Reception#: 848073
04/10/2014 03:34:08 PM Jean Alberico
1 of 2 Rec Fee:$0.00 Doc Fee:0.00 GARFIELD COUNTY CO

STATE OF COLORADO)
)ss.
COUNTY OF GARFIELD)

At a regular meeting of the Board of County Commissioners for Garfield County, Colorado, held at the County Administration Building in Glenwood Springs on Monday, the 7th day of April, 2014, there were present:

Tom Jankovsky, Commissioner (ABSENT)
Mike Samson, Commissioner
John Martin, Commissioner Chairman
Andrew Gorgey, County Manager
Frank Hutfless, County Attorney
Jean Alberico, Clerk to the Board

when the following proceedings, among others were had and done, to-wit:

RESOLUTION NO. 14-17

RESOLUTION REGARDING THE PRESERVATION OF HISTORIC ROUTES GRANTED BY R. S. 2477

WHEREAS, the Board of County Commissioners of Garfield County, State of Colorado ("BOCC") is a legal and political subdivision of the State of Colorado for which the BOCC is authorized to act; and

WHEREAS, the important right to pass over historic routes on land under the ownership or control of the United States was granted to the public in 1866 by an Act of Congress known as R.S. 2477; and

WHEREAS, the public has accepted the R.S. 2477 grant by Congress, and thus assisted the United States in achieving its intent to open, expand, settle, develop and otherwise promote public travel over land in the public domain; and

WHEREAS, the continued availability for public passage over R.S. 2477 rights-of-way granted by Congress are important to the public health, safety and welfare because they provide access and support for a wide range of emergency, business and recreational activities necessary to sustain and improve desirable environmental and lifestyle objectives; and

WHEREAS, the public right to pass over R.S. 2477 rights-of-way is uncertain due to a number of factors, including inconsistent court decisions, shifting federal policy, competing arguments and objectives among various individuals and interest groups, and lack of objective administrative procedures to clearly and efficiently establish public R.S. 2477 rights; and

WHEREAS, uncertainty regarding R.S. 2477 rights has persisted for more than 100 years, leading to taxpayer-funded litigation and other expensive forms of dispute resolution; and

Reception#: 848073
04/10/2014 03:34:08 PM Jean Alberico
2 of 2 Rec Fee:$0.00 Doc Fee:0.00 GARFIELD COUNTY CO

WHEREAS, it is in the best interest of the public and government to establish and support clear and conclusive direction to timely evaluate and officially recognize valid R.S. 2477 claims, to provide a legislative framework for objectively achieving those ends within reasonable but clearly limited timeframes, and to minimize or eliminate costs typically associated with litigating or mediating R.S. 2477 claims.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Garfield County, State of Colorado, that this Board will continue to take and direct all action reasonably necessary to encourage and achieve administrative efficiency and reduce costs typically associated with resolving R.S. 2477 right-of-way claims, including action that it has taken to develop, foster, promote and advance federal legislation that will, at a minimum, establish deadlines for filing R.S 2477 claims, establish mandatory procedures for considering and acting on those claims, and require federal administrative action to provide written disclaimers and relinquishments supporting the public right to travel over established R.S. 2477 rights-of-way.

DATED this 7 day of April, 2014.

ATTEST:

BOARD OF COUNTY COMMISSIONERS OF GARFIELD COUNTY, STATE OF COLORADO

GARFIELD COUNTY SEAL COLORADO

Jean M Alberico
Clerk to the Board

By: _____
Chairperson

Upon motion duly made and seconded the foregoing Resolution was adopted by the following vote:

Tom Jankovsky	Absent
Mike Samson	Aye
John Martin	Aye

Commissioners