

## **RESOLUTION NO. 4-2016**

### **DESIGNATION OF PHILS WORLD TRAIL SYSTEM AS AN AREA AND ACTIVITY OF STATE INTEREST PURSUANT TO C.R.S. § 24-65.1-401 *et seq.***

WHEREAS, pursuant to C.R.S. §24-65.1-101 *et seq.*, the Montezuma County Board of Commissioners (BOCC) has considered current and foreseeable development pressures in the Phil's World trail system area;

WHEREAS, by way of preserving site selection and managing development of new communities, the BOCC considers the benefits of the current uses and activities;

WHEREAS, the trail system is an important area of outdoor recreation activity and tourism, that is also of important historical value and contains mineral resources;

WHEREAS, the present value of the existing activities of the Phil's World trail system area and its activities, the existing trail usage and the proposed expansion, are greater than the economic value of any minerals present, and are given preference over the economic value of minerals;

WHEREAS, uncontrolled development will adversely effect the economic and recreational experience, and preserving this desirable outdoor recreation community and its historical value is preferable;

WHEREAS, the BOCC has considered boundaries of the area; reasons the area and its activities are of state interest, the adverse impacts that will result from uncontrolled activity, and the advantage of coordinated development and regulation;

WHEREAS, Regulations are authorized by C.R.S. 24-65.1-101, *et seq.*

**THEREFORE BE IT RESOLVED** by the Montezuma County Board of Commissioners, the following:

1. The Phil's World trail system area in Montezuma County, as specifically described in the attached Exhibit \_\_\_\_, and the existing activities at Phil's World, are hereby designated as an area and activity of State interest;
2. This designation is restricted to uses that will provide the community with a multi-use open space area for recreational activities;
3. Pursuant to C.R.S. § 24-65.1-404, no person shall engage in any development or activity that is not permitted by the Montezuma County Planning

Department, in the area defined in Exhibit \_\_\_\_ and as recorded under reception number \_\_\_\_\_.

4. Any proposed oil and gas development and maintenance access routes are exclusively limited to the designations in Exhibit \_\_\_\_.
5. Compliance with all federal and state laws and regulations are still mandatory.
6. All permits on the State of Colorado portion of Phil's World must comply with the same regulations applicable to the BLM portion.
7. Violations: If a violation occurs, as determined by the Board of County Commissioners, a public hearing to review the non-permitted/permited use(s) and alleged violation(s) will be held.
8. Penalties: In addition to any other lawful sanction, any person, firm, or corporation determined to be in violation at the public hearing shall be subject to criminal and civil actions and proceedings and penalties as provided in C.R.S. §§ 30-28-124, and 30-28-124.5.

Adopted this 7<sup>th</sup>, day of March, 20 16.

BOARD OF COUNTY COMMISSIONERS,  
MONTEZUMA COUNTY, COLORADO

Kim Percell  
County Clerk and Recorder

Larry Kr. Lerella  
County Commissioner

James R. Lambert  
County Commissioner

Ken C. Smith  
County Commissioner



# Exhibit A

## Phil's World and Proposed 1041 Regulatory Parcels

Description of land involved: BLM and State of Colorado managed lands that encompass the Phil's World Mountain bike trail system, and the proposed expansion area. Comprising approximately 2,420 acres of BLM managed lands in parts of Sections 3,4,9,10,11,14,15,21,22 and 23 in Township 36N Range 15W N.M.P.M. and approximately 600 acres of State of Colorado managed lands in parts of Sections 26,27 and 28 in Township 36N Range 15W N.M.P.M.

