AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Resolution Vacating a Portion of the Alley Lying w

Action Requested: Board of County Commissioners' Signature

Parties to the Agreement:

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

Summary:

Attached please find A Resolution Vacating a Portion of the Alley Lying Within Block 21, Townsite of Irwin, County of Gunnison, State of 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: 5 minutes

Agenda Date: 2/16/2016

Revised April 2015

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

RESOLUTION NO: 2016-___

A RESOLUTION VACATING A PORTION OF THE ALLEY LYING WITHIN BLOCK 21, 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 alleys and roads lying within the County of Gunnison; and

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

WHEREAS, the Board has received a request to vacate that portion of the alley lying adjacent to Lots 6 through 13, Block 21, inclusive, 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, 1984, bearing Reception No: 7055, County of Gunnison, State of Colorado; and

WHEREAS, the vacation of the above described portion of the alley within Block 21 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 portion of the alley within Block 21; 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 portion of the alley lying adjacent to Lots 6 through 13, Block 21, inclusive, 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, 1984, bearing Reception No: 7055, County of Gunnison, State of Colorado, shall be and hereby is vacated with the following contingencies.

It is the specific intent of the Board that the vacation of the above described portion of the alley lying within Block 21 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. A Lot Cluster Agreement executed by Gunnison County and the owner(s) of the adjacent property clustering said property and that portion of the alley lying adjacent to Lots 6 through 13, Block 2, inclusive, 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, 1984, bearing Reception No: 7055, County of Gunnison, State of Colorado vacated by this Resolution; and

2. This Resolution.

INTRODUCED by Commissioner_____, seconded by Commissioner _____, and adopted this 2nd 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