

**RESOLUTION NO. 3
SERIES 2006**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, AUTHORIZING THE PURCHASE OF PROPERTY FROM WESTERN LUMBER, INC. TO BE UTILIZED AS ADDITIONAL RIGHT-OF-WAY FOR A PUBLIC STREET KNOWN AS "BIDWELL AVENUE" IN THE CITY OF GUNNISON, COUNTY OF GUNNISON, STATE OF COLORADO.

WHEREAS, the City of Gunnison is in need of acquiring additional right-of-way for Bidwell Avenue in order to provide adequate access to portions of the City located north and west of U.S. Highway 50; and

WHEREAS, said land for additional right-of-way for Bidwell Avenue is owned by Western Lumber, Inc., who has agreed to sell the property necessary as the additional right-of-way for Bidwell Avenue to the City of Gunnison.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, THAT:

Section 1. The City Council of the City of Gunnison hereby authorizes and approves the City of Gunnison's purchase from Western Lumber, Inc., of the real property described in Exhibit A, attached hereto and incorporated herein by this reference, at a total purchase price of \$86,420.00, to be utilized as additional right-of-way for Bidwell Avenue.

Section 2. In connection with the purchase of the property described in Exhibit A hereto, the City Council of the City of Gunnison, Colorado, hereby authorizes the City of Gunnison to accept the conveyance of any interest held by Western Lumber, Inc. in and to a strip of land more particularly described in Exhibit B, attached hereto and incorporated herein by this reference, also to be utilized as additional right-of-way for Bidwell Avenue.

INTRODUCED, READ, PASSED, AND ADOPTED at the regular meeting of the City Council of the City of Gunnison, Colorado, held this 14th day of March, 2006.

Mayor

(SEAL)

(ATTEST)

City Clerk

EXHIBIT A

Property description of proposed conveyance from Garrett to City of Gunnison (Parcel A)

A tract of land within the City of Gunnison, Gunnison County, Colorado, said tract also being within the SE1/4NW1/4 of Section 2, Township 49 North, Range 1 West, N.M.P.M., being more particularly described as follows:

1. North 89°56'00" West 268.66 feet along the north boundary of said property to the northwest corner of said property;
2. South 30°44'00" West 46.30 feet along the west boundary of said property;
3. South 89° 56'00" East 283.76 feet to the east boundary of said property;
4. Along the arc of a curve to the left a distance of 40.73 feet, said curve having a radius of 1909.90 feet and a long chord of North 12° 08'01" East 40.73 feet, to the POINT OF BEGINNING.

EXHIBIT B

Property Description of strip between Garrett and Guerrieri Addition (Parcel B).

A tract of land within the City of Gunnison, Gunnison County, Colorado, said tract also being within the SE1/4NW1/4 of Section 2, Township 49 North, Range 1 West, N.M.P.M., being more particularly described as follows:

BEGINNING AT A POINT which is the northwest corner of Western Lumber, Inc. property as described in Book 761 at page 460 in the records of Gunnison County, thence the following courses around said tract:

1. North 89°56'00" West 5.32 feet along the north boundary extended of said property to the east boundary of Bidwell Avenue as shown on recorded plat of Guerrieri Addition, filed under Reception Number 361213 in the records of Gunnison County;
2. South 30°51'00" West 46.30 feet along said boundary to the southeast corner of said Bidwell Avenue;
3. South 89°56'00" East 5.42 feet along the extension of the south boundary of said Bidwell Avenue to the westerly boundary of said Western Lumber, Inc. property;
4. North 30°44'00" 46.30 feet along said boundary to the POINT OF BEGINNING.

