



BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

RESOLUTION NO: 2017-13

A RESOLUTION RATIFYING AND REAFFIRMING PREVIOUS VACATION
RESOLUTIONS WITHIN THE 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 and is the owner of certain alleys and roads lying within the County of Gunnison; and

WHEREAS, the Board has determined that not all platted alleys and roads are necessary for public access to privately owned property; and

WHEREAS, on September 6, 1974, pursuant to Colo. Rev. Stat. §139-19-101, *et seq.*, the Colorado Secretary of State determined that the town of Ohio City was an abandoned town and Gunnison County acquired all the real property owned by the town including the roads and alleys; and

WHEREAS, that Colorado Secretary of State determination is titled: *Findings of Fact and Determination* which was recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on October 23, 1974 in Book 476 at page 234, bearing Reception No: 302811; and

WHEREAS, prior to September 6, 1974 certain roads and alleys within Ohio City were vacated by the Board by the following resolutions:

1. A Resolution recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on February 3, 1965 in Book 378 at page 378, bearing Reception No: 262169; and
2. A Resolution recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on September 20, 1966 in Book 392 at page 22, bearing Reception No: 269013; and

WHEREAS, on November 14, 1980, pursuant to Colo. Rev. Stat. §31-3-201, *et seq.*, the Colorado Secretary of State determined that the town of Tincup was an abandoned town and Gunnison County acquired all the real property owned by the town including the roads and alleys; and

WHEREAS, that Colorado Secretary of State determination is titled: *Findings of Fact, Conclusions, and Determination* which was recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on November 24, 1980 in Book 559 at page 263, bearing Reception No: 355300; and



WHEREAS, prior to November 14, 1980 certain roads and alleys within Tincup were vacated by the Board by the following resolutions:

1. A Resolution recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on September 5, 1957 in Book 330 at page 389, bearing Reception No: 235884; and
2. A Resolution recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on October 27, 1958 in Book 337 at page 234, bearing Reception No: 239763; and
3. A Resolution recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on October 27, 1958 in Book 337 at page 236, bearing Reception No: 239764; and
4. A Resolution recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on November 10, 1958 in Book 337 at page 320, bearing Reception No: 239876; and
5. A Resolution recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on October 26, 1960 in Book 348 at page 138, bearing Reception No: 246356; and
6. A Resolution recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on August 28, 1961 in Book 355 at page 94, bearing Reception No: 249289; and

WHEREAS, the Board would like to ratify and reaffirm the above referenced resolutions;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Gunnison, Colorado that:

A. The following resolutions for vacations within Ohio City shall be and hereby are ratified, reaffirmed and effective nunc pro tunc September 6, 1974:

1. A Resolution recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on February 3, 1965 in Book 378 at page 378, bearing Reception No: 262169; and
2. A Resolution recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on September 20, 1966 in Book 392 at page 22, bearing Reception No: 269013; and

B. The resolutions for vacations within Tincup shall be and hereby are ratified, reaffirmed and effective nunc pro tunc November 14, 1980:



1. A Resolution recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on September 5, 1957 in Book 330 at page 389, bearing Reception No: 235884; and
2. A Resolution recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on October 27, 1958 in Book 337 at page 234, bearing Reception No: 239763; and
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6. A Resolution recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on August 28, 1961 in Book 355 at page 94, bearing Reception No: 249289.

INTRODUCED by Commissioner Houck, seconded by Commissioner Messner, and adopted this 4th day of April, 2017.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

By: 
Phil Chamberland, Chairperson

By: 
Jonathan Houck, Vice Chairperson

By: 
John Messner, Commissioner

ATTEST:


Deputy County Clerk

