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LARIMER COUNTY CO

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ORDINANCE NO. 1031

AN ORDINANCE VACATING CERTAIN DEDICATED UTILITY AND DRAINAGE EASEMENTS WITHIN PEAKVIEW MEADOWS SUBDIVISION, TOWN OF BERTHOUD, LARIMER AND WELD COUNTIES, COLORADO.

Section 1.

WHEREAS, pursuant to the Town's procedures and policies, the Owners of Record of the lots containing subject easements; Gabriel Development, Inc., Heckel Construction, LLC, and GHG Land, LLC., have filed a petition with the Town to vacate easements;

WHEREAS, the Board of Trustees has received the recommendation from Town's staff and all other affected utility companies that these easements that were initially required by Xcel Energy have since been determined not to be necessary and are not presently being used and it is not anticipated that they will ever be used;

WHEREAS, the Board of Trustees has reviewed the circumstances for the requested vacation of certain utility and drainage easements described on the attached "Exhibit A";

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, LARIMER AND WELD COUNTIES, COLORADO;

Section 2.

That certain easements, located on the following lots in Peakview Meadows Subdivision

Block 1 – Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16

Block 2 – Lots 1, 2, 3, 4

Block 3 – Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 15

Block 5 – Lots 1, 2, 4, 5, 6 and 8

Block 6 – Lots 1, 2, 3 and 4

Block 7 – Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16

Block 8 – Lots 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10

Block 9 – Lots 1, 2 and 3

as depicted on the attached "Exhibit A", which were dedicated to the Town of Berthoud for utility and/or drainage easements, are hereby vacated.

TOWN OF BERTHOUD
PO BOX 1229
BERTHOUD CO 80513

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Section 3.

The Board of Trustees of the Town of Berthoud herewith finds, determines and designates that this Ordinance shall take effect and be in force thirty (30) days after publication.

At its meeting on May 9, 2006, a public hearing was set by the Board of Trustees of the Town of Berthoud for its meeting on the 23rd day of May, 2006. After the public hearing, the Ordinance was read, passed and ordered published by the Board of Trustees at its meeting this 23rd day of May, 2006.

ATTEST:

TOWN OF BERTHOUD:

Mary K. Cowdin
Mary K. Cowdin – Town Clerk

Milan Karspeck
Milan Karspeck – Mayor

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