



**BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO
RESOLUTION NO: 08-35**

**A RESOLUTION VACATING PORTIONS OF WARREN STREET AND 7TH AVENUE
AND THE ALLEYS WITHIN BLOCK 27 AND BLOCK 30, LAVETA ADDITION TO THE
TOWN OF PITKIN, COUNTY OF GUNNISON, COLORADO**

WHEREAS, Gunnison County, by virtue of Colorado law, has the 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 in the unincorporated area of Gunnison County; and

WHEREAS, the Board of County Commissioners of the County of Gunnison, Colorado (herein the "Board") has determined that not all roadways 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 27, 28, 29 and 30, LaVeta Addition to the Town of Pitkin, requesting to vacate the following:

That portion of Warren Street lying between and adjacent to Lots 17 through 32, Block 27, inclusive, Lots 53 through 68, inclusive Block 28, Lots 72 and 73, inclusive, Block 29 and Lots 3 and 4, inclusive, Block 30 and across 7th Avenue between Blocks 27, 28, 29 and 30; and

That portion of 7th Avenue commencing from the northeasterly corner of Lot 1, Block 27 traveling along the southerly boundary line of Union Street easterly across 7th Avenue to the northwesterly corner of Lot 2, Block 30 then traveling southerly along the westerly boundary line of Lot 2, Block 30 across the alley lying within Block 30 across Warren Street to the southwesterly corner of Lot 72, Block 29 then traveling westerly across 7th Avenue to the southeasterly corner of Lot 68, Block 28 and then traveling northerly along the easterly boundary line of Lot 68, Block 28 across Warren Street to the southeasterly corner of Lot 32, Block 27 then traveling northerly along the easterly boundary line of Lot 32, Block 27 across the alley within Block 27 to the northeasterly corner of Lot 1, Block 27; and



The entire alley lying within Block 27 adjacent to Lots 1 through 32, inclusive;
and

That portion of the alley lying within Block 30 adjacent to Lots 1 through 4,
inclusive;

All lying within the La Veta Addition to the Town of Pitkin according to the official
plat filed with the Gunnison County Clerk and Recorder's Office, County of
Gunnison, State of Colorado; and

WHEREAS, a public hearing has been held regarding this matter and certain
recommendations and conditions were considered and made regarding the above
requested vacations; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the
County of Gunnison, Colorado that the following be and the same hereby are vacated:

That portion of Warren Street lying between and adjacent to Lots 17 through 32,
Block 27, inclusive, Lots 53 through 68, inclusive Block 28, Lots 72 and 73,
inclusive, Block 29 and Lots 3 and 4, inclusive, Block 30 and across 7th Avenue
between Blocks 27, 28, 29 and 30; and

That portion of 7th Avenue commencing from the northeasterly corner of Lot 1,
Block 27 traveling along the southerly boundary line of Union Street easterly
across 7th Avenue to the northwesterly corner of Lot 2, Block 30 then traveling
southerly along the westerly boundary line of Lot 2, Block 30 across the alley
lying within Block 30 across Warren Street to the southwesterly corner of Lot 72,
Block 29 then traveling westerly across 7th Avenue to the southeasterly corner of
Lot 68, Block 28 and then traveling northerly along the easterly boundary line of
Lot 68, Block 28 across Warren Street to the southeasterly corner of Lot 32,
Block 27 then traveling northerly along the easterly boundary line of Lot 32,
Block 27 across the alley within Block 27 to the northeasterly corner of Lot 1,
Block 27; and

The entire alley lying within Block 27 adjacent to Lots 1 through 32, inclusive;
and

That portion of the alley lying within Block 30 adjacent to Lots 1 through 4,
inclusive;



All lying within the La Veta Addition to the Town of Pitkin according to the official plat filed with the Gunnison County Clerk and Recorder's Office, County of Gunnison, State of Colorado.

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

1. It is the specific intent of the Board that the above described vacated alleys and portions of streets should accrue to and vest in the record owners pursuant to the provisions of § 43-2-302, C.R.S.
2. The vacation of the above described alleys and portions of streets will become effective only upon the recording on the records of the Clerk and Recorder of Gunnison County, Colorado of the Lot Cluster Agreement executed by Gunnison County and the owner of Lots 1 through 32, inclusive, Block 27, Lots 53 through 68, inclusive, Block 28, Lots 72 and 73, Block 29 and Lots 1 through 4, inclusive, Block 30, LaVeta Addition to the Town of Pitkin, County of Gunnison, State of Colorado, clustering said lots and alleys and portions of streets vacated herein.
3. The vacation of the above described alleys and portions of streets will become effective only upon the recording on the records of the Clerk and Recorder of Gunnison County, Colorado of an easement from Petitioner granting an easement for access and/or utilities, 16 feet in width, through the centerline of the existing road in Block 27.
4. 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 Star, seconded by Commissioner Murphy, and adopted this 19th day of August, 2008.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

By




Hap Channell, Chairperson



ATTEST:


Deputy County Clerk



By 
Paula Swenson, Vice Chairperson
By 
Jim Starr, Commissioner