

Memorandum

To: Mayor and Council
From: Melody Harrison, Tom Baker
Date: April 18, 2017
Re: MT. Medaris Trail Expansion

Purpose: The purpose of this item is to report on the POSTR meeting, which occurred on April 5th and to request Council direction to amend the Mt. Medaris trail sign to allow mechanized use.

Background and Discussion: The April 5th POSTR meeting was noticed two ways: the electronic message board and flyer distributed to the 20+ houses closest to the impacted area. Approximately 15 people were present at the meeting including Council and staff. All persons at the meeting were supportive of the trail expansion.

At the meeting Greg Russi requested the Town Clerk research the documents that transferred the property from Mr. Eric Williams to the TONC to insure no conditions existed regarding it use. Melody did that research and found a Special Warranty Deed executing the property transaction on February 28, 2006. No conditions were contained in the Special Warranty Deed.

In terms of the use of bike paths – Municipal Code Chapter 12.20.030 – Use of bike paths, states:

“Unless otherwise prohibited by ordinance, regulation, or posting, all persons may lawfully run, jog, walk, hike, bicycle, cross-country ski or otherwise move through any park or public place on any bike or pedestrian path at any time such park of recreation area is open to public use.”

Currently the east trail sign for Mt. Medaris states “Foot Traffic Only”. Our research has not uncovered the specific reason for this posting, but it is speculated that there was a concern for motorized dirt bikes and perhaps horses. In 2006 the technology of mountain bikes had only begun to attain that which is common today and it is likely there was no demand for biking on the two Mt. Medaris trails.

Recommendation: Staff recommends Council direct staff to post the trail system for Mt. Medaris for foot and mechanized travel.

Attachments:

- Special Warranty Deed dated February 28, 2006;
- Current East-Side Mt. Medaris Trail Sign



695914 04/11/2006 02:06P B1789 P142 M ALSDORF
1 of 3 R 16.00 D 0.00 GARFIELD COUNTY CO

SPECIAL WARRANTY DEED

THIS DEED, made this 20th day of February, 2006, by and between Eric C. Williams, whose address is 0981 County Road 245, New Castle, CO 81647 (hereinafter "Grantor") and the Town of New Castle, a Colorado home rule municipality whose address is 450 West Main Street, P.O. Box 90, New Castle, CO 81647 (hereinafter "Grantee"):

WITNESSETH, that the Grantor, for and in consideration of the sum of Ten Dollars and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the Grantee, its heirs and assigns forever, the following real property, lying and being in the County of Garfield and State of Colorado:

A parcel of land situate in the N 1/2 Section 31, Township 5 South, Range 90 West of the 6th p.m., County of Garfield, State of Colorado as more particularly described on Exhibit A attached hereto and incorporated herein by this reference.

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, interest, claim and demand whatsoever of the Grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the said premises above bargained and described with the appurtenances, unto the Grantee, its heirs and assigns forever. Grantor, for itself, its heirs and personal representatives or successors, does covenant and agree that it shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the Grantee, its heirs and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under the Grantor.

IN WITNESS WHEREOF, the Grantor has executed this deed on the date first written above.

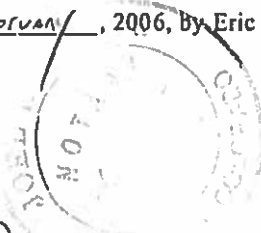
By *Eric C. Williams*
Eric C. Williams

STATE OF COLORADO)
) ss.
COUNTY OF EAGLE)

Acknowledged, subscribed, and sworn to before me this 20th day of February, 2006, by Eric C. Williams.

WITNESS my hand and official seal.

My Commission expires: 2-1-2007.


Jal [Signature]
Notary Public

After recording please return to:
Leavenworth & Karp, PC
P. O. Drawer 2030
Glenwood Springs, CO 81602

376
156
3

ERIC

695914 04/11/2006 02:06P B1789 P143 M ALSDORF
2 of 3 R 16.00 D 0.00 GARFIELD COUNTY CO

REMAINDER PARCEL #4

A PARCEL OF LAND SITUATE IN THE N1/2 SECTION 31, TOWNSHIP 5 SOUTH, RANGE 90 WEST OF THE 6TH P.M., COUNTY OF GARFIELD, STATE OF COLORADO. SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST 1/16 CORNER BETWEEN SAID SECTIONS 29 AND 32, A REBAR AND ALUMINUM CAP LS NO. 15710 IN PLACE; THENCE S44°32'27"W 2905.70 FEET TO A POINT ON THE SOUTHERLY BOUNDARY LINE OF CASTLE VALLEY RANCH, P.U.D. AS FILED WITH THE GARFIELD COUNTY CLERK AND RECORDER'S OFFICE AS RECEPTION NO. 344590, THE TRUE POINT OF BEGINNING; THENCE ALONG SAID SOUTHERLY BOUNDARY LINE THE FOLLOWING TWENTY THREE (23) COURSES:

1. N89°50'34"W 600.00 FEET;
2. S00°09'26"W 175.00 FEET;
3. N89°50'34"W 358.47 FEET;
4. N00°09'26"E 125.00 FEET;
5. N89°50'34"W 165.00 FEET;
6. N00°09'26"E 25.00 FEET;
7. N89°50'34"W 120.00 FEET;
8. N00°09'26"E 100.00 FEET;
9. N89°50'34"W 285.00 FEET;
10. N00°09'26"E 25.00 FEET;
11. N89°50'34"W 410.00 FEET;
12. N00°09'26"E 39.10 FEET;
13. N77°44'29"W 73.40 FEET;
14. N85°03'10"W 148.55 FEET;
15. S41°59'26"W 65.00 FEET;
16. S42°12'48"W 90.77 FEET;
17. N73°49'06"W 133.76 FEET;
18. N82°29'27"W 160.75 FEET;
19. N73°26'54"W 137.49 FEET;
20. N68°24'33"W 174.33 FEET;
21. N56°18'35"W 126.64 FEET;
22. N45°19'38"W 213.88 FEET;
23. N24°32'48"W 344.08 FEET TO A POINT ON THE INTERIOR BOUNDARY LINE OF SAID CASTLE VALLEY RANCH, P.U.D; THENCE DEPARTING SAID SOUTHERLY BOUNDARY LINE N89°56'25"E ALONG SAID INTERIOR BOUNDARY LINE 2865.37 FEET TO A POINT ON THE SOUTHERLY BOUNDARY LINE OF CASTLE VALLEY RANCH, PA19A & PA19B AS FILED WITH THE GARFIELD COUNTY CLERK AND RECORDER'S OFFICE AS RECEPTION NO. 687288, THENCE DEPARTING SAID INTERIOR BOUNDARY LINE S27°00'44"E ALONG SAID SOUTHERLY BOUNDARY LINE 120.69 FEET; THENCE CONTINUING ALONG SAID SOUTHERLY BOUNDARY LINE S72°28'55"E 332.06 FEET;

Etc



695914 04/11/2006 02:06P B1789 P144 M ALSDORF
3 of 3 R 16.00 D 0.00 GARFIELD COUNTY CO

THENCE DEPARTING SAID SOUTHERLY BOUNDARY LINE S00°47'28"E
548.03 FEET TO THE POINT OF BEGINNING. SAID PARCEL OF LAND
CONTAINING 48.376 ACRES, MORE OR LESS.

Mt. Medaris Trail

Constructed by the Citizens of New Castle and RFOV



Please:

Pets must be on a leash.

Clean up after your pet.

Foot traffic only.

Fragile environment; stay on trail.

HAVE A GREAT & SAFE WALK!

Town of New Castle