Community & Economic Development Department adcogov.org

onomic artment

ADAMS COUNTY

4430 South Adams County Parkway 1st Floor, Suite W2000B Brighton, CO 80601-8218

PHONE 720.523.6800

EMAIL epermitcenter@adcogov.org

Request for Comments

Case Name: Holly Street Vacation

Case Number: VAC2025-00001

March 19, 2025

The Adams County Planning Commission is requesting comments on the following application: Request to Vacate a Portion of Holly Street that Serves as a Boundary Line Between the City of Thornton and Adams County per C.R.S. § 43-2-303 This request is located at 10851 HOLLY ST. The Assessor's Parcel Number is 0172107100002.

Applicant Information: VECTOR DEVELOPMENT

MARK BOWMAN 254 E 5TH ST

Please forward any written comments on this application to the Community and Economic Development Department at 4430 South Adams County Parkway, Suite W2000A Brighton, CO 80601-8216 or call (720) 523-6949 by **04/09/2025** in order that your comments may be taken into consideration in the review of this case. If you would like your comments included verbatim please send your response by way of e-mail to LCampbell@adcogov.org.

Once comments have been received and the staff report written, the staff report and notice of public hearing dates may be forwarded to you upon request. The full text of the proposed request and additional colored maps can be obtained by contacting this office or by accessing the Adams County web site at www.adcogov.org/current-land-use-cases.

S i usted tiene preguntas, por favor escribanos un correo electrónico a cedespanol@adcogov.org pasistencia en español. Por favor incluya su dirección o número de caso para poder ayudarle major.

Thank you for your review of this case.

Lia Campbell Planner II

Lia Jamphell

BOARD OF COUNTY COMMISSIONERS



PLAT CORRECTION (ROADWAY/RIGHT-OF-WAY VACATION)

Community & Economic Development Department Planning & Development

4430 S. Adams County Pkwy., 1st Floor, Suite W2000B

Brighton, CO 80601-8218

Phone: 720.523,6800

Website: adcogov.org

The purpose of this application is to detail the steps for vacation of roadways, which include any public street, alley, lane, parkway, avenue, road, trail, or other public way designated or dedicated on a plat, conveyed by deed, recorded easement, or acquired by prescriptive use, whether it has ever been used as such. A street or road, established as part of a subdivision, but never constructed or used as such, may be vacated and replatted through the replat process.

Required Checklist Items

X	Development Application Form	
---	------------------------------	--

☑ Vacation Plat

Proof of Ownership of Properties Accepting Vacated Lands

Legal Description of Vacated Lands

Statement of Taxes Paid

Fees Due When Applica	tion is Deemed Complete
ROW Vacation	\$600

Community & Economic Development Department www.adcogov.org



1st Floor, Suite W2000 Brighton, CO 80601-8204 Priest 720.523,6800 Fax 720.523,6998

DEVELOPMENT APPLICATION FORM

PROJECT NAM	E: Riverdale Point X		
APPLICANT			
Name(s):	Mark Bowman	Phone #:	303-570-7637
Address:	254 East 5th Street		
City, State, Zip:	Loveland, CO 80537		
2nd Phone #:	303-956-6862	Email:	mark@vectordevelopment.us
OWNER			
Name(s):	Revelation Thornton	Phone #:	303-570-7837
Address:	254 East 5th Street		
City, State, Zip:	Loveland, CO 80537		
2nd Phone #:	303-956-6862	Email:	mark@vectordevelopment.us
TECHNICAL RE	PRESENTATIVE (Consultant, E	Engineer, Surve	yor, Architect, etc.)
Name:	Steve Parks, Majestic Surveying	Phone #:	970) 833-5696
Address:	1111 Diamond Valley Dr #104		
City, State, Zip:	Windsor, Colorado 80550,		
2nd Phone #:		Email:	Steven Parks <stevenp@majesticsurveying.com></stevenp@majesticsurveying.com>

DESCRIPTION OF SITE

Address:	10851 Holly Street
City, State, Zip:	Thornton, CO
Area (acres or square feet):	1.045
Tax Assessor Parcel Number	CITY OWNED, DOT TAXED
Existing Zoning:	PIGHT OF WAY
Existing Land Use:	CLOSED ROAD
Proposed Land Use:	UTILITY EASEMENT, WALKING TRAIL
Have you attende	d a Conceptual Review? YES NO No
If Yes, please list	PRE#:
requirements, pro non-refundable. A	at I am making this application as owner of the above-described property or acting y of the owner (attached authorization, if not owner). I am familiar with all pertinent cedures, and fees of the County. I understand that the Application Review Fee is Il statements made on this form and additional application materials are true to owledge and belief.
Name:	Mark Bowman Date: 3/5/2025
Name:	Owner's Printed Name Owner's Scionature

COUNCIL COMMUNICATION

Meeting Date: March 18, 2025	Agenda Item: {{section.number m.number}}	Agenda Loca }}{{ite CONSENT	tion: CALENDAR	1 st Reading _X_2 ^{std} Reading
Subject: An ordinance approviouth of 110th Avenue	ing the vacation of 1.0 se and Holly Street (Ri	95 acres of City of T	hornton right-oation).	f-way generally located
Department Head Revi Randy Grant, City D	ew:	Approved by: Tansy Hayward, (Ordinance previously introduced by:
Presenter(s): Cassie Free, Develo	pment Engineering Ma	anager		

SYNOPSIS:

The proposed ordinance will vacate 1.095 acres of right-of-way (ROW) generally located at 110th Avenue and Holly Street. The City annexed the ROW from Adams County which is located adjacent to 10851 Holly Street on the west, Riverdale Road on the southeast, and an Adams County parcel on the east. This portion of Holly Street ROW was disconnected and has not been used since the early 2000's.

The property is anticipated to be given back to adjacent landowners pursuant to the application of C.R.S. § 43-2-302. Any portion of the land given back to the adjacent landowner to the west will be incorporated in the 10851 Holly Street development known as Riverdale Pointe Subdivision.

RECOMMENDATION:

Staff recommends Alternative No. 1, approval of the ordinance approving the ROW vacation.

BUDGET/STAFF IMPLICATIONS:

None.

ALTERNATIVES:

- Approve the ordinance as recommended.
- 2. Do not approve the ordinance.

BACKGROUND (ANALYSIS/NEXT STEPS/HISTORY): (includes previous City Council action)

The property is located adjacent to 10851 Holly Street on the west, Riverdale Road on the southeast, and an Adams County parcel on the east. Adams County originally obtained the property by Warranty Deed in 1985. Holly Street was an active roadway in the early 2000's but is no longer an active roadway as it was disconnected from Riverdale Road and a connection was made to McKay Road. Therefore, this right of way is no longer necessary and development of the site requires vacation of the right of way.

Since this portion of right of way is the boundary with unincorporated Adams County, C.R.S. § 43-2-303(1)(d) states that vacation may only occur by joint action of the Adams County Board of

COMMUNICATION PAGE 2

Commissioners and City Council. Pursuant to discussions with Adams County staff, the request for vacation will go before the Board of County Commissioners at a date in the future. The vacation will be not be effective until approved by both City Council and the County Commissioners.

- The property was annexed to the City on February 9, 2023 by Ordinance 3637.
- The adjacent property as annexed to the City on February 9, 2023 was zoned Single Family Attached (SFA).
- ROW was originally granted by Warranty Deed in 1985 by the following deeds:
- Reception 560871, Book 2977, Page 767
- Reception 560871, Book 2977, Page 767
- Reception 560871, Book 2977, Page 767
- Upon vacation of the ROW, it is anticipated that Adams County will return the property to original ownership, part of which will be developed as part of the Riverdale Pointe Subdivision.

ATTACHMENTS:



Statement Of Taxes Due

Account Number R0073514

Assessed To

Parcel 0172107100002

REVELATION THORNTON LLC

254 F. 5TH ST LOVELAND, CO 80537-5599

Legal Description

Situs Address

SECT. TWO, ENGITE 47 DESC: A PARK OF LAND IN THE NE OF MEET DESC AS FOLS REG AT A PLON THE NWLY BOW OF DRAW INCREMENT STITUDESTON.
REVERDALE RD WINCH IS NOTHER WORTHER SECOND OF THE NE OF SECTION 240 YEAR OF A LOSD ROW LIN OF 2515 FT TO THE POBLIES SED ROW IN SECOND 195 WALREST OF 2418 FT THE WORD OWN 195 E A DIST OF T. Additional Legal on File.

Year	Tax	Note	APT.	Tees.	Paymenta	Halmeco
Tax Charge					-	
2024	\$5,214.96	50	0.00	\$0.00	\$0.00	\$5,214.96
Total Tax Charge						\$5,214.96
Grand Total Due as of 03/0	5/2025					\$5,214.96
Tax Billed at 2024 Rates fo	or Tax Area 183 - 183					
Authority		Mill Levy	Amount	Values	Actos	Assessed
RANGEVIEW LIBRARY	Y DISTRICT	3.6670000	\$160.43	RES IMPRV LAND	\$307,500	\$19,000
NORTH METRO FIRE I	ESCUE	14 6730000	5641.04	SINGLE FAMILY DE	£ 600 600	574.750

Ambority	Mill Levy	Amount	Values	Actos	Assessed
RANGEVIEW LIBRARY DISTRICT	3.6670000	\$160.43	RES IMPRV LAND	\$307,500	\$19,000
NORTH METRO FIRE RESCUE	14.6730000	5641.94	SINGLE FAMILY RES	\$400,500	524.750
GENERAL.	22.8200000	5998.37	Tetal	£200 000	
RETIREMENT	0.3140000	\$13.74	rotar	\$708,000	\$43,750
ROAD/BRIDGE	1,3000000	\$56.88			
DEVELOPMENTALLY DISABLED	0.2570000	\$11.24			
SD 12 BOND (Adams 12 Five S	18.6650000	\$816.59			
SD 12 GENERAL (Adams 12 Fee	44.0400000*	\$1,926.75			
CITY OF THORNION	10.2100000	\$446.69			
URBAN DRAINAGE SOUTH PLATTE	0.1000000	\$4.3N			
URBAN DRAINAGE & FLOOD CONT	0.9000000	\$79.78			
SOCIAL SERVICES	2.2530000	598.57			
Taxes Billed 2024	119.1990000	55,214.96			
* Credit Levy					

Tax amounts are subject to change due to endorsement, advertising, or fees. Please call the office to confirm amount due after August 1st.

All Tax Lien Redemption payments must be made with cash or cashier's check.

Adams County Treasurer & Public Trustee 4430 S Adams County Parkway, Suite W1000 Brighton, CO 80601 720-523-6160

3/5/25, 10:01 AM Tax Account

- Tax Account Seech
- · Shorning Carl
- My Egyets
- · Innerent Men Page
- · America Main Page
- Adams Croms Main Proc
- · Longet rubbs

The amount of taxes due on this page are based on last year's property value assessments.

The actual value is the value before the adjustment and the assessed value is based off the new adjusted value.

Per SB22-238 and SB23-001 the value may be reduced by S55,000.00 for residential and S30,000 for commercial. Click here for further information.

For current year values and for a full breakdown of the values visit the Adams County Assessor's site.

Summary

Tax Year Tax Dor Interest Due Penalty Due Mise Due Lien Due Lien Interest Due Total Due

2024 \$5,214.96 \$0.00 \$0.00 \$0.00 \$0.00

\$0.00 \$5,214.96

Transaction Details

Ten Ve	ar Type	Effective Date	Amount	Balance
2024	Tax Charge	1/3/25	\$3,214.96	\$5,214.96
2023	Tax Payment	613/24	\$2,359.77	\$0.00
2023	Tax Payment	3/26/24	\$2,359.77	\$0.00
2023	Tan Charge	1/25/24	\$4,719.54	\$0.00
2022	Tan Payment	430/23	\$4,226.18	\$2.00
2022	Tun Charge	1/13/23	\$4,226.18	\$0.00
2020	Misc Charge Payment	916/22	\$7.00	\$0.00
2020	Lien Psymout	916/22	\$4,712.28	\$2.00
2020	Lion Interest Playment	91622	5353.42	\$0.00
2021	Lien Payment	916/22	\$4,595.20	50.0
2000	Lien Interes Psyment	91622	\$35.34	\$0.00
2021	Lien Interest Payment	93622	\$68.93	50:00
2020	Lion Interest Charge	91622	\$35.34	\$0.00
2021	Lies Interest Charge	916/22	\$68.93	\$0.00
2021	Tax Payment	1/17/22	\$4,865.30	50:00
2021	Misc Charge Phyticat	81722	\$5.00	50:00
2021	Interest Charge Payment	N17/22	\$2.49	\$9.00
2021	Interest Charge Payment	8/17/22	50.25	\$0.00
2021	Interest Charge Payment	817/22	\$130.96	36 00
2021	Special Assessment Psymo	nt 8/17/22	\$83.00	\$0.00
2021	Special Assessment Psyme	et 8/17/22	\$8.30	\$0.00
2021	Lien Endorsement	N17/22	\$4,595.20	50 00
3921	Endorsonest Fee	817/22	\$5.00	\$0.00
2020	Redemption Fee	8/17/22	\$7.00	\$8.00
3030	Lien Esterest Charge	9/17/22	\$353.42	\$9.00
2001	Interest Charge	813/22	\$130.96	\$9.00
2021	Interest Charge	8/17/22	\$2.40	\$0.00
3021	Interest Charge	817/22	\$0.25	\$0.00
2021	Special Assessment	1/10/22	\$8.30	\$0.00
2021	Special Assessment	1/19/22	\$83.00	30 ne.
2021	Tax Chage	1972	\$4,365.20	\$0.00
2020	REDEMPTION FEE	12/10/21	\$0.00	50 on
2020	CERT OF PURCH FEE	12/19/21	\$0.00	\$0.00
2020	CERT OF PARCE FEE	13/10/21	\$0.00	\$9.00
2020	Interest Charge	12/10/21	\$306.64	\$6.00
2020	Interest Charge	12/10/21	\$0.00	\$810
2020	Interest Charge	12/19/21	\$0.00	\$0.00
3020	Special Assessment Paymer	st 11/9/21	\$9.30	\$8.00
3100	Miss Charge Payment	11/9/21	\$25.00	\$0.00
2020	Interest Charge Payment	11/9/21	\$306.64	\$300
2020	Tax Payment	11921	\$4,278,32	\$200



Statement Of Taxes Due

Account Number R0073516 Assessed To

Parcel 0172107100005

REVELATION THORNTON LLC 254 E STH ST LOVELAND, CO 80537-5599

Legal Description

* Credit Levy

Situs Address

SELT, TWN, \$165.7.7.42 DESC. COM AT THE 14 OF SD SEC. FIRE SED RIM 106 WALG THE SEN OF THE NZ OF SD SEC. 7
MINDLET TO THE POR SO PT 1 VZNG ON THE WLY BOW EN GF ELVERBALE RD THIN NOI SEM ON FIALGITHE WLY BOW
EN OF RIVERBALE RD TSERS ST TO PT ON THE EXT DOWNDARY OF A PARC OF LAND DESC IN RE1766 P. Additional Legal
on Fig.

0 DROWN JON

Your	Tex		Interest		Fees	Payments	Helence
Tax Charge							
2024	\$172.48		\$0.00		50.00	\$0.00	\$172.48
Total Tax Charge							\$172.48
Grand Total Duc as of 03/05/2025							\$172.48
Tax Billed at 2024 Rates for Tax Area 150	0-150						
Ambority		Mill Lovy		Amount	Values	Actual	Assessed
RANGEVIEW LIBRARY DISTRICT		3.6670000		\$6.05	RES IMPRV LAND	\$24,600	\$1,650
GENERAL		22.8206000		\$37.64			
RETIREMENT		0.3140000		\$0.52	Total	\$24,600	\$1,650
ROAD/BRIDGE		1.3000000		\$2.15			
DEVELOPMENTALLY DISABLED		0.2570000		50.42			
SD 12 BOND (Adams 12 Five S		18.6650000		\$10.80			
SD 12 GENERAL (Adams 12 Fev	4	4.0400000*		\$72.67			
CITY OF THORNTON		10.2100000		\$16.85			
URBAN DRAINAGE SOUTH PLATTE	8	0.1000000		\$0.17			
URBAN DRAINAGE & FLOOD CONT	г	0.9000000		\$1.49			
SOCIAL SERVICES		2.2530000		\$3.72			
Taxes Billed 2024		01.5260000		\$172.48			

Tax amounts are subject to change due to endorsement, advertising, or fees. Please call the office to confirm amount due after August 1st.

All Tax Lion Redemption payments must be made with cash or cashier's check.

Adams County Treasurer & Public Trustee 4430 S Adams County Parloway, Suite W1000 Brighton, CO 80601 720-523-6160

35/25, 11:16 AM Tax Account

- Zas Account Scorch
 Shooting Circi
- My Reports
- · lide
- · Irmera Meriber
- · Austrace Main Page
- Adams Courty Man Part
- · Logartrable

The amount of taxes due on this page are based on last year's property value assessments.

The actual value is the value before the adjustment and the assessed value is based off the new adjusted value.

Per SB22-238 and SB23-001 the value may be reduced by S55,000.00 for residential and S30,000 for commercial. Click here for further information.

For current year values and for a full breakdown of the values visit the Adams County Assessor's site.

Summary

Tax Year Tax Dur Interest Dur Penalty Dur Mise Dur Lien Dur Lien Interest Due Total Dur 2024 \$172.48 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$172.48

Transaction Details

	ar Type	Effective D	ate Amount	Balance
2024	Tax Charge	1/7/25	\$172.48	\$172.48
2020	Miss Charge Payment	3/36/24	\$7.00	\$0.00
2020	Lieu Interest Phyment	2/26/24	\$22.92	\$0.00
2020	Lien Interest Payment	22604	58.82	\$0.00
2020	Lien Interest Payment	2/26/24	\$1763	\$0.00
2020	Lien Payment	32624	\$235.00	\$0.00
2021	Misc Charge Payment	2/26/24	\$1300	\$0.00
2024	Mass Charge Payment	2/26/24	\$7.00	\$0.00
2021	Lien Interest Payment	3/24/24	\$14.34	\$0.00
2021	Lien Interest Payment	3/26/24	\$23.89	\$0.00
2021	Lain Payment	3/29/24	\$238.96	\$0.00
2023	Tax Phymens	20924	\$170.72	\$0.00
2920	Lim Interest Charge	20604	\$1763	\$0.00
2021	Lien Interest Charge	3/26/24	\$21.89	\$0.00
2023	Tax Charge	1/25/24	\$170.72	\$0.00
2022	Tax Payment	43023	\$188.36	\$0.00
2021	Rolemption Fee	430/23	\$7.00	\$000
2021	Lien Interest Charge	4/30/23	\$14.34	\$0.00
2020	Lien Interest Charge	4/30/21	58.82	\$0.00
3022	Tax Charge	1/13/23	\$166.38	\$0.00
2021	TAX SALE CERTIFICATE FEES	12/2/22	\$13.00	\$0.00
2021	MISC TAX SALE FEES	11/29/22	\$900	\$0.00
2021	TAX SALE CERTIFICATE FEES	11/25/22	\$0.00	\$0.00
2021	Interest Charge Payment	11/7/22	\$10.72	\$0.00
2021	Miss Charge Paymon	11/7/22	\$9.00	\$0.00
2021	Tax Payment	11/7/22	519474	\$0.00
2021	Miss Charge Payment	11/7/22	\$25.00	Spon
2021	Lien	11/7/22	\$218.96	\$0.00
3039	Redemption Fee	11/7/22	\$700	\$0.00
3(3)	Lien Interest Charge	11/7/22	\$22.92	\$0.00
2021	Interes Charge	11/7/22	\$10.22	\$0.00
2021	TAX LIEN SALE PUBLICATION FEE 2	21TY 98/22	\$25.00	\$0.00
2021	Tex Charge	1972	\$194.74	\$0.00
2020	REDEMPTION FEE	12/10/21	50 00	\$0.00
2020	CERT OF PURCE PER	12/10/21	\$0.00	\$0.00
2020	CERT OF PURCE PEE	12/10/21	\$0.00	\$0.00
2020	Interest Charge	12/19/21	\$13.74	50.00
2020	Mess Charge Payment	11/9/21	\$25.00	\$0.00
3020	Interest Charge Payment	11/9/21	313.74	\$0.00
2020	Tax Payment	11/9/21	\$196.34	\$0.00
2020	Lien	11921	\$235 (0)	\$0.00

C.R.S. 43-2-303

Copy Citation

Statutes current through all legislation from the 2024 Regular Session and the Second Extraordinary Session (2024)

Colorado Revised Statutes Annotated Title 43. Transportation (§§ 43-1-101 - 43-10-119) Highways and Highway Systems (Art. 2) Article 2. State, County, and Municipal Highways (Pts. 1 - 4) Part 3. Vacation Proceedings: Roads, Streets, and Highways (§§ 43-2-301 - 43-2-304)

43-2-303. Methods of vacation.

- (1) All right, title, or interest of a county, of an incorporated town or city, or of the state or of any of its political subdivisions in and to any roadway shall be divested upon vacation of such roadway by any of the following methods:
- (a) The city council or other similar authority of a city or town by ordinance may vacate any roadway or part thereof located within the corporate limits of said city or town, subject to the provisions of the charter of such municipal corporation and the constitution and statutes of the state of Colorado.
- **(b)** The board of county commissioners of any county may vacate any roadway or any part thereof located entirely within said county if such roadway is not within the limits of any city or town.
- (c) If such roadway constitutes the boundary line between two counties, such roadway or any part thereof may be vacated only by the joint action of the boards of county commissioners of both counties.
- (d) If said roadway constitutes the boundary line of a city or town, it may be vacated only by joint action of the board of county commissioners of the county and the duly constituted authority of the city or town.

(2)

- (a) No platted or deeded roadway or part thereof or unplatted or undefined roadway which exists by right of usage shall be vacated so as to leave any land adjoining said roadway without an established public road or private-access easement connecting said land with another established public road.
- **(b)** If any roadway has been established as a county road at any time, such roadway shall not be vacated by any method other than a resolution approved by the board of county commissioners of the

county. No later than ten days prior to any county commissioner meeting at which a resolution to vacate a county roadway is to be presented, the county commissioners shall mail a notice by first-class mail to the last-known address of each landowner who owns one acre or more of land adjacent to the roadway. Such notice shall indicate the time and place of the county commissioner meeting and shall indicate that a resolution to vacate the county roadway will be presented at the meeting.

- (c) If any roadway has been established as a municipal street at any time, such street shall not be vacated by any method other than an ordinance approved by the governing body of the municipality.
- (d) If any roadway has been established as a state highway, such roadway shall not be vacated or abandoned by any method other than a resolution approved by the transportation commission pursuant to section 43-1-106 (11).
- (e) Paragraphs (b), (c), and (d) of this subsection (2) shall not apply to any roadway that has been established but has not been used as a roadway after such establishment.
- **(f)** If any roadway is vacated or abandoned, the documents vacating or abandoning such roadway shall be recorded pursuant to the requirements of section 43-1-202.7.
- (3) In the event of vacation under subsection (1) of this section, rights-of-way or easements may be reserved for the continued use of existing sewer, gas, water, or similar pipelines and appurtenances, for ditches or canals and appurtenances, and for electric, telephone, and similar lines and appurtenances.
- (4) Any written instrument of vacation or a resubdivision plat purporting to vacate or relocate roadways or portions thereof which remains of record in the counties where the roadways affected are situated for a period of seven years shall be prima facie evidence of an effective vacation of such former roadways. This subsection (4) shall not apply during the pendency of an action commenced prior to the expiration of said seven-year period to set aside, modify, or annul the vacation or when the vacation has been set aside, modified, or annulled by proper order or decree of a competent court and such notice of pendency of action or a certified copy of such decree has been recorded in the recorder's office of the county where the property is located.

History

Source: L. 49:P. 621, § 3.**CSA:**C. 143, § 69(3).**CRS 53:**§ 120-1-13.**C.R.S. 1963:**§ 120-14-3. **L. 88:** (2) amended, p. 1122, § 2, effective April 20. **L. 93:**(2) amended, p. 615, § 2, effective April 30.

▼ Annotations	
Research References & Practice Aids	

Hierarchy Notes:

C.R.S. Title 43, Art. 2, Pt. 3

State Notes

ANNOTATION

Law reviews.

For article, "Resubdividing and Replatting", see 28 Rocky Mt. L. Rev. 529 (1956).

Section not authority to declare road public.

This section does not vest the board of county commissioners with the authority to declare that a road has become public by adverse use; rather, this section only gives commissioners the authority to relinquish any claims the public may have in a road. Williams v. Town of Estes Park, 43 Colo. App. 265, 608 P.2d 810 (1979).

Subsection (2)(a) requires

a party seeking to establish vacation of a roadway to demonstrate that vacation will not create parcels without access. Bd. of County Comm'rs of Morgan County v. Kobobel, 74 P.3d 401 (Colo. App. 2002).

Subsection (2)(a) cannot be construed to mean that an abutting landowner has a title interest in any public road such that they can maintain an action under the federal Quiet Title Act.

Staley v. United States, 168 F. Supp. 2d 1209 (D. Colo. 2001).

"Private-access easement" as used in subsection (2)(a) means reasonable access.

This is a question of fact to be determined on a case-by-case basis. Adelson v. Bd. of County Comm'rs, 875 P.2d 1387 (Colo. App. 1993).

Municipal ordinance purporting to vacate road merely transferred control over the road to the county

where ordinance did not meet vacation requirements set forth in statute at the time of the adoption of the ordinance. Martini v. Smith, 42 P.3d 629 (Colo. 2002).

The strict requirements of this section only apply if the roadway has been established and used as a public road.

Martini v. Smith, 42 P.3d 629 (Colo. 2002).

If a road is a public road that has been used as such, then a disclaimer of interest filed by a county under the procedural provisions of C.R.C.P. 105(c) cannot operate to vacate the road.

Rather, the county must comply with the mandates of this section in order to effect the vacation of the road. Martini v. Smith, 42 P.3d 629 (Colo. 2002).

Under subsection (2)(a), county cannot, without compensation, formally abandon a public road if such action would deprive abutting landowners of access to their property.

Heath v. Parker, 30 P.3d 746 (Colo. App. 2000).

For vacation by nonuser following admitted statutory dedication and acceptance,

see Crane v. Beck, 133 Colo. 325, 295 P.2d 222 (1956), and Uhl v. McEndaffer, 123 Colo. 69, 225 P.2d 839 (1950).

Applied

in LeSatz v. Deshotels, 757 P.2d 1090 (Colo. App. 1988).

Colorado Revised Statutes Annotated

Copyright © 2025 All rights reserved.

Content Type:

Terms:

Narrow By: -None-

Date and Time: Jan 08, 2025 06:08:02 p.m. EST



Print

Cookie Policy

Terms & Conditions

EXHIBIT A

PARCEL DESCRIPTION

Holly Street Vacation

A parcel of land, being portions of those parcels described in the Resolution recorded March 15, 1985 as Book 2977, Page 767 of the Adams County Clerk & Recorder (ACCR), and that parcel described in the Resolution recorded March 15, 1985 as Book 2977, Page 759 of the ACCR, situate in the Northeast Quarter (NE1/4) of Section Seven (7), Township Two South (T.2S.), Range Sixty-seven West (R.67W.) of the Sixth Principal Meridian (6th P.M.), City of Thornton, County of Adams, State of Colorado and being more particularly described as follows:

COMMENCING at the East Quarter corner of said Section 7 and assuming the South line of the Southeast Quarter of the Northeast Quarter (SE1/4NE1/4) of Section 7 as bearing South 87°59'58" West, being a Grid Bearing of the Colorado State Plane Coordinate System, Central Zone, North American Datum 1983/2011, a distance of 1317.72 feet, monumented by a #6 rebar with 2.5" aluminum cap stamped LS 17477 at the East Quarter corner and a 2" iron pipe with a 2.5" aluminum cap stamped LS 2149 at the Center-East 1/16th corner and with all other bearings contained herein relative thereto;

THENCE South 87°59'58" West, along said South line, a distance of 307.31 feet to the Southeast corner of that parcel as described in the Warranty Deed as recorded July 23, 2020 as Reception No. 2020000069759 of the ACCR;

THENCE North 24°49'25" East, along the East line of said parcel, a distance of 266.50 feet to the Southwest corner of said Book 2977, Page 767 and to the POINT OF BEGINNING;

Thence along the West line of Book 2977, Page 767 the following five courses:

THENCE North 09°49'19" East a distance of 454.55 feet to a Point of Curvature (PC);

THENCE along the arc of a curve concave to the Southeast a distance of 137.83 feet, having a Radius of 1040.00 feet, a Delta of 07°35'37" and is subtended by a Chord that bears North 13°37'08" East a distance of 137.73 feet to a Point of Reverse Curvature (PRC);

THENCE along the arc of a curve concave to the Northwest a distance of 74.33 feet, having a Radius of 962.50 feet, a Delta of 04°25'29" and is subtended by a Chord that bears North 15°12'12" East a distance of 74.31 feet to a Point of Compound Curvature (PCC);

THENCE along the arc of a curve concave to the Southwest a distance of 54.96 feet, having a Radius of 30.00 feet, a Delta of 104°57'43" and is subtended by a Chord that bears North 39°29'24" West a distance of 47.59 feet:

THENCE North 88°01'44" East, along a line non-tangent to the aforesaid curve, a distance of 45.79 feet;

THENCE South 28°47'28" East a distance of 102.60 feet to the East line of said Book 2977, Page 759;

Thence along said East and South lines of Book 2977, Page 759 the following four courses:

THENCE South 00°03'35" East a distance of 51.60 feet to the beginning point of a curve, non-tangent to aforesaid course;

THENCE along the arc of a curve concave to the Southeast a distance of 121.13 feet, having a Radius of 950.00 feet, a Delta of 07°18'20" and is subtended by a Chord that bears South 13°28'29" West a distance of 121.05 feet to a Point of Tangency (PT);

THENCE South 09°49'19" West a distance of 102.46 feet;

THENCE North 89°56'25" East a distance of 25.91 feet;

THENCE South 23°43'19" West a distance of 184.29 feet to the beginning point of a curve, non-tangent to aforesaid course;

THENCE along the South line of Book 2977, Page 759 and along the arc of a curve concave to the Northeast a distance of 75.48 feet, having a Radius of 85.35 feet, a Delta of 50°40'22" and is subtended by a Chord that bears North 15°30'54" West a distance of 73.05 feet:

Thence along the East and South lines of Book 2977, Page 767 the following two courses:

THENCE South 09°49'19" West along a line non-tangent to the aforesaid curve a distance of 94.40 feet;

THENCE South 24°49'25" West a distance of 154.53 feet to the POINT OF BEGINNING.

Said described parcel of land contains 47,710 Square Feet or 1.095 Acres, more or less (±).

SURVEYORS STATEMENT

I, Steven Parks, a Colorado Licensed Professional Land Surveyor do hereby state that this Parcel Description was prepared under my personal supervision and checking, and that it is true and correct to the best of my knowledge and belief.



Steven Parks - on behalf of Majestic Surveying, LLC Colorado Licensed Professional Land Surveyor #38348



