

Ordinance 7, Series 2011

AN ORDINANCE VACATING A PORTION OF SPRUCE STREET RIGHT OF WAY

WHEREAS, a portion Spruce 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 as adjacent to lots 26, 27 and 28 located in the southwest quarter of Section 9, Township 2, north range 71, West of the 6th P.M. according to the recorded plat thereof, is not required as a thoroughfare for the public or any other public use.

WHEREAS, none of the said parcel constitutes 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 Spruce 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 Spruce Street parcel 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

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

Section 1. That the Spruce Street parcel (on the attached exhibit "A") 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 FOR THE VACATION OF A PORTION OF THE SPRUCE STREET RIGHT- OF- WAY, AS SHOWN ON THE PLAT OF THE TOWN OF JAMESTOWN, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 2 NORTH, RANGE 71 WEST OF THE 6TH P.M., COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE WESTERLY LINE OF LOT 28, BLOCK 5, SAID TOWN OF JAMESTOWN TO BEAR NORTH 10⁰10'42" EAST, A DISTANCE OF 136.49 FEET BETWEEN TWO FOUND #4 REBAR, LOCATED AT THE NORTHWEST AND SOUTHWEST CORNERS OF SAID LOT 28, WITH ALL BEARINGS HEREIN BEING RELATIVE THERETO;

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 28, SAID POINT ALSO LYING ON THE NORTHERLY LINE OF SPRUCE STREET RIGHT-OF-WAY LINE; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE SOUTH 80⁰04'21" EAST, ADISTANCE OF 74.10 FEET; THENCE DEPARTING SAID NORTHERLY RIGHT-OF-WAY LINE SOUTH 09⁰38'16" WEST, A DISTANCE OF 10.43 FEET; THENCE NORTH 71⁰53'06" WEST, A DISTANCE OF 5.94 FEET; THENCE NORTH 87⁰09'39" WEST A DISTANCE OF 27.18 FEET; THENCE SOUTH 69⁰23'57" WEST, A DISTANCE OF 3.30 FEET; THENCE SOUTH 65⁰38'02" WEST, A DISTANCE OF 26.83 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID SPRUCE STREET; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE NORTH 81⁰02'27" WEST, A DISTANCE OF 15.84 FEET; THENCE DEPARTING SAID SOUTHERLY RIGHT-OF-WAY LINE NORTH 09⁰03'08" WEST, A DISTANCE OF 30.00 FEET TO THE POINT OF

BEGINNING.

SAID PARCEL CONTAINING 129 SQUARE FEET OR 0.1 ACRES, MORE OR LESS.

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

Section 3. The Mayor of the Town is hereby authorized to execute such documents as may be necessary to evidence the vacation of the Spruce Street parcel as described in the attached legal description and survey map.

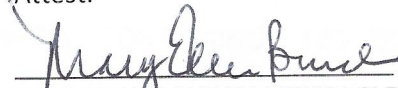
Section 4. All costs associated with the conveyance of this parcel shall be paid by the owner of lots 26, 27 and 28; including but not limited to, survey costs, recording fees, publishing costs, and any other legal or administrative expenses necessary to complete the conveyance. Where the Town has paid a fee associated with this conveyance, the owner of lots 26, 27, and 28 shall promptly reimburse the Town in full.

INTRODUCED, READ, ADOPTED, APPROVED, SIGNED AND ORDERED PUBLISHED BY TITLE THIS 11th DAY OF JULY 2011.

TOWN OF JAMESTOWN, COLORADO


TARA SCHOEDINGER, MAYOR

Attest:


MARY ELLEN BURCH, TOWN CLERK