AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Public Hearing; Petition to Vacate Certain Alleys

Action Requested: Board of County Commissioners' Signature

Parties to the Agreement:

Term Begins: **Term Ends:** **Grant Contract #:**

Summary:

Attached please find A Resolution Vacating Certain Alleys Lying Within the Townsite of Irwin, County of Gunnison, Colorado

Fiscal Impact:

Submitted by: Office of the County Attorney **Submitter's Email Address:** rmagruder@gunnisoncounty.org

Finance Review: ○ Required ◉ Not Required

Comments:

Reviewed by: Discharge Date:

County Attorney Review: ◉ Required ○ Not Required

Comments:
OK DB 2-12-16

Reveiwed by: GUNCOUNTY1\dBaumgarten Discharge Date: 2/12/2016 Certificate of Insurance Required

Yes ○ No ◉

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\mbirnie Discharge Date: 2/12/2016

○ Consent Agenda ◉ Regular Agenda ○ Worksession Time Allotted: Public Hearing

Agenda Date: 2/16/2016

Revised April 2015

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

RESOLUTION NO: 2016-___

A RESOLUTION VACATING CERTAIN ALLEYS LYING WITHIN THE TOWNSITE OF IRWIN, COUNTY OF GUNNISON, STATE OF COLORADO

WHEREAS, the Board of County Commissioners of the County of Gunnison, Colorado (herein "Board"), by virtue of Colorado law, has authority and is the owner of certain roads and alleys lying within the County of Gunnison; and

WHEREAS, the Board has determined that not all platted roads and alleys are necessary for public access to privately owned property; and

WHEREAS, the Board has received a request to vacate certain alleys lying within the Townsite of Irwin, County of Gunnison, State of Colorado described as follows:

> The entire alleys lying within Blocks 15, 22 and 23, and that portion of the alley adjacent to Lots 5 through 7, inclusive, and Lots 12 through14, inclusive, and that half of the alley adjacent to Lot 8, Block 9 all within the Townsite of Irwin according to the official plat recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on September 6, 1894, bearing Reception No: 7055.

WHEREAS, the vacation of the above described alleys lying within the Townsite of Irwin, will not hinder any property owners of any lands from having access to their respective land nor disrupt existing travel modes or anticipated conditions in traffic or development patterns; and

WHEREAS, there will be no adverse impact to the natural environment, community needs or public health, safety and welfare from the vacation of the above described alleys lying within the Townsite of Irwin; and

WHEREAS, the notices required by Colorado law for such vacation have been given and a public hearing on such vacation has been conducted; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Gunnison, Colorado that the following described alleys lying within the Townsite of Irwin, County of Gunnison, State of Colorado described as follows shall be and hereby are vacated:

> The entire alleys lying within Blocks 15, 22 and 23, and that portion of the alley adjacent to Lots 5 through 7, inclusive, and Lots 12 through 14, inclusive, and that half of the alley adjacent to Lot 8, Block 9 all within the Townsite of Irwin according to the official plat recorded in the

records of the Office of the Clerk and Recorder of Gunnison County, Colorado on September 6, 1894, bearing Reception No: 7055.

It is the specific intent of the Board that the vacation of the above described alleys lying within the Townsite of Irwin shall accrue to and vest in the record owner(s) of adjacent real property pursuant to the provisions of C.R.S. § 43-2-302.

FURTHERMORE, this Resolution is contingent upon and shall not become effective until the recording in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado of the following:

1. Lot Cluster Agreements executed by Gunnison County and the owner(s) of the respective adjacent property clustering said property and the above described alleys lying within the Townsite of Irwin, County of Gunnison, State of Colorado vacated by this Resolution described as follows:

2. This Resolution.

INTRODUCED by Commissioner_____, seconded by Commissioner _____, and adopted this 16th day of February, 2016.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

By: _____
Paula Swenson, Chairperson

By: _____
Phil Chamberland, Vice Chairperson

By: _____
Jonathan Houck, Commissioner

ATTEST:

_____
Deputy County Clerk