

**BOARD OF COUNTY COMMISSIONERS
ARCHULETA COUNTY, COLORADO
RESOLUTION 2019-_____**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS APPROVING
VACATION OF ACCESS & UTILITY EASEMENT
FOR PARCELS 20 & 21 OF PAGOSA ALPHA SECTION 22**

WHEREAS, the Board of County Commissioners has adopted the *Archuleta County Land Use Regulations*, pursuant to C.R.S. §30-28-101, *et. seq.*, C.R.S. §24-64.1-101 *et. seq.*; C.R.S. §24-67-101 *et. seq.*; and C.R.S. §29-20-101 *et. seq.*; and

WHEREAS, the Board of County Commissioners has adopted the *Archuleta County Road and Bridge Design Standards and Construction Specifications*, by authority granted by statute; and

WHEREAS, Paul & Lori Davenport of Alta Loma, CA, applied to vacate unbuilt access and utility easements outside a platted subdivision (case file PLN19-265); and

WHEREAS, Paul and Lori Davenport Revocable Trust is the owner(s) of record of the subject property, being the N½ NE¼ SW¼ NE¼ S22 T35N R2W NMPM, aka Lot 20 Section 22 Pagosa Alpha Section, and the S½ NE¼ SW¼ NE¼ S22 T35N R2W NMPM, aka Lot 21 Section 22 Pagosa Alpha Section, at 527 & 589 Oakbrush St, Pagosa Springs, CO; and

WHEREAS, the property is zoned Agricultural Estates (AE); and

WHEREAS, applicants intend to combine the parcels by deed and construct a new home as allowed in the AE zone; and

WHEREAS, the Board of County Commissioners scheduled a public hearing on the request for July 2, 2019; and

WHEREAS, public notice of the hearing was provided by mail to each landowner within 500 feet at least 10 days before the public hearing, as required by Section 27.0.8 of the *Archuleta County Road and Bridge Design Standards*; and

WHEREAS, at the public hearing testimony was taken from all persons appearing and wishing to give testimony; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ARCHULETA COUNTY, COLORADO, AS FOLLOWS:

Section 1. Findings.

The Board of County Commissioners find that:

- a. The application meets the review criteria for a Road Vacation in Section 27.0.8 of the *Archuleta County Road and Bridge Design Standards*, and
- b. The application meets the requirements to vacate rights-of-way and easements in CRS §42-2-301 *et. seq* , and

Section 2. Conditions.

The Board hereby approves vacation of the unused Access & Utility Easement along the common parcel line between Lots 20 & 21 of Pagosa Alpha Section 22.

APPROVED AND ADOPTED this _____ day of _____, 2019, in Pagosa Springs, Archuleta County, Colorado.

BOARD OF COUNTY COMMISSIONERS
OF ARCHULETA COUNTY, COLORADO

Ronnie Maez, Chairman

ATTEST:

Clerk and Recorder

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