



State Documentary Fee
Date: December 04, 2015
\$ 0.00

Warranty Deed
(Pursuant to 38-30-113 C.R.S.)

THIS DEED, made on December 04, 2015 by ALICE E. HILTON Grantor(s), of the County of BOULDER and State of COLORADO for the consideration of (\$328,100.00) *** Three Hundred Twenty Eight Thousand One Hundred and 00/100 *** dollars in hand paid, hereby sells and conveys to COUNTY OF BOULDER, A BODY CORPORATE AND POLITIC Grantee(s), whose street address is PO BOX 471 BOULDER, CO 80306, County of BOULDER, and State of COLORADO, the following real property in the County of Boulder, and State of Colorado, to wit:

SEE ATTACHED "EXHIBIT A"

also known by street and number as: 35 LONGMONT DAM ROAD (VACANT LAND) LYONS CO 80540

with all its appurtenances and warrants the title to the same, subject to *general taxes for the year 2015 and those specific Exceptions described by reference to recorded documents as reflected in the Title Documents accepted by Grantee(s) in accordance with Record Title Matters (Section 8.2) of the Contract to Buy and Sell Real Estate relating to the above described real property; distribution utility easements, (including cable TV); those specifically described rights of third parties not shown by the public records of which Grantee(s) has actual knowledge and which were accepted by Grantee(s) in accordance with Off-Record Title Matters (Section 8.3) and Current Survey Review (Section 9) of the Contract to Buy and Sell Real Estate relating to the above described real property; inclusions of the Property within any special tax district; and other NONE.*

Alice E. Hilton
ALICE E. HILTON

State of COLORADO)
County of BOULDER) ss.

The foregoing instrument was acknowledged before me on this day of December 04, 2015 by ALICE E. HILTON

[Signature]
Notary Public
My commission expires 3/1/17

ANGIE MANSFIELD
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20134015234
MY COMMISSION EXPIRES 03/01/2017

When Recorded Return to: COUNTY OF BOULDER, A BODY CORPORATE AND POLITIC
PO BOX 471 BOULDER, CO 80306



EXHIBIT A**PARCEL A:**

A TRACT OF LAND IN THE NORTHWEST QUARTER (NW1/4) OF SECTION 11, TOWNSHIP 3 NORTH, RANGE 71 WEST OF THE 6TH P.M., DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE CENTERLINE OF STATE HIGHWAY 66 FROM WHICH THE W1/4 CORNER OF SAID SECTION 11 BEARS SOUTH 72° 29'19" WEST, 1758.55 FEET DISTANT; THENCE SOUTH 62° 46' EAST, 221.92 FEET; THENCE NORTH 26° 16' EAST, 83.64 FEET; THENCE NORTH 68° 11' WEST, 219.69 FEET, MORE OR LESS, TO THE SAID CENTERLINE OF STATE HIGHWAY 66; THENCE SOUTHWESTERLY ALONG SAID CENTERLINE OF STATE HIGHWAY 66 TO THE POINT OF BEGINNING; EXCEPT THAT PART THEREOF DESCRIBED IN BOOK 942 AT PAGE 207, OF THE BOULDER COUNTY RECORDS; COUNTY OF BOULDER, STATE OF COLORADO.

PARCEL B:

A TRACT OF LAND IN THE NORTHWEST QUARTER (NW1/4) OF SECTION 11, TOWNSHIP 3 NORTH, RANGE 71 WEST OF THE 6TH P.M. BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE CENTERLINE OF STATE HIGHWAY 66 FROM WHICH THE W1/4 CORNER OF SAID SECTION 11 BEARS SOUTH 72° 29'19" WEST, 1758.55 FEET DISTANT; THENCE SOUTH 62° 46' EAST 211.92 FEET; THENCE SOUTH 33° 33' WEST 101.37 FEET; THENCE NORTH 50° 31' WEST 219.04 FEET, MORE OR LESS, TO THE SAID CENTERLINE OF STATE HIGHWAY 66; THENCE NORTHEASTERLY ALONG SAID CENTERLINE OF STATE HIGHWAY 66 TO THE POINT OF BEGINNING, COUNTY OF BOULDER, STATE OF COLORADO.

RESTRICTIVE COVENANT RUNNING WITH LAND

THIS RESTRICTIVE COVENANT RUNNING WITH LAND is entered into by and between **Alice E. Hilton** ("Seller"), and the **County of Boulder**, a body corporate and politic ("County").

RECITALS

Pursuant to that certain warranty deed dated December 4, 2015, and recorded at Reception No. 03489101 of the real property records of Boulder County, Colorado (the "Deed"), the Seller conveyed to the County that certain real property described on Exhibit A attached hereto and incorporated herein by reference (the "Property");

The County received assistance towards the purchase of the Property from a United States Department of Housing and Urban Development Community Development Block Grant for Disaster Recovery, which funds were allocated to the State of Colorado, which, in turn, granted funds to the County as part of a flood buyout program ("Buyout Program");

Conditions of the Buyout Program, pursuant to 78 Fed. Reg. 14,329 (March 5, 2013), require that real property purchased with Buyout Program proceeds must be used as open space, recreational, or wetland management purposes in perpetuity ("Program Requirements"); and

Seller and County each desire to restrict the future use of the Property in accordance with the Program Requirements.

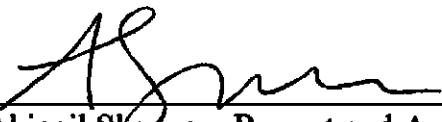
AGREEMENT

NOW, THEREFORE, in consideration of the recitals, promises, covenants, and undertakings described above and hereinafter set forth, Seller and the County agree as follows:

1. The use of the Property shall be limited to uses that are compatible with the Program Requirements.
2. No new structures or improvements may be erected on the Property other than: (a) a public facility that is open on all sides and is functionally related to a designated open space or recreational use; (b) a public rest room; (c) flood control measures; or (d) a structure that the local floodplain manager approves in writing before the commencement of construction of the structure.

The restrictions contained herein shall run with and burden the Property, shall bind all

COUNTY OF BOULDER, a body corporate and politic

By: 
Abigail Shannon, Buyout and Acquisitions
Program Manager, Long Range Planner

STATE OF COLORADO)
) ss.
COUNTY OF BOULDER)

The foregoing instrument was acknowledged before me this 4th day of December, 2015, by Abigail Shannon, on behalf of Boulder County.

Witness my hand and official seal.

(S E A L)


Notary Public

My commission expires: 3/1/17

**ANGIE MANSFIELD
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20134018234
MY COMMISSION EXPIRES 03/01/2017**

Exhibit A**Legal Description of the Property****PARCEL A:**

A TRACT OF LAND IN THE NORTHWEST QUARTER (NW1/4) OF SECTION 11, TOWNSHIP 3 NORTH, RANGE 71 WEST OF THE 6TH P.M., DESCRIBED AS FOLLOWS:

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