

AN ORDINANCE VACATING A PORTION OF SECOND STREET AND A PORTION OF THE ALLEY IN BLOCK 24, CREEDMOOR, CITY OF CREEDE, COLORADO

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE CITY OF CREEDE, MINERAL COUNTY COLORADO, A TOWN:

Section 1. Pursuant to applicable Colorado Statutes, that portion of Second Street which lies East of Creede Avenue, West of the Willow Creek Flume Right-of-way, South of Block 15 and North of Block 24, Creedmoor, Mineral County, Colorado, be and the same is hereby vacated and closed. In addition, that portion of the Alley located in the said Block 24, Creedmoor, Mineral County, Colorado, which lies West of the Willow Creek Flume Right-of-Way, East of the North 22 feet of Lot 29 and all of Lot 30, South of the South boundary of that portion of Second Street herein vacated and North of the Creede Repertory Theater Building, be and the same is hereby vacated and closed.

and the mutual agreement of the adjoining land-owners Section 2. Pursuant to applicable law, the title to the portion of Second Street and Alley herein vacated shall vest in the adjoining land-owners as set forth on the attached Exhibit which Exhibit is incorporated herein by this reference. The property designated as the " NORTHERLY PORTION OF SECOND STREET TO BE VACATED " shall and does hereby vest in Jennifer Inge, the record owner of the property abutting and on the North side of the portion of Second Street herein vacated. Such abutting property consists of Lots 3,4,5,6 and 7 (and other property) in Block 15, Creedmoor. The property designated as the " SOUTHERLY PORTION OF SECOND STREET AND ALLEY TO BE VACATED " shall and does hereby vest in Patricia Broce, the record owner of the property abutting and on the South side of the portion of Second Street herein vacated and abutting and on the West side of the portion of the Alley to be vacated. Such abutting property consists of the North 22 feet of Lot 29 and all of Lot 30 (and other property) in Block 24, Creedmoor. No portion of any street or alley is vacated by this Ordinance except that which is described on the attached Exhibit and this Ordinance does not warrant title in any manner or form.

Section 3. The boundaries described in the attached Exhibit are subject to any discrepancies as to location. The property described in the attached Exhibit are subject to: Taxes, from and after the date hereof; applicable state, county and City of Creede zoning and similar land use regulations. In addition, the City of Creede reserves rights-of-way across the portion of Second Street and the Alley herein vacated for the maintenance, repair and replacement of any existing water line, water main, sewer line or sewer main.

Section 4. The Board of Trustees of the City of Creede hereby finds and determines that the public rights-of-way herein vacated are not now in public use (except as allowed for above with respect to possible water and sewer lines and mains) and have not been in pulic use as public thoroughfares for many years; that these vacations will not leave any usable land without an established public access; that these vacations are in the best interest, welfare and safety of the inhabitants of Creede; and that these vacations will not interfere in any way with nor adversely affect the health, safety and convenience of the inhabitants of Creede and are not contrary to the Public Interest.

INTRODUCED, READ IN FULL, PASSED AND APPROVED upon Motion, Second and Creede, Colorado, a Town, held on the 4 day of December, 1989.

ATTEST:

CREEDE, COLORADO

BY: [Signature] City Clerk

BY: [Signature] Mayor

(CITY SEAL)