



State Documentary Fee  
Date: December 03, 2015  
~~\$88.00~~ 0.00

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

**THIS DEED**, made on **December 03, 2015** by **SALVATORE PAUL COPPOLECCHIA** Grantor(s), of the County of **BOULDER** and State of **COLORADO** for the consideration of **(\$336,600.00) \*\*\* Three Hundred Thirty Six Thousand Six 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: **37 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*

  
SALVATORE PAUL COPPOLECCHIA

State of **COLORADO** )  
County of **BOULDER** ) ss.

The foregoing instrument was acknowledged before me on this day of **December 03, 2015** by **SALVATORE PAUL COPPOLECCHIA**

  
Notary Public  
My commission expires 5/1/17

**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**

A TRACT OF LAND IN THE NORTHWEST QUARTER 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 NO. 66 FROM WHICH THE WEST QUARTER CORNER OF SAID 11 BEARS SOUTH 69° 47'52" WEST, 1843.57 FEET TO CORNER NO. 1; THENCE SOUTH 75° 49' EAST, 211.29 FEET TO CORNER NO. 2; THENCE SOUTH 16° WEST, 85.59 FEET TO CORNER NO. 3; THENCE NORTH 68° 11' WEST, 219.69 FEET TO CORNER NO. 4; THENCE NORTHEASTERLY ALONG SAID CENTERLINE OF SAID STATE HIGHWAY NO. 66 TO POINT OF BEGINNING;

AND

BEGINNING AT CORNER NO. 3 DESCRIBED ABOVE; THENCE SOUTH 26° 16' WEST, 15 FEET; THENCE NORTHWESTERLY TO A POINT IN THE CENTERLINE OF SAID STATE HIGHWAY NO. 66, 11 FEET SOUTHWESTERLY FROM CORNER NO. 4, DESCRIBED ABOVE; THENCE NORTHEASTERLY 11 FEET TO SAID CORNER NO. 4; THENCE SOUTH 68° 11' EAST, 219.69 FEET TO SAID CORNER NO. 3; COUNTY OF BOULDER, STATE OF COLORADO

AND

A TRACT OF LAND LOCATED IN THE NW 1/4 OF SECTION 11, T3N, R71W OF THE 6TH P.M., COUNTY OF BOULDER, STATE OF COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 11 AND CONSIDERING THE WEST LINE OF THE SW 1/4 OF SAID SECTION 11 TO BEAR N00° 05'35" W, WITH ALL BEARINGS HEREIN AND RELATIVE THERETO; THENCE N72° 40'25"E, 1898.36 FEET TO A POINT ON THE CENTERLINE OF THE NORTH ST. VRAIN RIVER; THENCE LEAVING SAID RIVER, S74° 03'57"E, 85.32 FEET TO THE TRUE POINT OF BEGINNING; THENCE N17° 45'03"E, 30.00 FEET; THENCE S74° 03'57"E, 60.00 FEET; THENCE S17° 45'03"W, 30.00 FEET; THENCE N74° 03'57"W, 60.00 FEET TO THE TRUE POINT OF BEGINNING.

## **RESTRICTIVE COVENANT RUNNING WITH LAND**

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

### **RECITALS**

Pursuant to that certain warranty deed dated December 3, 2015, and recorded at Reception No. 03488993 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 future owners of the Property, and shall be enforceable by Seller against the County and any successor in interest.

DATED this 3rd day of Decemer, 2015.

Seller:

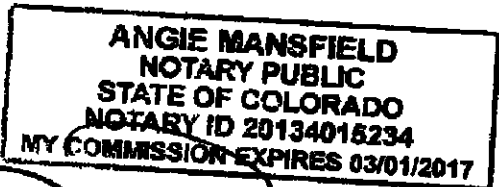
Salvatore Paul Coppolecchia  
Salvatore Paul Coppolecchia

STATE OF COLORADO )  
  ) ss.  
COUNTY OF BOULDER )

The foregoing instrument was acknowledged before me this 3rd day of December, 2015, by Salvatore Paul Coppolecchia.

Witness my hand and official seal.

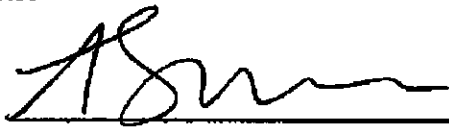
(S E A L)



[Signature]  
Notary Public

My commission expires: 3/1/17

**COUNTY OF BOULDER**, a body corporate and politic

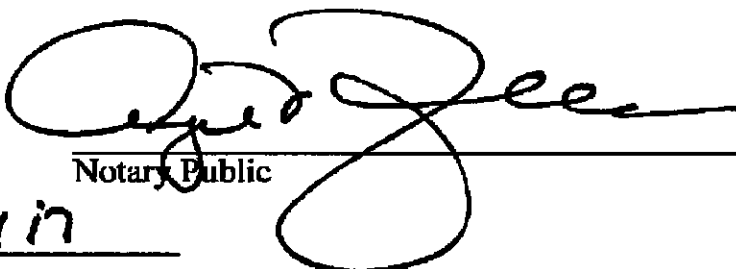
By:   
Abigail Shannon, Buyout and Acquisitions  
Program Manager, Long Range Planner

STATE OF COLORADO    )  
  ) ss.  
COUNTY OF BOULDER    )

The foregoing instrument was acknowledged before me this 3rd day of December, 2015, by Abigail Shannon, on behalf of Boulder County.

Witness my hand and official seal.

(SEAL)

  
Notary Public

My commission expires: 3/1/17

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

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

**A TRACT OF LAND IN THE NORTHWEST QUARTER 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 NO. 66 FROM WHICH THE WEST QUARTER CORNER OF SAID 11 BEARS SOUTH 69° 47'52" WEST, 1843.57 FEET TO CORNER NO. 1; THENCE SOUTH 75° 49' EAST, 211.29 FEET TO CORNER NO. 2; THENCE SOUTH 16° WEST, 85.59 FEET TO CORNER NO. 3; THENCE NORTH 68° 11' WEST, 219.69 FEET TO CORNER NO. 4; THENCE NORTHEASTERLY ALONG SAID CENTERLINE OF SAID STATE HIGHWAY NO. 66 TO POINT OF BEGINNING;**

**AND**

**BEGINNING AT CORNER NO. 3 DESCRIBED ABOVE; THENCE SOUTH 26° 16' WEST, 15 FEET; THENCE NORTHWESTERLY TO A POINT IN THE CENTERLINE OF SAID STATE HIGHWAY NO. 66, 11 FEET SOUTHWESTERLY FROM CORNER NO. 4, DESCRIBED ABOVE; THENCE NORTHEASTERLY 11 FEET TO SAID CORNER NO. 4; THENCE SOUTH 68° 11' EAST, 219.69 FEET TO SAID CORNER NO. 3; COUNTY OF BOULDER, STATE OF COLORADO**

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