

**TOWN OF PALISADE, COLORADO
ORDINANCE NO. 2020-01**

**AN ORDINANCE OF THE TOWN OF PALISADE, COLORADO
VACATING A PUBLIC EASEMENT LOCATED AT PARCEL #2941-032-
21-025 AND PARCEL #2941-032-21-100.**

WHEREAS, Section 31-15-702(1)(a)(I) CRS., and Section 43-2-303(1)(a), C.R.S., permit the Town of Palisade to vacate any platted or dedicated public street, road or other public way whether or not it has been used as such, following certain findings of fact; and

WHEREAS, Section 4.17 of the Palisade Land Development Code sets forth the procedure and approval criteria for the vacation of a right-of-way or public easement and the Town received an application to vacate a 15' public sewer easement located at parcel #2941-032-21-025 and parcel #2941-032-21-100 described and shown on Exhibit A attached hereto and incorporated herein by this reference (the "Public Easement"); and

WHEREAS, public notice has been given as required by Section 3.08 of the Palisade Land Development Code for the review of the application; and

WHEREAS, said application was reviewed before the Planning Commission on January 7th, 2020, as required by Section 4.17 of the Palisade Land Development Code; and

WHEREAS, the Planning Commission has recommended to the Board of Trustees that the Public Easement be vacated; and

WHEREAS, it has been determined by the Board of Trustees of the Town of Palisade that the Public Easement is no longer of need to the Town.

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

Section 1. Pursuant to Section 4.17 of the Palisade Land Development Code, the Board of Trustees of the Town of Palisade finds and determines that the Public Easement described and shown on Exhibit A need not be reserved because an alternate drainage structure has been constructed in publicly dedicated easements or right-of-way.

Section 2. The Public Easement burdening that portion of the real property located at parcel #2941-032-21-025 and parcel #2941-032-21-100, described and shown on Exhibit A is hereby vacated.

Section 3. Upon adoption of this Ordinance, the Town Clerk shall, within thirty (30) days file for record in the office of the Mesa County Clerk and Recorder a certified copy of the within ordinance.

INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED at a regular meeting of the Board of the Trustees of the Town of Palisade, Colorado, held on January 14th, 2020.



TOWN OF PALISADE, COLORADO

By:

Roger L. Granat
Roger L. Granat, Mayor

ATTEST:

Lindsey Chitwood
Lindsey Chitwood, Town Clerk

EXHIBIT A

Vacation Description: A portion of a strip of land for a Sewer Easement as recorded under Reception No. 1566263 and lying within Lot 25 and Lot 100, Cresthaven Acres Filing 1 as recorded under Reception No. 2872924, Town of Palisade, County of Mesa, State of Colorado, said portion being described as follows:

Commencing at the southwest corner of said Lot 25,
thence N00°03'51" W a distance of 12.47 feet along the west line of said Lot 25 to the point of beginning;

thence N00°03'51" W a distance of 15.00 feet along the said west line;

thence N89°56'10" E a distance of 169.46 feet;

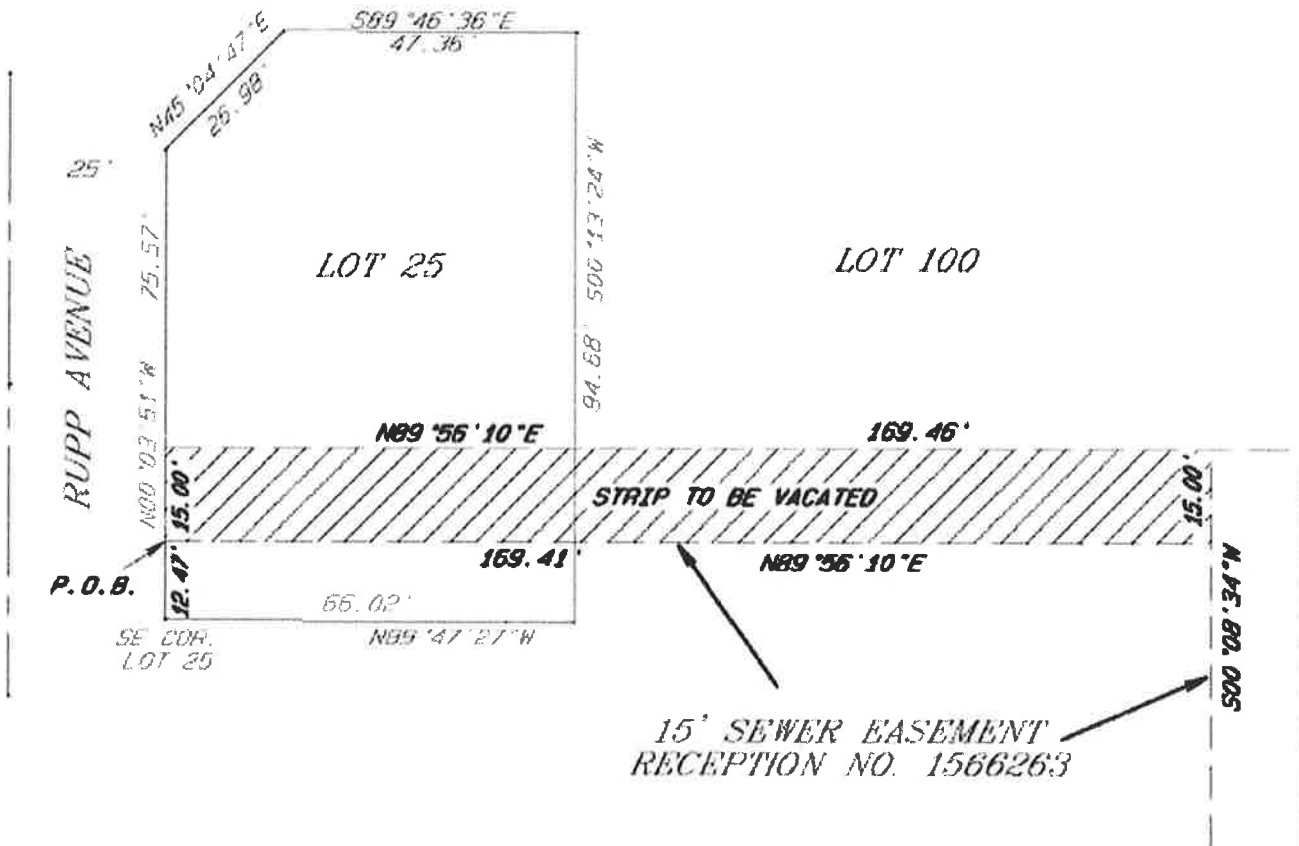
thence S00°08'34" W a distance of 15.00 feet;

thence S89°56'10" W a distance of 169.41 feet to the point of beginning.

Said strip contains 2,542 square feet, more or less.

EXHIBIT A

A VACATED PART OF A 15' SEWER EASEMENT
RECORDED UNDER RECEPTION NO. 1566263
LOCATED IN LOT 25 AND LOT 100, CRESTHAVEN ACRES FILING 1
RECORDED UNDER RECEPTION NO. 2872924



GRAPHIC SCALE: 1"=20'
LINEAR UNITS - U.S. SURVEY FEET
P.O.B. = POINT OF BEGINNING

D H SURVEYS, INC.
970-245-8749
JOB #198-17-88