

GENERAL WARRANTY DEED

(Statutory Form, C.R.S. § 38-30-113)


Grantor, **Carol R. Rademacher**, whose legal address is 1067 S. Haver St. #E ^{Longmont, Co}, of the County of Boulder and State of Colorado, for the consideration of Eighty-Five Thousand and no/100 dollars (\$85,000), in hand paid, hereby sells and conveys to Grantee, the **County of Boulder**, a body corporate and politic, whose legal address is P.O. Box 471, Boulder, Colorado 80306, of the County of Boulder, State of Colorado, the following real property in the County of Boulder and State of Colorado, to wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF BY THIS REFERENCE FOR LEGAL DESCRIPTION OF THE PROPERTY,

Also known by street and number as: 507 Riverside Drive, Lyons, Colorado 80540,

with all its appurtenances and warrants the title to the same, subject only to those exceptions set forth in Exhibit B and the terms set forth in the Restrictive Covenant Running with the Land, Exhibit C, which exhibits are attached hereto and made a part hereof by this reference.

Signed this 11 day of May 2017.

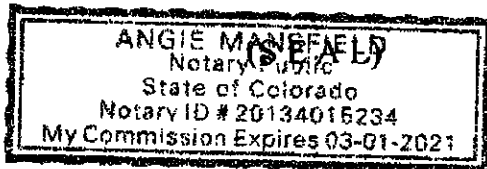


Carol R. Rademacher

STATE OF COLORADO)
) ss.
COUNTY OF BOULDER)

Subscribed and sworn to before me this 11 day of May 2017, by
Carol R. Rademacher

Witness my hand and official seal.





Notary Public

My Commission expires: 3/1/21

EXHIBIT A**PARCEL A:**

A TRACT OF LAND IN THE WEST HALF OF THE SOUTHEAST QUARTER AND THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 3 NORTH, RANGE 72 WEST OF THE 6TH PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH QUARTER CORNER OF SECTION 34, TOWNSHIP 3 NORTH, RANGE 72 WEST; THENCE NORTH 05 DEGREES 29 MINUTES 05 SECONDS WEST, 1202.56 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 83 DEGREES 45 MINUTES 00 SECONDS EAST, 90.00 FEET ALONG THE CENTERLINE OF MIDDLE ST. VRAIN CREEK; THENCE SOUTH 27 DEGREES 20 MINUTES 00 SECONDS EAST, 70.00 FEET; THENCE SOUTH 45 DEGREES 30 MINUTES 50 SECONDS WEST, 40.00 FEET; THENCE NORTH 49 DEGREES 10 MINUTES 20 SECONDS WEST, 123.00 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL B:

THOSE EASEMENT RIGHTS AS DESCRIBED IN WARRANTY DEED RECORDED OCTOBER 7, 1970 UNDER RECEPTION NO. 956597.

EXHIBIT B

1. ANY FACTS, RIGHTS, INTERESTS, OR CLAIMS THEREOF, NOT SHOWN BY THE PUBLIC RECORDS BUT THAT COULD BE ASCERTAINED BY AN INSPECTION OF THE LAND OR THAT MAY BE ASSERTED BY PERSONS IN POSSESSION OF THE LAND.
2. EASEMENTS, LIENS OR ENCUMBRANCES, OR CLAIMS THEREOF, NOT SHOWN BY THE PUBLIC RECORDS.
3. ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY OF THE LAND AND NOT SHOWN BY THE PUBLIC RECORDS.
4. WATER RIGHTS, CLAIMS OR TITLE TO WATER.
5. TERMS, CONDITIONS AND PROVISIONS OF RIGHT OF WAY CONTRACT RECORDED JULY 14, 1932 IN BOOK 592 AT PAGE 321.

EXHIBIT C

RESTRICTIVE COVENANT RUNNING WITH LAND

THIS RESTRICTIVE COVENANT RUNNING WITH LAND is entered into by and between Carol R. Rademacher (“Seller”), and the County of Boulder, a body corporate and politic (“County”).

RECITALS

Pursuant to that certain warranty deed dated May 11, 2017, to which this Exhibit C is attached, and recorded in the real property records of Boulder County, Colorado (the “Deed”), the Seller conveyed to the County that certain real property described on Exhibit 1 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 11 day of May 2017.

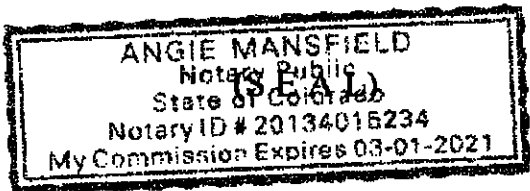
Seller:

Carol R. Rademacher
Carol R. Rademacher

STATE OF COLORADO)
) ss.
COUNTY OF BOULDER)

The foregoing instrument was acknowledged before me this 11 day of May 2017, by Carol R. Rademacher.

Witness my hand and official seal.



Angie Mansfield
Notary Public

My commission expires: 3/1/21

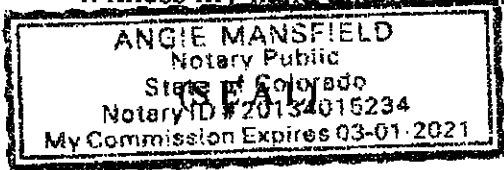
COUNTY OF BOULDER, a body corporate and politic

By: *Greg Jackson*
Greg Jackson, CDBG-DR Buyout Project Manager

STATE OF COLORADO)
) ss.
COUNTY OF BOULDER)

The foregoing instrument was acknowledged before me this 11th day of May 2017, by Greg Jackson, CDBG-DR Buyout Project Manager, on behalf of Boulder County.

Witness my hand and official seal.



Angie Mansfield
Notary Public

My commission expires: 3/1/21

EXHIBIT 1**PARCEL A:**

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