

RESOLUTION 12-2025

WHEREAS, on January 30, 2012 the Board of Montezuma County Commissioners adopted Resolution P-03-12 to conduct a land exchange with the Paul Dunn Living Trust and the Montezuma Valley Irrigation Company relating to the realignment of County Road 23. A "sliver" of land from the Bureau of Land Management and the Montezuma Valley Irrigation Company was to be deeded to the Dunn Family Living Trust leaving 2.2 acres, more or less, on the South Side of Road 23.

WHEREAS, an incorrect legal description was attached to the Resolution P-03-12, and resulted in an incomplete transfer to the Paul Dunn Living Trust.

WHEREAS, the Montezuma County Board of County Commissioners seeks to correct this mistake and complete the land transfer as originally intended.

NOW THEREFORE BE IT RESOLVED that the Montezuma County Board of County Commissioners adopts this instant Resolution amending Resolution P-03-12 to include a correct Exhibit "25A", which includes the legal description of property with the entire "sliver" that is to be deeded to the Paul Dunn Living Trust.

Approved and adopted this 29<sup>th</sup> day of July, 2025

BOARD OF COUNTY COMMISSIONERS,  
MONTEZUMA COUNTY, COLORADO

Kim Percell  
County Clerk and Recorder  
Montezuma County, Colorado



Gerald Koppenhafer  
Gerald Koppenhafer

Kent Lindsay  
Kent Lindsay

Jim Candelaria  
Jim Candelaria

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Kim Percell Clerk/Recorder, Montezuma County, Co

## EXHIBIT 25A

A tract of land located in the NE/4 of Section 8, Township 37 North, Range 16 West, New Mexico Principal Meridian, Montezuma County, Colorado, being more particularly described as follows:

Beginning at a point on the northerly right of way line of Highway 184 from which point the Northwest Corner of said Section 8 bears N12°38'56"W a distance of 1500.94 feet;

Thence N01°12'09"E a distance of 79.81 feet;

Thence along the arc of curve to the right with a radius of 170.00 feet and a length of 193.43 feet, the long chord bears N33°47'53"E a distance of 183.16 feet;

Thence N66°23'36"E a distance of 222.76 feet;

Thence along the arc of a curve to the left with a radius of 237.89 feet and a length of 171.24 feet, the long chord bears N45°46'16"E a distance of 167.57 feet to appoint on the easterly right of way line of Road 23;

Thence S16°58'48"W a distance of 95.57 feet along said right of way line;

Thence S15°10'42"W a distance of 108.68 feet along said right of way line;

Thence S10°51'12"W a distance of 101.68 feet along said right of way line;

Thence S03°31'50"W a distance of 106.20 feet along said right of way line;

Thence S01°25'30"W a distance of 44.54 feet along said right of way line to the northerly right of way line of Highway 184;

Thence N88°34'27"W a distance of 20.23 feet along said right of way line;

Thence N88°34'27"W a distance of 324.47 feet along said right of way line to the point of beginning, and containing 2.24 acres more or less.

The GPS (geodetic) bearings in this description are based on static GPS observation of a line from the N/4 corner of Section 8 to the witness corner of the NE corner of said Section 8, T37N, R16W, NMPM, both 1989 BLM monuments. This line bears N89°14'58"E a distance of 2057.5 feet.

Unit of Measurement = U.S. Survey Foot

## WARRANTY DEED

Montezuma County (Grantor(s)), whose street address is \_\_\_\_\_, City or Town of \_\_\_\_\_  
\_\_\_\_\_, County of Montezuma and State of Colorado, for the consideration of ten  
\_\_\_\_\_, dollars, (\$ 10.00), in hand paid, hereby sell(s) and convey(s) to Dunn Living Trust  
(Grantee(s)) as: ☒ joint tenants, ☐ tenants in common, ☐ \_\_\_\_\_, whose street address is 2441  
Camino del Oso, City or Town of Santa Fe County of Santa Fe and State of \_\_\_\_\_ of  
New Mexico, the following real property in the County of \_\_\_\_\_ and State of Colorado, to wit:  
As shown on Exhibit "A" attached hereto and made a part hereof by reference

known as: \_\_\_\_\_  
Street Address City State Zip

with all its appurtenances (Property), and warrant(s) the title to the same, subject to:

1. ☐ If the box is checked, "statutory exceptions" as defined in §38-30-113(5)(a), C.R.S., and
2. ☐ If the box is checked, any rights of tenants, as to tenants' right to possession only, under unrecorded leases of the Property, as described in that certain contract for the sale of the Property between Grantor(s) and Grantee(s), and
3. ☐ Other: \_\_\_\_\_

Signed this 5 day of Aug, 20 25.

GRANTOR(S):

\* [Signature]

Commissioner of Deeds

STATE OF COLORADO )  
 ) ss.  
COUNTY OF Montezuma )

The foregoing instrument was acknowledged before me this 5th day of August, 20 25, by \_\_\_\_\_  
Kim Percell County Clerk & Recorder

Witness my hand and official seal.

My commission expires: With office

[Signature]  
Notary Public

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Kim Percell Clerk/Recorder, Montezuma County, Co

EXHIBIT A – Attachment to WD

A tract of land located in the W/2NE/4 of Section 8, Township 37 North, Range 16 West, N.M.P.M., being more particularly described as follows:

Beginning at a point on the Northerly R/W of U.S. Highway 184 and the East line of the W/2W/2NE/4 of said Section 8, from which point the N/4 Corner of said Section 8 bears North 23 degrees 54 minutes 36 seconds West a distance of 1610.88 feet; thence North 01 degrees 13 minutes 56 seconds West a distance of 283.36 feet along the East line of the W/2W/2NE/4 to a point on the Westerly R/W of Road 23; thence North 15 degrees 10 minutes 42 seconds East a distance of 62.01 feet along said R/W; thence along the arc of a curve to the left with a radius of 237.89 feet and a length of 141.05 feet, the long chord bears North 42 degrees 08 minutes 04 seconds East a distance of 138.99 feet to a point on the Easterly R/W of Road 23; thence South 16 degrees 58 minutes 48 seconds West a distance of 95.57 feet along the Easterly R/W of Road 23; thence South 15 degrees 10 minutes 42 seconds West a distance of 106.68 feet along the Easterly R/W of Road 23; thence South 10 degrees 51 minutes 12 seconds West a distance of 101.68 feet along the Easterly R/W of Road 23; thence South 03 degrees 31 minutes 50 seconds West a distance of 106.20 feet along the Easterly R/W of Road 23; thence South 01 degrees 25 minutes 26 seconds West a distance of 44.50 feet along the Easterly R/W of Road 23 to the Northerly R/W of U.S. Highway 184; thence North 88 degrees 47 minutes 51 seconds West a distance of 20.23 feet along the Northerly R/W of U.S. Highway 184 to the point of beginning.

THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF MONTEZUMA  
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners, Montezuma County, Colorado, duly convened and held the 30<sup>th</sup> day of January, 2012, with the following persons in attendance:

Commissioners Present: Steve Chappell  
Larry D. Rule  
Gerald W. Koppenhafer

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Carol Tullis Clerk/Recorder, Montezuma County, Co

Commissioners Absent:  
County Attorney: Bob Slough  
County Administrator: Ashton N. Harrison  
County Clerk: Carol Tullis

The following proceedings, among others, were taken:

**RESOLUTION P-03-12**

**WHEREAS**, Montezuma Valley Irrigation Company is the owner of property located at TBD Hwy. 184, Cortez, CO, consisting of 170 acres, more or less, located in Sec. 8, T.37N., R.16W., N.M.P.M; and Dunn Living Trust is the owner of property located at TBD Hwy. 184, Cortez, CO, consisting of 87 acres, more or less, located in Sec. 8, T.37N., R.16W., N.M.P.M;

**WHEREAS**, an exemption for the adjustment to the common lot line between the 2 properties is being requested as provided for in the Montezuma County Land Use Code, Resolution No.: 09-2010 under Section 8103.3; no new tract shall be created;

**WHEREAS**, Road 23 and Hwy. 184 intersection currently exists on the east end of the property owned by the Dunn Living Trust. It has become necessary for Montezuma County to move the intersection of Road 23 and Hwy. 184 to the west to create an intersection that improves the health, safety and welfare of the traveling public. This relocation is necessary to also allow widening of said intersection whereby improving traffic circulation. Through the realignment/improvement of this intersection it is required that the Bureau of Reclamation and Montezuma Valley Irrigation Company deed to the Dunn Family Living Trust's property a sliver of land. The Dunn Living Trust property currently consists of 90 acres, more or less. The realignment and improvement of this intersection will bisect the Dunn tract leaving approximately 2.2 acres, more or less, on the south side of Road 23 and the remaining acreage on the north side. An exemption from the subdivision regulations is necessary as the realignment/improvement of this intersection will essentially split the Dunn Living Trust property into two separate parcels of land;

**WHEREAS**, said common lot line adjustment is described on the Exemption Plat submitted with the Exemption Application and attached herewith as Exhibit "A";

**WHEREAS**, direct access to the Dunn Living Trust properties will be directly off Road 23;

**WHEREAS**, the landowner(s) have been advised that all fences, stock drives and ditches must be maintained by the landowner. This amendment is further subject to all ditch and ditch easements.

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners for Montezuma County, Colorado, find that this Exemption request does not create a situation intended to be regulated by the Land Use Code for Montezuma County. The Resolution P-03-12, as requested by Montezuma Valley Irrigation and the Dunn Living Trust is hereby GRANTED as further described in the Exemption Plat recorded with Montezuma County Clerk & Records office.

Commissioners voting aye in favor of the Amended Resolution were:

*Steve D. Chappell* *Larry D. Rule* *Gerald W. Koppenhafer*  
*Carol Tullis*  
County Clerk and Recorder  
Montezuma County, Colorado

I certify that the above foregoing Amended Resolution is a true and correct copy of same as it appears on the minutes of the Board of County Commissioners for Montezuma County, Colorado, and the votes upon same are true and correct.

Dated this 30<sup>th</sup> day of January, 2012.

*Carol Tullis*  
County Clerk and Recorder, Montezuma County, Colorado

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Kim Percell Clerk/Recorder, Montezuma County, Co

**EXHIBIT "A"**

RESOLUTION NO.: P-03-12  
EXEMPTION PARCEL  
MONTEZUMA COUNTY TO DUNN LIVING TRUST

A tract of land in Section 8, T.37N., R.16W., N.M.P.M., Montezuma County, Colorado. being more particularly described as follows:

Beginning at a point on the northerly right-of-way of Colorado Highway 184 from which point the North 1/4 of said Section 8 bears N12°38'56"W a distance of 1500.94 feet;

thence, N01°12'09" E, a distance of 79.81 feet;  
thence, along the arc of a curve to the right a distance of 193.43 feet having a radius of 170.00 feet, the long chord of which bears N33°47'53"E a distance of 183.16 feet;  
thence, N66°23'36"E, a distance of 222.76 feet;  
thence, along the arc of a curve to the left a distance of 10.55 feet, having a radius of 237.89 feet, the long chord of which bears N65°07'22"E a distance of 10.55 feet to a point on the Westerly line of a tract of land as recorded in the Records of Montezuma County, Colorado, at Book 664, Pages 029-031, being the East line of the W/2W/2NE/4 of said Section 8;  
thence, S01°09'43"E a distance of 50.48 feet along the Easterly line of the W/2W/2NE/4 of said Section 8;  
thence, N15°10'42"E a distance of 62.01 feet along the West ROW of Road 23 defined as being 30' westerly and parallel to the centerline of the gravel surface;  
thence, along the arc of a curve to the left a distance of 141.05 feet having a radius of 237.89 feet, the long chord of which bears N42°08'04"E a distance of 138.99 feet to a point on the Easterly ROW of Road 23;  
thence, S16°58'48"W a distance of 95.57 feet along said ROW;  
thence, S15°10'42"W a distance of 108.68 feet along said ROW;  
thence, S10°51'12"W a distance of 101.68 feet along said ROW;  
thence, S03°31'50"W a distance of 106.20 feet along said ROW;  
thence, S01°25'30"W a distance of 44.54 feet along said ROW;  
thence, N88°34'27"W a distance of 20.23 feet along the North ROW of Colorado Highway 184;  
thence, N88°34'27"W a distance of 324.47 feet along the North ROW of Colorado Highway 184 to the point of beginning and containing 2.23 acres more or less.

