

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF OURAY COUNTY, COLORADO
FOR APPROVAL OF AN EXEMPTION FROM THE DEFINITION OF SUBDIVISION**

WHEREAS, the Board of County Commissioners of Ouray County, Colorado ("Board") has previously adopted Resolution 2006-057 to accept the donation from Robert W. Pohl and Wendy Pohl of a parcel of land on Ouray County Road 5 for a public, recreational parking area; and

WHEREAS, in order to transfer and convey such property to Ouray County, it is necessary for the Board to approve the creation of the 0.19-acre parcel which is to be conveyed to Ouray County; and

WHEREAS, Section 17.3 of the Ouray County Land Use Code ("Code") provides that the Board of County Commissioners may grant an exception or exemption to the regulations upon a finding that the Applicant will convey real property to the County for public projects or purposes; and

WHEREAS, upon the recordation of the exemption plat, Robert W. Pohl and Wendy Pohl will transfer and convey Parcel "B" as shown on the exemption plat to Ouray County for a public, recreational parking area; and

WHEREAS, pursuant to the provisions of C.R.S. §30-28-101(10)(d), the creation of the 0.19-acre parcel is not within the purposes of C.R.S. §30-28-101 and the Board adopts this Resolution approving such exemption.

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

- 1. The request for approval of an exemption to the definition of subdivision, pursuant to the provisions of Section 17.3 of the Code and pursuant to the provisions of C.R.S. §30-28-101(10)(d) is approved and the plat for such exemption may be recorded.

APPROVED AND ADOPTED THIS 25th DAY OF SEPTEMBER, 2006, RATIFYING ACTION TAKEN ON SEPTEMBER 11, 2006.

BOARD OF COUNTY COMMISSIONERS
OF OURAY COUNTY, COLORADO

Attest:

Heidi M. Albritton, Chair

Don Batchelder, Vice Chair

Michelle Nauer, Clerk and Recorder
By: Linda Munson-Haley, Deputy Clerk of the Board

Kristi R. Westfall, Member