

**ORDINANCE # 2004-003**

**AN ORDINANCE VACATING A 16-FOOT TOWN ALLEY  
EXTENDING IN A NORTH-SOUTH DIRECTION  
AT THE MID POINT OF BLOCK 45, LOCATED  
IN THE TOWN OF CRESTONE, COLORADO**

**WHEREAS**, a 16' tract of land extending in an North-South direction has existed as a platted alley in Block 45, within the Town of Crestone, Colorado, and

**WHEREAS**, said alley is located at a point 139.76 feet East of the Northwest corner of Block 45, and 142 feet West of the Northeast corner of Block 45 and extending the entire length of Block 45 in a southerly direction, and, subject to an easement for municipal utilities, including water and sewer, has never been developed by the Town as a public right-of-way and has never been utilized for public purposes, and

**WHEREAS**, the property owners of Block 45 have petitioned the Board of Trustees to vacate the above described alley, and

**WHEREAS**, the Board of Trustees finds and determines, pursuant to Public Hearing, that said alley serves no useful public purpose and further finds and determines that the development of said alley is not encompassed within the planning needs of the Town of Crestone,

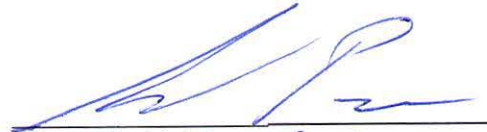
**NOW THEREFORE**, it is hereby ordained by the Board of Trustees of Crestone, Colorado, that the following alley area is hereby vacated:

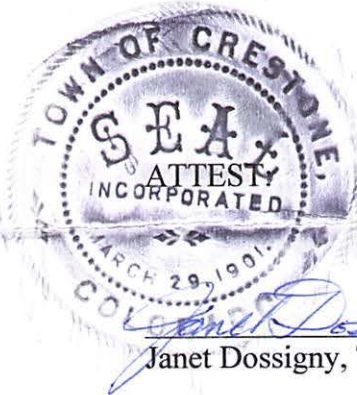
1. The alley located in Block 45, within the Town of Crestone, Colorado, which is located at a point 139.76 feet East of the Northwest corner of Block 45, and 142 feet West of the Northeast corner of Block 45 and extending the entire length of Block 45 in a southerly direction.
2. Title to the vacated area shall vest with the landowners of Block 45 in accordance with the provision of CRS 43-2-302.
3. The vacation of this property is subject to the reservation of an easement, restriction, and right-of-way reserved to the Town of Crestone, Colorado, grantor herein, for Town utility, water and sewer lines, gas, electric, telephone and other utilities, access and maintenance of the same, together with any access easement for said utilities deemed necessary by the grantor.

**THE TOWN BOARD FINDS THAT THIS ORDINANCE IS NECESSARY TO THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, HEALTH, AND SAFETY, AND SHALL TAKE EFFECT AND BE ENFORCED FROM AND AFTER PASSAGE OF THE SAME.**

**INTRODUCED**, read in full, adopted, approved, and signed this 8<sup>th</sup> day of March, 2004.

APPROVED:

  
Kizzen Laki, Mayor *Pro tem*  
*Sam Pace*



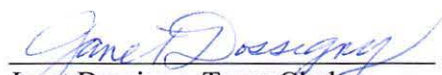
Janet Dossigny, Town Clerk

APPROVED AS TO FORM:

  
Eugene L. Farish, #2557  
Crestone Town Attorney

Certification

I hereby certify that the within Ordinance was introduced, read in full, approved and adopted at the regular meeting of the Board of Trustees of the Town of Crestone, Colorado on the 8<sup>th</sup> day of March, 2004 and will be published by title in the Crestone Eagle, a legal newspaper in the Town of Crestone, on the 15<sup>th</sup> day of April, 2004.

  
Janet Dossigny, Town Clerk