



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 18th day of November 2020, there were present:

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 20-33**  
**A RESOLUTION APPROVING A REQUEST TO VACATE A PORTION**  
**OF COUNTY ROAD 177**

**WHEREAS**, a roadway vacation petition has been received from adjacent property owners, 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**, all landowners who owns one acre or more land adjacent to the following described roadway  
have signed said petition, thus no notices were sent by first class mail to the last known addresses of each  
landowner, 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, and

**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 177 generally located in Section: 2 Township: 12 Range: 58 :N2 S2  
Section: 11 Township: 12 Range: 58 :ALL Section: 12 Township: 12 Range: 58 :W2 Section: 13 Township: 12  
Range: 58 :ALL

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

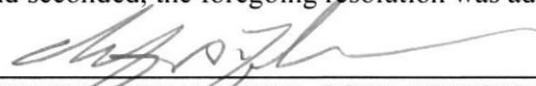
1. That pursuant to C.R.S. 43-2-301, et. seq., and, in particular C.R.S. 43-2-303(1)(b) and (2)(b) the Board of  
County Commissioners of Elbert County, Colorado vacate the following portions of a roadway located within  
the County, as follows, to-wit:


The portion of roadway known as COUNTY ROAD 177, County of Elbert, State of Colorado,  
according to the recorded plat thereof extending 5,345 feet between County Road 46 and County


Road 42

2. 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.
3. 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.
4. 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.
5. That the within resolution shall be and become effective upon adoption of the same. Entered into this 18th day of November, 2020.

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

  
\_\_\_\_\_  
**CHRIS RICHARDSON, COMMISSIONER** AYE

  
\_\_\_\_\_  
**GRANT THAYER, COMMISSIONER** AYE

  
\_\_\_\_\_  
**RICK PETTITT, COMMISSIONER** AYE

**ATTEST: DALLAS SCHROEDER  
COUNTY CLERK**

**BY:**   
Amanda Moore - Deputy Clerk to the Board





**Roadway Vacation Petition**

Date: August 24, 2020

**BEFORE THE HONORABLE BOARD OF COMMISSIONERS**

**FOR Elbert County, Colorado**

In the matter of the Vacation of Co Rd 177 generally located in Section: 2 Township: 12 Range: 58 :N2  
S2 Section: 11 Township: 12 Range: 58 :ALL Section: 12 Township: 12 Range: 58 :W2 Section:  
13 Township: 12 Range: 58 :ALL

We the undersigned, do hereby petition the Elbert County Board of Commissioners to vacate the herein described Elbert County roadway, County Road 177. The road is a through road directly to our home. We are the only parcel owners on either side of this section of Co Rd 177. This road serves no practical purpose to the public at this time.

**OWNER:**

BY: The Partners of  
Name: CC & R Ashcraft Farm Partnership  
Title: Partners  
Address: 44000 County Road 46, Matheson, Co 80830  
Phone: 719-771-1251

STATE OF COLORADO

COUNTY OF Lincoln

Curtis W. Ashcraft

) ss.  
)

Subscribed and sworn to before me this 24 day of August, 2020, by Curtis W. Ashcraft as Partner of CC & R Ashcraft Farm Partnership

Witness my hand and official seal.

My Commission expires: 4-27-2023

DIANE L KIMBLE  
NOTARY PUBLIC - STATE OF COLORADO  
NOTARY ID 19914004590  
MY COMMISSION EXPIRES APR 27, 2023

Diane L Kimble  
Notary Public

STATE OF COLORADO

COUNTY OF Lincoln

Carey D. Ashcraft

) ss.  
)

Subscribed and sworn to before me this 21 day of August, 2020, by Carey D. Ashcraft as Partner of CC & R Ashcraft Farm Partnership

Witness my hand and official seal.

My Commission expires: 4-27-2023

DIANE L KIMBLE  
NOTARY PUBLIC - STATE OF COLORADO  
NOTARY ID 19914004590  
MY COMMISSION EXPIRES APR 27, 2023

Diane L Kimble  
Notary Public