

CHAPTER 24

UNITED STATES

HOUSE BILL 06-1025

BY REPRESENTATIVE(S) Carroll M., Coleman, Decker, Gallegos, Garcia, Lundberg, Stafford, and Todd;
also SENATOR(S) Hagedorn.

AN ACT

**CONCERNING CONCURRENT LEGISLATIVE JURISDICTION OVER THE REAL PROPERTY CONSTITUTING
THE BUCKLEY AIR FORCE BASE.**

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

SECTION 1. 3-1-136 (1), Colorado Revised Statutes, is amended, and the said 3-1-136 is further amended BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS, to read:

3-1-136. Jurisdiction for land located in Buckley Air Force base. (1) EXCEPT AS PROVIDED IN SUBSECTIONS (3) AND (4) OF THIS SECTION, the state of Colorado cedes jurisdiction to the United States over property known as Tract ~~one hundred~~ 100 within the confines of federally-owned property known as Buckley Air ~~National~~ ~~Guard~~ FORCE base situated in section nine, township four south, range sixty-six west of the sixth principal meridian, Arapahoe county, Colorado.

(3) (a) (I) THE STATE OF COLORADO HEREBY CEDES CONCURRENT LEGISLATIVE JURISDICTION UNDER THE LAWS OF THE STATE TO THE UNITED STATES OVER THE FOLLOWING TRACT OF LAND SITUATED IN THE BUCKLEY AIR FORCE BASE: PARCEL I: A PARCEL OF LAND SITUATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 9, TOWNSHIP 4 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF AURORA, COUNTY OF ARAPAHOE, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 9, WHENCE THE WEST ONE-QUARTER CORNER OF SAID SECTION 9 BEARS NORTH 00°26'25" WEST, A DISTANCE OF 2642.40 FEET, SAID LINE FORMING THE BASIS OF BEARINGS FOR THIS DESCRIPTION; THENCE NORTH 00°26'25" WEST ALONG THE WEST LINE OF SAID SOUTHWEST ONE-QUARTER OF SECTION 9 A DISTANCE OF 960.90 FEET TO THE POINT OF BEGINNING;

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

THENCE CONTINUING NORTH 00°26'25" WEST ALONG SAID WEST LINE OF THE SOUTHWEST ONE-QUARTER A DISTANCE OF 696.00 FEET;
THENCE NORTH 89°36'05" EAST A DISTANCE OF 1641.34 FEET;
THENCE SOUTH 00°25'35" EAST A DISTANCE OF 1669.69 FEET TO A POINT ON THE SOUTH LINE OF SAID SOUTHWEST ONE-QUARTER OF SECTION 9;
THENCE NORTH 45°16'27" WEST A DISTANCE OF 631.35 FEET;
THENCE NORTH 74°26'25" WEST A DISTANCE OF 431.97 FEET;
THENCE NORTH 43°26'25" WEST A DISTANCE OF 558.00 FEET;
THENCE SOUTH 89°33'35" WEST A DISTANCE OF 400.00 FEET TO THE POINT OF BEGINNING.

(II) PARCEL I IS ALSO DESCRIBED AS: TOWNSHIP FOUR SOUTH (T42), RANGE SIXTY-SIX WEST (R66W) OF THE SIXTH PRINCIPAL MERIDIAN SECTION NINE (9): A TRACT OF LAND SITUATED IN THE SW 1/4 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 9 ALSO BEING A POINT ON THE CENTERLINE OF SOUTH AIRPORT BLVD.:

THENCE NORTH 00°01'13" EAST, ALONG THE WEST LINE OF SAID SECTION 9, A DISTANCE OF 961.37 FEET TO THE POINT OF BEGINNING;
THENCE CONTINUING NORTH 00°01'13" EAST, ALONG SAID WEST LINE OF SAID SECTION 9, A DISTANCE OF 696.00 FEET;
THENCE NORTH 89°56'13" EAST, A DISTANCE OF 1641.34 FEET;
THENCE SOUTH 00°05'27" EAST, A DISTANCE OF 1669.72 FEET TO THE SOUTH LINE OF SAID SE 1/4 OF SECTION 9;
THENCE NORTH 44°56'19" WEST, A DISTANCE OF 631.32 FEET;
THENCE NORTH 74°06'17" WEST, A DISTANCE OF 432.00 FEET;
THENCE NORTH 43°06'17" WEST, A DISTANCE OF 558.00 FEET;
THENCE SOUTH 89°53'43", A DISTANCE OF 400.00 FEET, TO THE POINT OF BEGINNING.

(b) THE CONCURRENT LEGISLATIVE JURISDICTION CEDED IN THIS SUBSECTION (3) IS VESTED UPON ACCEPTANCE BY THE UNITED STATES THROUGH ITS APPROPRIATE OFFICIALS AND SHALL CONTINUE FOR AS LONG AS THE UNITED STATES OWNS THE PROPERTY.

(c) THE STATE OF COLORADO RETAINS CONCURRENT JURISDICTION, BOTH CIVIL AND CRIMINAL, WITH THE UNITED STATES OVER ALL PROPERTY SPECIFIED IN PARAGRAPH (a) OF THIS SUBSECTION (3).

(4) (a) THE STATE OF COLORADO HEREBY ACCEPTS THE RELINQUISHMENT OF EXCLUSIVE FEDERAL LEGISLATIVE JURISDICTION FROM THE UNITED STATES OVER THE FOLLOWING TRACT OF LAND SITUATED IN THE BUCKLEY AIR FORCE BASE: PARCEL II: A PARCEL OF LAND SITUATED IN THE SOUTH ONE-HALF OF SECTION 9, TOWNSHIP 4 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF AURORA, COUNTY OF ARAPAHOE, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 9, WHENCE THE WEST ONE QUARTER CORNER OF SAID SECTION 9 BEARS NORTH 00°26'25" WEST A DISTANCE OF 2642.40 FEET, SAID LINE FORMING THE BASIS OF BEARINGS FOR THIS DESCRIPTION;

THENCE SOUTH 89°57'07" EAST ALONG THE SOUTH LINE OF THE SOUTHWEST

ONE-QUARTER OF SAID SECTION 9 A DISTANCE OF 55.00 FEET;
THENCE NORTH 00°26'25" WEST ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SOUTH AIRPORT BOULEVARD AND ALONG A LINE 55.00 FEET EASTERLY OF AND PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST ONE-QUARTER OF SECTION 9 A DISTANCE OF 1657.33 FEET; THENCE NORTH 89°36'05" EAST ALONG THE NORTHERLY BOUNDARY LINE OF A PARCEL OF LAND DESCRIBED IN RECEPTION NUMBER B3051785 OF THE ARAPAHOE COUNTY RECORDS A DISTANCE OF 1586.34 FEET TO THE NORTHEAST CORNER OF SAID PARCEL OF LAND AND THE POINT OF BEGINNING;
THENCE NORTH 89°36'05" EAST A DISTANCE OF 443.58 FEET;
THENCE SOUTH 00°26'58" EAST A DISTANCE OF 458.60 FEET TO A POINT OF CURVATURE;
THENCE ALONG THE ARC OF A CURVE TO THE LEFT, CONCAVE NORTHEASTERLY, HAVING A CENTRAL ANGLE OF 90°44'52" AND A RADIUS OF 285.16 FEET A DISTANCE OF 451.65 FEET (CHORD OF SAID CURVE BEARS SOUTH 45°49'24" EAST A DISTANCE OF 405.90 FEET);
THENCE NORTH 88°48'10" EAST A DISTANCE OF 291.11 FEET;
THENCE SOUTH 00°41'49" EAST ALONG A LINE 10.91 FEET EASTERLY OF AND PARALLEL WITH THE EAST LINE OF SAID SOUTHWEST ONE-QUARTER OF SECTION 9 A DISTANCE OF 938.29 FEET;
THENCE SOUTH 89°59'48" WEST ALONG THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 9 A DISTANCE OF 10.91 FEET TO THE SOUTH ONE-QUARTER CORNER OF SAID SECTION 9;
THENCE NORTH 89°57'07" WEST ALONG SAID SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF SECTION 9 A DISTANCE OF 1017.39 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL OF LAND DESCRIBED AT RECEPTION NO. B3051785 OF THE ARAPAHOE COUNTY RECORDS;
THENCE NORTH 00°25'35" WEST ALONG THE EASTERLY BOUNDARY LINE OF SAID PARCEL OF LAND DESCRIBED IN RECEPTION No. B3051785 A DISTANCE OF 1669.69 FEET TO SAID NORTHEAST CORNER OF SAID PARCEL OF LAND AND TO THE POINT OF BEGINNING.

(b) THE STATE OF COLORADO SHALL HAVE CONCURRENT LEGISLATIVE JURISDICTION WITH THE UNITED STATES OF THE PROPERTY INDICATED IN PARAGRAPH (a) OF THIS SUBSECTION (4) FOR AS LONG AS THE UNITED STATES OWNS THE PROPERTY.

(c) THE CONCURRENT LEGISLATIVE JURISDICTION CREATED BY THIS SUBSECTION (4) OVER THE PROPERTY INDICATED IN PARAGRAPH (a) OF THIS SUBSECTION (4) SHALL TAKE EFFECT UPON ACCEPTANCE BY THE GOVERNOR OF A NOTICE FILED BY THE SECRETARY OF THE AIR FORCE PURSUANT TO 10 U.S.C. SEC. 2683, AS AMENDED, RELINQUISHING EXCLUSIVE FEDERAL LEGISLATIVE JURISDICTION AND RETAINING CONCURRENT LEGISLATIVE JURISDICTION OVER THE PROPERTY. UPON RECEIPT OF THE NOTICE, THE GOVERNOR SHALL NOTIFY THE REVISOR OF STATUTES IN WRITING OF THE DATE OF ACCEPTANCE OF THE NOTICE.

(d) THE STATE OF COLORADO SHALL NOT INCUR OR ASSUME ANY LIABILITY AS A RESULT OF ACCEPTING CONCURRENT LEGISLATIVE JURISDICTION PURSUANT TO THIS SUBSECTION (4).

(e) UPON REQUEST BY THE UNITED STATES THROUGH ITS APPROPRIATE OFFICIALS,

THE GOVERNOR IS AUTHORIZED TO EXECUTE THE APPROPRIATE DOCUMENTS TO ACCOMPLISH THE RETROCESSION GRANTED IN THIS SUBSECTION (4).

SECTION 2. 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 27, 2006