AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Resolution; Amending Resolution 2016-14, a Resolut

Action Requested: Board of County Commissioners' Signature

Parties to the Agreement:

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

Summary:

This amendment to Resolution 16-14 revises the condition of an alley vacation in the LaVeta Addition to the Town of Pitkin. The condition was clustering the owner's lots and the vacated alley. We found that 4 of the lots that were referenced do not need to be in the lot cluster.

Fiscal Impact: 0

Submitted by: Office of the County Attorney **Submitter's Email Address:** rmagruder@gunnisoncounty.org

Finance Review: ○ Required ◉ Not Required

Comments:

Reviewed by: Discharge Date:

County Attorney Review: ◉ Required ○ Not Required

Comments:
ok - gs We have come to find that the four lots being removed are not contiguous to the other lots and vacated alley being clustered. A new lot cluster agreement has been drafted and will relect the same.

Reveiwed by: GUNCOUNTY1\gstuhr Discharge Date: 7/26/2016 Certificate of Insurance Required

Yes ○ No ◉

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\mbirnie Discharge Date: 8/4/2016

◉ Consent Agenda ○ Regular Agenda ○ Worksession Time Allotted: 0

Agenda Date: 8/16/2016

Revised April 2015

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

RESOLUTION NO: 2016-___

A RESOLUTION AMENDING RESOLUTION 2016-14, *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, on April 4, 2016, through Resolution No: 2016-14, *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*, the Board of County Commissioners of the County of Gunnison, Colorado ("Board"), vacated any interest that Gunnison County may have had in a certain alley lying within the LaVeta Addition to the Town of Pitkin described as follows:

> 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, one of the conditions of approval for vacating said alley identified in Resolution No: 2016-14 was:

> 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; and

WHEREAS, it has come to the Board's attention that Lots 1 through 4, Block 31 do not need to be part of the requisite Lot Cluster Agreement and the above referenced condition should reflect that exclusion and be amended as follows:

> 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, 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; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Gunnison, Colorado that Resolution No: 2016-14 shall be and hereby is amended to reflect the exclusion of Lots 1 through 4, Block 31 in the requisite Lot Cluster Agreement and the condition shall read as follows:

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, 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.

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