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Kay Weinland Routt County, CO RESOL P R 0.00

STATE OF COLORADO)
) ss.
COUNTY OF ROUTT)

RESOLUTION #05-P-017
RE: Exemption from Routt County
Subdivision Regulations
Tr in Tr 73 in SE4 Section 25, Township
5 North, Range 85 West
PROJECT PX2004-019

**A RESOLUTION CONFIRMING AND APPROVING A DIVISION OF LAND AS EXEMPT
FROM THE SUBDIVISION REGULATIONS OF ROUTT COUNTY**

Recitals

- A. On September 25, 1979, The Board of County Commissioners approved an Exemption from Subdivision Regulations for Eunice Dorr to divide a 35 acre parcel into a 7 acre and 28+ acre (28.44 acre) parcel on land zoned Agriculture/Forestry (A/F), which resolution is attached as Exhibit A.
- B. The 28.44 acre property is currently owned by the Charlene Stees Living Trust as shown in the Routt County Clerk and Records Office at Reception #401066 (the 'Parcel').
- C. The Colorado Department of Transportation (CDOT) will acquire parcels of land adjoining Colorado Highway 131 in Routt County for widening and reconstruction of right of way (the 'Project').
- D. The Project will reduce the acreage of the Parcel as follows:
- | | |
|--------------------|--------------|
| Existing Acreage: | 28.44 acres |
| CDOT Acquisition: | 0.614 acres |
| Remaining Acreage: | 27.826 acres |
- E. Pursuant to § 30-28-101 (10) (d), Colorado Revised Statutes (C.R.S.), the Board may grant an exemption from the application of the Routt County Subdivision Regulations if the Board finds that a particular division of land is not within the purposes of Part 1, Article 28, Title 30 of the C.R.S.
- F. Section 2.2.54D of the Routt County Subdivision Regulations provides: *"The Board may, pursuant to rules and regulations or resolution exempt from the definition the term "subdivision" and "subdivided land", any division of land if the Board determines that such division is not with the purposes of this article".*
- G. On November 9, 2004, the Board of County Commissioners (the "Board") conducted a public hearing for the purpose of recognition that the Parcel is a "buildable lot" and is located in the Agriculture/Forestry (A/F) zone district.
- H. The Board acknowledged that the acquisition of land for the CDOT project would reduce the acreage of the Parcel to allow land for the Project.

- I. Based on the evidence received at the November 9, 2004 hearing, the Board finds that the foregoing recitals are true and the division of land is not within the purposes of Part 1, Article 28, Title 30 of the C.R.S., and an Exemption from the Routt County Subdivision Regulations may be granted for the Parcel to continue to meet the minimum lot size for a "Buildable Lot" in the A/F Zone District.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners for Routt County, Colorado, that the division of lands as described on the Exhibit B attached hereto, is exempt from the application of Routt County Subdivision Regulations and the remaining parcel shall be deemed a Buildable Lot as defined in Section 13.3.14 and deemed to meet the requirements of the Routt County Zoning Resolution.

Adopted and effective the 22nd day of February, 2005, by the Board of County Commissioners of Routt County, State of Colorado.

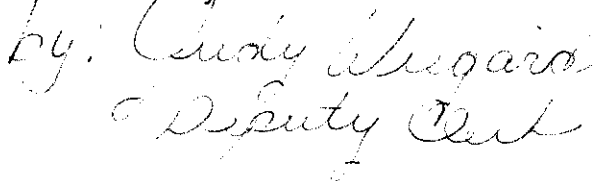

Daniel R. Ellison, Chairman

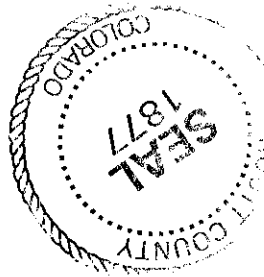
Vote: Daniel R. Ellison ☒ Yes ☐ No ☐ Absent ☐ Abstain
Nancy J. Stahoviak ☒ Yes ☐ No ☒ Absent ☐ Abstain
Douglas B. Monger ☒ Yes ☐ No ☐ Absent ☐ Abstain

ATTEST



Kay Weinland
Routt County Clerk and Recorder

by: 
Deputy Clerk



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COUNTY OF ROUTT }
STATE OF COLORADO) ss.

RESOLUTION RE: EXEMPTING A PARCEL
OF GROUND FROM SUBDIVISION REGULA-
TIONS FOR EUNICE DORR

WHEREAS, the Board of County Commissioners of Routt County has received a special request for Exemption from Subdivision Regulations from Eunice Dorr for certain lands zoned Agriculture/Forestry; and

WHEREAS, the subject property contains 35 acres, more or less; and

WHEREAS, the request is for purposes listed as a use by right in the second-level Agricultural/Forestry zone district; and

WHEREAS, Eunice Dorr is requesting an exemption of a seven (7) acre, more or less, tract from the original thirty-five (35) acre tract to convey the seven (7) acres to her daughter and son-in-law, who are adjacent property owners and who own fifteen (15) acres; and

WHEREAS, the conveyance of the seven (7) acres to the daughter and son-in-law would increase their property to twenty-two (22) acres, more or less; and

WHEREAS, the remaining twenty-eight (28), more or less, acres out of Tract 73 would be conveyed to Vernon and Charlene Fuller Stees for a future residential site; and

WHEREAS, the request is within the purposes of the exemption clause and the adopted policies of the Board of County Commissioners;

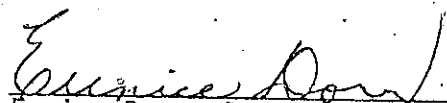
NOW, THEREFORE, BE IT RESOLVED THAT the special request for Exemption from Subdivision Regulations be approved on Tract 73 of Section 25, Township 5 North, Range 85 West of the 6th P.M., containing 35 acres, more or less.

DONE, this 25th day of September, 1979

BY THE BOARD OF COUNTY COMMISSIONERS


Robert E. McKune, Chairman

ATTEST:


Eunice Dorr, County Clerk

Robert E. McKune:	<u>abstain</u>
Sumner C. Hockett:	<u>yea</u>
Doug Boggs:	<u>yea</u>

EXHIBIT A



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EXHIBIT "B"

PROJECT NUMBER: STR 131A-026

PARCEL NUMBER: 132

Project Code: 12527

Date: Jan. 8, 2004

DESCRIPTION

A tract or parcel No. 132 of the Department of Transportation, State of Colorado, Project No. STR 131A-026 containing 0.614 acres (26732 square feet), more or less, in Tract 73 in Section 25, in Township 5 North, Range 85 West, of the Sixth Meridian, in Routt County, Colorado, said tract or parcel being more particularly described as follows:

Commencing at the SW cor. Sec. 30 & Tract 73, Tract 90 AP 1 in said Section 25, T. 5 N., R. 85 W., of the 6th P.M. (a found 2" Al. cap on 3/4 " rebar, marked D&D Inc. - LS 13221, dated 1994), thence N. 60°21'26" W., a distance of 2100.55 feet, to the TRUE POINT OF BEGINNING;

1. Thence S. 86°06'39" E., a distance of 55.98 feet, to a point on the easterly property line described in B.663, P.414 of the Routt County Clerk and Record's Records;
2. Thence N. 1°03'08" W., along said easterly property line, a distance of 42.25 feet, to a point on the easterly right-of-way line of S.H. 131 (Jan. 2004), a found 1.25" yellow plastic cap on a rebar, marked Dismuke LS 7736;
3. Thence S. 86°21'17" W., along said right-of-way line, a distance of 844.77 feet, to a point on the tract line between Tracts 74 & 73 in said Sec. 25;
4. Thence S. 1°28'10" W., along said tract line, a distance of 27.50 feet;
5. Thence N. 86°53'51" E., a distance of 789.86 feet, more or less, to the TRUE POINT OF BEGINNING.

The above described parcel contains 0.614 acres (26732 square feet), more or less.

Basis of Bearings: A bearing of N. 76°59'53" E., between found C.D.O.T. type 2 monuments (M.P. 58.00 & M.P. 60.10) as shown on the Colorado Department of Transportation Survey Control Diagram deposited in Routt County Clerk & Records Office under Land Survey Plats SP #805.

For and on Behalf of the Department
of Transportation, State of Colorado
Jay Janney
222 S. 6th, rm. 317
Grand Jct., CO. 81501



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