

TOWN OF BASALT
Ordinance No. 17
Series of 2015

**ORDINANCE OF THE TOWN COUNCIL OF BASALT, COLORADO, APPROVING A
CONVEYANCE OF PROPERTY FROM GRANGE FAMILY RANCHES, LLC**

RECITALS

A. Basalt Mini Storage, LLC ("BMS" and Davidco, LLC ("Davidco") own parcels of land in the Basalt Business Center West located north and south of Lot 15 as shown on the Minor Subdivision Plat of Basalt Business Center West ("Lot 15"). Lot 15 is owned by the Town of Basalt ("the Town").

B. Lot 15 and the BMS and Davidco properties abut Lot 3 of Grange Ranch ("Lot 3") to the east, as shown on the map attached hereto as Exhibit B.

C. A boundary fence bisects the border of Lot 15, the BMS, and the Davidco properties with Lot 3, and the fence encroaches upon Lot 15.

D. In order to address the encroachment and potential boundary dispute, BMS and Davidco exchanged quitclaim deeds with Grange Family Ranches confirming title to the properties according to the deeds of record in exchange for the agreement of BMS and Davidco to pay for the relocation of the fence to the true boundaries of the properties.

E. The Town Council has determined that it is in the best interests of the Town to accept a deed from Grange Family Ranches and pay its *pro rata* share of the cost of relocating the fence to the true boundary between Lot 15 and Lot 3, in order to remove the cloud on the Town's title to Lot 15 represented by the fenceline encroachment.

NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BASALT, COLORADO, that it does hereby approve the acceptance of the quitclaim deed attached hereto as Exhibit A from Grange Family Ranches, LLC to the Town.

BE IT FURTHER ORDAINED that the Town Council authorizes an expenditure not to exceed \$2,000.00 to pay the Town's pro rata share of the cost of surveying and

relocating the fence to the true boundary between Lot 15 and Lot 3, calculated as a percentage of fenceline owned by the Town.

This Ordinance, after being fully executed, shall be recorded in the office of the Clerk and Recorder of Pitkin County, Colorado.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional in a court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and shall not affect the validity of the remaining portions thereof regardless of the fact that any one or more parts, sections, subsections, sentences, clauses or phrases be declared invalid.

READ OF FIRST READING, ORDERED PUBLISHED AND SET FOR PUBLIC HEARING TO BE HELD ON September 29, 2015, by a vote of 7 to 0, 2015.

READ ON SECOND READING AND ADOPTED, by a vote of 7 to 0 on September 29, 2015.

TOWN OF BASALT, COLORADO

By: _____

Jacque Whitsitt, Mayor

ATTEST:

By _____

Pamela K. Schilling, Town Clerk

First Publication: Thursday, September 17, 2015
Final Publication: Thursday, October 8, 2015
Effective date: Thursday, October 22, 2015

Exhibit A

QUITCLAIM DEED

This deed is made between Grange Family Ranches LLC, a Colorado Limited Liability Company (“Grantor”), and the Town of Basalt, Colorado (“Grantee”), whose address is P.O. Box Q, Basalt, Colorado.

Grantor, for and in consideration of Ten Dollars and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, hereby sells and quitclaims to Grantee, its successors and assigns forever, all the right, title and interest which Grantor has in and to the real property, together with any improvements and appurtenances, situated in the County of Pitkin State of Colorado, described as follows:

Lot 15, as shown on the MINOR SUBDIVISION PLAT OF BASALT BUSINESS CENTER WEST, recorded February 18, 1993 in Plat Book 30 at Page 83 in the records of the Clerk and Recorder of Pitkin County, Colorado

also known by street address: 200 Fiou Lane, Basalt, CO 81621.

This deed is given without representations or warranties of any kind, in order to dispose of any rights that might have accrued due to the placement of a fence that did not follow the record boundary line between the above property and property owned by Grantor to the west.

Signed this ____ day of _____, 2015.

GRANGE FAMILY RANCHES LLC, a Colorado
limited liability company

By: _____

Manager

Please return to:
TOWN OF BASALT
101 Midland Avenue
Basalt, CO 81621

