

**BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO**

RESOLUTION NO: 11-39

**A RESOLUTION VACATING A PORTION OF ELEVENTH STREET LYING BETWEEN
WILLOW STREET AND OAK STREET AND THE ALLEY LYING WITHIN BLOCK 1,
TOWNSITE OF TIN CUP, COUNTY OF GUNNISON,
STATE OF COLORADO**

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

WHEREAS, the Board has received a petition from an adjacent property owner to vacate the following:

That portion of Eleventh Street lying between Willow Street and Oak Street adjacent to Lots 1 and 24 and the Alley within Block 1 extending north to the town boundary line; and the Alley in its entirety lying within Block 1, all situated within the disincorporated Townsite of Tin Cup according to the original town plat of Tin Cup, County of Gunnison, State of Colorado; and

WHEREAS, the vacation of that portion of Eleventh Street and the Alley described herein will not hinder any property owners of any lands from having access to their respective land nor disrupt existing travel modes or changed 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 said vacation of that portion of Eleventh Street and the Alley described herein; 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

WHEREAS, the Board has found that it would be in the best interest of the public to vacate that portion of Eleventh Street and the Alley described herein because of wetland preservation and reduction of development impacts and brings existing homes into compliance with Gunnison County Individual Sewage Disposal System Regulations; and

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

That portion of Eleventh Street lying between Willow Street and Oak Street adjacent to Lots 1 and 24 and the Alley within Block 1 extending north to the town boundary line; and the Alley in its entirety lying within Block 1, all situated within the disincorporated Townsite of Tin Cup according to the original town plat of Tin Cup, County of Gunnison, State of Colorado; and

FURTHERMORE, the vacated portion of Eleventh Street and the Alley described herein shall accrue to and vest in the record owners of the adjacent property pursuant to C.R.S. §43-2-301 et seq.

This resolution shall not be effective until it has been recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado.

INTRODUCED by Commissioner Swenson, seconded by Commissioner Chamberland, and adopted this 18th day of October, 2011.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

By Hap Channell
Hap Channell, Chairperson

By Paula Swenson
Paula Swenson, Vice Chairperson

By: Phil Chamberland
Phil Chamberland, Commissioner

ATTEST:

[Signature]
Deputy County Clerk

