

RESOLUTION NO. R-017- D11

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOUGLAS, COLORADO
A RESOLUTION VACATING A SEGMENT OF RIGHT-OF-WAY PLATTED AS
YOSEMITE STREET, ACRES GREEN FILING 4, LOCATED IN THE
SE1/4 OF SECTION 4, TOWNSHIP 6 SOUTH, RANGE 67 WEST OF
THE 6TH P.M. DOUGLAS COUNTY, COLORADO

WHEREAS, the Board of County Commissioners desires to vacate a platted, but never used segment of Yosemite Street right-of-way, which was platted within Acres Green Filing 4 (recorded at Reception No. 158937) and more specifically described on Exhibit A attached hereto and incorporated herein ("Yosemite Street right-of-way"); and

WHEREAS, Section 43-2-303, C.R.S., authorizes the Board of County Commissioners to vacate roadways, easements, rights-of-way, and other public ways located within the unincorporated area of the County; and

WHEREAS, the Board of County Commissioners held a public hearing concerning the road vacation on January 24, 2017; and

WHEREAS, notice of said public hearing was published in the *Douglas County News-Press* on December 29, 2016; and

WHEREAS, notice of said public hearing was posted on January 6, 2017; and

WHEREAS, written notice of said hearing was sent by first class mail to all abutting landowners on December 30, 2016; and

WHEREAS, all required notices of said hearing were given as required by section 710B of the Douglas County Subdivision Resolution; and

WHEREAS, the unused segment of Yosemite Street right-of-way is located entirely within the unincorporated area of Douglas County; and

WHEREAS, the unused segment of Yosemite Street right-of-way does not constitute the boundary line between two counties; and

WHEREAS, the unused segment of Yosemite Street right-of-way does not constitute the boundary of a city or town; and

WHEREAS, the unused segment Yosemite Street right-of-way will be annexed into the City of Lone Tree following the right-of-way vacation; and

WHEREAS, the vacation of the unused segment of Yosemite Street right-of-way will not leave any land adjoining the right-of-way without an established public road or private access easement connecting said land with another established public road; and

WHEREAS, the vacation of the unused segment of Yosemite Street right-of-way is in keeping with the spirit and intent of the Douglas County Subdivision Resolution and the Douglas County Master Plan and Transportation Plan; and

WHEREAS, the vacation of the unused segment Yosemite Street right-of-way will not adversely affect the public health, safety, and welfare; now, therefore,

BE IT RESOLVED, by the Board of County Commissioners of the County of Douglas, Colorado, that:


1. The unused segment of Yosemite Street right-of-way, platted within Acres Green Filing 4, recorded at Reception No. 158937, more particularly described on Exhibit A attached hereto and incorporated herein, is hereby vacated. Utility easements are reserved; and
2. Pursuant to Section 43-2-302(1)(f), ownership of the unused segment of Yosemite Street right-of-way shall fully vest in the City of Lone Tree upon vacation.

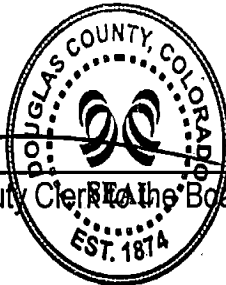
PASSED AND ADOPTED this 24th day of January, 2017, in Castle Rock, Douglas County, Colorado.

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

By: 
Roger A. Partridge, Chair

ATTEST:

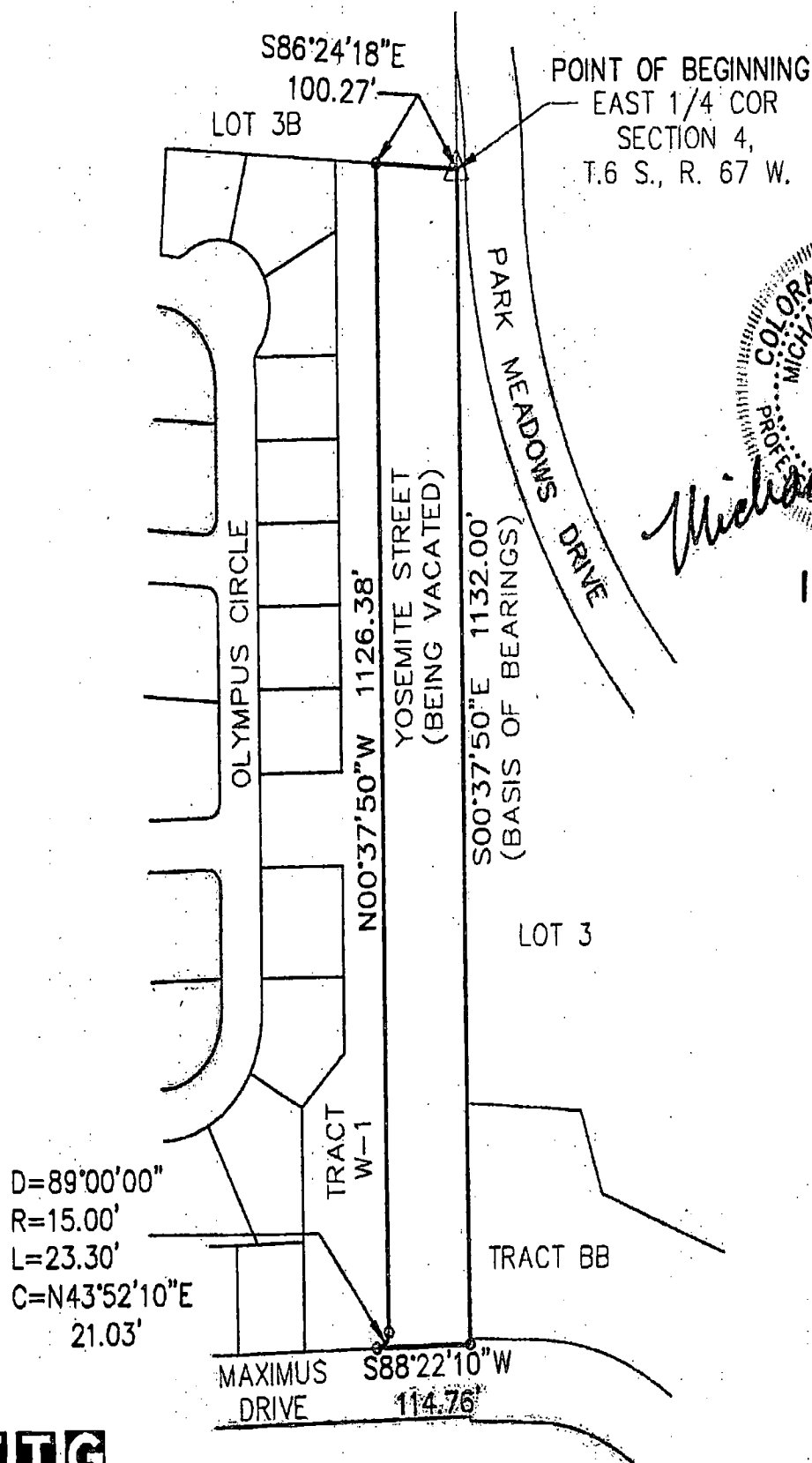
By: 
Meghan McCann, Deputy Clerk to the Board



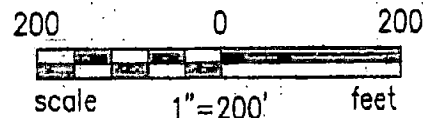
EXHIBIT

RIGHT-OF-WAY VACATION MAP

YOSEMITE STREET, ACRES GREEN FILING NO. 4, DOUGLAS COUNTY, COLORADO



Michael C. Cragger
 12/11/16



TTG ENGINEERS, INC.

SHEET 1 OF 2

EXHIBIT

RIGHT-OF-WAY VACATION MAP

YOSEMITE STREET, ACRES GREEN FILING NO. 4, DOUGLAS COUNTY, COLORADO

LEGAL DESCRIPTION

THE STREET RIGHT-OF-WAY OF YOSEMITE STREET, AS PLATTED IN ACRES GREEN FILING NO. 4, ACCORDING TO THE RECORDED PLAT THEREOF, DOUGLAS COUNTY, COLORADO, BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID STREET RIGHT-OF-WAY OF YOSEMITE STREET, ALSO BEING THE EAST QUARTER CORNER OF SECTION 4, TOWNSHIP 6 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, AND CONSIDERING THE ADJACENT EAST LINE OF SAID RIGHT-OF-WAY TO BEAR SOUTH 00°37'50"EAST, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE ALONG SAID EAST LINE, SOUTH 00°37'50"EAST, 1132.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF MAXIMUS DRIVE, AS PLATTED IN SAID ACRES GREEN FILING NO. 4; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE, SOUTH 88°22'10"WEST, 114.76 FEET TO THE WEST RIGHT-OF-WAY LINE OF SAID YOSEMITE STREET; THENCE ALONG SAID WEST RIGHT-OF-WAY LINE THE FOLLOWING TWO COURSES: 1) ALONG A CURVE TO THE LEFT HAVING A DELTA OF 89°00'00", A RADIUS OF 15.00 FEET, AN ARC OF 23.30 FEET AND A CHORD WHICH BEARS NORTH 43°52'10"E, 21.03 FEET; 2) NORTH 00°37'50"WEST, 1126.68 FEET TO THE NORTHWEST CORNER OF SAID YOSEMITE STREET RIGHT-OF-WAY; THENCE ALONG THE NORTH LINE OF SAID YOSEMITE STREET RIGHT-OF-WAY, SOUTH 86°24'18"EAST, 100.27 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION, CONTAINING 113,701 SQUARE FEET (2.610 ACRES), MORE OR LESS.

SURVEYOR'S CERTIFICATE

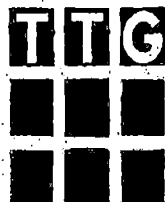
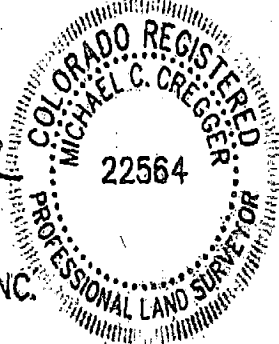
I, MICHAEL C. CREGGER, A REGISTERED PROFESSIONAL LAND SURVEYOR, REGISTERED IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS EXHIBIT AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION. THIS EXHIBIT DOES NOT CONSTITUTE A LAND SURVEY ACCORDING TO COLORADO STATUTES.

DATE

12/11/2016

PROFESSIONAL LAND SURVEYOR
COLORADO REGISTRATION NO. 22564
FOR AND ON BEHALF OF TTG ENGINEERS, INC.

Michael C. Cregger



TTG ENGINEERS, INC.

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