

RESOLUTION NO. R-022- 031

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

**RESOLUTION VACATING A PORTION OF PLATTED RIGHT-OF-WAY LOCATED
IN THE SW ¼ OF SECTION 24, TOWNSHIP 6 SOUTH, RANGE 69 WEST OF THE
6TH P.M. DOUGLAS COUNTY, COLORADO - PROJECT FILE: SB2021-064.**

WHEREAS, the 30' right-of-way was dedicated by plat as shown on Sunshine Acres, recorded at Reception No. 101578; and

WHEREAS, the 30' right-of-way has never been developed or used for right-of-way purposes; and

WHEREAS, the Board of County Commissioners desires to vacate a 30' platted right-of-way adjacent to Wildlife Way right-of-way, along the western boundary of Lot 20, in Sunshine Acres, located in the NW ¼ of Section 24, Township 6 South, Range 69 West of the 6th P.M., Douglas County, Colorado, and more specifically described on Exhibit A attached hereto and incorporated herein; 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 Planning Commission held a public hearing concerning the road vacation on February 28, 2022; and

WHEREAS, the Board of County Commissioners held a public hearing concerning the road vacation on March 8, 2022; and

WHEREAS, written notice of said hearing was mailed by first-class postage to each abutting landowner on February 12, 2022; and

WHEREAS, notice of said public hearing was published in the Douglas County News-Press on February 10, 2022; and

WHEREAS, notice of said public hearing was posted on February 14, 2022; and

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

WHEREAS, the vacated 30' of right-of-way is located entirely within the unincorporated area of Douglas County; and

WHEREAS, the vacated 30' of right-of-way does not constitute the boundary line between two counties; and

WHEREAS, the vacated 30' of right-of-way does not constitute the boundary of a city or town; and Partial Road Vacation Abutting Lot 20, Sunshine Acres Project File: SB2021-064 Board of County Commissioners Staff Report - Page 25 of 31

WHEREAS, the vacation of a portion of right-of-way, as depicted on Exhibit A, will not leave any land adjoining this portion of 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 30' of 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 30' of 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:

The portion of the platted 30' of right-of-way, adjacent to Wildlife Way right-of-way along the western boundary of Lot 20, located in the NW ¼ of Section 24, Township 6 South, Range 69 West of the 6th P.M., Douglas County, Colorado, more particularly shown and described on Exhibit A attached hereto and incorporated herein, is hereby vacated; and title to the vacated land shall vest in the land abutting the roadway as Lot 20, Sunshine Acres.

- A utility easement(s) is hereby reserved thereon for the continued use of existing sewer, gas, water, or similar pipelines and appurtenances, and for electric, telephone, and similar lines and appurtenances, existing as of date of vacation.

PASSED AND ADOPTED this 8th day of March, 2022, in Castle Rock, Douglas County, Colorado.

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

BY:

DocuSigned by:



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ABE LAYDON, Chair

DocuSigned by:



ATTEST:

DocuSigned by:



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KRISTIN RANDLETT, Clerk to the Board