

## ORDINANCE NO. 329

### AN ORDINANCE OF THE TOWN OF IGNACIO, COLORADO VACATING A PORTION OF SUNDOWN STREET AND RESERVING CERTAIN RIGHTS THERETO PURSUANT TO C.R.S. SECTION 43-2-303

*WHEREAS*, the Town of Ignacio is the owner of the thirty foot platted right of way known as Sundown Street; and

*WHEREAS*, The Town of Ignacio Board of Trustees finds that a portion of Sundown Street is not currently, nor ever has been utilized for street or road purposes; and

*WHEREAS*, the property owners abutting the proposed street vacation have requested this vacation from Town Board; and

*WHEREAS*, C.R.S. Section 43-2-303, allows the Town of Ignacio to vacate portions of roadways by ordinance, and to reserve certain rights thereto; and

*WHEREAS*, it is the desire of the Town of Ignacio to vacate a portion of Sundown Street, as more particularly described on a plat entitled 'EXHIBIT "A"'.

*NOW THEREFORE, BE IT ORDAINED* by the Board of Trustees of the Town of Ignacio, Colorado, that:

1. The portion of Sundown Street Right Of Way which lies between East Alley and Shoshone Avenue, as more particularly described on "Exhibit A", is hereby vacated, with Title vesting to the owners of the land abutting the vacated portion of Sundown Street in accordance with the CRS section 43-2-302. The vacated property shall be vacated equally to the adjoining property owners.
2. The Town of Ignacio hereby retains a ten (10) foot utility and drainage easement, as described on "Exhibit A", over, under, and through the vacated property, for the installation, use, maintenance, repair, replacement or access to sewer, gas, water, storm drain, irrigation, electrical, fiber optic, and telephone utilities.
3. Any abutting owner improvements within the described easement are at the owners risk and may need to be removed for future Town utilization of the easement.
4. This Ordinance, together with its attached "Exhibit A" will be recorded after it is effective in the La Plata County real estate records.
5. This Ordinance will be effective 30 days after publication, as provided by law.

THIS ORDINANCE PASSED ON FIRST AND FINAL READING THIS 19 DAY OF June, 2017.

TOWN OF IGNACIO, COLORADO

Stella Cox  
Stella Cox, Mayor

ATTEST:

Georgann Valdez  
Georgann Valdez, Clerk

PUBLISHED THE 23<sup>rd</sup> DAY OF June, 2017 BY THE AUTHORITY OF THE TOWN CLERK OF IGNACIO, COLORADO.

ATTEST:

Georgann Valdez  
Georgann Valdez, Clerk