

RESOLUTION NO. 2018- 09**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF RIO BLANCO COUNTY, COLORADO, VACATING A PORTION OF COUNTY
ROAD 84A SUBJECT TO CERTAIN RESERVATIONS AS SET FORTH IN THIS
RESOLUTION**

WHEREAS, the Board of County Commissioners of Rio Blanco County, Colorado (the Board) has received a petition from Shirley F. Cox (Cox Petition) dated March 22, 2018 requesting the vacation of a portion of County Road 84A as set forth in the Petition; and

WHEREAS, the Board has the authority to vacate county roads or portions thereof pursuant to Section 43-2-303 C.R.S.; and

WHEREAS, the Board has caused to be mailed, by first class mail, at least ten days prior to the date hereof, notice of a public hearing to consider such Petition, advising the adjoining property owners that a Petition for Vacation had been filed and that a Resolution to Vacate a Portion of County Road 84A would be presented at the public hearing; and

WHEREAS, public notice of such public hearing was published in the newspaper of general circulation within Rio Blanco County on March 29, 2018, notifying the public that a Petition for Vacation of a Portion of County Road 84A would be considered at the public hearing on Monday, April 9, 2018 at 1:15 p.m.; and

WHEREAS, the proposed vacation will not leave adjoining landowner's without an established roadway or private access easement connecting their land with another public road; and

WHEREAS, the Board has reviewed the Petition and all additional submittals and the recommendations of Rio Blanco County's staff in light of the Rio Blanco County Land Use Code and road vacation policies;

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


- A. The public hearing before the Board was extensive and complete, pertinent facts, matter, and issues were submitted, and any interested parties were given an opportunity to be heard at the hearing;
- B. The record is complete;
- C. The Vacation of the designated portion of County Road 84A is in the best interests of the health, safety, morals, convenience, order, prosperity and welfare of the citizens of Rio Blanco County.

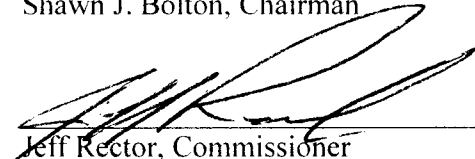
**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY
COMMISSIONERS OF RIO BLANCO COUNTY, COLORADO AS FOLLOWS:**


1. That portion of Count Road 84A as described and shown on Exhibit A attached hereto and incorporated herein by this reference is hereby vacated and further subject to a reservation of permanent easements for any public utilities currently located in, on or above that portion of County Road 84A being vacated by this Resolution and fully subject to a reservation of a private access easement for the benefit of the owners of the land abutting the vacated roadway and owners of land who use the vacated road as access to the owners' land as provided in Section 43-2-302 (1)(f), C.R.S.
2. Title to the land included in the road vacated by this Resolution shall vest in the owners of the abutting land as provided in Section 43-2-302, C.R.S.
3. The Rio Blanco County Clerk shall record a copy of this Resolution in the records of the Rio Blanco County Clerk and Recorder on or before seven days from the date of its adoption.
4. This Resolution shall be in full force and effect immediately upon its adoption and recording as provided herein.
5. 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.

DULY MOVED, SECONDED, AND PASSED ON A VOTE OF 3 FOR AND 0 AGAINST THIS 9th DAY OF April 2018.

BOARD OF COUNTY COMMISSIONERS OF RIO BLANCO COUNTY, COLORADO


Shawn J. Bolton, Chairman


Jeff Rector, Commissioner


Si Woodruff, Commissioner

ATTEST:



~~Boots M. Campbell, Clerk to the Board~~
Shawn M. Huce Deputy Clerk

Exhibit A

SGM, INC.

P.O. Box 1153

Meeker, CO 81641

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

LEGAL DESCRIPTION

RBC RD 84A TO BE

VACATED

ALL THAT PORTION OF RIO BLANCO COUNTY ROAD NO. 84, LYING IN SECTION 30, T2S, R94W OF THE 6TH P.M., RIO BLANCO COUNTY, COLORADO.

- Exhibit A -



J:\2017 Projects\2017-101-RBCS\012-Rd60_684\H-Dwgs\Surf\Draws\Bases\Maps\Only Road Vacations.dwg

SGM
 317 E. Market Street, Suite 100
 Meeker, CO 81641
 970.678.5292 www.sgm-co.com

Rio Blanco County
 RBC Rd 60 & 84 Partial
 Vacation

| | |
|----------|--------------|
| Job No. | 2017-101.D12 |
| Drawn by | MIH |
| Date | 1/30/2018 |
| Approved | elj |
| File | C:\... |

Financial Durable Power of Attorney

KNOW ALL MEN BY THESE PRESENTS, that

Shirley Cox

(Principal)

has made, constituted and appointed, and by these presents does make, constitute and appoint

5. Agent is specifically given authority to create trusts and to manage Principal's security holdings, and to employ or discharge professional financial advisors and managers if the Agent believes this to be important. Agent is authorized to transfer securities to the trustee for continued management in the trust Agent is further given authority to withdraw assets from the trust to meet the needs of the Principal. All other investments shall be managed in a prudent manner. If income is needed, investments should emphasize income generation.

Wade Cox

(Agent)

as true and lawful attorney for Principal and in the name, place and stead of Principal, to make financial decisions for Principal, if and when Principal is incapacitated or incompetent, as certified by one or more physicians or psychiatrists.

6. Agent is given the authority to transfer assets from the established trust that Principal may have established during Principal's life.

If Agent listed above is not available, not willing or is unable to act as my Agent, then I appoint the following person(s) to serve, in the order listed below:

6. Agent is specifically given authority to commence any litigation for and on behalf of Principal or to continue any litigation for and on behalf of Principal.

Eric J. Zr

(Agent)

----- (Agent)

7. Agent is specifically given the authority to prosecute or defend claims, including the right to settle matters and grant releases. Agent is specifically given the authority to hire or discharge attorneys and to make binding arrangements on behalf of Principal.

7. Agent is specifically given the authority for filing tax returns and handling all other matters related to the Principal's taxes, including handling tax disputes with the Internal Revenue Service. Agent is given specific authority to represent the Principal in tax matters including the Internal Revenue Service Form 2848.

When in effect, this Power is given to enable the Agent to hold and administer all of the assets of the Principal, both real estate and personal property, and this Power includes the right to perform all of the following

functions: To purchase flower bonds; to form corporations and other entities; to reorganize corporations and other entities of which Principal is a stockholder, member or other party; to purchase, cancel or renew life, health, long term care or other insurance or annuities without the necessity of seeking court approval; to allow the Agent to make tax-free gifts of the Principal's assets; to authorize the Agent to claim or disclaim property interests which the Principal may be entitled to receive; to fund revocable trusts of which the Principal is trustor or settlor; to buy and sell and transfer real estate, interests and other investments or property; and to do all other acts which the Agent deems to be in the best interest of the Agent of the Principal, including, but not limited to, the following:

8. Agent shall keep a record of all financial decisions and transactions and shall be entitled to receive reasonable compensation of \$ per hour for services rendered.

9. Agent shall be authorized to examine and copy any books, records, files, and papers of the Principal, including any will, trust, other estate planning documents, insurance policies and annuities.

1. The Agent is specifically given the power to perform all of the tasks which the Principal would perform for and on behalf of the Principal and in addition thereto the Agent is given the power to act as Guardian for the Principal if the Principal hereby appoints the Agent as Guardian for the Principal. Upon execution of this Financial Power of Attorney, any Financial Power of Attorney previously executed, by Principal shall be revoked. All acts done by Agent pursuant to the powers conferred herein, during any period of incapacity or incompetence, shall have the same effect and inure to the benefit of the Principal as if the Principal was competent and not incapacitated.

2. Agent is specifically given the power to manage the financial affairs of the Principal, including managing real estate, investments bank accounts, retirement accounts, records, personal property, acting as a sole managing Representative, as if the Principal was competent and not incapacitated; income and benefits, selling of assets required to meet additional expenses of the Principal, and reinvesting income and proceeds received from investments.

GIVING AND GRANTING unto said Agent full power and authority to do and perform all and every act and thing whatsoever requisite and necessary to be done, as fully to all intents and purposes as the Principal

3. Agent is specifically given the power to pay bills and other obligations of Principal, and to pay those bills on a current basis. Agent is given authority to borrow money in order to meet obligations rather than liquidate assets at depressed prices. Agent is specifically given the power to borrow from banks and insurance companies or other sources as needed.

4. Agent is specifically given authority to operate, continue, dissolve, merge or sell any business that the Principal may own, and to use all assets that may be necessary to fulfill this decision, even those assets not previously committed to the business.

IN WITNESS WHEREOF, the hand and seal of Principal has hereunto been affixed:

BY SIGNING HERE, I INDICATE THAT I UNDERSTAND THE PURPOSE AND EFFECT OF THIS DOCUMENT.

g.l. *JT&:ft*

Principal signature Date

WITNESSES: (Optional but Recommended)

It is recommended to obtain the signatures of two witnesses and a Notary.]

Name of Witness 1: _____

Witness signature Date

Witness Home Address

Name of Witness 2: _____

Witness signature Date

Witness Home Address

STATE OF o\ ao
COUNTY OF _____

Subscribed and sworn to or affirmed before me by _____ Principal,
and _____

J Qd _____

Witnesses, as the voluntary act and deed of the Principal, this _____ day of _____, in the year _____

atb)eD-W _____

Notary Public Printed Name

My commission expires: 2-25-2020

SARAH VESCIO
NotARY PUBUC
STATE OF COLORADO
NOTARY 10#20184007544
MyCommLulonExpres Febn8y26.2020

**PETITION TO VACATE PORTION OF
RIO BLANCO COUNTY ROAD NO. 84A
LOCATED IN MEEKER, COLORADO**

TO: Board of County Commissioners of Rio Blanco County, Colorado
Kent A. Borchard, Rio Blanco County Attorney

FROM: Shirley F. Cox

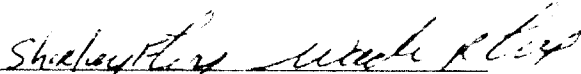
DATE: March 21, 2018

Dear Commissioners:

The undersigned landowner, herein "Petitioner", hereby Petitions to Vacate a portion of Rio Blanco County Road 84A which lies across a portion of real property owned by the Petitioner in Meeker, Colorado. This Petition to Vacate is tendered pursuant to the provisions of C.R.S. §43-2-303 and C.R.S. §43-2-302.

Attached for your reference please find copies of the following documents in support of this Petition to Vacate:

Description of portion of Rio Blanco County Road 84A sought to be vacated, an aerial map of the area, a Quit Claim Deed verifying my land ownership, and assessor's property record card.


Shirley F. Cox by Wade Cox

3-22-18
Date

THIS DEED. Made this 5th day of February 19 93. between Karl Cox

BOOK 5(1) PAGE 7881

(J.V.)

of the county of Rio Blanco and State of Colorado, grantor(s) and Shirley F. Cox

HATE m. 21.91 Exempt

whose legal address is 31359 Hwy 64 Meeker, CO 81641

of the County of Rio Blanco and State of Colorado, grantee(s).

WITNESSETH-1. That the grantor(s), for and in consideration of the sum of Ten dollars and other good and valuable consideration... the receipt and sufficiency of which is hereby acknowledged, has remised, released, sold and QUIT CLAIMED, and by these presents do es remise, release, sell and QUIT CLAIM unto the grantee(s), their heirs, successors and assigns, forever, all the right, title, interest, claim and demand which the grantor(s) ha s in and to the real property, together with improvements, if any, situate, lying and being in the County of Rio Blanco and State of Colorado, described as follows:

Township 2 South, Range 94 West of the 6th P.r.L. Section 30: JSEJ.i, SWNEJ.i, ESWJ.i

Together with all mineral appurtenant to the above described property.

Subject to and reserving, to Grantor existing easements in place and in use

acknowledged

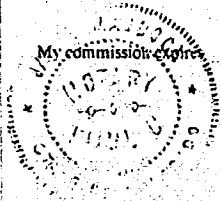
(his) A DTO HOLD the Same, together with all incidental appurtenances and privileges through 6 -ng in an use the reunto appertaining, and all the ESUU, right, title interest and claim whatsoever, of the grantor(s), either in or equity, to the property, benefit and behoof of the grantee(s) her heirs and assigns forever. IN WITNESS WHEREOF, The grantor(s) has executed this deed on the date set forth above.

Karl Cox

STATE OF COLORADO

County of

The foregoing instrument was acknowledged before me this 5th day of February 19 93, by Karl Cox.



12-9 1995. Witness my hand and official seal.

Janet Maddock Notary Public

*If in Denver, insert "City and".

Name and Address of Person Creating Newly Created Legal Description (4-38-35-106.5, C.R.S.)

Property Record Card

Rio Blanco Assessor

501/988

COX, SHIRLEY F.
31359 HIGHWAY 64
MEEKER, CO 81641

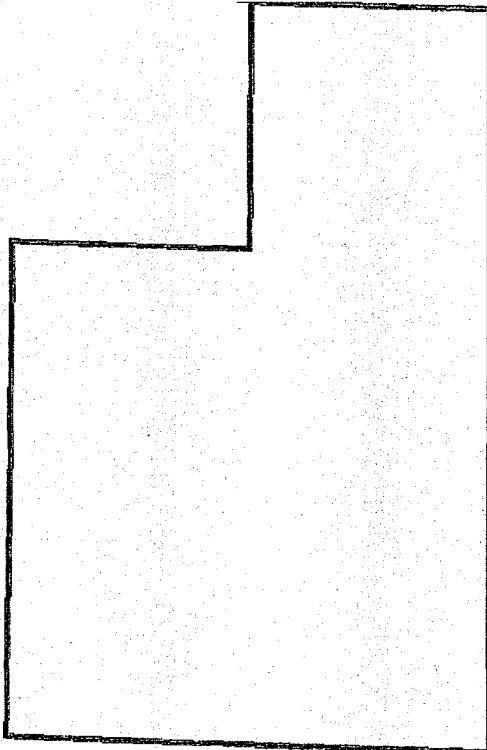
Account: R0704213
Tax Area: 007 - 007
Acres: 200.000

Parcel: 16 7-301-00-022
Situs Address:
HWY64
MEEKER, 81641

Neighborhood 1020 - MEEKER RNG 97 EAST

Value Summary

| | | | |
|-----------|----------------|-----------------|---|
| Value By: | ---M-a-r-k_e_t | Q_u_e-r-r_i_d_e | Legal Description |
| Land (1) | \$2,830 | N A | S: 30 T: 2S R: 94W W1/2SE, SWNE, E1/2SW ETC. COPY OF LEGAL UPON REQUEST |
| Total | \$2,830 | | |



Land Occurrence 1

| | | | |
|---------------|---------------------------|---------------|---------------------|
| Property Code | 4147- AG DRY GRAZING LAND | Land Use Code | 414712- 1 GVII C 60 |
| Use Code | 4000 - AG VACANT | Acres | 200 |
| SubArea | FOOTPRINT | BLDG_SQFT | ATT GAR ST |
| | | | -OR |
| LandA | | | ACTUAL |
| Total | | | HEATED |
| | Value | Rate | EFFECTIVE |
| | \$2,830 | | |

Abstract Summary

| Code | Classification | Actual Value | Value | Taxable Value | Ac(ual Value l Override | Taxable Override |
|-------|---------------------|--------------|-------|---------------|-------------------------|------------------|
| 4147 | AG DRY GRAZING LAND | \$2,830 | \$820 | NA | NA | NA |
| Total | | \$2,830 | \$820 | NA | NA | NA |

