

RESOLUTION NO. R-023- 053

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

**RESOLUTION VACATING A PORTION OF DOUGLAS COUNTY ROAD NO. 5,
LOCATED IN SECTIONS 11, 12, 14 AND 23, TOWNSHIP 7 SOUTH, RANCH 69 WEST
OF THE 6TH P.M. DOUGLAS COUNTY, COLORADO, PROJECT FILE: SB2023-007.**

WHEREAS, the Board of County Commissioners desires to vacate a portion of Douglas County Road No. 5 right-of-way, located in Sections 11, 12, 14, and 23, Township 7 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 portion of Douglas County Road No. 5 right-of-way to be vacated is a prescriptive road easement; and

WHEREAS, the portion of improved prescriptive road easement to be vacated is currently maintained by the Roxborough Park Foundation as Roxborough Drive as established on several recorded subdivision plats; and

WHEREAS, the remainder of the prescriptive road easement to be vacated is unimproved and extends through privately-held residential and recreational properties; and

WHEREAS, the Board of County Commissioners and Roxborough Park Foundation desire to eliminate redundant road ownership; and

WHEREAS, the Roxborough Park Foundation has granted an access easement to Douglas County, recorded at Reception No. 2023018013, to allow for continued use of Roxborough Drive by the County and specific property owners taking access from and through Roxborough Drive; and

WHEREAS, the Board of County Commissioners held a public hearing concerning the vacation of a portion of Douglas County Road No. 5 on April 25, 2023; and

WHEREAS, written notice of said hearing for the vacation of a portion of Douglas County Road No. 5 was mailed by first-class mail to each abutting landowner on April 7, 2023; and

WHEREAS, notice of said public hearing was published in the Douglas County News-Press on April 6, 2023; and

WHEREAS, notice of said public hearing was posted on April 6, 2023; and

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

WHEREAS, the portion of Douglas County Road No. 5 is located entirely within the unincorporated area of Douglas County; and

WHEREAS, the portion of Douglas County Road No. 5 does not constitute the boundary line between two counties; and

WHEREAS, the portion of Douglas County Road No. 5 does not constitute the boundary of a city or town; and

WHEREAS, the vacation of a portion of Douglas County Road No. 5 will not leave any land adjoining said 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 portion of Douglas County Road No. 5 is in keeping with the spirit and intent of the Douglas County Subdivision Resolution and the Douglas County Comprehensive Master Plan and Transportation Plan; and

WHEREAS, the vacation of the portion of Douglas County Road No. 5 will not diminish the ability to provide adequate emergency services and will not increase the cost of services; and

WHEREAS, the vacation of the portion Douglas County Road No. 5 will not adversely affect the public health, safety, and welfare, and

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

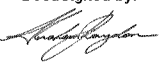
The portion of Douglas County Road No. 5, located in Sections 11, 12, 14, and 23, Township 7 South, Range 69 West of the 6th P.M., Douglas County, Colorado, more particularly described on Exhibit A, attached hereto and incorporated herein, is hereby vacated; and

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.

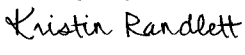
PASSED AND ADOPTED this 25th day of April, 2023, in Castle Rock, Douglas County, Colorado.

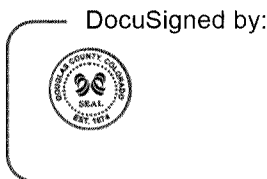
**THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOUGLAS, COLORADO**

BY:

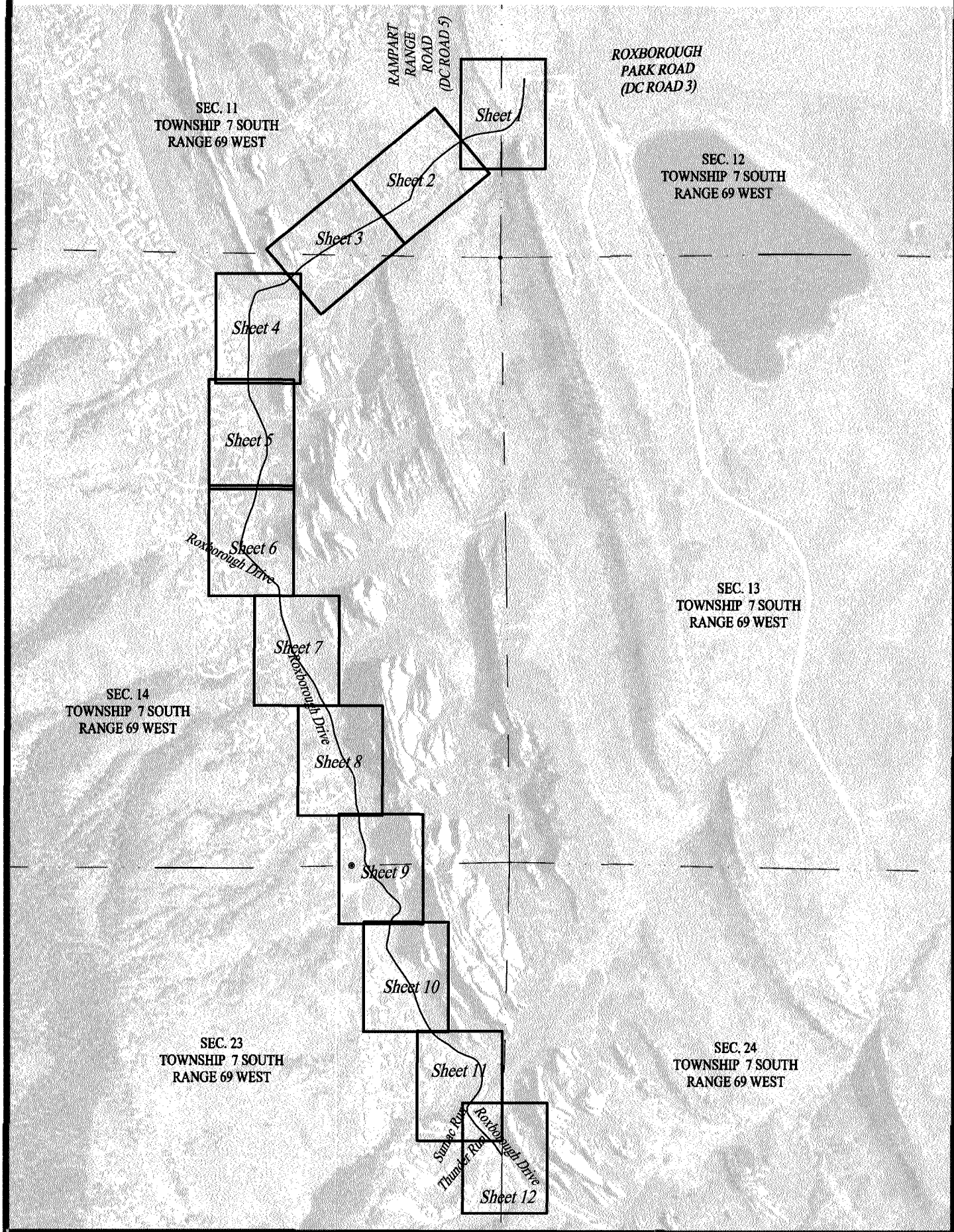
DocuSigned by:

2322E9EB93429
ABE LAYDON, Chair

ATTEST:

DocuSigned by:

4D0E70F519BD420
KRISTIN RANDLETT, Clerk to the Board

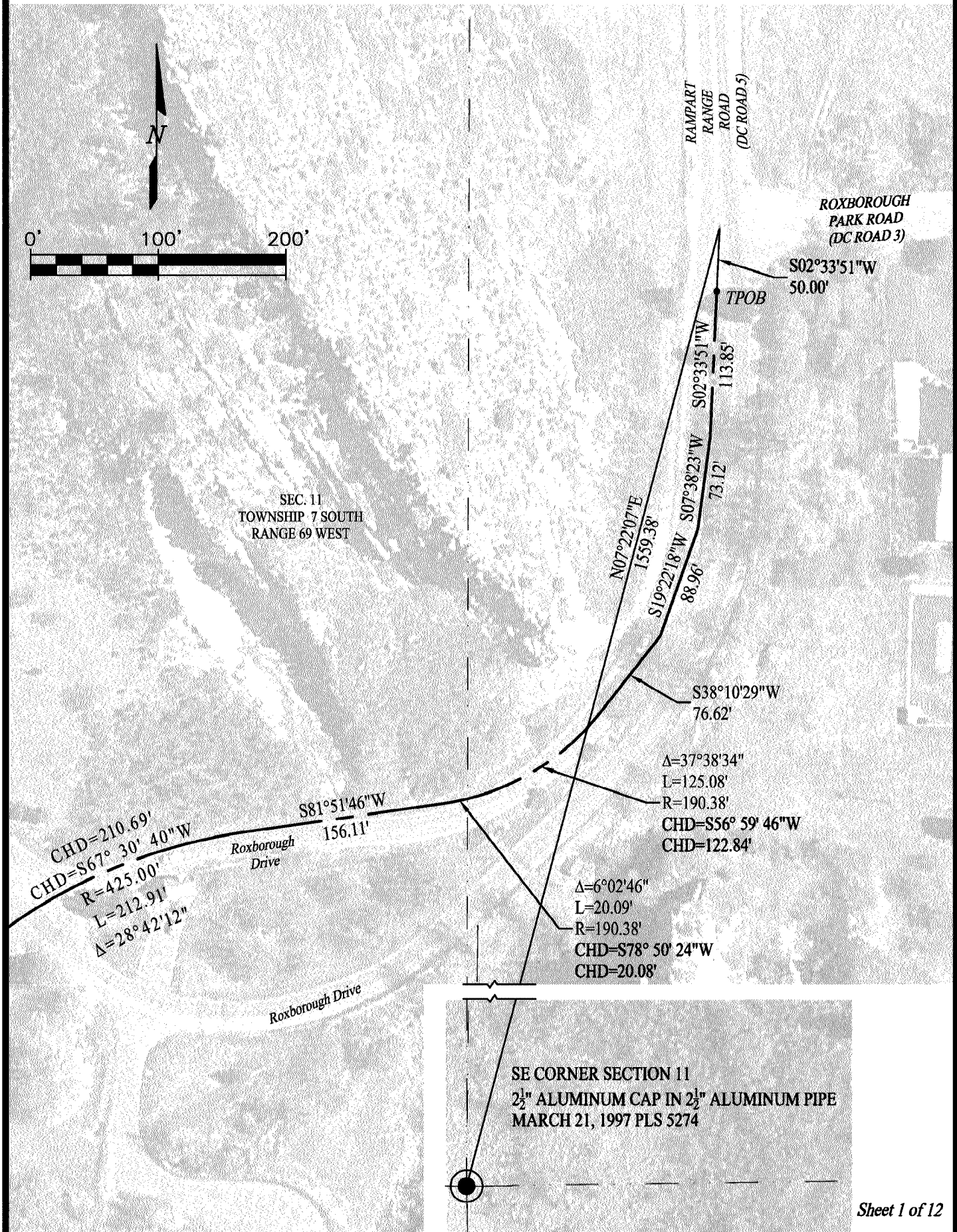


DOUGLAS COUNTY ROAD NO. 5 EXHIBIT A

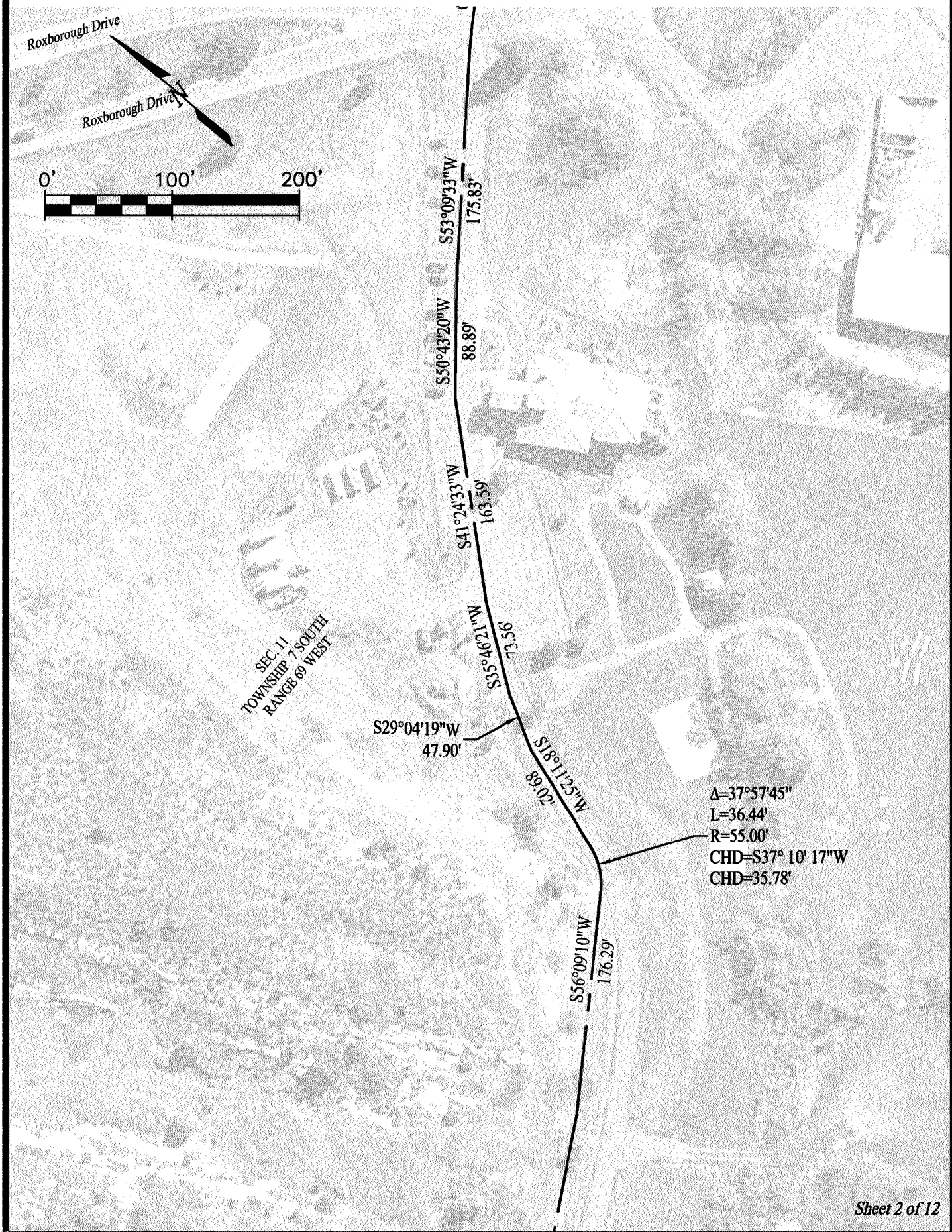


DOUGLAS COUNTY ROAD NO. 5

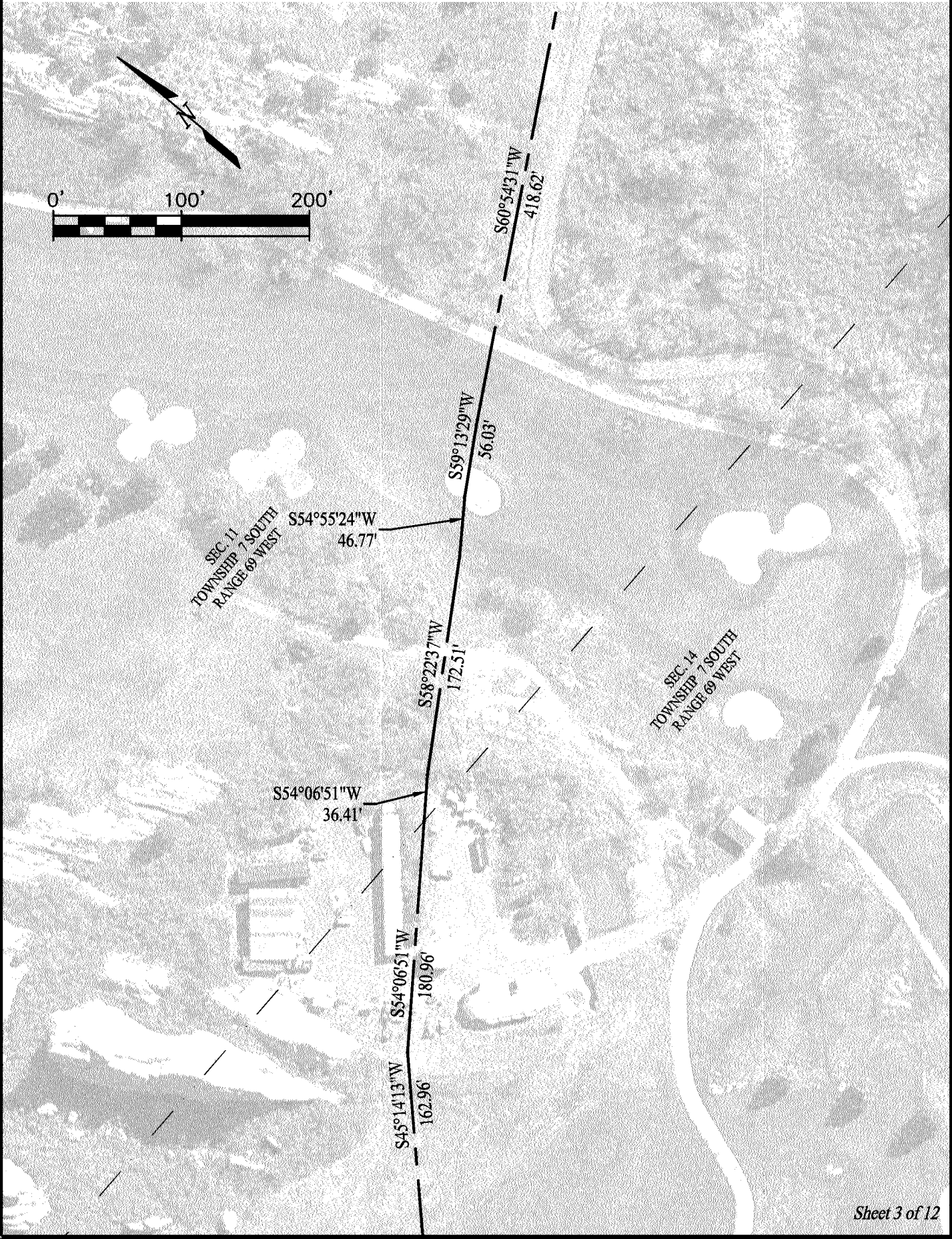
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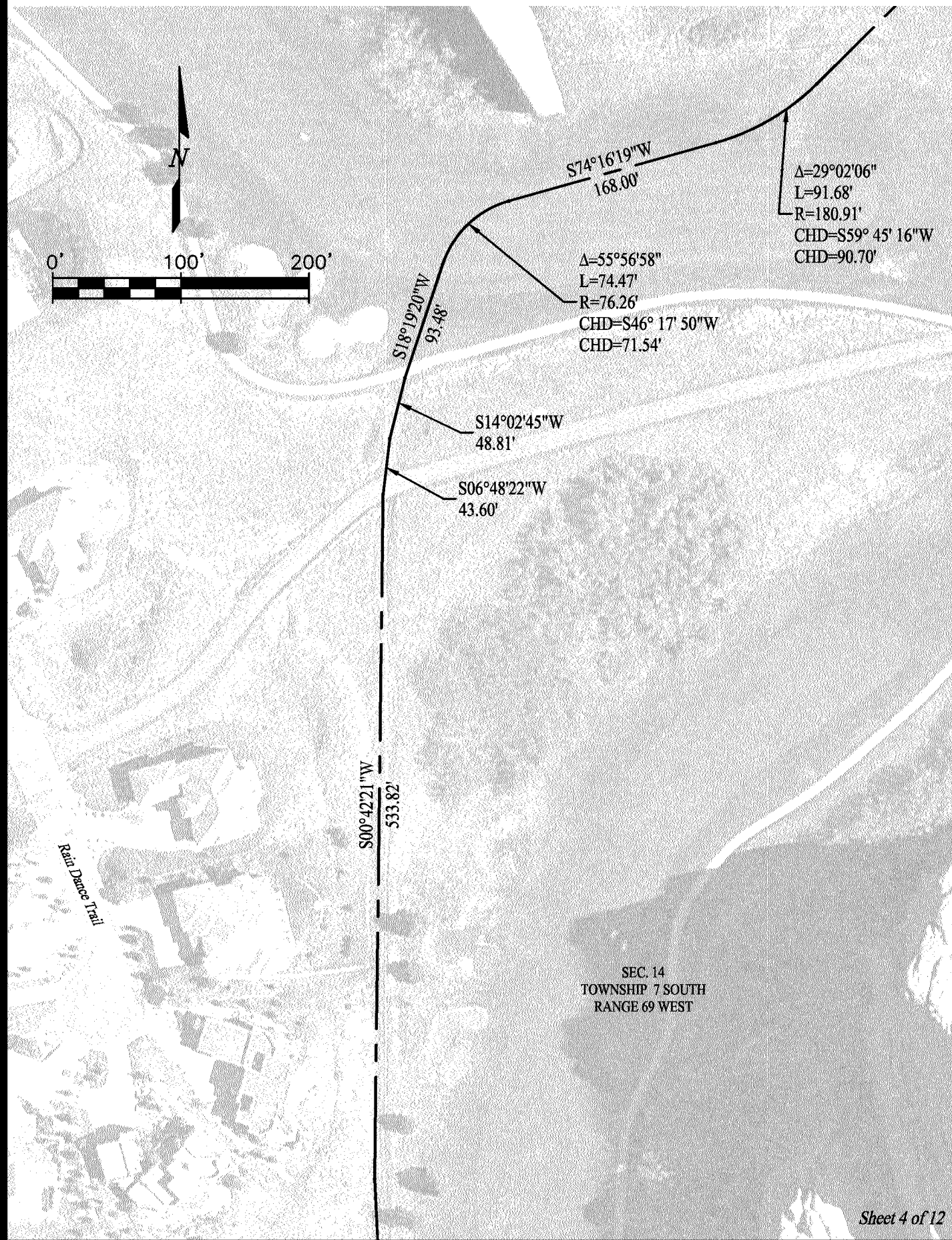


DOUGLAS COUNTY ROAD NO. 5
EXHIBIT A

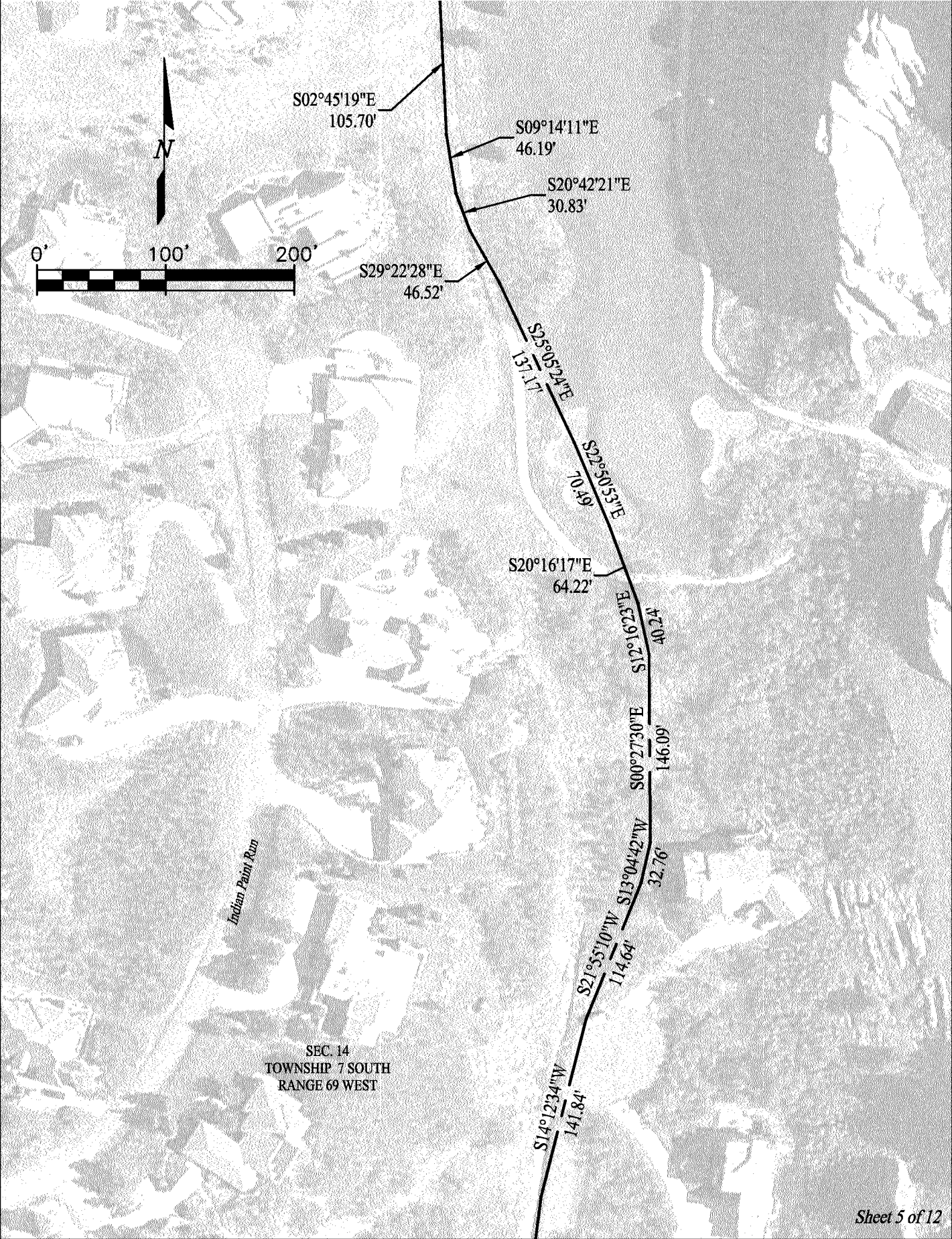


DOUGLAS COUNTY ROAD NO. 5

EXHIBIT A



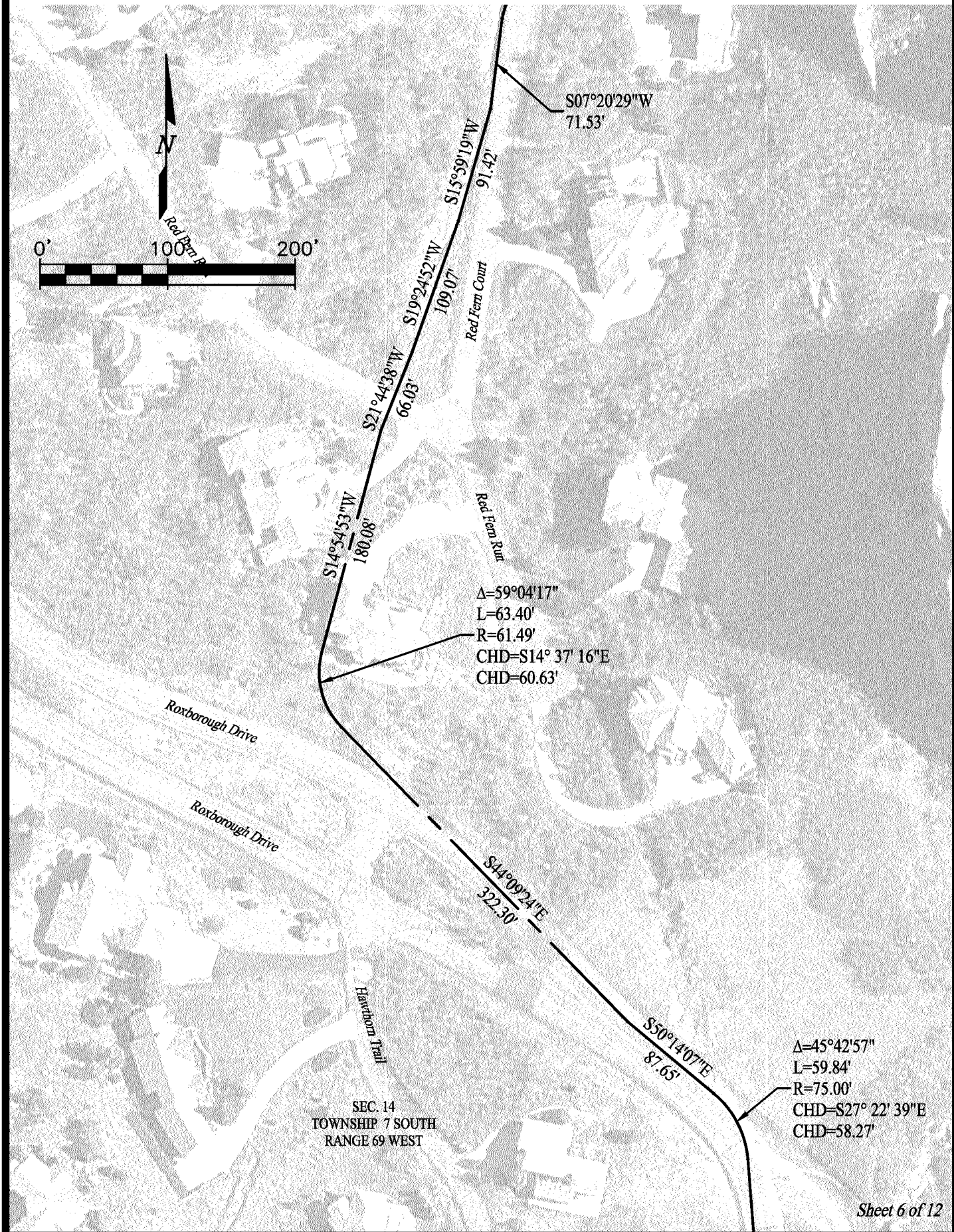
DOUGLAS COUNTY ROAD NO. 5
EXHIBIT A



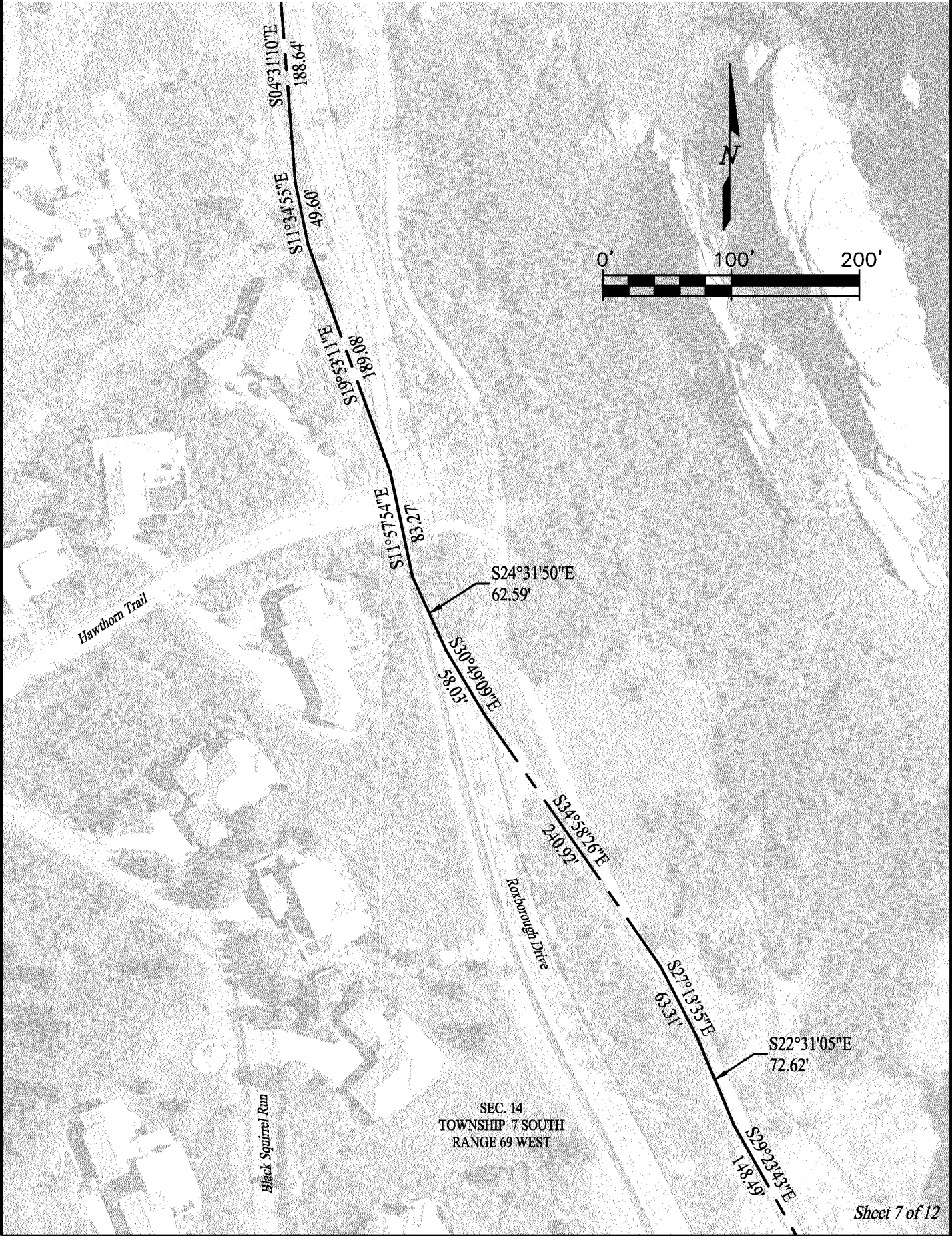
SEC. 14
TOWNSHIP 7 SOUTH
RANGE 69 WEST

DOUGLAS COUNTY ROAD NO. 5

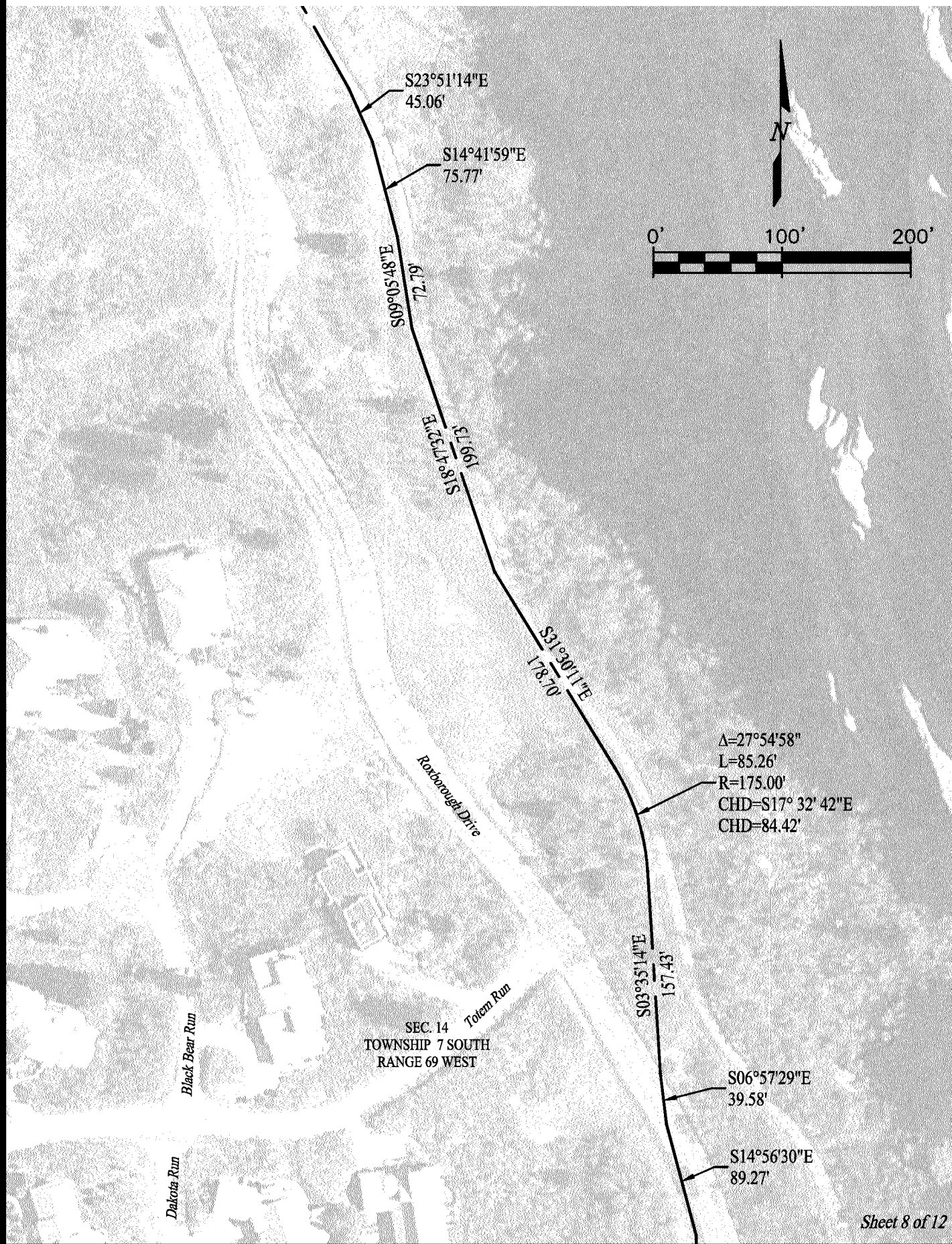
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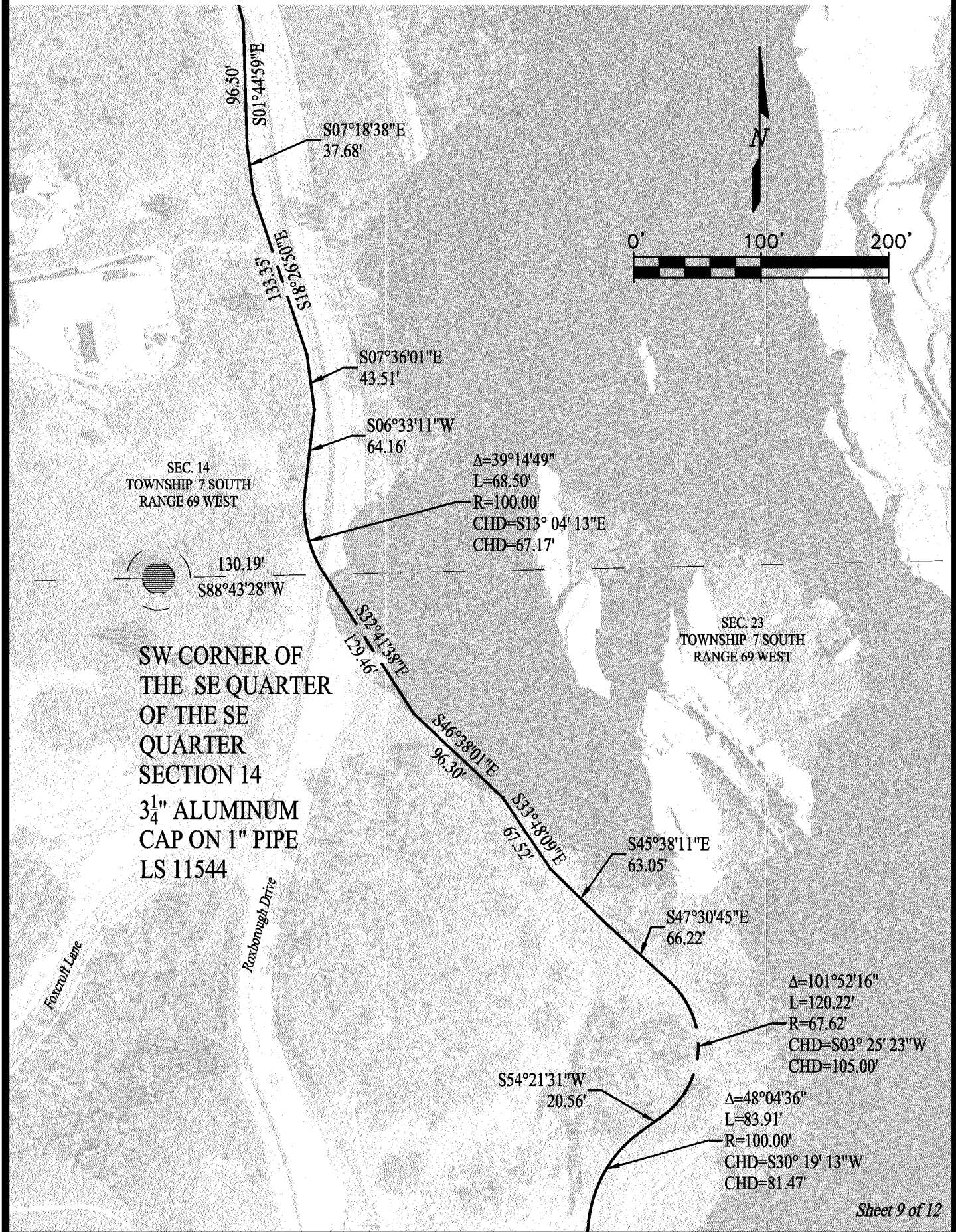


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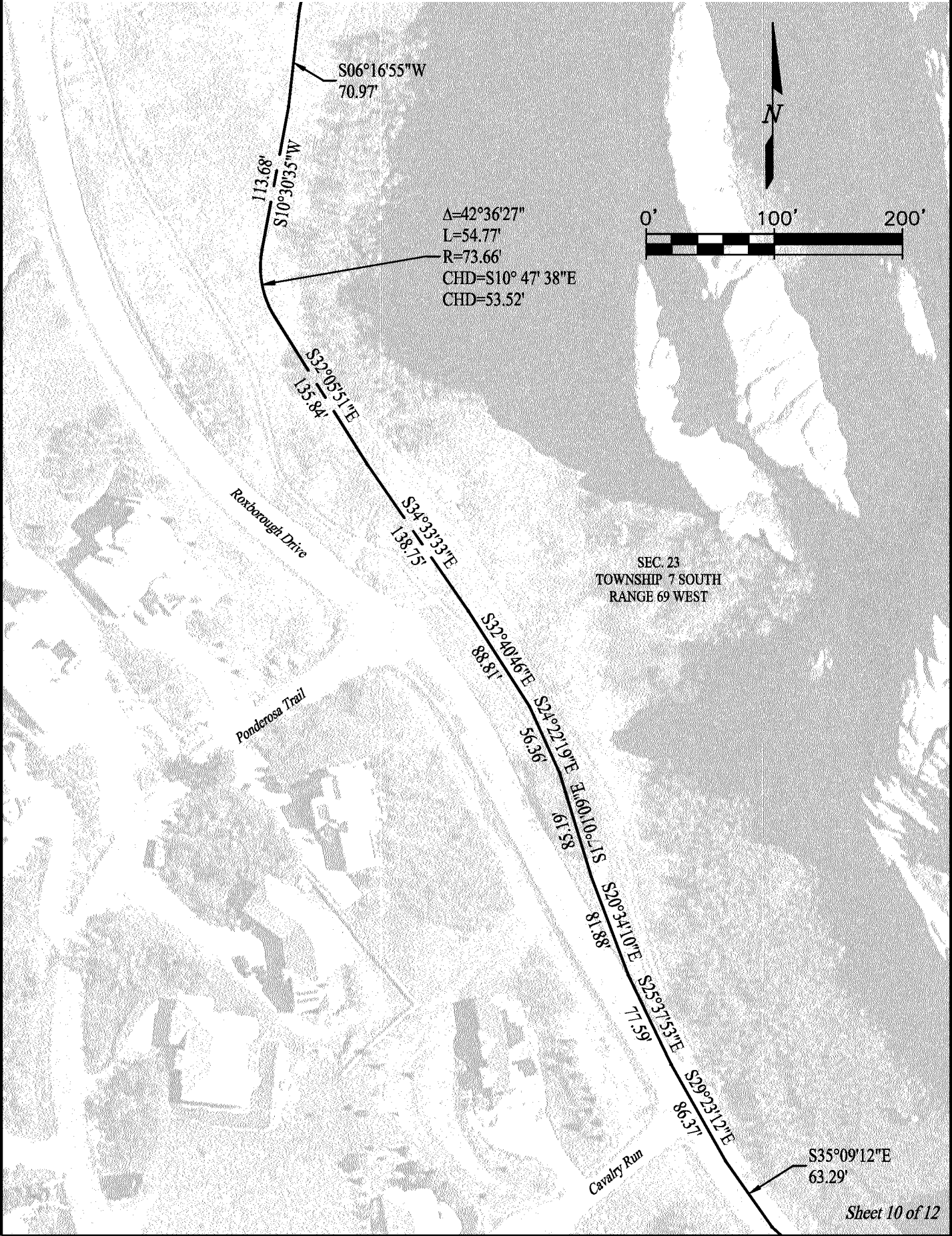


DOUGLAS COUNTY ROAD NO. 5

EXHIBIT A



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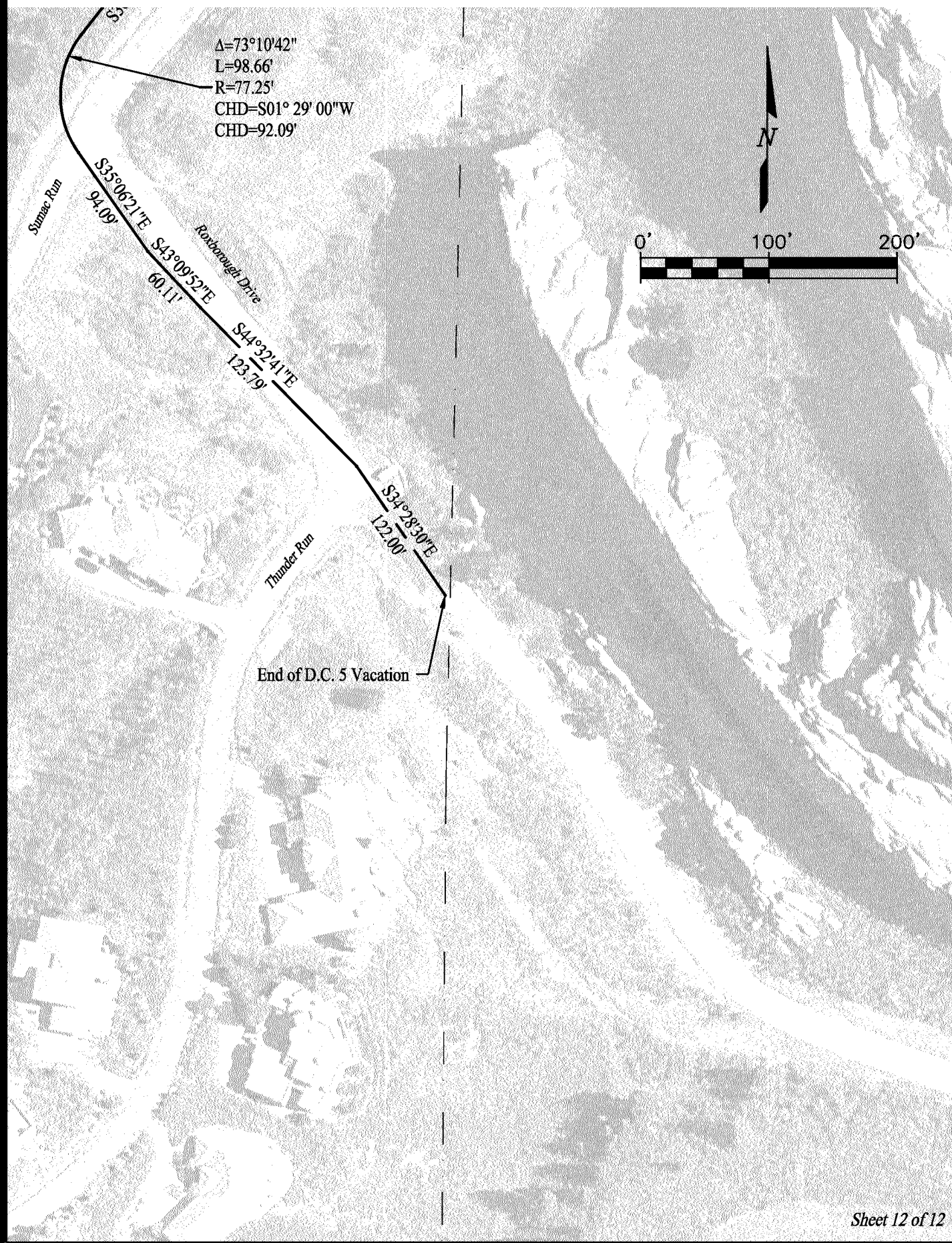


EXHIBIT A

**DOUGLAS COUNTY ROAD NO. 5 (DC5)
LEGAL DESCRIPTION FOR ROAD VACATION
THROUGH THE ROXBOROUGH PARK DEVELOPMENT
(Page 1 of 4)**

A SEGMENT OF DOUGLAS COUNTY ROAD NO. 5 (AS IT EXISTED IN SEPTEMBER 1970), LOCATED IN SECTIONS 11, 12, 14, AND 23, ALL IN TOWNSHIP 7 SOUTH, RANGE 69 WEST OF THE 6th P.M., COUNTY OF DOUGLAS, STATE OF COLORADO, THE CENTERLINE OF WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 11, A 2-1/2" ALUMINUM CAP IN A 2-1/2" ALUMINUM PIPE FOUND PER MONUMENT RECORD FILED MARCH 21, 1997 BY PLS 5274, FROM WHICH THE DOUGLAS COUNTY GIS CONTROL MONUMENT "COPP", A BRASS DISK SET IN CONCRETE, BEARS N 00° 36' 29" E AND REFERS TO TRUE MERIDIAN AS DETERMINED BY GPS OBSERVATIONS;
THENCE N 07° 22' 07" E A DISTANCE OF 1559.38 FEET TO THE CENTERLINE INTERSECTION OF COUNTY ROAD NO. 5 AND COUNTY ROAD NO. 3;
THENCE S 02° 33' 51" W, ALONG THE CENTERLINE OF COUNTY ROAD NO. 5, A DISTANCE OF 50.00 FEET TO THE TRUE POINT OF BEGINNING;
THENCE S 02° 33' 51" W A DISTANCE OF 113.85 FEET;
THENCE S 07° 38' 23" W A DISTANCE OF 73.12 FEET;
THENCE S 19° 22' 18" W A DISTANCE OF 88.96 FEET;
THENCE S 38° 10' 29" W A DISTANCE OF 76.62 FEET;
THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 190.38 FEET AND A CENTRAL ANGLE OF 37° 38' 34",
AN ARC DISTANCE OF 125.08 FEET (CHORD BEARING S 56° 59' 46" W, 122.84')
TO A POINT ON THE EAST LINE OF SAID SECTION 11 AS DETERMINED BY RECORD INFORMATION, FROM WHICH THE SOUTHEAST CORNER OF SAID SECTION 11 BEARS S 00° 09' 34" W A DISTANCE OF 1099.29 FEET;
THENCE CONTINUING ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 190.38 FEET AND A CENTRAL ANGLE OF 06° 02' 46",
AN ARC DISTANCE OF 20.09 FEET (CHORD BEARING S 78° 50' 24" W, 20.08')
THENCE S 81° 51' 46" W A DISTANCE OF 156.11 FEET;
THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 425.00 FEET AND A CENTRAL ANGLE OF 28° 42' 12",
AN ARC DISTANCE OF 212.91 FEET (CHORD BEARING S 67° 30' 40" W, 210.69');
THENCE S 53° 09' 33" W A DISTANCE OF 175.83 FEET;
THENCE S 50° 43' 20" W A DISTANCE OF 88.89 FEET;
THENCE S 41° 24' 33" W A DISTANCE OF 163.59 FEET;
THENCE S 35° 46' 21" W A DISTANCE OF 73.56 FEET;
THENCE S 29° 04' 19" W A DISTANCE OF 47.90 FEET;
THENCE S 18° 11' 25" W A DISTANCE OF 89.02 FEET;
THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 55.00 FEET AND A CENTRAL ANGLE OF 37° 57' 45",
AN ARC DISTANCE OF 36.44 FEET (CHORD BEARING S 37° 10' 17" W, 35.78');

EXHIBIT A

**DOUGLAS COUNTY ROAD NO. 5 (DC5)
LEGAL DESCRIPTION FOR ROAD VACATION
THROUGH THE ROXBOROUGH PARK DEVELOPMENT
(Page 2 of 4)**

THENCE S 56° 09' 10" W A DISTANCE OF 176.29 FEET;
 THENCE S 60° 54' 31" W A DISTANCE OF 418.62 FEET;
 THENCE S 59° 13' 29" W A DISTANCE OF 56.03 FEET;
 THENCE S 54° 55' 24" W A DISTANCE OF 46.77 FEET;
 THENCE S 58° 22' 37" W A DISTANCE OF 172.51 FEET;
 THENCE S 54° 06' 51" W A DISTANCE OF 36.41 FEET TO A POINT ON THE
 SOUTH LINE OF SAID SECTION 11 AS DETERMINED FROM RECORD
 INFORMATION, FROM WHICH THE SOUTHEAST CORNER OF SAID
 SECTION 11 BEARS S 89° 06' 15" E, A DISTANCE OF 1574.49 FEET;
 THENCE CONTINUING S 54° 06' 51" W A DISTANCE OF 180.96 FEET;
 THENCE S 45° 14' 13" W A DISTANCE OF 162.96 FEET;
 THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS
 OF 180.91 FEET AND A CENTRAL ANGLE OF 29° 02' 06", AN ARC DISTANCE OF
 91.68 FEET (CHORD BEARING S 59° 45' 16" W, 90.70');
 THENCE S 74° 16' 19" W A DISTANCE OF 168.00 FEET;
 THENCE ALONG THE ARC OF A CURVE TO THE LEFT
 HAVING A RADIUS OF 76.26 FEET AND A CENTRAL ANGLE OF 55° 56' 58",
 AN ARC DISTANCE OF 74.47 FEET (CHORD BEARING S 46° 17' 50" W, 71.54');
 THENCE S 18° 19' 20" W A DISTANCE OF 93.48 FEET;
 THENCE S 14° 02' 45" W A DISTANCE OF 48.81 FEET;
 THENCE S 06° 48' 22" W A DISTANCE OF 43.60 FEET;
 THENCE S 00° 42' 21" W A DISTANCE OF 533.82 FEET;
 THENCE S 02° 45' 19" E A DISTANCE OF 105.70 FEET;
 THENCE S 09° 14' 11" E A DISTANCE OF 46.19 FEET;
 THENCE S 20° 42' 21" E A DISTANCE OF 30.83 FEET;
 THENCE S 29° 22' 28" E A DISTANCE OF 46.52 FEET;
 THENCE S 25° 05' 24" E A DISTANCE OF 137.17 FEET;
 THENCE S 22° 50' 53" E A DISTANCE OF 70.49 FEET;
 THENCE S 20° 16' 17" E A DISTANCE OF 64.22 FEET;
 THENCE S 12° 16' 23" E A DISTANCE OF 40.24 FEET;
 THENCE S 00° 27' 30" E A DISTANCE OF 146.09 FEET;
 THENCE S 13° 04' 42" W A DISTANCE OF 32.76 FEET;
 THENCE S 21° 55' 10" W A DISTANCE OF 114.64 FEET;
 THENCE S 14° 12' 34" W A DISTANCE OF 141.84 FEET;
 THENCE S 07° 20' 29" W A DISTANCE OF 71.53 FEET;
 THENCE S 15° 59' 19" W A DISTANCE OF 91.42 FEET;
 THENCE S 19° 24' 52" W A DISTANCE OF 109.07 FEET;
 THENCE S 21° 44' 38" W A DISTANCE OF 66.03 FEET;
 THENCE S 14° 54' 53" W A DISTANCE OF 180.08 FEET;
 THENCE ALONG THE ARC OF A CURVE TO THE LEFT
 HAVING A RADIUS OF 61.49 FEET AND A CENTRAL ANGLE OF 59° 04' 17",
 AN ARC DISTANCE OF 63.40 FEET (CHORD BEARING S 14° 37' 16" E, 60.63');
 THENCE S 44° 09' 24" E A DISTANCE OF 322.30 FEET;
 THENCE S 50° 14' 07" E A DISTANCE OF 87.65 FEET;

EXHIBIT A

**DOUGLAS COUNTY ROAD NO. 5 (DC5)
LEGAL DESCRIPTION FOR ROAD VACATION
THROUGH THE ROXBOROUGH PARK DEVELOPMENT
(Page 3 of 4)**

THENCE ALONG THE ARC OF A CURVE TO THE RIGHT
HAVING A RADIUS OF 75.00 FEET AND A CENTRAL ANGLE OF 45° 42' 57",
AN ARC DISTANCE OF 59.84 FEET (CHORD BEARING S 27° 22' 39" E, 58.27");
THENCE S 04° 31' 10" E A DISTANCE OF 188.64 FEET;
THENCE S 11° 34' 55" E A DISTANCE OF 49.60 FEET;
THENCE S 19° 53' 11" E A DISTANCE OF 189.08 FEET;
THENCE S 11° 57' 54" E A DISTANCE OF 83.27 FEET;
THENCE S 24° 31' 50" E A DISTANCE OF 62.59 FEET;
THENCE S 30° 49' 09" E A DISTANCE OF 58.03 FEET;
THENCE S 34° 58' 26" E A DISTANCE OF 240.92 FEET;
THENCE S 27° 13' 35" E A DISTANCE OF 63.31 FEET;
THENCE S 22° 31' 05" E A DISTANCE OF 72.62 FEET;
THENCE S 29° 23' 43" E A DISTANCE OF 148.49 FEET;
THENCE S 23° 51' 14" E A DISTANCE OF 45.06 FEET;
THENCE S 14° 41' 59" E A DISTANCE OF 75.77 FEET;
THENCE S 09° 05' 48" E A DISTANCE OF 72.79 FEET;
THENCE S 18° 47' 32" E A DISTANCE OF 199.73 FEET;
THENCE S 31° 30' 11" E A DISTANCE OF 178.70 FEET;
THENCE ALONG THE ARC OF A CURVE TO THE RIGHT
HAVING A RADIUS OF 175.00 FEET AND A CENTRAL ANGLE OF 27° 54' 58",
AN ARC DISTANCE OF 85.26 FEET (CHORD BEARING S 17° 32' 42" E, 84.42");
THENCE S 03° 35' 14" E A DISTANCE OF 157.43 FEET;
THENCE S 06° 57' 29" E A DISTANCE OF 39.58 FEET;
THENCE S 14° 56' 30" E A DISTANCE OF 89.27 FEET;
THENCE S 01° 44' 59" E A DISTANCE OF 96.50 FEET;
THENCE S 07° 18' 38" E A DISTANCE OF 37.68 FEET;
THENCE S 18° 26' 50" E A DISTANCE OF 133.35 FEET;
THENCE S 07° 36' 01" E A DISTANCE OF 43.51 FEET;
THENCE S 06° 33' 11" W A DISTANCE OF 64.16 FEET;
THENCE ALONG THE ARC OF A CURVE TO THE LEFT
HAVING A RADIUS OF 100.00 FEET AND A CENTRAL ANGLE OF 39° 14' 49",
AN ARC DISTANCE OF 68.50 FEET (CHORD BEARING S 13° 04' 13" E, 67.17");
FROM WHICH THE SOUTHWEST CORNER OF THE SOUTHEAST ONE-
QUARTER OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 14
(MONUMENTED WITH A 3-1/4" ALUM. CAP ON A 1" PIPE,
LS 11544), BEARS S 88° 43' 28" W A DISTANCE OF 130.19 FEET);
THENCE S 32° 41' 38" E A DISTANCE OF 129.46 FEET;
THENCE S 46° 38' 01" E A DISTANCE OF 96.30 FEET;
THENCE S 33° 48' 09" E A DISTANCE OF 67.52 FEET;
THENCE S 45° 38' 11" E A DISTANCE OF 63.05 FEET;
THENCE S 47° 30' 45" E A DISTANCE OF 66.22 FEET;
THENCE ALONG THE ARC OF A CURVE TO THE RIGHT
HAVING A RADIUS OF 67.62 FEET AND A CENTRAL ANGLE OF 101° 52' 16",
AN ARC DISTANCE OF 120.22 FEET (CHORD BEARING S 03° 25' 23" W, 105.00');

EXHIBIT A

**DOUGLAS COUNTY ROAD NO. 5 (DC5)
LEGAL DESCRIPTION FOR ROAD VACATION
THROUGH THE ROXBOROUGH PARK DEVELOPMENT
(Page 4 of 4)**

THENCE S 54° 21' 31" W A DISTANCE OF 20.56 FEET;
THENCE ALONG THE ARC OF A CURVE TO THE LEFT
HAVING A RADIUS OF 100.00 FEET AND A CENTRAL ANGLE OF 48° 04' 36",
AN ARC DISTANCE OF 83.91 FEET (CHORD BEARING S 30° 19' 13" W, 81.47');
THENCE S 06° 16' 55" W A DISTANCE OF 70.97 FEET;
THENCE S 10° 30' 35" W A DISTANCE OF 113.68 FEET;
THENCE ALONG THE ARC OF A CURVE TO THE LEFT
HAVING A RADIUS OF 73.66 FEET AND A CENTRAL ANGLE OF 42° 36' 27",
AN ARC DISTANCE OF 54.77 FEET (CHORD BEARING S 10° 47' 38" E, 53.52');
THENCE S 32° 05' 51" E A DISTANCE OF 135.84 FEET;
THENCE S 34° 33' 33" E A DISTANCE OF 138.75 FEET;
THENCE S 32° 40' 46" E A DISTANCE OF 88.81 FEET;
THENCE S 24° 22' 19" E A DISTANCE OF 56.36 FEET;
THENCE S 17° 01' 09" E A DISTANCE OF 85.19 FEET;
THENCE S 20° 34' 10" E A DISTANCE OF 81.88 FEET;
THENCE S 25° 37' 53" E A DISTANCE OF 77.59 FEET;
THENCE S 29° 23' 12" E A DISTANCE OF 86.37 FEET;
THENCE S 35° 09' 12" E A DISTANCE OF 63.29 FEET;
THENCE S 47° 30' 36" E A DISTANCE OF 62.42 FEET;
THENCE S 58° 47' 10" E A DISTANCE OF 105.40 FEET;
THENCE S 51° 01' 44" E A DISTANCE OF 103.61 FEET;
THENCE S 66° 00' 14" E A DISTANCE OF 73.93 FEET;
THENCE S 70° 44' 15" E A DISTANCE OF 47.99 FEET;
THENCE ALONG THE ARC OF A CURVE TO THE RIGHT
HAVING A RADIUS OF 136.92 FEET AND A CENTRAL ANGLE OF 65° 29' 12",
AN ARC DISTANCE OF 156.50 FEET (CHORD BEARING S 37° 59' 38" E, 148.11');
THENCE S 05° 15' 02" E A DISTANCE OF 57.59 FEET;
THENCE ALONG THE ARC OF A CURVE TO THE RIGHT
HAVING A RADIUS OF 200.19 FEET AND A CENTRAL ANGLE OF 43° 19' 24",
AN ARC DISTANCE OF 151.37 FEET (CHORD BEARING S 16° 24' 39" W, 147.79');
THENCE S 38° 04' 21" W A DISTANCE OF 115.29 FEET;
THENCE ALONG THE ARC OF A CURVE TO THE LEFT
HAVING A RADIUS OF 77.25 FEET AND A CENTRAL ANGLE OF 73° 10' 42",
AN ARC DISTANCE OF 98.66 FEET (CHORD BEARING S 01° 29' 00" W, 92.09');
THENCE S 35° 06' 21" E A DISTANCE OF 94.09 FEET;
THENCE S 43° 09' 52" E A DISTANCE OF 60.11 FEET;
THENCE S 44° 32' 41" E A DISTANCE OF 173.79 FEET;
THENCE S 34° 28' 30" E A DISTANCE OF 122.00 FEET
TO THE POINT OF TERMINUS.

THIS CENTERLINE DESCRIPTION WAS TAKEN, IN PART, FROM THE
DESCRIPTION OF DOUGLAS COUNTY ROAD NO. 5 DONE BY
FORESIGHT WEST SURVEYING INC., JOHN W. CHRISTY, PLS, ON 3-29-00.