the best of my knowledge and belief, the information presented here is true and correct.

DATE _____

PROJECT COORDINATES

NAME	NORTHING (M)	EASTING (M)	ELEVATION (M)	DESCRIPTION
2831	373311.936	944460.145	1663.2430	CONTROL MONUMENT
2832	373163.082	944664.746	1635.7860	CONTROL MONUMENT
2833	373234.427	944700.591	1637.9880	CONTROL MONUMENT
2834	373167.488	944909.535	1631.7670	CONTROL MONUMENT
2835	372070.219	948037.872	1631.8800	CONTROL MONUMENT
2836	372103.686	948224.731	1661.5210	CONTROL MONUMENT
2837	371980.077	948320.569	1662.7990	CONTROL MONUMENT
2838	371893.678	948586.712	1662.8210	CONTROL MONUMENT
2839	371978.948	948612.233	1666.0280	CONTROL MONUMENT
2840	371815.581	948830.706	1660.1730	CONTROL MONUMENT
2842	371793.212	949191.422	1654.2770	CONTROL MONUMENT
9C	372237.346	947334.081	1639.4930	STONE 1/4 COR S32-S33
9E	373043.717	947324.950	1652.9170	ILM BRASS CAP S 29-28-32-33
11A	371445.056	948125.403	1635.9080	ALUM. CAP LS 10377 1/4 COR S33-S4
11E	373047.946	948130.488	1683.5000	ILM BRASS CAP 1/4 COR S28-S33
13A	371446.733	948934.099	1632.0750	ALUM. CAP LS 10377 SEC COR 33-34-4-3
13C	372249.365	948935.374	1660.7130	ALUM. CAP LS 10377 1/4 COR S33-S34
13E	373052.004	948936.667	1667.1110	ILM BRASS CAP SEC COR 28-27-33-34
J430	369214.350	957058.799	1598.8840	NGS DEEP ROD BENCH MARK (NOT SHOWN)
K341	373119.121	940253.390	1619.1500	USGS BRASS CAP BENCH MARK (NOT SHOWN)
N349	370400.074	948387.779	1638.9670	USGS BRASS CAP BENCH MARK (NOT SHOWN)
P349	371816.759	948198.696	1637.5460	USGS BRASS CAP BENCH MARK
V341	372988.907	948446.660	1673.3610	USGS BRASS CAP BENCH MARK
Y433	371135.391	951242.616	1633.7750	NGS DEEP ROD BENCH MARK (NOT SHOWN)



Computer File Information		Sheet Revisions		Colorado Department of Transportation		As Constructed		SURVEY CONTROL DIAGRAM		Project No./Code	
Creation Date:	JULY 9, 1996	Initials:	L.A.W.			No Revisions:		Surveyor: M. BOUCHARD S.H. 50 AT S.H. 67		STA 067A-006	
Last Modification Date:		Initials:				Revised:					
Full Path:	\11182\					Void:		Draft Person: L. WARD FREMONT COUNTY		11182	
Drawing File Name:	11182ST3.DWG										
Acad Ver.	R12	Scale:	1 to 500	Units:	METRIC			Section (a): S 33, T 18 S, R 69 W of the 6th P.M.		Sheet Number 3	



Colorado Department of Transportation

905 Erie Ave.
P.O. Box 536
Pueblo, CO. 81001
Phone: 719-546-5442 FAX: 719-546-5414

Region 2

T. 18 S. R. 69 W.
SE 1/4 sec. 33
6th P.M.

REVISIONS	

REVISIONS	

RIGHT OF WAY
CTY. RD. (AIRPORT) TO
E. CANYON

FEDERAL ROAD DISTRICT NO.	DIVISION	PROJECT NO.	SHEET NO.	TOTAL SHEETS
VIII	COLORADO	STA 050A-004	4	

TABULATION OF R.O.W. MARKERS TO BE SET

POINT NO. ①	COORDINATES		
	NORTH	EAST	Description
1	372148.6011	948389.3951	1.5" Alum Cap
2	372094.7878	948380.1276	1.5" Alum Cap
3	372055.6845	948377.6659	1.5" Alum Cap
4	372052.2887	948388.2446	Not Set

① Vernon Estes

2856

SH50 ROW

Begin Row
Project STA 050A-004
STA. 459+653.351

SH 50

170m Rt. turn lane

#4 REBAR

SH50 ROW

2857

POB ①
E 1/4 COR SEC 33 BEARS
N 79° 32' 36" E 555.199m

①

②

③

④

Proposed ROW
S 03° 36' 08" W 39.181m

①

S 72° 12' 11" E 11.110m

18.289

EXISTING ROW CTY. RD. 67

County Rd. 67

N 0° 41' 04" E 96.319m

24+200

End ROW
Project STA 050A-004
STA. 459+681.699

SH50 ROW

SCALE IN FEET



SCALE IN METERS



REVISIONS		REVISIONS	

RIGHT OF WAY
 CTY. RD. (AIRPORT) TO
 E. CANYON

FEDERAL ROAD DISTRICT NO.	DIVISION	PROJECT NO.	SHEET NO.	TOTAL SHEETS
VII	COLORADO	STA 050A-004	5	

OWNERSHIP MAP

T. 18 S. R. 69 W.
 6th P.M.

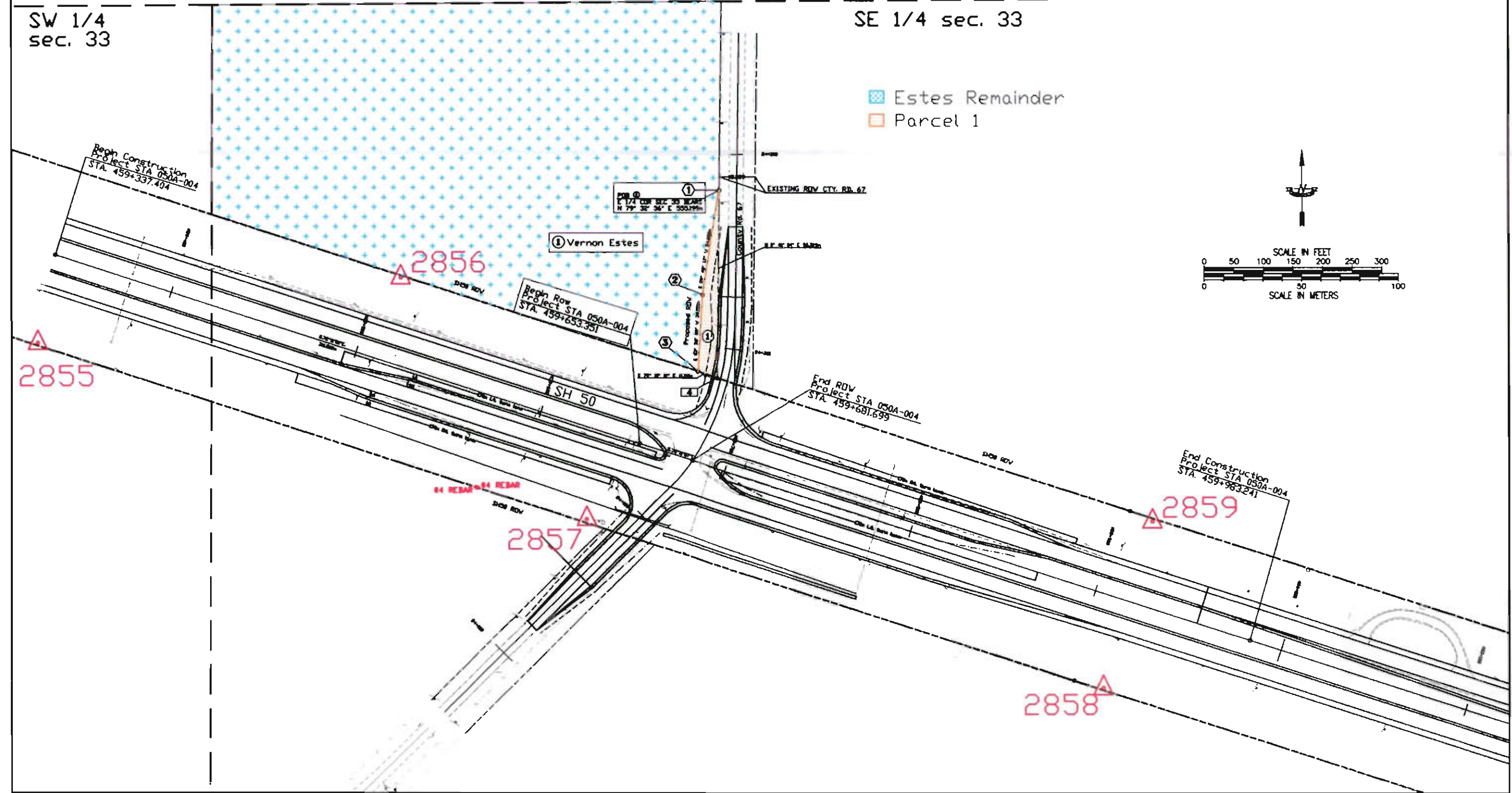
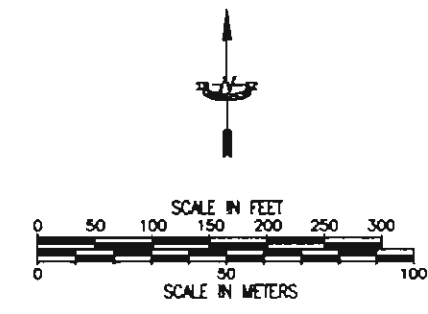
NW 1/4
 sec. 33

NE 1/4 sec. 33

SW 1/4
 sec. 33

SE 1/4 sec. 33

Estes Remainder
 Parcel 1



PROJECT NO: STA 050A-004
DESIGNATION: City Rd. (Airport) to East Canon
OWNERSHIPS: 1
PROJECT CODE: 11182

LAND ACQUISITION APPROVAL

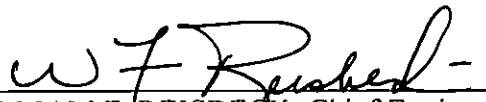
WHEREAS, the Colorado Transportation Commission by Resolution No. TC-271, a copy of which is attached hereto, did direct the Executive Director or his delegatee, to handle the approval for land acquisition actions and the tendering of payment to landowners for damages in connection with previously approved highway projects; and

WHEREAS, the Executive Director of the Department of Transportation has delegated, to the Chief Engineer, the above stated approval; and

WHEREAS, Project STA 050A-004, has been previously approved by the Transportation Commission; and

THEREFORE, on behalf of the Transportation Commission, the undersigned approves the land acquisition costs and damages as shown in the attached estimate for the above mentioned project.

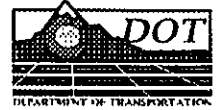
Approved by:


WILLIAM F. REISBECK, Chief Engineer

12/3/98
Date

File
MAIN
STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION
Right-of-Way Services Branch
4201 E. Arkansas Ave., Room 291
Denver, Colorado 80222-3400
(303) 757-9331 Fax (303) 757-9820



RIGHT OF WAY PLAN APPROVAL

Division Administrator
Federal Highway Administration
555 Zang Street
Denver, Co 80225

Project No: STA 050A-004
City Rd (Airport) to East Canon
Project Code: 11182

Dear Sir:

The quarterly obligation plan containing this project, and/or a CDOT 218/418 was approved on 12/27/96 authorizing function 3114 and obligating sufficient right of way funds. It is requested that the Right of Way Plans on the above project be approved in order that the following additional functions may be eligible for federal participation.

	Function Code
(XX) RIGHT OF WAY - Acquisition	3111
() RIGHT OF WAY - Relocation Payments	3109

Comments or explanation of above:

Ownerships 1

ROWPR 11/23/98

Right of Way Services Manager

By Sta Vaniger

Authorized subject to conditions below:

Edward M. Tardiff Date 12/3/98
Division Administrator

Conditions:

cc: Program Engineer
Region R/W Supervisor
Financial Management and Budget Office
Center for Accounting - Projects and Grants
Staff Right of Way - Original plus (4)

CDOT FORM NO. 462a

Rev. November 1994



695675 04/09/1999 03:15P B1364 P577 432
1 of 2 R 11.00 D 0.00 N 0.00 FREMONT COUNTY, CO

3:15 P
11.00
432

WARRANTY DEED

THIS DEED, made this 24th day of March, 1999.
between VERNON ESTES

STATE DOCUMENTARY FEE	
Date	<u>APR 09 1999</u>
Amount \$	<u>0-</u>

of the COLORADO * County of FREMONT and State of
. grantor, and
FREMONT BOARD OF COUNTY COMMISSIONERS

whose legal address is 615 MACON AVENUE
CANON CITY, COLORADO 81212

of the County of FREMONT and State of COLORADO, grantee:

WITNESS, that the grantor, for and in consideration of the sum of \$1,540.00
ONE THOUSAND FIVE HUNDRED FORTY AND NO/100THS-----DOLLARS,
the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant,
bargain, sell, convey and confirm unto the grantee, his heirs and assigns forever, all the real property, together with improvements, if any,
situate, lying and being in the County of FREMONT and State of Colorado,
described as follows:

SEE ATTACHED EXHIBIT "A" DATED SEPTEMBER 7, 1998 FOR:

PROJECT NUMBER: STA 050A-004
PARCEL NUMBER: 1
PROJECT CODE: 11182

AFTER RECORDING PLEASE MAIL TO:
Colorado Department of Transportation
4201 E. Arkansas Avenue, Room 291
Denver, Colorado 80222
ATTENTION: Right of Way Section

also known by street and number as:
assessor's schedule or parcel number:

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantee, his heirs and assigns forever. The grantor, for himself, his heirs and personal representatives, does covenant, grant, bargain, and agree to and with the grantee, his heirs and assigns, that at the time of the enrolling and delivery of these presents, he is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, except

The grantor shall and will WARRANT AND FOREVER DEFEND the above bargained premises in the quiet and peaceable possession of the grantee, his heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof.

The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the grantor has executed this deed on the date set forth above.

Vernon Estes
VERNON ESTES

STATE OF COLORADO

County of Fremont

ss.

The foregoing instrument was acknowledged before me this
by Vernon Estes

24th day of March

Witness my hand and official seal.

My commission expires: Feb 03, 2003

Larry D. Johnson

Notary Public

*If in Denver, insert "City and".

Name and Address of Person Creating Newly Created Legal Description (§ 38-35-106.5, C.R.S.)

copies made: sent to Region 2/4-21-99

EXHIBIT "A"

PROJECT NUMBER: STA 050A-004

PARCEL NUMBER: 1

SUBACCOUNT: 11182

DATE: September 7, 1998

DESCRIPTION

A tract or parcel of land No. 1 of the Department of Transportation, State of Colorado, Project No. STA 050A-004 containing 6742 sq. ft. (626.3 sqm.), more or less, in the SE1/4 of Section 33, Township 18 South, Range 69 West, of the Sixth Principal Meridian, in Fremont County, Colorado, said tract or parcel of land being more particularly described as follows:

Beginning at a point on the westerly right of way line of County Road No. 67 as exists September 1998, from which the E1/4 corner (aluminum cap LS 10377) of Section 33, T.18S., R.69W., 6th P.M. bears N 79° 32' 36" E. a distance of 1821.52 feet (555.199 meters);

1. Thence S. 9° 46' 17" W., a distance of 179.15 feet (54.605 meters);
2. Thence S. 3° 36' 08" W., a distance of 128.55 feet (39.181 meters);
3. Thence S. 72° 12' 11" E., a distance of 36.45 feet (11.110 meters);
4. Thence along said westerly right of way line N. 0° 41' 04" E., a distance of 316.01 feet (96.319 meters), more or less, to the point of beginning.

The above-described parcel contains 6742 sq. ft. (626.3 sqm), more or less.

Basis of Bearings: The basis of bearings for project reference is a line from C.D.O.T. Control Monument #2857 and C.D.O.T. Control Monument #2858. Said line having a bearing of S. 72° 00' 53" E., at a distance of 917.78 feet (279.74 meters).

Prepared by: Rod Quillen
Colorado Department of Transportation
905 Erie Ave.
Pueblo, CO 81002

Checked by: Walter E. Pachak, Jr., LS# 28659

AFTER RECORDING PLEASE MAIL TO:
Colorado Department of Transportation
4201 E. Arkansas Avenue, Room 201
Denver, Colorado 80222
ATTENTION: Right of Way Section

**COLORADO DEPARTMENT OF TRANSPORTATION
PARCEL NEGOTIATION RECORD AND
AGENT'S CERTIFICATE**

Project no. <u>STA 050A-004</u>	
Location <u>Cty Rd (Airport) to E Cannon</u>	
Parcel no. <u>1</u>	Subacct. <u>11182</u>
County <u>Fremont</u>	S.H. no. <u>50</u>

Owner name and complete address	Kind of deed	Date of deed	Date recorded	Recorded	
				book	page
1. <u>Vernon D Estes</u> <u>225 Main St Canon City, CO 81212</u>	<u>WD</u>	<u>6-11-74</u> 4-22-75	<u>4-22-75</u>	<u>571</u>	<u>112</u>
2.					
3.					

☐ Minority ☒ non - minority

Encumbrancer name and complete address	Kind of encumbrance	Date of encumbrance	Date recorded	Recorded	
				book	page
1.					
2.					
3.					

Gross area of parcel	<u>0.154</u>	<input type="checkbox"/> sq.ft. <input checked="" type="checkbox"/> acres	Less area in present road	<u>N/A</u>	<input type="checkbox"/> sq.ft. <input checked="" type="checkbox"/> acres	Net area of parcel	<u>0.154</u>	<input type="checkbox"/> sq.ft. <input checked="" type="checkbox"/> acres
----------------------	--------------	--	---------------------------	------------	--	--------------------	--------------	--

Items of compensation	Fair market value	Amount of settlement
Land	<u>1540⁰⁰</u>	<u>1740⁰⁰</u>
Improvements		
Net damage		
Other (specify")		
Total	<u>1540⁰⁰</u>	<u>1740⁰⁰</u>
Less salvage value		
Net total settlement	<u>1540⁰⁰</u>	<u>1740</u>

Right - of - Way agent negotiation certificate

I certify that I negotiated the property referenced on the CDOT Memorandum of Agreement, as dated, with the stated owner(s) or authorized representative. The agreement includes all considerations agreed upon for the subject parcel purchase and any promises made to the owner(s). I also certify that no threats or attempted coercion were made by either party during negotiations. The subject parcel is to be used for Transportation purposes (federal-aid funds may be involved). I derive no direct or indirect, present or contemplated future personal interest or benefit from the parcel's acquisition. The following chronological record is a true account of the events and negotiations which led to either an agreement or condemnation.

* Remarks on page 2

Name & title <u>Larry Johnson Real Estate Spec III</u>	Date <u>12/17/98</u>
---	-------------------------

**COLORADO DEPARTMENT OF TRANSPORTATION
PARCEL NEGOTIATION RECORD AND
AGENT'S CERTIFICATE**

Project no.

STA 050A-004

Location

Cty. Rd. (Airport) to E. Canon

Parcel no.

1

Subacct.

11182

County

Fremont

S.H. no.

50

Remarks Date - actions taken, interviews with owner(s), names of person(s) present, monetary and other considerations offered to owner(s), owner(s) counter-offer, construction items requested/promised, owner(s) reason for rejecting offer, references to correspondence, other pertinent comments.

9-3-1998 spoke with Mr Estes by phone & set up meeting 9-8-98

9-8-1998 recieved FOR Plans & preliminary ROW plans

9-9-1998 met with Mr Estes on site and gave him a copy of the preliminary construction and R.O.W. plans for the 50/67 intersection. I showed him the area of the "proposed" acquisition. He seemed to not have a problem with the amount of ground needed to accomplish construction. I told him once the plans were final, both construction and ROW I could then make an offer. I explained to Mr Estes that an appraisal was not warranted due to the minor acquisition and small dollar amount.

Mr Estes gave me a "sketch" of his proposed subdivision of lots on the east side of 67 and asked that I take them to Jackie to review for a proposed access to Hwy 67 to serve the 3 interior lots. I told Mr Estes that the access request/issue would have to be handled separately from our negotiations for the parcel and that he would have to work directly with Jackie. He wanted to "horse trade" access for parcel but I explained all I could do was be a "go between" for him and communicate his wishes to Jackie Hall for her review and approval or disapproval.

12/2/98 delivered offer letter/agreement w/ ROW info brochure to Mr Estes

12/5/98 picked up signed counter offer agreement & w/9

ADMINISTRATIVE SETTLEMENT RECOMMENDATION

PROJECT NUMBER: STA 050A-004

COUNTY: FREMONT

LOCATION: CTY RD (AIRPORT) TO E CANON

A. G. NUMBER: N/A

PARCEL NUMBER: 1

SUBACCT NUMBER: 11182

OWNER(S): Estes

CDOT OFFER

PROPERTY OWNER COUNTEROFFER

APPRAISAL INFORMATION:

Land \$ 1,540.00

Land \$ 1,740.00

Improvements \$

Improvements \$

Benefits/Damages (Specify) \$

Benefits/Damages (Specify) \$

\$

\$

\$

\$

Other (Specify) \$

Other (Specify) \$

TOTAL OFFER AMOUNT \$ 1,540.00

TOTAL COUNTEROFFER \$ 1,740.00

REMARK:

[X] 1. I recommend an administrative increase in the amount of \$200.00 , based on:

[] a. Review and reconciliation of all available appraisals, including any provided by the property owner.

[] b. Value adjustment for appreciation since the date of value.

[X] c. Anticipated basis and value range of property owner's court testimony to just compensation.

[] d. Cost of alternative mitigation measures, such as crop retention or construction relief.

[] e. Recent court awards for similar type properties.

[] f. Analysis of specifically applicable court cases in the project area which support a possible high court award.

12/15/98

☒ g. Other considerations directly relating to the value and/or unique features of the subject parcel.

☐ h. Cost Savings - Approximate cost to litigate through possession hearing \$.*

* Includes cost of updating appraisal, expert witness fees, process server fees, court reporter fees and commissioners fees. Does not include filing fees or attorneys fees

* Does not include Trial Cost

☐ i. Estimate of trial costs, interest payment on any award over the established Fair Market Value (FMV) \$.

☒ j. Maintain Project Schedule

Possession of this property is needed by January 15, 1999

Projected possession date, if settled is immediate

Projected possession date, if condemned is March 15, 1999

☐ k. Reduce Potential Exposure

Initial offer amount \$

Possible maximum court award \$

Projected range of value \$

Reason for Potential Exposure

☐ Complex appraisal issues

☐ Probable sympathy for property owner due to age, personality, sentimental value, etc.

☐ Potential risk for high award due to landowners prominence, social status and influence in community.

☐ Involves previously unlitigated issues - Explain

☐ Other (Specify):

☒ 1. Supporting data must be outlined below for the items checked in "a" through "k" above.
The recommended administrative increase amount was determined as follows:

or

☐ 2. Based on a review of the supporting data, a specific counteroffer amount cannot be determined.
However, the data supports an administrative increase on the basis of:


The value placed on the subject property was derived from a comparable sale of level potential commercial property in the immediate area of the subject. The part taken of the whole is in a level corner of the parcel and immediately west the property drops off considerably. It could be argued that the cost to level the corner area will increase in the after condition in order to have a buildable commercial site. The requested \$200.00 counter offer seems resonable to partially offset the probable cost of excavation of the parcel in the after condition.

Based on the following table, I recommend a minimum payment increase in the amount of \$.

If FMV is more than:

The A.S. increase is the greater of:

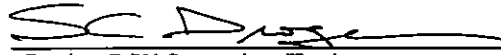
Minimum	Maximum	
\$ 0	\$15,000	\$ 500 or 30%
\$15,000	\$30,000	\$4,500 or 20%
\$30,000	\$100,000	\$6,000 or 10%

 12/15/98
Recommended by: Larry D. Johnson (Date) 12/15/1998

Approved FMV Offer: \$ 1,540.00
Admin. Increase: + \$ 200.00
Approved Adm. Settle: \$ 1,740.00

This administrative settlement is approved as being reasonable, prudent and in the public interest.

☐ Prepare Rule
and Order


Region R/W ~~Supervisor/Engineer~~ Mgr.

☒ Prepare Deed
(Date)

COLORADO DEPARTMENT OF TRANSPORTATION MEMORANDUM OF AGREEMENT

Project #	STA 050A-004
Location	CTY RD (AIRPORT) TO E CANON
Parcel #	1

Project code (SA#)	11182	County	FREMONT	State Highway #	50
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This agreement made on (date) 12/5/98 is between the State of Colorado for the use and benefit of the Colorado department of Transportation (GRANTEE) for the purchase of the parcel(s) listed above from the Owner(s) VERNON ESTES (GRANTOR). Just compensation was determined by appraisal(s) prepared in accordance with Colorado state laws and regulations. The amount of money and/or compensation listed below is full consideration for the following land, easements, improvements, and damages of any kind.

Land (described in attached exhibits)	0.154 sq. ft. acres	\$ 1,540.00 1740. ⁰⁰
Permanent and Slope Easements (described in attached exhibits)	sq. ft./acres	\$ N/A
Temporary Easements (described in attached exhibits)	sq. ft./acres	\$ N/A
Improvements		\$ N/A
Damages		\$ N/A
Gross total		\$ 1,540.00 1740. ⁰⁰
Less credit		\$ -0-
Net total		\$ 1,540.00 1740. ⁰⁰

Other conditions:

The GRANTOR and GRANTEE agree that:

- with the exception of any Relocation Agreement (CDOT Form #591) there are no promises, terms, conditions, or obligations other than those listed on this agreement.
- this contract is binding on both the GRANTOR and GRANTEE and their heirs, devisees, executors, administrators, legal representatives, successors, assigns, and designees, but only after approval by one of the following on behalf of the Division: Staff Right of Way Manager, Staff Right of Way Supervisor, Region Transportation Director, Region Preconstruction Engineer, Region Right of Way Supervisor or their superiors as indicated below.
- the compensation shown on this agreement is for the fee simple estate of the parcels described and damages of any kind.

The GRANTOR:

- will at the closing pay all taxes (including prorated taxes for the current year) and special assessments for the current year.
- has entered into this agreement only because the GRANTEE has the power of eminent domain and requires the property for public purposes.
- will execute and deliver to GRANTEE those documents indicated below.

The GRANTEE:

- will be entitled to specific performance of this agreement upon tender of the agreed consideration.
- will be held harmless from any claims against the property or to any interest in the property, except for any benefits due under relocation law.
- will make payment after receiving an acceptable deed from the GRANTOR.
- will take possession of the parcel(s) when it tenders payment to the GRANTOR unless other arrangements are made that follow Title III of the Uniform Relocation Assistance and Real Property Acquisition Act of 1970, as amended.
- will prepare the following documents:

Grantee: Fremont County Board of Commissioners

<input checked="" type="checkbox"/> General Warranty Deed	<input type="checkbox"/> w/Min. Resv.	<input type="checkbox"/> Utility Easement
<input type="checkbox"/> Access Deed		<input type="checkbox"/> Permanent Easement
<input type="checkbox"/> Full Release(s) Book/Page _____		<input type="checkbox"/> Slope Easement
<input type="checkbox"/> Partial Release(s) Book/Page _____		<input type="checkbox"/> Temporary Easement
<input type="checkbox"/> Other (specify) _____		
<input type="checkbox"/> Title Company to prepare documents except _____		
Order warrant \$ <u>1,540.00</u>	payable to: <u>VERNON ESTES</u>	
Order warrant \$ _____	payable to: _____	

Right of Way agent <u>Larry D Johnson</u>	Grantor signature <u>Vernon Estes</u>	Attach form W-9
	Grantor (if applicable)	
Division approval (Right of Way Supervisor) <u>SC D. Rogers Res. H.W. Mgr.</u>	Grantor (if applicable)	

PROJECT NO: STA 050A-004
DESIGNATION: City Rd. (Airport) to East Canon
OWNERSHIPS: 1
PROJECT CODE: 11182

LAND ACQUISITION APPROVAL


WHEREAS, the Colorado Transportation Commission by Resolution No. TC-271, a copy of which is attached hereto, did direct the Executive Director or his delegatee, to handle the approval for land acquisition actions and the tendering of payment to landowners for damages in connection with previously approved highway projects; and

WHEREAS, the Executive Director of the Department of Transportation has delegated, to the Chief Engineer, the above stated approval; and

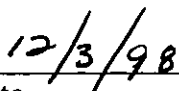
WHEREAS, Project STA 050A-004, has been previously approved by the Transportation Commission; and

THEREFORE, on behalf of the Transportation Commission, the undersigned approves the land acquisition costs and damages as shown in the attached estimate for the above mentioned project.

Approved by:



WILLIAM F. REISBECK, Chief Engineer



Date

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

4201 East Arkansas Ave.-ROW
Denver, Colorado 80222
(303)757-9011

Project no. STA 050A-004
Location CTY RD (AIRPORT) TO E CANON
Parcel no. 1
Project code (SA#) 11182
Date NOVEMBER 19, 1998

OFFER OF FAIR MARKET VALUE

Dear Mr. Estes:

The Colorado Department of Transportation offers you the following amount as fair market value compensation for your property. The amount offered was determined by appraisal in accordance with applicable State laws and requirements.

1. Land and improvements	\$ <u>1,540.00</u>
2. Damages	\$ <u>N/A</u>
3. Less benefits	\$ <u>N/A</u>
4. Total	\$ <u>1,540.00</u>

We based our determination on the following information:

a. Identification of the real property to be acquired:

Parcel 1, 0.154 acres (see attached legal description)

b. Type of interest being acquired:

Fee

c. Identification of all improvements, including fixtures to be acquired:

N/A

d. Identification of real property improvements, including fixtures to be acquired which are not owned by the landowner:

N/A

ROW agent name LARRY D. JOHNSON

Signature



**COLORADO DEPARTMENT OF TRANSPORTATION
DETERMINATION OF JUST COMPENSATION
VALUE FINDING**

Project No. SIA 050A-004
 Location Cty Rd (AIRPORT) TO E Canon
 Parcel 1
 Project code (SA#) 11182
 Name Estes

Brief description of subject and taking

an area containing 0.154[±] acres in the NW corner of
Hwy 50 / Hwy 67 intersection. (see attached legal description)

Land:	Parcel	Area	\$/Unit	
	<u>1</u>	<u>0.154</u>	<u>\$10,000 acre</u>	<u>\$ 1,540⁰⁰</u>
				<u>\$</u>
Total land				<u>\$ 1,540⁰⁰</u>

Improvements: (list)

N/A

Total improvements	<u>\$ N/A</u>
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TE's	Purpose	Size	Unit price	% of unit price/term	
					<u>\$</u>
					<u>\$</u>

Damages or cost to cure (describe)	<u>\$ N/A</u>
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Total for temporary easement and damages	<u>\$ N/A</u>
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Cost to cure	<u>\$</u>
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I certify my estimate of Just Compensation is	<u>\$ 1,540⁰⁰</u>
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Has the owner or designated representative accompanied the Department's representative during inspection of the property?

☒ Yes - date 9-8-98

☐ No - describe efforts made:

Signed: <u>Larry D Johnson</u>	Date <u>11/12/98</u>
Approved: Region ROW Supervisor <u>[Signature]</u>	Date <u>11/12/98</u>