

## INTERGOVERNMENTAL AGREEMENT

THIS AGREEMENT is made and entered into this 13th day of November, 2023, by and between the Grand County Board of County Commissioners (hereinafter referred to as the “County”), P.O. Box 264, Hot Sulphur Springs, CO 80451, and the Town of Grand Lake (hereinafter the “Town”) P.O. Box 99, Grand Lake, CO 80447.

### WITNESSETH:

**WHEREAS**, the Town and the County are all political subdivisions of the State of Colorado; and

**WHEREAS**, the Town recently annexed certain real property commonly referred to as the Love Parcel into its municipal boundary; and

**WHEREAS**, the County has a partially developed road upon its right-of-way designated as Grand County Road 471 running North of Golf Course Road, also known as Grand County Road 479, to just South of the Love Parcel as shown on Exhibit A, attached hereto and incorporated herein; and

**WHEREAS**, the Town desires to design, construct, and maintain a roadway upon the remaining undeveloped County owned right-of-way on GCR 471 (hereinafter the “New Road”) to County Road standards and only upon the approval of the County; and

**WHEREAS**, the Town and County agree the design, construction, and maintenance of the New Road provides benefit to the Town and therefore shall be designed, constructed, and maintained pursuant to this Agreement at the cost of the Town; and

**WHEREAS**, the Town and County desires to enter into the agreement and provide those duties spelled out herein.

**NOW THEREFORE** in consideration of the foregoing premises, and of the mutual covenants herein contained, it is agreed by and among all parties as follows:

### SECTION 1

The recitals contained above are hereby incorporated and made part of this Agreement as if restated and set forth in whole.

### SECTION II

The Town shall submit proposed engineering and design of construction of a road to the County consistent with all applicable County Road and Bridge standards for review and approval of construction of the same on the uncompleted portion of GCR 471 between Golf Course Road and the Love Parcel as depicted on Exhibit A, attached hereto and incorporated herein. All engineering,

design, and construction shall be at the sole expense of the Town. All engineering, design, and construction shall comply with County Road and Bridge standards.

### **SECTION III**

The Town shall be solely responsible for all maintenance of the New Road for the term of this Agreement.

### **SECTION IV**

This agreement may be amended at any time by written agreement of the parties.

### **SECTION V**

This Agreement may be terminated by either party upon thirty (30) days written notice to either Party. Written notice to either shall be by certified mail, return receipt requested as follows:

If to the Town:

Town Manager  
1026 Park Avenue  
P.O. Box 99  
Grand Lake, CO 80447

If to the County:

County Manager  
308 Byers Avenue  
P.O. Box 264  
Hot Sulphur Springs, CO 80451

### **SECTION VI**

To the fullest extent permitted by law, Town shall indemnify the County and hold and defend County and its officials, officers and employees harmless from all costs, claims and expenses arising from claims made by any person in connection with the acts or omissions of, or representations by, the Town with respect to this Agreement.

### **SECTION VII**

No term or condition of this contract shall be construed or interpreted as a waiver, express or implied, of any immunities, rights, benefits, protection, or other provisions, of the Colorado Governmental Immunity Act, CRS 24-10-101 et seq., of the Federal Tort Claims Act, 28 U.S.C. 2671 et seq, as applicable, as now or hereafter amended.

Adopted and approved this \_\_\_\_ day of \_\_\_\_\_, 2023.

**GRAND COUNTY, COLORADO  
BOARD OF COUNTY COMMISSIONERS**

**TOWN OF GRAND LAKE**

\_\_\_\_\_

\_\_\_\_\_

ATTEST: \_\_\_\_\_  
County Clerk

\_\_\_\_\_  
Town Clerk

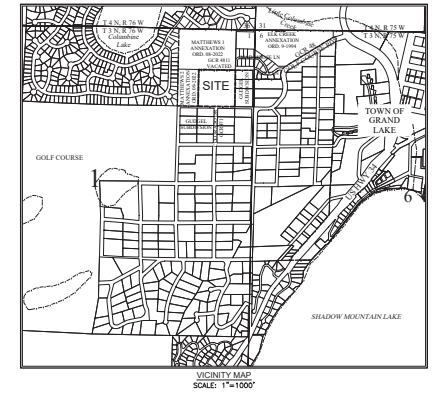
## **EXHIBIT A**

# LOVE TRACT ANNEXATION MAP

## A METES AND BOUNDS TRACT OF LAND DESCRIBED AT RECEPTION 2015-000641

A TRACT OF LAND IN THE NE/4NE/4 (LOT 1) OF SECTION 1, TOWNSHIP 3 NORTH, RANGE 76 WEST OF THE 6th PRINCIPAL MERIDIAN,  
COUNTY OF GRAND, STATE OF COLORADO  
(VACANT LAND)

- SURVEY NOTES:**
1. THIS ANNEXATION MAP IS NOT A BOUNDARY SURVEY OR SHALL IT BE CONSTRUED AS A BOUNDARY DETERMINATION OF OWNERSHIP AND/OR OCCUPATION. THIS ANNEXATION IS 8.98 ACRES PER DEED RECORDED AT RECEPTION 2005-000641 HAVING A DEED CLOSURE OF 1:203337.
  2. THE FOLLOWING DOCUMENTS WERE UTILIZED IN THE PREPARATION OF THIS ANNEXATION MAP. GRAND COUNTY CLERKS RECORDS:
    - a. BOOK 102 PAGE 241 AMENDED PLAT TO GUGLIEL SUBDIVISION, RECORDED FEBRUARY 24, 1996.
    - b. BOOK 102 PAGE 265 WARRANTY DEED, MATTHEWS TO BEYER, FILED OCTOBER 4, 1994.
    - c. BOOK 104 PAGE 151 PLAT OF GUGLIEL SUBDIVISION, RECORDED NOVEMBER 9, 1994.
    - d. BOOK 92 PAGE 151, RIGHT OF WAY DEED, CLIFTON B. HOWARD TO THE BOARD OF COUNTY COMMISSIONERS, FILED SEPTEMBER 25, 1991.
    - e. BOOK 116 PAGE 354, WARRANTY DEED, ESTATE OF CLIFTON B. HOWARD TO MATTHEWS, RECORDED MAY 4, 1996.
    - f. RECEPTION 9914 PLAT OF AMENDED PLAT TO GUGLIEL SUBDIVISION, RECORDED FEBRUARY 24, 1996.
    - g. RECEPTION 110970, PLAT OF COLUMBINE LAKE, RECORDED MAY 21, 1969.
    - h. RECEPTION 2021-000706, SUBJECT VESTING DEED WITH PROPERTY DESCRIPTION USING CALLS TO THE COLUMBINE LAKE MONUMENTS DONE JUNIOR AND WRITTEN BY LS1415 BY LAND SURVEY DEPOSIT (LSD).
    - i. RECEPTION 2022-008429, COUNTY RESOLUTION TO VACATE A PORTION OF THE 60' WIDE RIGHT-OF-WAY DESCRIBED ON RIGHT-OF-WAY DEED BOOK 92 PAGE 150.
    - j. RECEPTION 2022-008430, QUIT CLAIM DEED TO THE TOWN OF GRAND LAKE FOR A PORTION A THE 60' WIDE RIGHT-OF-WAY DESCRIBED ON RIGHT-OF-WAY DEED BOOK 92 PAGE 150.
    - k. RECEPTION 110970, PLAT OF COLUMBINE LAKE, RECORDED MAY 21, 1969.
    - l. GRAND COUNTY SURVEY DEPOSIT (LSD).
    - m. LS461, DEPOSIT DATE DECEMBER 12, 1995, IMPROVEMENT SURVEY PLAT BY PLS 11415 DATED 12/5/1995.
    - n. LS2418, DEPOSIT DATE OF JULY 14, 2021, IMPROVEMENT SURVEY PLAT BY PLS 30663 DATED 11/16/2021. TITLE COMMITMENT.
    - o. COMMITMENT NO. 119815-C ISSUED BY TITLE COMPANY OF THE ROCKIES AS AGENTS FOR WESTCO LAND TITLE INSURANCE COMPANY WITH AN EFFECTIVE DATE OF FEBRUARY 27, 2023.
  3. THE BASIS OF BEARING FOR THIS ANNEXATION MAP IS ALONG THE NORTH LINE OF THE LOVE TRACT, BETWEEN FOUND #5 REBAR WITH 1.5" DIA. ALUMINUM CAPS STAMPED "PLS 11415" AS SHOWN HEREON HAVING A BEARING OF N 89°07' W, AS MEASURED BY RTN/GPS METHOD ON NOVEMBER 6, 2020. URBAN UNITS SHOWN ARE U.S. SURVEY FOOT.
  4. REFERENCED IS HEREBY MADE TO THE LAND SURVEY DEPOSIT (LSD2418), FOR MATHEW BOUNDARY INFORMATION.
  5. THE STIPULATION AND CONSENT AGREEMENT AT RECEPTION 2009-001100 AND 2009-001101 RESPECTIVELY, DETAILS ACCESS FROM AND TO THE STANLEY PROPERTY. BULLET ITEM 12 STATES, THERE SHALL BE NO ROAD OR DRIVEWAY FROM THE STANLEY PROPERTY ONTO THE 30' WIDE STRIP IMMEDIATELY TO THE NORTH OF TRACTS 32 AND 17, GUGLIEL SUBDIVISION.



**PROPERTY DESCRIPTION:** (PER BOOK WARRANTY DEED REC. 2015-000641)

A TRACT OF LAND IN THE NE/4NE/4 (LOT 1) OF SECTION 1, TOWNSHIP 3 NORTH, RANGE 76 WEST OF THE 6TH P.M., BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SE CORNER OF THIS TRACT WHENCE THE N1/16 CORNER BETWEEN SAID SECTION 1, TOWNSHIP 3 NORTH, RANGE 76 WEST OF THE 6TH P.M., AND SECTION 6, TOWNSHIP 3 NORTH, RANGE 76 WEST OF THE 6TH P.M., BEARS SOUTH 89°15' EAST, FOR A DISTANCE OF 326.1 FEET;

THENCE RUNNING ALONG THE N1/16TH LINE OF SECTION 1, NORTH 89°15' WEST FOR A DISTANCE OF 626.1 FEET TO THE SW CORNER OF THIS TRACT;

THENCE NORTH 1°09' EAST, FOR A DISTANCE OF 626.1 FEET TO THE NW CORNER OF THIS TRACT;

THENCE S 89°15' EAST, FOR A DISTANCE OF 626.1 FEET TO THE NE CORNER OF THIS TRACT AND THE INTERSECTION WITH THE WEST LINE OF GUGLIEL SUBDIVISION;

THENCE ALONG SAID WEST LINE OF GUGLIEL SUBDIVISION SOUTH 01°09' WEST, FOR A DISTANCE OF 623.91 FEET, MORE OR LESS TO THE POINT OF BEGINNING.

EXCEPT THAT PORTION CONVEYED TO THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND AND STATE OF COLORADO BY INSTRUMENT RECORDED SEPTEMBER 20, 1944 IN BOOK 92 AT PAGE 150.

**GRAND COUNTY ASSESSOR DATA:**

PARCEL NUMBER: 1191-011-00-002

VACANT LAND

ZONED GRAND COUNTY RESIDENTIAL

INCLUDED IN THE THREE LAKES DESIGN AND REVIEW AREA AND THE GRAND COUNTY URBAN GROWTH AREA 2

**TRUSTEES STATEMENT:**

APPROVED FOR ANNEXATION BY ORDINANCE No. \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_

APPROVED BY THE TOWN OF GRAND LAKE BOARD OF TRUSTEES ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_

BY THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE

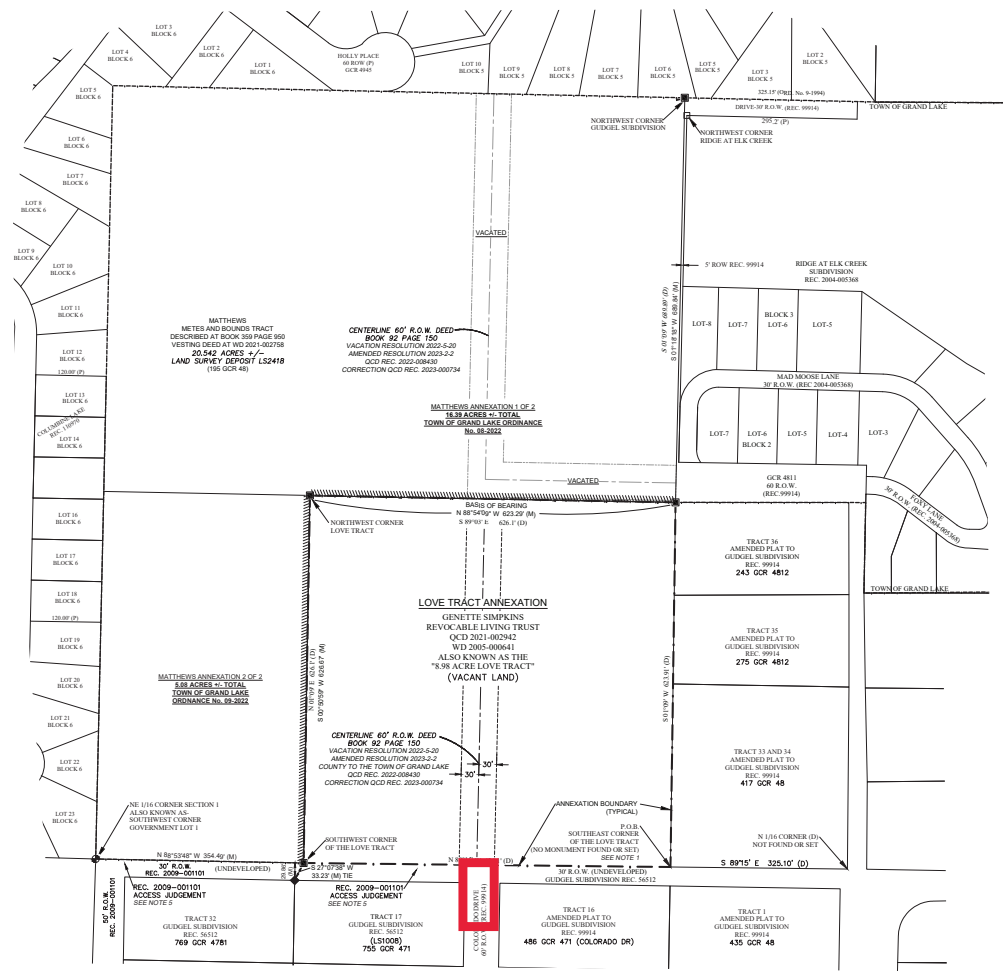
MAYOR \_\_\_\_\_ DATE \_\_\_\_\_

TOWN CLERK \_\_\_\_\_ DATE \_\_\_\_\_

TOWN ATTORNEY \_\_\_\_\_ DATE \_\_\_\_\_

ORDINANCE No. \_\_\_\_\_ EFFECTIVE DATE \_\_\_\_\_

Approximate area described in IGA



- LEGEND:**
- FOUND 30" LONG #5 REBAR WITH 3.25" DIA. ALUMINUM CAP STAMPED PLS 30663, AS DESCRIBED
  - FOUND SECTION CORNER AS DESCRIBED
  - ◆ FOUND #5 REBAR WITH 1.5" DIA. ALUMINUM CAP STAMPED PLS 11415, AS SHOWN ON LS461
  - ◆ FOUND #5 REBAR WITH YELLOW PLASTIC CAP STAMPED "DES PLS 26298", AT GRADE
  - POINT AS DESCRIBED
  - (P) - PLAT REC. 110970 BEARING AND DISTANCES
  - (M) - FIELD MEASURED
  - (C) - DEED INFORMATION
  - DIA. - DIAMETER
  - GCR - GRAND COUNTY ROAD
  - REC - RECEPTION
  - R.O.W. - RIGHT-OF-WAY
  - QCD - QUITCLAIM DEED
  - WD - WARRANTY DEED
  - - EXISTING TOWN LIMITS
  - ||||| - CONTIGUOUS BOUNDARY

**SURVEYORS CERTIFICATE**

I, KEITH E. LUTTRELL, A PROFESSIONAL LAND SURVEYOR LICENSED TO PRACTICE IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT NOT LESS THAN ONE-SIXTH (1/6) OF THE PERIMETER OF THE AREA PROPOSED TO BE ANNEXED TO THE TOWN OF GRAND LAKE, IS CONTIGUOUS WITH THE BOUNDARIES OF THE ANNEXING MUNICIPALITY AND THAT THIS ANNEXATION MAP SUBSTANTIALLY COMPLIES WITH THE COLORADO REVISED STATUTES AND THE TOWN OF GRAND LAKE, COLORADO CODES APPLICABLE THERE TO, AND THAT THIS ANNEXATION MAP WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, IT IS BASED UPON MY KNOWLEDGE, INFORMATION AND BELIEF, IT IS IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE AND THAT IT IS NOT A WARRANTY OR WARRANTY EITHER EXPRESSED OR IMPLIED.

KEITH E. LUTTRELL, PLS 36063  
FOR AND ON BEHALF OF  
PEAK TO PEAK LAND  
SURVEYING & MAPPING, INC.

FOR REVIEW

**LOVE TRACT ANNEXATION CALCULATION**

TOTAL PERIMETER TO ANNEX = 2,502.2'  
1/8 PERIMETER REQUIRED = 417.0'  
CONTIGUITY LENGTH = 1,252.2'

TOTAL AREA = 88.98 ACRES

**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 CERTIFICATION SHOWN HEREON.

NOT VALID WITHOUT ORIGINAL SIGNATURE AND SEAL

Peak to Peak Land  
Surveying & Mapping, Inc.

P.O. Box 100  
Kremmling, Colorado 80469  
970-724-0724

**LOVE TRACT ANNEXATION MAP**

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DESCRIBED AT RECEPTION 2015-000641  
A TRACT OF LAND IN THE NE/4NE/4 (LOT 1) OF SECTION 1,  
TOWNSHIP 3 NORTH, RANGE 76 WEST OF THE 6TH P.M.,  
COUNTY OF GRAND, STATE OF COLORADO  
(VACANT LAND)

Draftsman: JL      Checked by: KL      Date: 03/09/2023      Job no.: 22-0161STANLEY