

Oct. 23, 2009 -- Property Transaction Proposal
Division of Wildlife

Loma Boat Launch State Wildlife Area, Property Exchange

Mesa County

1.42 acres

Two miles southeast of Loma on the Colorado River

Section 33-1-105 (3)(a), C.R.S. states:

In the event that the [Wildlife] Commission plans to acquire the fee title to any real property or to acquire an easement for a period to exceed 25 years or at a cost to exceed \$100,000 or to enter into any lease agreement for the use of real property for a period to exceed 25 years or at a cost to exceed \$100,000, or to sell or otherwise dispose of the fee title to any real property which has a market value in excess of \$100,000, the Commission shall first submit a report to the Capital Development Committee [CDC] which outlines the anticipated use of the real property, the maintenance costs related to the property, the current value of the property, any conditions or limitations which may restrict the use of the property, and, in the event real property is acquired, the potential liability to the state which will result from such acquisition. The CDC shall review the reports submitted by the Commission and make recommendations to the Commission concerning the proposed land transaction within 30 days from the day on which the report is received. The Commission shall not complete such transactions without considering the recommendations of the CDC, if such recommendations are timely made.

The required report is attached. CDC staff's questions about the report are listed below.

Action Required

Recommend support for a deed of .11 acres of state-owned land in exchange for 1.42 acres of privately owned land at the Loma Boat Launch State Wildlife Area.

CDC Staff Questions

1. Why does the property owner want the .11 acres to be deeded in the exchange? How will the .11 acres be used?

DOW Response: The primary reason the owner wants the .11 acres is because that .11 acres is where the gate to their driveway is located. When DOW purchased the boat launch, in the 70's, it was assumed that the actual boat launch was part of the purchase. However, it was determined years after that in fact the boat launch was not part of the original purchase and instead DOW purchased lot 4 (on the map) just above the ramp. After years of negotiating with the landowners it was agreed upon to swap the portion of the land that DOW had thought was purchased with the portion that had the landowner's gate to the driveway in their house.

Capital Development Committee

October, 2009—Property Transaction Proposal

Department of Natural Resources
Division of Wildlife

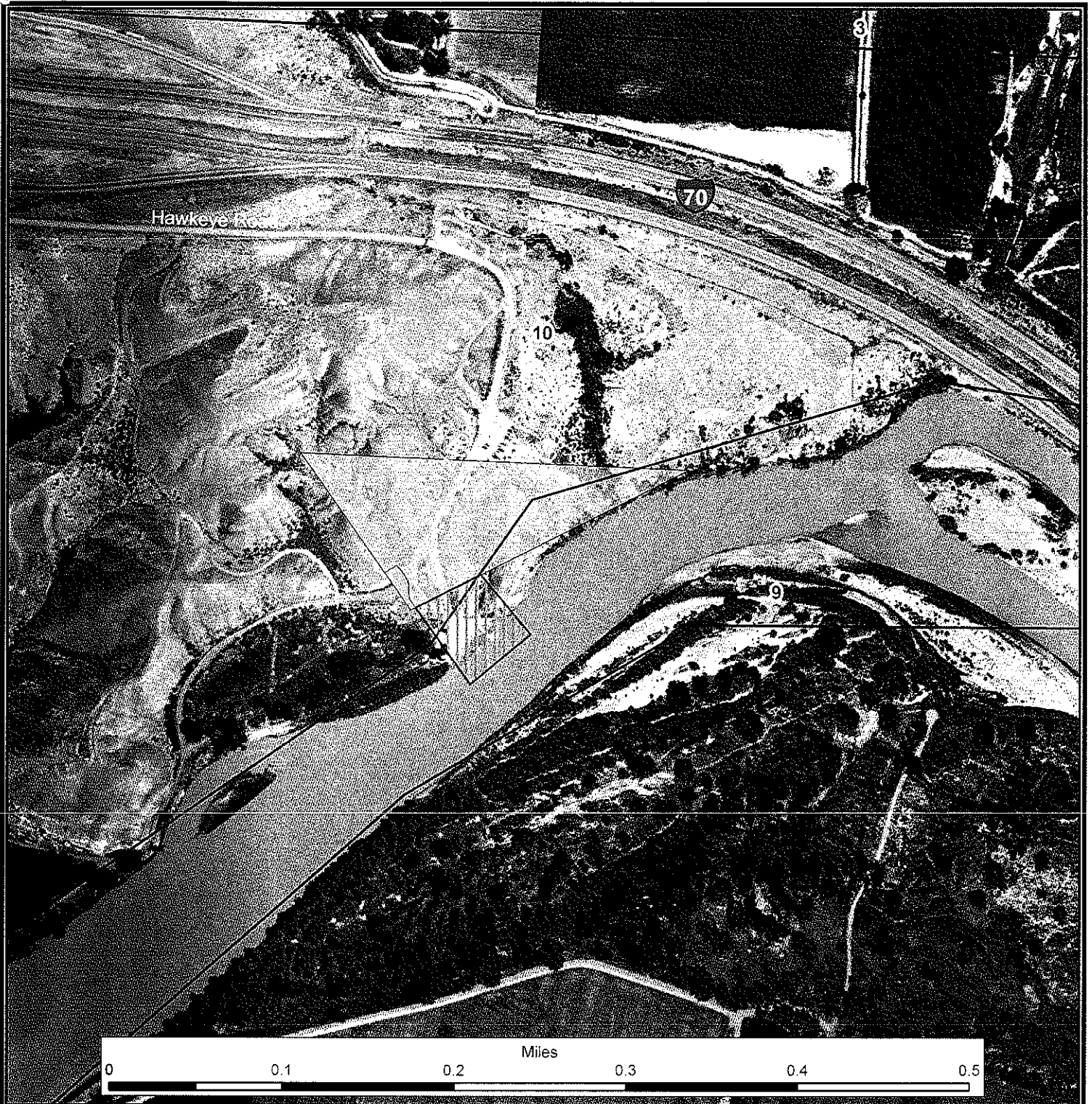
Action Required		Pursuant to C.R.S. 33-1-105(3)(a), recommend to the Colorado Wildlife Commission support for the Division of Wildlife's proposal to complete a property exchange.	
General Information			
Name		Loma Boat Launch SWA Exchange	
Number of acres		1.42 acres of private land and .11 acres of CDOW land	
Location		Two miles southeast of Loma on the Colorado River	
County		Mesa	
Costs / Source of Funding			
Purchase Price	N/A	Funding Source*	N/A
Spending authority has already been approved for this project in the Long Bill			
Fiscal Year		N/A	
Line Item		N/A	
Appropriation		N/A	
Remaining Unexpended Balance		N/A	
Annual Operation Costs	\$500.00	The annual operations costs will come from the Wildlife Management Line Item under the Division Operations Group in the Long Bill.	

Summary of Proposal

The purpose of this exchange is to acquire fee title to approximately **1.42** acres of private land in consideration for a deed from CDOW of **.11 acres** of CDOW land at the Loma Boat Launch SWA. This exchange will resolve a land ownership conflict and preserve public access to the Colorado River at Loma. The 1.42 acres of private land to be deeded to the DOW contains the majority of the Loma Boat Launch access to the Colorado River. The CDOW would accomplish the goal of preserving public access to the Loma Boat Launch SWA without incurring significant costs or creating animosity with landowners, and without the risk of litigation. The .11 acres of land the CDOW will deed does not contain critical wildlife habitat values.

People have used the boat launch area for decades as public land. The CDOW acquired the Loma Boat Launch property in 1966. The 1966 deed to the CDOW is ambiguous and the boat launch beach/river interface lies entirely within the adjacent privately owned land. When completed, the exchange will clear up an ownership and access problem.

The Loma Boat Launch SWA is heavily used for launching of water craft for recreation, hunting, fishing, emergency rescues, research, and invasive species work.



**Loma Boat Launch SWA Exchange
Mesa County - T1N R3W
Project #09-037-NW**

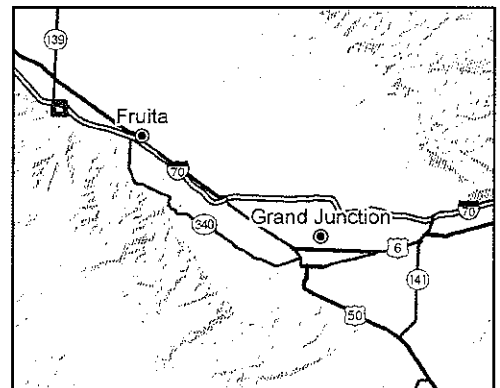
- Loma Boat Launch SWA
- CDOW to Deerwalker LLC & HT LLC
- Deerwalker LLC & HT LLC to CDOW



WildlifeGIS



Mapped By: Dawn Browne
CDOW Wildlife GIS Group
Projection: UTM, Zone 13
Datum: NAD 1983
Date: September 2009



JOSH PENRY
State Senator

State Capitol, Room 274
200 E. Colfax Avenue
Denver, CO 80203
Capitol: (303) 866-3077



COMMITTEES
Member of:
Legislative Council
Executive Committee
of Legislative Council

**SENATE
STATE OF COLORADO
DENVER**

Senate Minority Leader

September 28, 2009

Mr. Ron Velarde
Northwest Regional Manager
Colorado Division of Wildlife
711 Independent Ave.
Grand Junction, CO 81505

Dear Mr. Velarde:

I am writing in support of the Colorado Division of Wildlife's (DOW) proposed transfer of land at the Loma Boat Launch between the DOW and the Deerwalker LLC and HT LLC properties managed by Ms. Sara Ransford.

The Loma boat launch is heavily used by sportsmen, recreationists, and commercial river outfitters. It is a critical launch site for Emergency and Search & Rescue personnel needing access to the Horsethief and Ruby Canyon river sections of the McInnis Canyons National Conservation Area. Preservation of public access to the Colorado River at Loma will benefit the Mesa County economy, along with the people of Mesa County and its visitors.

Thank you in advance for your consideration.

Sincerely,

Josh Penry
State Senator

RECEIVED

SEP 29 2009

State Representative
STEVEN A. KING
Colorado State Capitol
P.O. Box 896
Grand Junction, CO 81502
Home: 970-243-0868
Scheduler: 970-261-5408
Capitol: 303-866-3068
Fax: 303-866-2218



Member:
Business Affairs & Labor
Committee
Judiciary Committee

COLORADO
HOUSE OF REPRESENTATIVES
STATE CAPITOL
DENVER
80203

October 8, 2009

Mr. Ron Velarde
Northwest Regional Manager
Colorado Division of Wildlife
711 Independent Avenue
Grand Junction, CO 81505

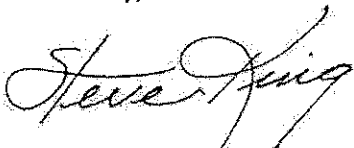
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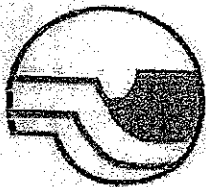
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I am confident this land exchange will preserve a critical public access to the Colorado River in Mesa County.

Sincerely,



Steven A. King



Mesa County, Colorado
BOARD OF COUNTY COMMISSIONERS

District 1 - Craig J. Meis (970) 244-1605
District 2 - Steven Acquafresca (970) 244-1604
District 3 - Janet Rowland (970) 244-1606

P.O. Box 20,000 • 544 Rood Avenue • Grand Junction, Colorado 81502-5010 • FAX (970) 244-1639

October 2, 2009

Mr. Ron Velarde
Northwest Regional Manager
Colorado Division of Wildlife
711 Independent Ave.
Grand Junction, CO 81505

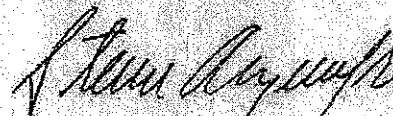
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Sincerely,


Steven Acquafresca, Chairman
Board of Commissioners


Janet Rowland
Commissioner


Craig J. Meis
Commissioner

cc: Jon Peacock; County Administrator

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