

RESOLUTION NO. _____, SERIES OF 2023

RESOLUTION GRANTING AN EXEMPTION FROM THE SUBDIVISION REGULATIONS FOR A TRACT OF LAND IN FREMONT COUNTY

WHEREAS, the Fremont County Board of County Commissioners has received a request from Bradly Crosby for an exemption from the county subdivision requirements regarding one parcel described as:

The W ½ E ½ SE ¼ NE ¼ of Section 36, Township 48 North, Range 11 East of the N.M.P.M. and all of the W ½ E ½ NE ¼ NE ¼ of Section 36, Township 48 North, Range 11 East of the N.M.P.M. lying South of the Center of the Arkansas River, excepting any portion of the property lying within the US Highway 50 right-of-way, County of Fremont, State of Colorado.

Address: 19851 U.S. Highway 50, Cotopaxi, Colorado

WHEREAS, pursuant to §30-28-101 (10)(d), C.R.S., the Board possesses the authority to grant a subdivision exemption if it determines that the division of land is not within the purposes of the subdivision requirements and the exemption is not intended to evade the subdivision requirements; and

WHEREAS, the Board has considered the request and all attendant circumstances regarding the ownership history of the property which indicates that:

- a. the parcel was created in 1973, and has been transferred several times since;
- b. Bradly Crosby purchased the property in July of 2023, as an innocent purchaser;
- c. The parcel has very limited area available for development due to the topography and the location of the Arkansas River and U.S. Highway 50; and

WHEREAS, Bradly Crosby has requested a subdivision exemption to allow the lawful development and eventual conveyance the parcel; and

WHEREAS, the Board is persuaded that the request for the subdivision exemption is meritorious and that a grant of the request would not evade or defeat the purpose of the subdivision statutes and regulations.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Fremont County hereby grants the request for an exemption from the requirements of county subdivision regulations with respect to the following property in Fremont County, Colorado:

The W ½ E ½ SE ¼ NE ¼ of Section 36, Township 48 North, Range 11 East of the N.M.P.M. and all of the W ½ E ½ NE ¼ NE ¼ of Section 36, Township 48 North, Range 11 East of the N.M.P.M. lying South of the Center of the Arkansas River, excepting any portion of the property lying within the US Highway 50 right-of-way, County of Fremont, State of Colorado.

Address: 19851 U.S. Highway 50, Cotopaxi, Colorado

BE IT FURTHER RESOLVED that the Board specifically finds that the equities of the circumstances warrant the grant of an exemption in this case. The parcel described herein is deemed by the Board to be a legally-created parcel. Any future division of the property shall fully comply in all respects with all applicable subdivision laws and regulations.

Commissioner _____ moved adoption of the foregoing Resolution, seconded by Commissioner _____ and approved by roll call vote as follows:

Debbie Bell	AYE	NAY	ABSTAIN	ABSENT
Kevin J. Grantham	AYE	NAY	ABSTAIN	ABSENT
Dwayne McFall	AYE	NAY	ABSTAIN	ABSENT

Date: _____

BOARD OF COUNTY COMMISSIONERS
OF FREMONT COUNTY

ATTEST:

By: _____
Chairman

By: _____
Clerk to the Board