AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Public Hearing; Street Vacation Request; Robert No

Action Requested: Board of County Commissioners' Signature

Parties to the Agreement:

Term Begins: **Term Ends:** **Grant Contract #:**

Summary:

Robert Norton applied and was granted a lot cluster for Bock 26 and 31 in the LaVeta Addition. The street/alley was not vacated prior to the cluster. Subsequently they were advised to application for a street and alley vacation. Our recommendation is that only the alley in Block 26 be vacated.

Fiscal Impact: Applicant pays the fees.

Submitted by: Marlene D. Crosby **Submitter's Email Address:** mcrosby@gunnisoncounty.org

Finance Review: ○ Required ◉ Not Required

Comments:

Reviewed by: Discharge Date:

County Attorney Review: ◉ Required ○ Not Required

Comments:
ok - gs

Reveiwed by: GUNCOUNTY1\gstuhr Discharge Date: 3/29/2016 Certificate of Insurance Required Yes ○ No ◉

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\mbirnie Discharge Date: 4/1/2016

○ Consent Agenda ◉ Regular Agenda ○ Worksession Time Allotted: 5 minutes

Agenda Date: 4/5/2016

Revised April 2015

Gunnison County Public Works Dept
Att., Debbie Ferchau,

This is in regard to the clustering of lots in Block 26 and 31 of the LaVeta Placer addition to the town of Pitkin Colorado. As owner of all lots in Block 26 and 31, I am requesting the vacating of the alley running full length of both blocks and also the section of 7th street between these blocks. I am enclosing a map of the LaVeta addition with the above mentioned street and alley highlighted .
All utility, electrical , phone, etc. have previously been notified of lot cluster and sent approval to Beth Baker in the Development Department.
I am enclosing a check in the amount of $500.00 as requested by Debbie. If further information is needed please call me, Robert Norton at 580-735-2900 home phone or cell, 580-216-4795.

Sincerely,
Robert Norton
RR 2 Box 123
Buffalo, Ok. 73834

NOTICE OF PUBLIC HEARING
REGARDING PETITION TO VACATE CERTAIN ALLEYS AND A PORTION OF 7TH STREET LYING WITHIN THE LAVETA ADDITION TO TOWN OF PITKIN, GUNNISON COUNTY, COLORADO

The Board of County Commissioners of the County of Gunnison County, Colorado, will hold a public hearing regarding the petition filed by Robert Norton to vacate any interest Gunnison County may have in certain alleys and a portion of 7th Street lying within the LaVeta Addition to the Town of Pitkin, Gunnison County, Colorado. The alleys and portion of 7th Street that the petitioner seeks to have vacated are located within the County of Gunnison, State of Colorado and described as follows:

> The entire alleys lying within Blocks 26 and 31 and all of 7th Street lying between Blocks 26 and 31, all 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.

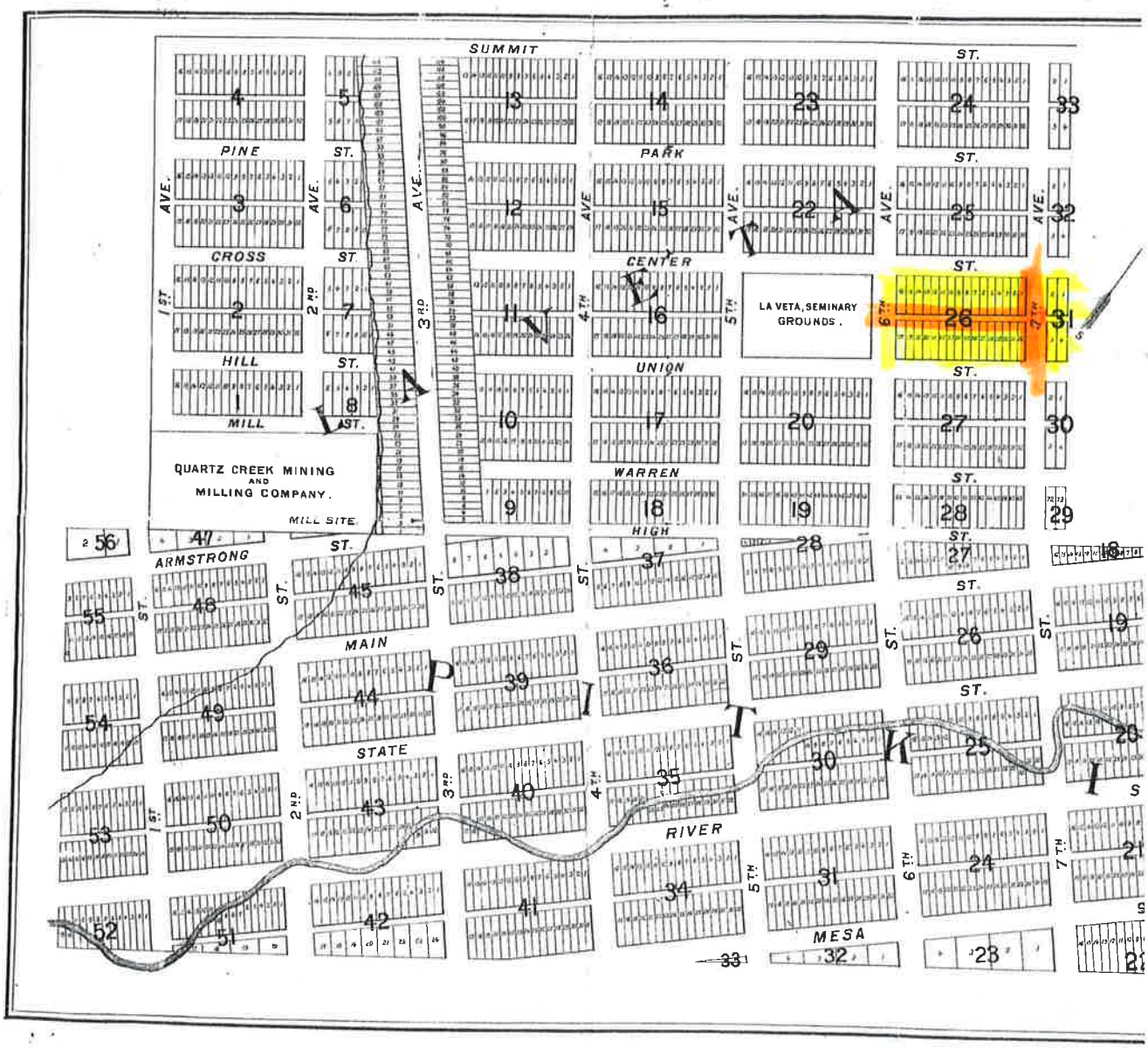
The public hearing will be held on April 5, 2016, at 8:55 a.m. in the Board of County Commissioners Meeting Room, Gunnison County Courthouse, 200 East Virginia Avenue, Gunnison, Colorado. The public is invited to attend and participate.

DATED: March 14, 2016

Marlene D. Crosby

Marlene D. Crosby
Gunnison County Public Works Director

Publish as a Legal Notice in the Gunnison Country times for the weeks of 3/14/16 and 3/21/16.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MESA
LA VETA, SEMINARY GROUNDS.
QUARTZ CREEK MINING AND MILLING COMPANY.
MILL SITE
1ST
2ND
3RD
4TH
5TH
6TH
7TH
AVE.
ST.

"Owned By Those We Serve"

Phone: (970) 641-3520
Fax: (970) 641-5302
Toll Free: 1-800-726-3523
Web Site: www.gcea.coop

Gunnison County Electric Association, Inc.
37250 Hwy. 50 • P.O. Box 180
Gunnison, CO 81230

March 23, 2016

Marlene D. Crosby

Public Works Director

Dear Mrs. Crosby,

This letter is in response to your request to vacate the entire alleys lying within Blocks 26 and 31 and all of 7th street lying between Blocks 26 and 31; all within the LaVeta addition to the Town of Pitkin. Gunnison County Electric Association, Inc. (GCEA) does not desire to have the alleys or 7th street vacated, for the purpose of providing power for future lots and access to future lots.

This letter shall in no way be construed to grant permission to vacate any other utility easements on the above alleys or 7th street.

Please feel free to contact me at 970-641-7338 if you have any questions.

Sincerely,

Brian Muth

Brian Muth

Engineering Technician

Gunnison County Electric Association

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

RESOLUTION NO: 2016-___

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_____, seconded by Commissioner _____, and adopted this _____ day of _____, 2016.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

By: _____
Paula Swenson, Chairperson

By: _____
Phil Chamberland, Vice Chairperson

By: _____
Jonathan Houck, Commissioner

ATTEST:

_____
Deputy County Clerk