

**Town of Jamestown**  
**Ordinance 1, Series 2006**

AN ORDINANCE REVISING ORDINANCE 9, SERIES 2005 VACATING A PORTION OF ELYSIAN (LOWER TOWN) PARK AND SETTING ASIDE A PORTION OF THE PARK ADJACENT TO CEMETERY ROAD AS A PUBLIC THOROUGHFARE AND EMERGENCY VEHICLE TURNOUT

WHEREAS, a portion of Elysian Park (also known as the Lower Park) along Cemetery 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 Rose M Lode Lot 5 and 6 (Survey 20717), approximately 45 feet by 354 feet in size, 16,269 square feet more or less and has not been used and is not required as a thoroughfare for the public or any other public use.

WHEREAS, none of the said Elysian Park parcel(s) 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 Elysian Park parcel(s) 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 Elysian Park parcel(s) is 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; and

WHEREAS, the original vacating ordinance contained an error relating to access by lots 5 and 6 to the emergency vehicle turn out area;

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

Section 1. Section 5 of Ordinance 9, Series 2005 is hereby revised as follows:

Section 5. A portion of Elysian Park described as Parcel II on the attached exhibit is hereby dedicated as a public thoroughfare and emergency equipment turn out.

Such parcel is a parcel of land in the northeast  $\frac{1}{4}$  of Section 30, Township 2 North, Range 71, west of the 6th P.M. County of Boulder, State of Colorado, being more particularly described as follows:

Commencing at northeast corner of lot 6 of the Rose M Lode Subdivision; thence north 19°32'56" east a distance of 5.52 feet; thence north 47°13'31" west a distance of 81.94 feet; thence north 67°27'19" west a distance of 135.26 feet; thence north 52° 28'17" west a distance

of 55.60 feet, to the point of beginning; thence south 85°17'37" west a distance 37.14 feet; thence north 66°08'00" west a distance of 58.43 feet; thence north 09°58'13" west a distance of 20.00 feet; thence north 27°36'48" east a distance 42.19 feet; thence south 43°45'07" east a distance of 107.53 feet to the point of beginning. Said parcel containing 3,523 square feet (0.08 acres) more or less.

Rose M. 6 or Rose M. 5 may use the easterly portion of Parcel II, which is public right of way, as driveway access.

Section 2. Repeal: All parts of Ordinance #9, Series 2005 in conflict herewith are hereby repealed.

INTRODUCED, READ, ADOPTED, APPROVED, SIGNED AND ORDERED PUBLISHED IN FULL THIS 9th DAY OF January 2006.

TOWN OF JAMESTOWN, COLORADO

Attest:

KENNETH F. LENARCIC, MAYOR

MARY ELLEN BURCH, TOWN CLERK

*Clerk's Note: This Ordinance corrects the legal description in Section 5 of Ordinance 9, Series 2005.*

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MARY ELLEN BURCH, TOWN CLERK