

## ORDINANCE # 2006-16

### AN ORDINANCE VACATING A 16 FOOT TOWN ALLEY EXTENDING IN AN EAST-WEST DIRECTION THE ENTIRE BLOCK OF BLOCK 33, 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 33, within the Town of Crestone, Colorado, and

**WHEREAS**, said alley extends the entire length of Block 33 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 owners of Block 33 have petitioned the Board of Trustees to vacate the above described alley, and

**WHEREAS**, the property owners of said alley, in Block 33, have utilized the area of such platted alley for many years for private purposes as their 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 33, within the Town of Crestone, Colorado, more particularly described as extending from the SE corner of Lot 3 in said Block 33, thence West a distance of 175' to the SW corner of Lot 9 in said Block 33, thence, South 16' to the NW corner of Lot 10 in Block 33, Thence E 175' to the NE corner of Lot 13 Block 33, thence N 16' to the place of beginning.
2. Title to the vacated area shall vest with the landowners of Block 33 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,

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State of Colorado

Audrey E. Conley, San Juan County Recorder

11-03-2006 01:23 PM Recording Fee \$11.00

**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.**

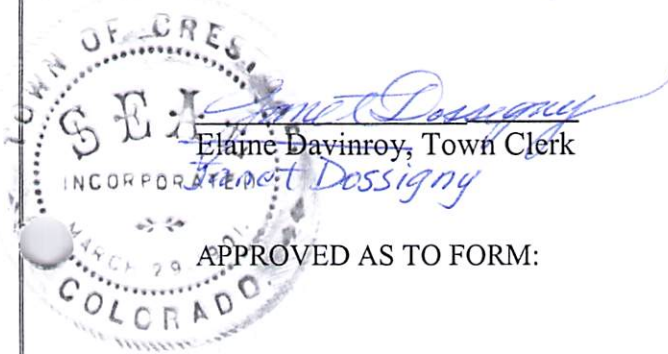
**INTRODUCED**, read in full, adopted, approved, and signed this 9<sup>th</sup> day of  
October, 2006.

APPROVED:

  
Kizzen Laki, Mayor

ATTEST:

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APPROVED AS TO FORM:

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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 9<sup>th</sup> day of October, 2006, and published ~~in full~~ <sup>by T. Hickey</sup> in the Crestone Eagle, a legal newspaper in the Town of Crestone on the 15<sup>th</sup> day of November, 2006.

  
Elaine Davinroy, Town Clerk  
*Janet Dossigny*