

PARK COUNTY COMBINED COURT
PO BOX 190, 300 4TH ST., FAIRPLAY, CO 80440
(719)836-2940

Plaintiffs: ELK FALLS PROPERTY OWNERS
ASSOCIATION, a Colorado nonprofit corporation, et al

v.

Defendants: VERA B. DUNWODY and DRAYTON D.
DUNWODY, et al

EFILED Document

CO Park County District Court 11th JD

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Δ COURT USE ONLY Δ

Case Number: 10 CV 65

**ORDER RE JOINDER OF BOARD OF COUNTY COMMISSIONERS
OF PARK COUNTY**

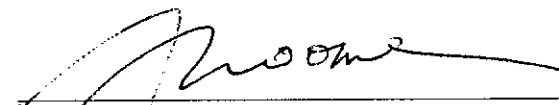
This matter comes before the Court pursuant to the motion to reconsider order granting motion to join the Board of Directors of Park County ('Park County') as a party to this litigation. The Court has reviewed the motion, the response, and reply, as well as the court file, and hereby enters the following Order.

The Court finds that the only basis for joining Park County as a party in this case concerns the issue of whether the subject road may be determined to be a public road. Since Park County is aware of the current pleadings in this case and desires not to participate in this litigation, the Court interprets said position effectively as a disclaimer of interest. If the issues in this case change in the future and if Park County makes a timely motion to intervene, then the Court will reconsider the need to join Park County at that time.

Therefore, the motion is GRANTED and Park County is dismissed as a party to this case.

Dated this 24th day of November 2010.

BY THE COURT:



Stephen A. Groome
District Court Judge