

## CHAPTER 88

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**GOVERNMENT - STATE**

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**HOUSE BILL 01-1078**

BY REPRESENTATIVE(S) Witwer, Boyd, Cloer, Fairbank, Hoppe, Jahn, Mace, Paschall, Ragsdale, Scott, Stengel, and Webster;  
also SENATOR(S) Perlmutter, Fitz-Gerald, Hanna, and Windels.

**AN ACT**

CONCERNING THE AUTHORIZATION OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN SERVICES TO SELL CERTAIN REAL PROPERTY SITUATED IN JEFFERSON COUNTY.

*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1. Authority to sell real property.** (1) The executive director of the department of human services, on behalf of the state of Colorado, is hereby authorized to sell within ten percent of fair market value to the city of Golden, by private negotiation, for parks, recreation, or flood control and on other such terms and conditions as are deemed appropriate by the executive director of the department of human services, and to execute a deed of conveyance of the following parcel of real property no longer needed for state purposes and situated in Jefferson county, state of Colorado:

**Parcel 1:** A tract of land located in the Southeast Quarter of Section 34, Township 3 South, Range 70 West of the 6th Principal Meridian, Jefferson County, Colorado, being described as follows:

Commencing at the Southeast corner of said Section 34 and considering the South line of said Southeast Quarter to bear South 89° 43' 44" West with all bearings contained herein relative thereto; thence westerly along said South line South 89° 43' 44" West, 1610.13 feet to the Point of Beginning of this description; thence continuing westerly along said South line, South 89° 43' 44" West, 394.93 feet to the Southeast corner of a tract of land described as Parcel 3 in Reception No. 87026602 as recorded in the County of Jefferson; thence northerly along the easterly line of said tract North 22° 54' 45" East, 64.83 feet; thence North 00° 08' 18" West, 739.63 feet to the southeast corner of a tract of land described in Book 2106, page 512 as recorded in the County of Jefferson; thence northerly

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

along the easterly line of said tract North  $16^{\circ}50'57''$  East, 180.96 feet; thence North  $64^{\circ}47'15''$  East, 200.55 feet; thence North  $05^{\circ}27'21''$  West, 538.01 feet; thence North  $35^{\circ}18'09''$  West, 325.10 feet; thence North  $54^{\circ}42'39''$  East, 349.54 feet; thence departing said easterly line South  $35^{\circ}47'01''$  East; 530.00 feet; thence South  $04^{\circ}44'12''$  West; 605.00 feet; thence South  $15^{\circ}25'20''$  West; 380.69 feet; thence South  $02^{\circ}22'34''$  West; 150.00 feet; thence South  $02^{\circ}47'29''$  East; 325.00 feet; thence South  $22^{\circ}39'15''$  West; 200.00 feet to the POINT OF BEGINNING of this description.

The above described tract contains 18.64 acres, more or less, and is subject to all existing gas and electric utility facilities, easements, and rights-of-way.

**Parcel 2:** A tract of land located in the Southeast Quarter of Section 34, the Southwest Quarter of Section 35 of Township 3 South and the Northwest Quarter of Section 2 and the Northeast Quarter of Section 3 Township 4 South, all of Range 70 West of the 6th Principal Meridian, Jefferson County, Colorado, being described as follows:

Commencing at the Southeast corner of the Southeast Quarter of said Section 34, said point being the Point of Beginning of this description and considering the easterly line of said Southeast Quarter to bear North  $00^{\circ}20'42''$  West with all bearings contained herein relative thereto, thence northerly along said easterly line North  $00^{\circ}20'42''$  West, 716.21 feet; thence North  $51^{\circ}59'25''$  West, 1204.05 feet; thence North  $35^{\circ}47'01''$  West, 257.95 feet; thence South  $87^{\circ}29'40''$  West, 239.23 feet; thence North  $35^{\circ}47'01''$  West, 575.85 feet to the westerly line of a 50' wide Right-of-Way described as Parcel No. 9 in Book 811, page 194 as recorded with Jefferson County, thence southeasterly along said westerly Right-of-Way line South  $80^{\circ}30'58''$  East, 133.07 feet; thence along a curve to the right having a delta of  $23^{\circ}06'00''$ , a radius of 930.36 feet, a length of 375.09 feet and a long chord which bears South  $68^{\circ}57'58''$  East, 372.56 feet, thence South  $57^{\circ}24'58''$  East, 1900.33 feet, to the Westerly right-of-way line of South Golden Road as described in Book 2250, Page 351 as recorded with Jefferson County; thence Southeasterly along said right-of-way line South  $49^{\circ}55'42''$  East, 269.46 feet; thence departing said line South  $43^{\circ}13'31''$  West, 193.77 feet; thence along a curve to the left having a delta of  $17^{\circ}07'16''$ , a radius of 842.96 feet, a length of 251.89 feet and a long chord which bears South  $34^{\circ}39'53''$  West, 250.96 feet; thence departing said curve on a radial line South  $63^{\circ}53'45''$  East, 40.00 feet; thence along a non-tangent curve concave to the East having a delta of  $39^{\circ}21'29''$ , a radius of 802.96 feet, a length of 551.58 and a long chord which bears South  $06^{\circ}25'30''$  West, 540.79 feet, thence South  $13^{\circ}15'14''$  East, 279.93 feet; thence South  $14^{\circ}02'29''$  East, 618.19 feet; thence along a curve to the right having a delta of  $23^{\circ}41'21''$ , a radius of 450.00 feet, a length of 186.05 and a long chord which bears South  $02^{\circ}11'49''$  East, 184.73 feet; thence South  $09^{\circ}38'52''$  West, 174.06 feet to the South line of the Northwest Quarter of the Northwest Quarter of said Section 2; thence westerly along said line South  $89^{\circ}06'26''$  West, 485.16 feet to the Southeast corner of the Northeast Quarter of the Northeast Quarter of said

Section 3; thence northerly along the easterly line of said Northeast Quarter North  $00^{\circ}36'11''$  West, 1366.86 feet to the POINT OF BEGINNING of this description,

TOGETHER with the South half of the Northeast Quarter of the Northeast Quarter of said Section 3.

The above described tract contains 53.59 acres, more or less, and is subject to all existing gas and electric utility facilities, easements, and rights-of-way and a 60' wide easement for access to Johnson Road, being described as follows:

Commencing at the Southwest corner of the Southwest Quarter of said Section 35 and considering the West line of said Southwest Quarter to bear North  $00^{\circ}20'42''$  West with all bearings contained herein relative thereto; thence Northerly along said line North  $00^{\circ}20'42''$  West, 595.06 feet to the POINT OF BEGINNING of this description; thence continuing Northerly along said line North  $00^{\circ}20'42''$  West, 76.51 feet; thence departing said line South  $51^{\circ}59'25''$  East, 71.31 feet; thence along a curve to the left having a delta of  $42^{\circ}51'35''$ , a radius of 600.00 feet, a length of 448.83 feet and a long chord which bears South  $73^{\circ}25'12''$  East, 438.43 feet to the West right-of-way line of Johnson Road; thence Southerly along said line along a non tangent curve concave to the Southeast having a delta of  $05^{\circ}34'43''$ , a radius of 762.96 feet, a length of 74.29 feet and a long chord which bears South  $33^{\circ}17'19''$  West, 74.26 feet; thence departing said line along a non tangent curve concave to the North having a delta of  $38^{\circ}52'31''$ , a radius of 660.00 feet, a length of 447.81 and a long chord which bears North  $71^{\circ}25'41''$  West, 439.27 feet; thence North  $51^{\circ}59'25''$  West, 23.83 feet to the POINT OF BEGINNING of this description.

**Parcel 3:** A tract of land located in the North half of the Northwest quarter of Section 2, Township 4 South and the South half of the Southwest quarter of Section 35, Township 3 South, all of Range 70 West of the 6th Principal Meridian, Jefferson County, Colorado, being described as follows:

Commencing at the Northwest corner of the Northwest quarter of said Section 2 and considering the Northerly line of said Northwest quarter to bear North  $89^{\circ}43'19''$  East with all bearings contained herein, relative thereto: thence Easterly along said Northerly line North  $89^{\circ}43'19''$  East, 287.70 feet to the POINT OF BEGINNING of this description; thence along a non-tangent curve concave to the East having a delta of  $29^{\circ}48'24''$ , a radius of 802.96 feet, an arc of 417.72 feet, and a long chord which bears North  $11^{\circ}12'03''$  East, 413.02 feet; thence departing said curve on a radial line North  $63^{\circ}53'45''$  West, 40.00 feet; thence along a non-tangent curve concave to the Southeast having a delta of  $17^{\circ}07'16''$ , a radius of 842.96, a length of 251.89 feet, and a long chord which bears North  $34^{\circ}39'53''$  East, 250.96 feet; thence North  $43^{\circ}13'31''$  East, 193.77 feet to the Southwesterly right-of-way of South Golden Road; thence Southeasterly along said right-of-way line South  $49^{\circ}55'12''$  East, 80.12

feet to the Westerly right-of-way line of Johnson Road (60' right-of-way); thence Southerly along said Westerly right-of-way line South  $43^{\circ}13'31''$  West, 198.18 feet; thence along a curve to the left having a delta of  $56^{\circ}28'45''$ , a radius of 762.96 feet, a length of 752.09 feet, and a long chord which bears South  $14^{\circ}59'08''$  West, 722.00 feet; thence South  $13^{\circ}15'14''$  East, 279.65 feet; thence South  $14^{\circ}02'29''$  East, 398.72 feet; thence South  $20^{\circ}19'29''$  East, 327.61 feet; thence along a curve to the right having a delta of  $41^{\circ}35'30''$ , a radius of 256.50 feet, a length of 186.20 feet, and a long chord which bears South  $00^{\circ}28'16''$  West, 182.13 feet; thence South  $21^{\circ}16'01''$  West, 94.29 feet to the South line of the North half of the Northwest quarter of said Section 2; thence Westerly along said South line South  $89^{\circ}26'06''$  West, 85.82 feet; thence departing said South line North  $09^{\circ}38'52''$  East, 174.06 feet; thence along a curve to the left having a delta of  $23^{\circ}41'21''$ , a radius of 450.00 feet, a length of 186.05 feet, and a long chord which bears North  $02^{\circ}11'49''$  West, 184.73 feet; thence North  $14^{\circ}02'29''$  West, 618.19 feet; thence North  $13^{\circ}15'14''$  West, 279.93 feet; thence along a curve to the right having a delta of  $09^{\circ}33'05''$ , a radius of 802.96 feet, a length of 133.86 feet, and a long chord which bears North  $08^{\circ}28'42''$  West, 133.70 feet to the POINT OF BEGINNING of this description.

The above described tract contains 2.97 acres, more or less, and is subject to all existing gas and electric utility facilities, easements, and rights-of-way.

**Parcel 4:** A tract of land located in the Southeast quarter of Section 34 and the Southwest quarter of Section 35, all of Township 3 South, Range 70 West of the 6th Principal Meridian, Jefferson County, Colorado being described as follows:

Commencing at the Southeast corner of said Section 34 and considering the East line of said Southeast quarter to bear North  $00^{\circ}20'42''$  West with all bearings contained herein relative thereto; thence Northerly along said easterly line North  $00^{\circ}20'42''$  West, 1289.32 feet to the southwesterly line of South Golden Road as described in Book 2250, Page 351 as recorded with Jefferson County and the POINT OF BEGINNING of this description; thence southeasterly along said southwesterly line South  $49^{\circ}55'42''$  East, 157.58 feet to the easterly line of a 50 foot wide right-of-way described as Parcel 8 and 9 in Book 811, Page 194 as recorded with Jefferson County; thence Northwesterly along said Easterly right-of-way line North  $57^{\circ}24'58''$  West, 1526.74 feet; thence along a curve to the left having a delta of  $08^{\circ}23'25''$ , a radius of 980.36 feet, an arc of 143.56 feet and a long chord which bears North  $61^{\circ}36'40''$  West, 143.43 feet to the Southwesterly right-of-way line of Colorado Highway 20, also known as South Golden Road; thence Southeasterly along said Southwesterly right-of-way line along a non-tangent curve concave to the Southwest having a delta of  $22^{\circ}38'43''$ , a radius of 2626.87 feet, a length of 1038.23 feet and a long chord which bears South  $62^{\circ}28'12''$  East, 1031.49 feet; thence South  $51^{\circ}08'51''$  East, 484.48 feet to the Easterly line of the Southeast quarter of said Section 34; thence Southerly along said line South  $00^{\circ}20'42''$  East, 8.27 feet to the POINT OF BEGINNING

of this description.

The above described tract contains 2.28 acres, more or less, and is subject to all existing gas and electric utility facilities, easements, and rights-of-way.

**Parcel 5:** A tract of land located in the Northeast quarter of Section 3, Township 4 South, Range 70 West of the Sixth Principal Meridian, Jefferson County, Colorado being described as follows:

Commencing at the Northeast corner of the said Section 3 and considering the North line of said Northeast quarter to bear South 89°43'44" West with all bearings contained herein relative thereto; thence Westly along said North line, South 89°43'44" West, 1610.13 feet POINT OF BEGINNING of this description; thence departing said Northerly line South 22°39'15" West, 165.00 feet; thence South 40°18'04" West, 692.78 feet to the Southeast corner of that parcel described at Reception No. 97026602 with the Clerk and Recorder of Jefferson County; thence Northerly along the Easterly line of said parcel the following four (4) courses and distances: North 26°07'18" West, 157.75 feet; thence along a curve to the right having a delta of 71°05'00", a radius of 230.00 feet and an arc of 285.35 feet; thence along a curve to the left having a delta of 22°05'00", a radius of 340.00 feet and an arc of 131.05 feet; thence North 22°52'42" East, 179.36 feet to the Northerly line of said Northeast quarter; thence Easterly along said Northerly line North 89°43'44" East, 394.93 feet to the POINT OF BEGINNING of this description.

The above described tract contains 4.61 acres, more or less, and is subject to all existing gas and electric utility facilities, easements, and rights-of-way.

(2) Conveyance of the deed to the property specified in subsection (1) of this section shall be subject to retention by the state of Colorado of all oil, gas, and other minerals and mineral rights and all surface water and water rights appurtenant to the land described in subsection (1) of this section.

**SECTION 2. Proceeds deposited.** (1) Proceeds from the sale of the property authorized in section 1 of this act shall consist of:

(a) In-kind services provided to the state by the city of Golden to ameliorate impacts caused to Lookout mountain youth service center, which is situated adjacent to the land; and

(b) Moneys from the sale, which are in excess of the cost of the in-kind services described in paragraph (a) of this subsection (1), shall be deposited in the general fund of the state.

**SECTION 3. Conflicts with House Bill 95-1074.** The general assembly finds and declares that House Bill 95-1074, chapter 62 of the session laws of Colorado 1995, authorized the sale of property described as parcels 1, 2, 3, and 4 in section 1 of this act. To date, such sale has not occurred. It is the intent of the general

assembly that the provisions of this act shall allow for the sale of the real property included in House Bill 95-1074 that is described as parcels 1, 2, 3, and 4 in section 1 of this act and the additional property described as parcel 5 in section 1 of this act and clarify other issues related to the proposed sale. To the extent that any provision of this act conflicts with a provision of House Bill 95-1074, the provisions of this act shall supercede those of House Bill 95-1074.

**SECTION 4. No appropriation.** The general assembly has determined that this act can be implemented within existing appropriations, and therefore no separate appropriation of state moneys is necessary to carry out the purposes of this act.

**SECTION 5. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: March 28, 2001