

RESOLUTION NO. 2016- 14  
BOARD OF COUNTY COMMISSIONERS  
OF RIO BLANCO COUNTY,  
COLORADO

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF  
RIO BLANCO COUNTY, COLORADO, APPROVING PHIL E. BROWN SUBDIVISION  
EXEMPTION SUBE-0001-16 IN RIO BLANCO COUNTY, COLORADO**

WHEREAS, JSC, Inc., representing Phil E. Brown (“Applicant”) is requesting a Subdivision Exemption located at 28902 County Road 8, owned by Phil E. Brown in Rio Blanco County, Colorado; and

WHEREAS, subject property is located in Section 21, Township 1 North, Range 90 West, of the 6<sup>th</sup> Principal Meridian, PIN # 141721100038, more specifically defined in Exhibit A attached hereto; and

WHEREAS, the subject property as proposed does not meet the statutory definition of “subdivision” under Colorado Revised Statutes 30-28-101 (10) (d) and Article I, Section 16, definition of Subdivision, Rio Blanco County Land Use Regulation, allowing the applicant to sever a 6.21 acre parcel of land isolated by Rio Blanco County Road 12A and County Road 8; and

WHEREAS, the subject property is currently zoned Agriculture; and

WHEREAS, upon notice duly given, the Board conducted a hearing, in Meeker, Colorado on May 23, 2016, has reviewed applicable Colorado Statutes, the Rio Blanco County Master Plan, the Rio Blanco County Land Use Resolution (LUR), the materials submitted by the Applicant, and the materials submitted by members of the public at the hearing;

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF RIO BLANCO COUNTY, COLORADO FINDS AS FOLLOWS:

- A. The application is complete;
- B. The public hearing before the Board of County Commissioners was extensive and complete, pertinent facts, matters, and issues were submitted, and any interested parties were given an opportunity to be heard at the hearing;
- C. The record is complete;
- D. The proposed division of land is not a subdivision as defined under Colorado Revised Statutes 30-28-101 (10) (d), and Article I, Section 16, definition of Subdivision, Rio Blanco County Land Use Regulation allowing the applicant to sever a 6.21 acre parcel of land isolated by Rio Blanco County Roads 12A and 8.
- E. The proposed Subdivision Exemption is in the best interests of the health, safety, morals, convenience, order, prosperity and welfare of the citizens of Rio Blanco County.






THEREFORE, BE IT RESOLVED THE BOARD OF COUNTY COMMISSIONERS OF RIO BLANCO COUNTY:


- A. The Phil E. Brown Subdivision Exemption SUBE-0001-16, is hereby approved.
- B. If any section, subsection, sentence, clause, phrase or portion of this Resolution is, for any reason, held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution. The Board of County Commissioners of Rio Blanco County, Colorado declares that it would have adopted this Resolution and each section, subsection, sentence, clause, phrase, or portion herein, despite the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions would be declared invalid or unconstitutional.
- C. Approval of this Subdivision Exemption constitutes approval of a site specific development plan which establishes a vested property right, as provided by CRS 24-68-101 et.seq. This vested right is valid for a period of 3 years from the date of publication of this approval. The Planning Department of Rio Blanco County, Colorado, will publish notice of this approval and vested right in the Meeker Herald as soon as possible.

DULY MOVED, SECONDED, AND PASSED ON A VOTE OF 3 FOR AND 0 AGAINST, THIS 23 DAY OF MAY, 2016.

THE BOARD OF COUNTY COMMISSIONERS OF RIO BLANCO COUNTY, COLORADO

ATTEST:

  
 Boots Campbell  
 Clerk to the Board

By:   
 Shawn J. Bolton, Chairman



  
 Jon D. Hill, Commissioner

  
 Jeffrey D. Eskelson, Commissioner

Reception # 312384 Record Date 05/25/2016 12:38 PM

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BOOTS M. CAMPBELL RIO BLANCO COUNTY COLORADO



**JSC, INC.**

P.O. Box 1153

Meeker, CO 81641

Phone (970) 878-5292 Fax (970) 979-5392

**LEGAL DESCRIPTION**

A PARCEL OF LAND LYING IN TRACT 45 OF THE 1908 GOVERNMENT LAND OFFICE RESURVEY IN SECTION 21, TOWNSHIP 1 NORTH, RANGE 90 WEST OF THE 6<sup>TH</sup> P.M., RIO BLANCO COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT ANGLE POINT 1 (GLO BRASS CAP) OF SAID TRACT 45 WHENCE ANGLE POINT 2 (GLO BRASS CAP) OF SAID TRACT BEARS S89°52'48"W, 5311.65 FEET;

THENCE S79°31'13"ES, 2287.25 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF RIO BLANCO COUNTY ROAD NO. 8, SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE SOUTH ALONG THE WEST LINE OF A PARCEL OF LAND DESCRIBED AS RECEPTION NO. 280961 IN THE OFFICE OF THE RIO BLANCO COUNTY CLERK AND RECORDER, 567.09 FEET MORE OR LESS TO A POINT IN THE MIDDLE OF THE CHANNEL OF THE NORTH FORK OF THE WHITE RIVER, SAID POINT BEING ON THE NORTH BOUNDARY OF A PARCEL OF LAND DESCRIBED IN BOOK 557 PAGE 101; THENCE NORTHWESTERLY ALONG SAID MIDDLE CHANNEL OF THE NORTH FORK OF THE WHITE RIVER, AND ALONG SAID NORTH BOUNDARY, 690 FEET MORE OR LESS TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF RIO BLANCO COUNTY ROAD NO. 12;

THENCE N03°29'24"E, ALONG SAID EAST RIGHT-OF-WAY LINE, 151.97 FEET TO A POINT ON CURVE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 63.90 FEET AND A CENTRAL ANGLE OF 74°10'00";

THENCE ALONG THE ARC OF SAID CURVE, AND ALONG SAID EAST RIGHT-OF-WAY LINE, 82.72 FEET, THE CHORD OF SAID ARC BEARS N40°34'24"E, 77.06 FEET; THENCE N77°39'24"E, ALONG SAID EAST RIGHT-OF-WAY LINE, 234.00 FEET TO A POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 80.00 FEET AND A CENTRAL ANGLE OF 62°06'59";

THENCE ALONG THE ARC OF SAID CURVE, AND ALONG SAID EAST RIGHT-OF-WAY LINE, 86.73 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF RIO BLANCO COUNTY ROAD NO. 8, THE CHORD OF SAID ARC BEARS N46°35'54"E, 52.88 FEET;

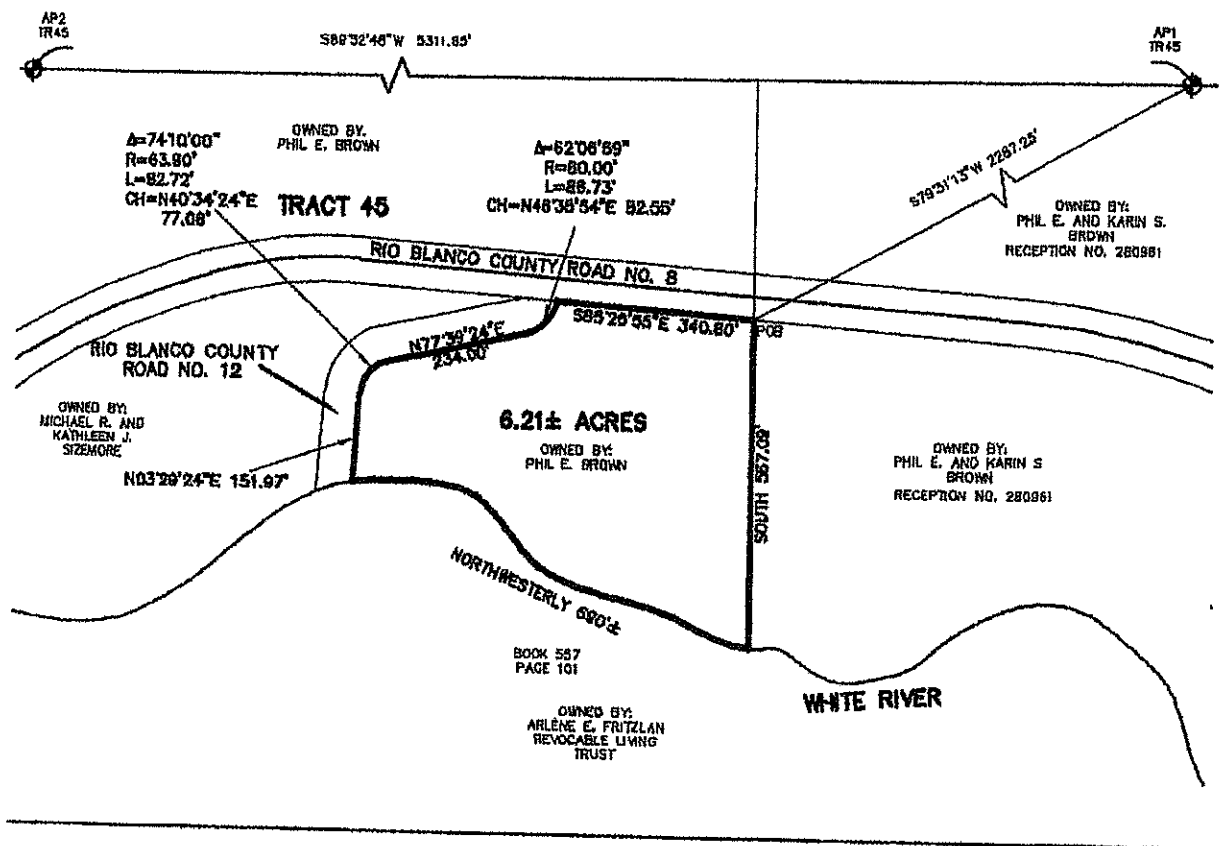
THENCE S85°26'55"E, ALONG SAID SOUTH RIGHT-OF-WAY LINE, 340.80 FEET TO THE POINT OF BEGINNING.

CONTAINING 6.21 ACRES, MORE OR LESS AND BEING SUBJECT TO ANY EASEMENTS AND/OR RIGHTS-OF-WAY OF RECORD.



# EXHIBIT A

## SECTION 21, T1N, R90W OF THE 6TH P.M.



SCALE: 1" = 400 U.S. SURVEY FEET

THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED SURVEY. IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION.

**BROWN**

LYING IN TRACT 45, SECTION 21, T1N, R90W 6TH P.M.  
RIO BLANCO COUNTY, COLORADO

**JSC, INC.**

P.O. BOX 1153 MEEKER, CO 81641  
PHONE: (970) 878-5292 FAX: 878-5392

DRAWN BY BAK

DATE 1-29-2016

JOB NO. 1828-05

CHECKED BY J.L.J.