



1281549

Kathleen Neel - Summit County Recorder

GRANT OF PUBLIC RIGHT OF WAY

THIS GRANT OF EASEMENT is made and entered into this 28th day of September 2021, by and between BOARD OF COUNTY COMMISSIONERS OF SUMMIT COUNTY, COLORADO, whose address is Summit County Courthouse, Post Office Box 68, Breckenridge, Colorado, 80424, hereinafter referred to as "Grantors", and Town of Dillon, whose address is 275 Lake Dillon Dr., P.O. Box 8, Dillon, CO 80435, hereinafter referred to as "Grantee".

WITNESSETH THAT: the undersigned Grantors for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, and in accordance with the dictates of the Town of Dillon Planning and Zoning Commission Resolution No. PZ 11-21, do bargain, convey, transfer, and deliver to Grantee, its successors, assigns, licensees and agents, a perpetual, non-exclusive right-of-way easement for the location of and the right to operate, inspect, maintain, alter and remove a public road (known as Little Beaver Trail) over, under, upon, across, in and through the following real property, which the Grantors own and is described as follows (the "Right-of-Way Area"):

Lot 3, Ptarmigan Trail Estates –Unit 1, Sec. 7, T.5S., R.77W. of the 6th P.M., with a common address of 780 Little Beaver Trail, Dillon, CO 80435

Situated in the County of Summit, Sate of Colorado.

The non-exclusive right of way easement shall encumber the subject property in its current location and as it crosses the above described property, as specifically depicted and described on the attached Exhibit A attached hereto and incorporated herein. Said easement is hereby granted together with the full right of ingress and egress and authority to use and occupy the Right-of Way Area for any purpose not inconsistent with the Grantee’s full and complete enjoyment of the rights hereby granted. However, no building, structure, sign or well shall be erected, placed or permitted to remain on, under or over the Right of Way Area which will or may be an interference with the Grantee’s public road within the Right of Way Area or an interference with the exercise of any of the rights herein granted.

To the extent permitted by law, Grantee shall indemnify and hold Grantors, their employees and agents, harmless from all claims, demands, judgments and causes of action, including Grantors’ reasonable attorney’s fees, arising from Grantee’s use of the Right of Way Area for a public road; provided, however, Grantee shall have no obligation under this paragraph to the extent any such claim, demand, judgment or cause of action arises through the negligence of Grantors, their employees and agents; and provided further, that Grantee’s obligations under this paragraph shall in no event exceed the monetary limits established from time to time by the Colorado Governmental Immunity Act, C.R.S. § 24-10-101, et seq. At all times during Grantee’s use of the Right of Way Area, Grantee shall strictly adhere to all applicable federal, state, and local laws, rules, and regulations that have been or may hereafter be established, and all work performed under this Grant of Public Right of Way shall comply with Federal, State, and local laws, rules and regulations. Nothing in this paragraph shall be construed as a waiver of any of Grantee’s rights, immunities, and protections under the Colorado Governmental Immunity Act.

This grant shall run with the land and be binding upon Grantors and Grantors' successors, assigns, lessees, and legal representatives.

The attached Exhibit "A", and the terms and conditions contained therein, are hereby incorporated into this Grant of Public Right of Way by reference.

GRANTOR:
SUMMIT COUNTY, COLORADO
By and Through its
BOARD OF COUNTY COMMISSIONERS

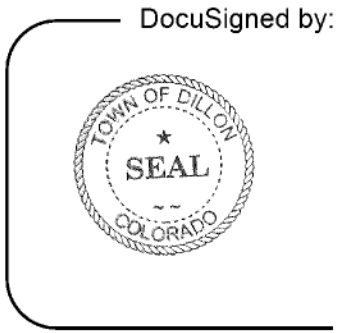
By: *Elisabeth Lawrence*
Elisabeth Lawrence, Chair

ATTEST:

Kathleen Neel
Kathy Neel, Clerk and Recorder

GRANTEE:
TOWN OF DILLON, COLORADO
By and Through its
TOWN COUNCIL

DocuSigned by:
Carolyn Skowya
Carolyn Skowya, Mayor



ATTEST: DocuSigned by:
Adrienne Stuckey
Adrienne Stuckey, Town Clerk

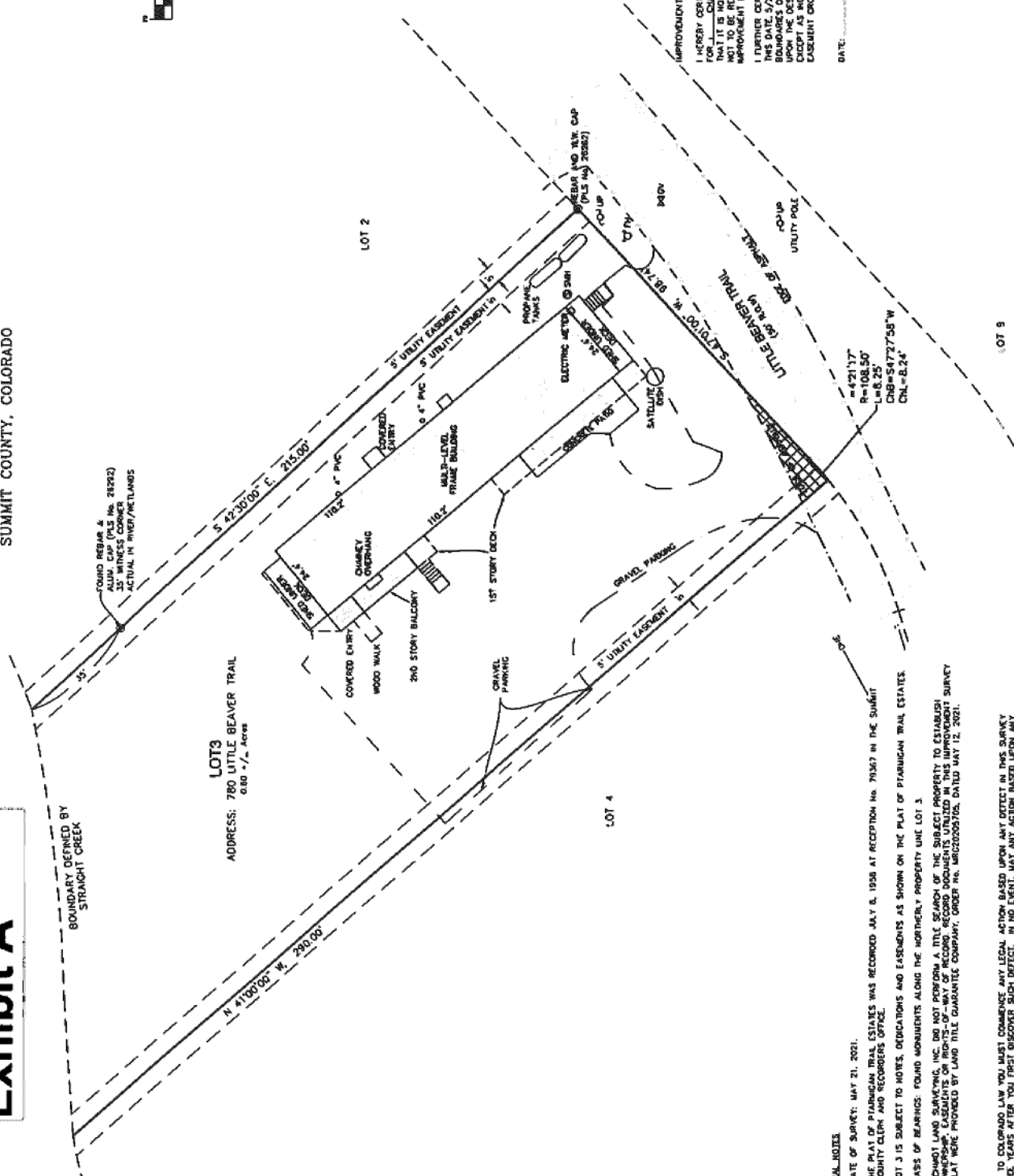
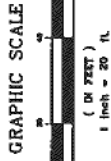
Exhibit A

IMPROVEMENT LOCATION CERTIFICATE LOT 3, PTARMIGAN TRAIL ESTATES - UNIT 1 SEC. 7, T. 5S., R. 77W., OF THE 6TH P.M. SUMMIT COUNTY, COLORADO

BOUNDARY DEFINED BY
STRAIGHT CREEK

LOT 3
ADDRESS: 780 LITTLE BEAVER TRAIL
0.80 +/- ACRES

FOUND REBAR &
ALUM. CAP (PLS NO. 28282)
33° WITNESS CORNER
ACTUAL IN RIVER/ACTLANDS



IMPROVEMENT LOCATION CERTIFICATE
I HEREBY CERTIFY THAT THIS IMPROVEMENT LOCATION CERTIFICATE WAS PREPARED FOR CHARLES SIDNEY & SUEMEL COUNTY GOVERNMENT, SOIL VARIETY AND SURVEY FOR THE ESTABLISHMENT OF IMPROVEMENT SURVEY PLAT, AND THAT IT IS NOT TO BE RELIED UPON FOR THE ESTABLISHMENT OF FENCE, BUILDING OR OTHER FUTURE IMPROVEMENT LINES.
I FURTHER CERTIFY THAT THE IMPROVEMENTS ON THE ABOVE DESCRIBED PARCEL ON THIS DATE, 5/21/21, EXCEPT UTILITY CONNECTIONS, ARE EXACTLY WITHIN THE BOUNDARIES OF THE PARCEL, EXCEPT AS SHOWN, THAT THERE ARE NO ENCROACHMENTS UPON THE DESCRIBED PREMISES BY IMPROVEMENTS ON ANY ADJOINING PREMISES, EXCEPT AS INDICATED, AND THAT THERE IS NO APPARENT EVIDENCE OR SIGN OF ANY EXISTENT CROSSING OR BURDENING ANY PART OF SAID PARCEL, EXCEPT AS NOTED.



DATE: *Elizabeth Schmidt*
ELIZABETH SCHMIDT
COLORADO P.L.E. NO. 37017

Drawn BY/DWG	Proj 25282/Comp	Project 2578
Date 5/21/21	Scale 1" = 20'	Sheet 1 of 1

SCHMIDT
LAND SURVEYING, N.C.
P.O. BOX 89-76
ARRESTO, CO 80443 970-409-9963

- GENERAL NOTES**
- DATE OF SURVEY: MAY 21, 2021.
 - THE PLAT OF PTARMIGAN TRAIL ESTATES WAS RECORDED JULY 6, 1958 AT RECEPTION NO. 79367 IN THE SUMMIT COUNTY CLERK AND RECORDER'S OFFICE.
 - LOT 3 IS SUBJECT TO HOSES, DEEDS, AND EASEMENTS AS SHOWN ON THE PLAT OF PTARMIGAN TRAIL ESTATES.
 - BASES OF BEARINGS FOUND MONUMENTS ALONG THE NORTHERLY PROPERTY LINE LOT 3.
 - SCHMIDT 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 IMPROVEMENT SURVEY PLAT WERE PROVIDED BY LAND TITLE GUARANTEE COMPANY, ORDER NO. MRG2005705, DATED MAY 12, 2021.

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.