

UNIVERSITY OF
NORTHERN COLORADO

BOARD OF TRUSTEES AGENDA ACTION ITEM

Meeting Date: November 12, 2021

Name of Item:	Stipulation of Interests and Cross-Conveyance
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Responsible Staff Member: Satriana

Summary of Agenda Item: This item is to clarify earlier ownership and easement grants related vacation and dedication of certain real property filings between the University and the City of Greeley. There was a discrepancy in a prior filing regarding the subject real property and the Stipulation of Interests and Cross-Conveyance document establishes with certainty current ownership of the surface and minerals, including oil and gas, of the relevant properties.

Recommended Action by BOT:	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> No Action Needed
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Change to Board Policy Manual:	<input type="checkbox"/> Approval	<input checked="" type="checkbox"/> No Action Needed
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If yes, Section:

Administrative Recommendation (Motion): Approve



Signature of Vice President

11/5/2021

Date

Signature of President

Date

STIPULATION OF INTERESTS AND CROSS-CONVEYANCE

This **STIPULATION OF INTERESTS AND CROSS-CONVEYANCE** (“Stipulation”) is made by and between the following parties (the “Parties”).

The City of Greeley, a Colorado home rule municipality (“City”), of 1000 10th Street, Greeley, CO 80631, which owns:

Tract “A” of Inspiration Point, formerly known as Blocks 1 and 2, Grand View Addition, that portion adjoining of 10th Avenue, 11th Avenue, and 20th Street, to their centerlines, lying within the NW/4NW/4 of Section 17, Township 5 North, Range 65 West, 6th P.M., containing 4.9694 acres, more or less.

The State of Colorado by and through the Board of Trustees of the University of Northern Colorado, (a/k/a or f/n/a Trustees of the State Colleges in Colorado acting for the use of Colorado State College in Greeley, Colorado and the Trustees of the State Normal Schools) (“UNC”) of Campus Box 1, 501 20th Street, Greeley, CO 80632, which owns:

Tract "B" of Inspiration Point, formerly known as Blocks 3 and 4, Grand View Addition, that portion adjoining of 10th Avenue, 11th Avenue, and 20th Street, to their centerlines, lying within the NW/4NW/4 of Section 17, Township 5 North, Range 65 West, 6th P.M., containing 12.3659 acres, more or less.

Being a cross-conveyance, **both Parties identified above are Grantors and Grantees herein.**

RECITALS

WHEREAS, prior to June 1, 1965, the **City** was the fee owner of the surface and minerals, including oil and gas, of Blocks 1 and 2 of the Grand View Addition in the City of Greeley, Weld County, Colorado.

WHEREAS, prior to June 1, 1965, **UNC** was the fee owner of the surface and minerals, including oil and gas, of Blocks 3 and 4 of the Grand View Addition in the City of Greeley, Weld County, Colorado.

WHEREAS, by **Easement** dated May 21, 1963 and recorded in Weld County, Colorado on May 24, 1963 at Reception 1409119, the **City** granted **UNC** a perpetual easement for all of Block 2 of the Grand View Addition, including any portions of Twentieth Street, Twentieth Street Road and Eleventh Avenue adjacent to said Block 2 of the Grand View Addition.

WHEREAS, the above-described **Easement** grants **UNC** rights to surface of Tract A of Inspiration Point. This Easement includes the right to landscape and make revisions to the improvements to the above-described property, but restricts the right to erect buildings, fences or other structures on the above-described property without prior approval from the **City**.

WHEREAS, by **Vacation and Dedication** dated June 1, 1965 and recorded in Weld County, Colorado on June 9, 1965 at Reception 1465552, the **City** and **UNC** vacated the Grand View Addition and dedicated Inspiration Point, a subdivision of a part of the City of Greeley.

WHEREAS, the Vacation portion of the above-described **Vacation and Dedication** references only Blocks 1, 2 and 3 of the Grand View Addition and does not reference Block 4 of the Grand View Addition.

WHEREAS, the legal description of the lands owned by the Parties and the corresponding map of Inspiration Point contained in the Dedication portion of the above-described **Vacation and Dedication** encompasses Blocks 1, 2, 3 and 4 of the Grand View Addition.

WHEREAS, it was the intent of the Parties that Tract A of Inspiration Point be comprised of the lands formerly known as Blocks 1 and 2 of the Grand View Addition and Tract B of Inspiration Point be comprised of the lands formerly known as Blocks 3 and 4 of the Grand View Addition.

WHEREAS, due to the discrepancy in the **Vacation and Dedication** described herein and due to the perpetual **Easement** described herein, the Parties acknowledge a lack of clarity regarding current ownership of the surface and minerals, including oil and gas, underlying the surface of Inspiration Point. The Parties now wish to establish current ownership of the surface and minerals, including oil and gas, underlying the surface of Inspiration Point with certainty.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties stipulate, clarify and as necessary, cross-convey the surface and minerals, including oil and gas, and agree that the Parties' ownership of Inspiration Point is as follows:

The **City** owns the surface and minerals, including oil and gas, underlying the surface of:

Tract "A" of Inspiration Point, formerly known as Blocks 1 and 2, Grand View Addition, lying within the NW/4NW/4 of Section 17, Township 5 North, Range 65 West, 6th P.M., containing 4.9694 acres, more or less.

UNC owns the surface and minerals, including oil and gas, underlying the surface of:

Tract "B" of Inspiration Point, formerly known as Blocks 3 and 4, Grand View Addition, lying within the NW/4NW/4 of Section 17, Township 5 North, Range 65 West, 6th P.M., containing 12.3659 acres, more or less.

This Stipulation of Interest and Cross-Conveyance may be executed in multiple original counterparts. Each of the counterparts hereof so executed shall for all purposes be deemed to be an identical original, and all such counterparts shall together constitute but one and the same instrument.

Effective as of the date of acknowledgement of the authorized signatures, below.

[Signature Pages to Follow]

CITY OF GREELEY, COLORADO
a Colorado home rule municipality

By: _____
John Gates, Mayor

Date: _____

ATTEST:

By: _____
Anissa Hollingshead, City Clerk

Date: _____

The State of Colorado by and through the Board of Trustees of the University of Northern Colorado

BY: _____
PRINTED NAME: _____
TITLE: _____

ACKNOWLEDGMENT

STATE OF COLORADO)
) ss:
COUNTY OF WELD)

BEFORE ME, the undersigned, a Notary Public, in and for said County and State, on this _____ day of _____ 2021, personally appeared _____, for The State of Colorado by and through the Board of Trustees of the University of Northern Colorado, who executed the within and foregoing instrument and acknowledged to me that they duly executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year last above written.

Notary Public in and for the State of Colorado
Commission No.: _____
My Commission Expires: _____

(Seal)

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