

Ordinance 8, Series 2005
AN ORDINANCE VACATING A PORTION OF MAIN STREET

WHEREAS, a portion of Main Street within the Town of Jamestown, County of Boulder, State of Colorado, as shown on the plat recorded in the office of the Boulder County Clerk and Recorder abutting Lot 038, Block 10, 31.5 feet by 30 feet in size, 976 square feet more or less has not been used and is not required as a thoroughfare for the public or any other public use; and

WHEREAS, none of the said Main Street parcel constituted a boundary between two counties, towns or cities and all of it is located within the corporate limits of the Town of Jamestown; and

WHEREAS, no land adjoining the Main Street parcel will be left, in the event the parcel is vacated, without an established public road or private access easement connecting such land with another established public road; and

WHEREAS, vacation of the Main Street parcel in accordance with procedures set forth in the Colorado Revised Statutes, Section 43-2-301, et seq., regarding vacation is in the best interest of the Town and its citizens;

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF JAMESTOWN, COLORADO:

Section 1. That the Main Street parcel is hereby vacated and the title thereto shall vest in the owner of the abutting property in accordance with the law, such parcel more particularly as follows:

A parcel of land being part of Main Street, Townsite of Jamestown, Town of Jamestown, County of Boulder, State of Colorado as shown on the plat recorded in the office of the Boulder County Clerk and Recorder and including that portion of the said right of way abutting lot 038, Block 10, beginning at the southwest corner of said lot 38, block 10, Townsite of Jamestown; thence south 64°10'00" east along the south line of said lot 38, a distance of 31.5 feet to the southeast corner of said lot 38; thence south 25°50'00" west along the westerly line of lot 37 extended, a distance of 31 feet; thence north 64°10'00" west, a distance of 31.5 feet; thence north 25°50'00" east a distance of 31 feet to the point of beginning. Containing 976 square feet or .02 acres of land, more or less.

Section 2. All existing easements for public utilities shall not be altered or amended by virtue of this ordinance.

Section 3. In consideration of this vacancy, the owner of the abutting property agrees to pay to the Town the sum of \$1.00. In addition, the owner of the abutting property shall reimburse the Town for the actual cost advertising fees and pay any recording or miscellaneous costs relating to transferring title of the vacated property. The title to the vacated land shall include a clause of easement, permitting the Town or its agents to enter the property for the purposes of maintaining any culvert or channel serving the town and crossing the vacated property.

Section 4. The Mayor of the Town is hereby authorized to execute such documents as may be necessary to evidence the vacation of the Ward Street parcel as described in the attached legal description and survey map.

INTRODUCED, READ, ADOPTED, APPROVED, SIGNED AND ORDERED PUBLISHED IN
FULL THIS 5th DAY OF DECEMBER, 2005.

TOWN OF JAMESTOWN, COLORADO



KENNETH F. LENARCIC, MAYOR

attest:



MARY ELLEN BURCH, TOWN CLERK