

RCPTN # 96046525 06/27/96 10:39:00 # PAGES - 2 FEE - \$11.00
M RODENBERGER RECORDER, LARIMER COUNTY CO STATE DOC FEE - \$.00

ORDINANCE NO. 744

AN ORDINANCE VACATING A PORTION OF A DEDICATED UTILITY EASEMENT WITHIN THE TOWN OF BERTHOUD, LARIMER COUNTY, COLORADO.

Section 1.

WHEREAS, the Board of Trustees has reviewed the circumstances for the requested vacation of the following described utility easement.:

The West 1.00 (one) foot of the East 15.00 (fifteen) feet of Lot 15, Block 4, Berthoud Heights West Subdivision to the Town of Berthoud, County of Larimer, State of Colorado, EXCEPT the Southerly 10.00 (ten) feet thereof and the Northerly 15.00 (fifteen) feet thereof, hereinafter referred to as the "Easement",

and;

WHEREAS, the Board of Trustees has received the recommendation from the Town's staff that this Easement be vacated because it is not presently being used and it is not anticipated that it will ever be used;

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

Section 2.

The above described Easement which was dedicated to the Town of Berthoud as a utility easement is hereby vacated.

Section 3. Emergency Clause:

The Board of Trustees of the Town of Berthoud further finds that the continued retention of this Easement will create an unnecessary and undue hardship upon the property owners and therefor finds that an emergency exists and determines that this ordinance should take effect and be in force immediately upon passage.

This ordinance was read at the regular meeting of the Board of Trustees held on the 25th day of June, 1996. This ordinance was passed and shall take effect immediately with 4 members of the

Attention: Mary Condin
✓ Town of Berthoud
P.O. Box 1229
Berthoud, CO 80513

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Board of Trustees voting in favor and 2 members of the Board of Trustees voting against.

ATTEST:

Mary K. Couder
Town Clerk

Published: 6-27-96

TOWN OF BERTHOUD:

Jack Olinger
Mayor Pro-Tem