

AN ORDINANCE VACATING CERTAIN REAL PROPERTY HERETOFORE DEDICATED TO THE TOWN OF BERTHOUD, LARIMER COUNTY, COLORADO AS AN EASEMENT.

Section 1.

WHEREAS, the applicants have submitted their application for vacation of an easement and paid the attendant fee and said application has been reviewed by the town superintendent.

Section 2.

WHEREAS, pursuant to the Planning Ordinances of the Town of Berthoud, the Board of Trustees determines that the hereinafter described area of the Town should be vacated.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, LARIMER COUNTY, COLORADO:

Section 3.

That the following described property, being a portion of the Town of Berthoud, Larimer County, Colorado, being more particularly described as follows is hereby vacated:

On Bein Third Annexation shown as the drainage and utility Easement described as follows:

Beginning at the Northwest corner of Tract B, Bein Third Annexation to the Town of Berthoud, County of Larimer, State of Colorado. Thence along the west line of Tract B, South 113.24 feet; thence South 38°00'00" East 383.86 feet; thence South 46°00'00" East 230.00 feet; thence South 59°00'00" East 380.00 feet; to the East line of Tract B, Bein Third Annexation; thence along the East line North 135.00 feet; thence North 53°45'12" West 490.57 feet; thence North 36°30'00" West 300.00 feet; to the North line of Tract B; thence along said North line the following two courses and distances; West 50.92 feet; North 44°18'35" West 146.74 feet to the TRUE POINT OF BEGINNING,

reserving and excluding from this vacation all that portion of Outlot A as described on the Final Plat of Berthoud Heights, being a subdivision of Tract B of Beins' Third Annexation to the Town of Berthoud, County of Larimer, State of Colorado.

Section 4.

The Board of Trustee hereby finds that the continued existence of this easement adversely affects the marketability of real property within the Town and incorrectly designates areas to be within a

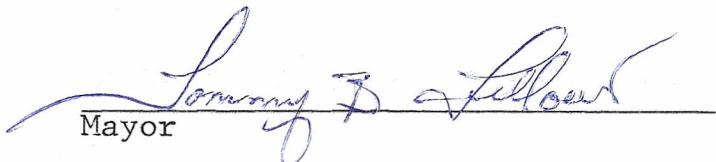
flood plain. The Board of Trustees further finds that an emergency exists which affects the welfare of the Town.

Section 5. Effective Date:

The Board of Trustees of the Town of Berthoud herewith finds, determines and designates that this Ordinance shall take effect and be in force immediately.

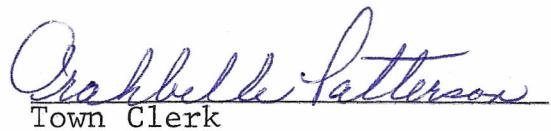
Dated this 22nd day of April, 1986.

TOWN OF BERTHOUD:



Tommy D. Alford
Mayor

ATTEST:



Rachelle Patterson
Town Clerk

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