



BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

RESOLUTION NO: 2016-14

A RESOLUTION VACATING ANY INTEREST GUNNISON COUNTY MAY HAVE IN A CERTAIN ALLEY LYING WITHIN THE LAVETA ADDITION TO THE TOWN OF PITKIN, COUNTY OF GUNNISON, STATE OF COLORADO

WHEREAS, the Board of County Commissioners of the County of Gunnison, Colorado ("Board"), by virtue of Colorado law, has authority to vacate any roadway within said county that is not within the limits of a city or town; and

WHEREAS, the LaVeta Addition, though referred to as an addition to the Town of Pitkin on the plat recorded with the Gunnison County Clerk and Recorder's Office, has never officially been accepted nor recognized as part of the Town of Pitkin and is located within the unincorporated area of Gunnison County; and

WHEREAS, the Board has determined that not all roadways and alleys are necessary for public access to the privately-owned property within the LaVeta Addition; and

WHEREAS, the Board has received a petition from property owners of lots within Blocks 26 and 31, LaVeta Addition to the Town of Pitkin, requesting to vacate the following:

The entire alley lying within Block 26 located within the LaVeta Addition to the Town of Pitkin according to the official plat recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado, bearing Reception No: 258799, County of Gunnison, State of Colorado; 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 any interest that Gunnison County may have in the following shall be and hereby is vacated:

The entire alley lying within Block 26 located within the LaVeta Addition to the Town of Pitkin according to the official plat recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado, bearing Reception No: 258799, County of Gunnison, State of Colorado.

FURTHERMORE, this Resolution shall be effective and is contingent upon the following conditions:



1. It is the specific intent of the Board that the above described vacated alley should accrue to and vest in the adjacent property owner(s) pursuant to the provisions of C.R.S. §43-2-302.

2. The vacation of the above described alley will become effective only upon the recording in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado of a Lot Cluster Agreement executed by Gunnison County and the owner(s) of Lots 1 through 32, inclusive, Block 26 and Lots 1 through 4, inclusive, Block 31, LaVeta Addition to the Town of Pitkin, according to the official plat recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado, bearing Reception No: 258799, County of Gunnison, State of Colorado, clustering said lots and alley vacated herein.

3. This resolution shall not be recorded until all the above conditions have been satisfied and this resolution shall not be effective until it has been recorded with the Gunnison County Clerk and Recorder's Office.

INTRODUCED by Commissioner Chamberland, seconded by Commissioner Hauck, and adopted this 5th day of April, 2016.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

By: *Paula Swenson*
Paula Swenson, Chairperson

By: *Phil Chamberland*
Phil Chamberland, Vice Chairperson

By: *Jonathan Hauck*
Jonathan Hauck, Commissioner



ATTEST:
Christi Johnson
Deputy County Clerk