

ORDINANCE NO. 561

AN ORDINANCE VACATING A PORTION OF AN EASEMENT IN THE NORTHEAST ADDITION TO THE TOWN OF BERTHOUD.

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

Section 1. Vacation

The Board of Trustees hereby determines that the easement granted to the Town of Berthoud through and across the following described property should be vacated and hereby directs the Mayor and Town Clerk to execute and have recorded a Quit Claim Deed vacating this easement:

The existing 40 foot easement located adjacent to the east boundary of the Colorado & Southern Railroad right-of-way as shown on the subdivision plat of T.V.I. SECOND FILING, extending between the north and south boundaries of T.V.I. SECOND FILING, excepting the drainage and utility easements located on the north 10 feet and south 20 feet of the boundaries of T.V.I. SECOND FILING, which was dedicated pursuant to the annexation plat of the NORTHEAST ADDITION to the Town of Berthoud, all of which are located in the SE 1/4 of the NE 1/4 of Section 14, Township 4 North, Range 69 West of the 6th P.M., Larimer County, Colorado.

Section 2. Emergency

The Board of Trustees has determined that the continued existence of this easement which is and has been, substantially under the control and authority of third persons over whom the Town has no legal authority, when compounded with the proximity of this parcel with the other rights-of-way indicate that an emergency exists.

Section 3. Enactment

This Ordinance was read, passed by a vote of 5 for to 0 against and ordered published at the regular meeting of the Board of Trustees held this 10th day of July, 1984. This Ordinance shall take effect and be in force immediately.

TOWN OF BERTHOUD:

ATTEST:

Oakhelle Patterson
Town Clerk

Tommy B. Fellows
Mayor

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