



STATE OF COLORADO }
 }ss COUNTY
OF ELBERT }

At a regular meeting of the Board of County Commissioners of Elbert County, State of Colorado, held at the Elbert County Courthouse in Kiowa, Colorado 80117 on Wednesday, the 28th day of August 2019, there were present:

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| Chris Richardson | Commissioner |
| Rick Pettitt | Commissioner |
| Grant Thayer | Commissioner |
| Amanda Moore | Deputy Clerk to the Board |

the following proceedings, among others, were had and done, to wit:

RESOLUTION 19-36
A RESOLUTION APPROVING A REQUEST TO VACATE A PORTION
OF THE RIGHT-OF-WAY COUNTY ROAD 62

WHEREAS, it is necessary to the health, safety and welfare of the residence of Elbert County, Colorado to vacate the following described roadway, and **WHEREAS**, it further is in the best interest of Elbert County to vacate said portion, and

WHEREAS, pursuant to C.R.S. 43-2-301, et. seq., it specifically provides methods for vacation of roadways, and

WHEREAS, the Board of County Commissioners of Elbert County did cause notice to be sent by first class mail to the last known addresses of each landowner who owns one acre or more of land adjacent to the following described roadway, said notice having been mailed no later than ten days prior to this date, and such notice made mention that a resolution vacating the described road would be presented at this meeting, and

WHEREAS, vacating the below described roadway will not cause any land to be without access to another established public road or private access easement, and

WHEREAS, the Board of County Commissioners in approving this resolution are entitled to reserve any and all such rights-of-way or easements for the continued use of existing sewer, gas, water, or similar pipelines and appurtenances, for ditches or canals and appurtenances, and for electric, telephone, and similar lines and appurtenances, pursuant to C.R.S. 43-2-303(3)(1), and

WHEREAS, the Board of County Commissioners of Elbert County has the authority to vacate any roadway or any part thereof located entirely within said County,

WHEREAS, the Elbert County Public Works Department has requested a Right-of-Way Vacation for the portion of the right-of-way of County Road 62; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Elbert County, Colorado ("Board"), as follows, to-wit:

1. That pursuant to C.R.S. 43-2-301, et. seq., and, in particular C.R.S. 43-2-303(1)(b) and (2)(b) the Board of County Commissioners of Elbert County, Colorado vacate the following portions of a roadway located within the County, as follows, to-wit:

A portion of roadway known as County Road 62 , County of Elbert, State of Colorado. Extending approximately 5311 feet West of the Lincoln County Line located within Section: 11, Township: 11, Range: 57.

2. That prior to said Board adopting said Resolution, said Board did cause to have mailed a notice by first-class mail to the last-known address of each land owner who owns one acre or more of land adjacent to that portion of the roadway being vacated with such notice indicating the time and place of the Board of County Commissioners meeting and further with notice indicating that a resolution to vacate the county roadway would be presented at said meeting.

3. That said Board finds that no land adjoining said roadway shall be without an established public road or private-access easement connecting said land with another established public roadway because of said vacation of the aforementioned portion of road.

4. The Board of County Commissioners in approving this resolution hereby reserve any and all such rights-of-way or easements for the continued use of existing sewer, gas, water, or similar pipelines and appurtenances, for ditches or canals and appurtenances, and for electric, telephone, and similar lines and appurtenances.

5. That said Resolution pursuant to C.R.S. 43-2-303(2)(f) shall be duly recorded with the Clerk and Recorder of Elbert County, Colorado pursuant to C.R.S.43-1-202.7.

6. That the within resolution shall be and become effective upon adoption of the same. Entered into this 28th day of August, 2019.

Upon a Motion duly made and seconded, the foregoing resolution was adopted by the following vote:



CHRIS RICHARDSON, COMMISSIONER, CHAIRMAN AYE

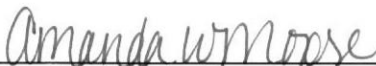


RICK PETTITT, COMMISSIONER AYE

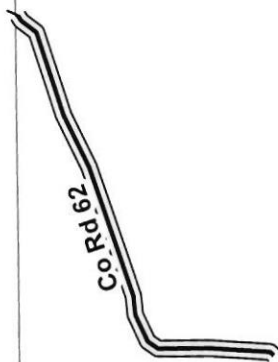


GRANT THAYER, COMMISSIONER, VICE CHAIRMAN AYE

**ATTEST: DALLAS SCHROEDER
COUNTY CLERK**

BY: 
Deputy Clerk to the Board, Amanda Moore





Co Rd 197

Co Rd 58

