

ORDINANCE # 2002-6

340259

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State of Colorado

Audrey E. Conley, Saguache County Recorder
01/28/2003 12:31 PM Recording Fee \$11.00

**AN ORDINANCE VACATING A 16 FOOT TOWN ALLEY
EXTENDING IN AN EAST-WEST DIRECTION
AT THE MID POINT OF BLOCK 34, LOCATED
IN THE TOWN OF CRESTONE, COLORADO**

WHEREAS, a 16' tract of land extending in an East-West direction has existed as a platted alley in Block 34, within the Town of Crestone, Colorado, and

WHEREAS, said alley is located at a point 142 feet South of the North Block line of Block 34, and 142 feet North of the South Block line of Block 34 and extending the entire length of Block 34 in an east/west 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 owner of Block 34 has petitioned the Board of Trustees to vacate the above described alley, and

WHEREAS, the property owner of said alley, in Block 34, has utilized the area of such platted alley for many years for private purposes as her own property, 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 34, within the Town of Crestone, Colorado.
2. Title to the vacated area shall vest with the landowner of Block 34 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, and access and maintenance of the same together with any easement for future roadway deemed necessary by the grantor, *CAS, ELECTRIC, TELEPHONE & OTHER UTILITIES*

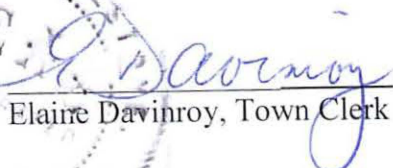
**THE TOWN BOARD FINDS THAT THIS ORDINANCE IS NECESSARY
TO THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE,
HEALTH, AND SAFETY, AND SHALL TAKE EFFECT AND BE
ENFORCED FROM AND AFTER PASSAGE OF THE SAME.**

INTRODUCED, read in full, adopted, approved, and signed this 10TH day of
 November, 2002.
~~DECEMBER~~

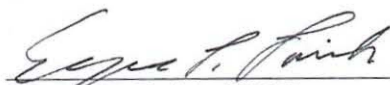
APPROVED:


 Kizzen Laki, Mayor

ATTEST:


 Elaine Davinroy, Town Clerk

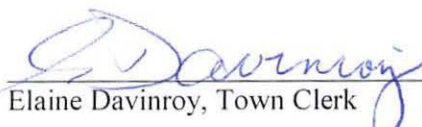
APPROVED AS TO FORM:


 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 10 day of ~~November~~ ^{DECEMBER}, 2002 and published in full in the Crestone Eagle, a legal newspaper in the Town of Crestone on the 1st day of January, 2003.

BY TITLE ONLY


 Elaine Davinroy, Town Clerk