

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PITKIN COUNTY, COLORADO, APPROVING AND ACCEPTING LOT 6 ASPEN RIVER VALLEY RANCH ROARING FORK RECREATION AND ACCESS EASEMENT

ORDINANCE NO. _____-2023

RECITALS

WHEREAS, Pursuant to 30-35-301 C.R.S., the Board of County Commissioners (“BOCC”) of Pitkin County, Colorado a Home Rule County is authorized to make and publish ordinances for carrying into effect or discharging the powers and duties conferred upon such counties by law and as seems necessary, and;

WHEREAS, Pursuant to Section 2.8.1 of the Home Rule Charter (“HRC”), the BOCC is authorized to take official action by Ordinance for certain matters where action is prescribed pursuant to the Colorado Revised Statutes as amended, and;

WHEREAS, The Voters of Pitkin County and the Pitkin County Commissioners established an Open Space and Trails Fund for the purposes of preserving and providing open space and trails resources, and established an Open Space and Trails Board of Trustees (“OSTB”) to guide the expenditure of those funds and make recommendations to the BOCC, and;

WHEREAS, The Open Space and Trails Program is charged with protecting agriculture, open space, habitat, scenic view planes, and recreational routes on public lands, and;

WHEREAS, Robert Oxenberg and Maureen McCluskey Oxenberg (the “Grantor”), own the 39.08 acre Lot 6 Aspen River Valley Ranch property located along the Roaring Fork River at 2520 Lower River Road (the “Property”), and;

WHEREAS, The BOCC granted the Property land use approvals pursuant to BOCC Resolution No. 049-2020 (the “Land Use Approvals”) recorded in the official records of Pitkin County Reception # 665417. The Land Use Approvals are conditioned on Grantor’s conveyance of a fishing and access easement for the Roaring Fork River, and;

WHEREAS, The Lot 6 Aspen River Valley Ranch Recreation and Access Easement satisfies the Land Use Approval because it includes fishing as a recreation activity, and;

WHEREAS, the Pitkin County OSTB recommended that the easements associated with the approval of the Lot 6 Aspen River Valley Ranch be approved and accepted by the BOCC and designated as an Open Space and Trails asset, and;

WHEREAS, The BOCC finds that adoption of this ordinance is in the best interest of the citizens of Pitkin County.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Pitkin County, Colorado that it hereby adopts an ordinance approving and accepting Lot 6 Aspen River Valley Ranch recreation and access easement and authorizes the Chair or the Chair's designee to sign the Ordinance and upon the satisfaction of the County Attorney as to form, execute any other associated documents necessary to complete this matter.

INTRODUCED AND FIRST READ ON THE _____ DAY OF _____, 2023 AND SET FOR SECOND READING AND PUBLIC HEARING ON THE _____ DAY OF _____ 2023.

NOTICE OF PUBLIC HEARING AND TITLE AND SHORT SUMMARY OF THE ORDINANCE PUBLISHED IN THE ASPEN DAILY NEWS ON THE _____ DAY OF _____, 2023.

NOTICE OF PUBLIC HEARING AND THE FULL TEXT OF THE ORDINANCE POSTED ON THE OFFICIAL PITKIN COUNTY WEBSITE (www.pitkincounty.com) ON THE _____ DAY OF _____ 2023.

ADOPTED AFTER FINAL READING AND PUBLIC HEARING ON THE _____ DAY OF _____ 2023.

POSTED BY TITLE AND SHORT SUMMARY ON THE OFFICIAL PITKIN COUNTY WEBSITE (www.pitkincounty.com) ON THE _____ DAY OF _____, 2023.

PUBLISHED BY TITLE AND SHORT SUMMARY, AFTER ADOPTION, IN THE ASPEN DAILY NEWS ON THE _____ DAY OF _____, 2023.

ATTEST:

BOARD OF COUNTY COMMISSIONERS

By _____
Julia Ely
Deputy County Clerk

By: _____
Francie Jacober, Chair

Date: _____

APPROVED AS TO FORM:

MANAGER APPROVAL

John Ely, County Attorney

Jon Peacock, County Manager

Form Revised 01-01-2023