

**ORDINANCE NO. 1274
SERIES 2020**

AN ORDINANCE APPROVING THE VACATION OF THE ALLEYWAY, 2ND STREET RIGHT OF WAY, AND LOT LINES LYING ADJACENT TO AND WITHIN THE PROPERTY DESCRIBED IN TRACT 1 AND TRACT 2 ON EXHIBIT 1 ATTACHED HERETO AND INCORPORATED HEREIN

WHEREAS, that the alley in Block 47 and a portion of Block 50 between Lots 13-19 of 2nd Street right of way from the eastern edge of the alley in Blocks 46 and 51 to the western edge of Ash Street, and the Lots and Blocks of Lots 1 through 12, Block 46; Lots 1 through 24, Block 47; Lots 1-6, block 50; Lots 13-18, Block 50; and Lots 1-6, Block: 51, of the Town of Cortez and Chamberlin's Addition Plat described in Exhibit 1 attached hereto and incorporated herein which are no longer necessary or useful to the City of Cortez; and,

WHEREAS, said vacation of the alleyway, street right of way, and lot lines complies with the provisions of the City of Cortez Charter, City Code and Land Use Code; and,

WHEREAS, Schoolhouse Properties, LLC is the successor in interest, and,

NOW THEREFORE, BE IT ORDAINED BY THE CORTEZ CITY COUNCIL THAT:

That the alleyways, street right of way, and lot lines within the property described in Tract 1 and Tract 2 on Exhibit 1 attached hereto and incorporated herein are hereby vacated, title to same to vest in Schoolhouse Properties, LLC. Conditioned upon a dedication by applicant of a 60' right of way for 2nd Street from eastern edge of the alley in Blocks 46 and 51 to the western edge of Ash Street.

REPEALER. All orders, bylaws, ordinances, and resolutions of the City, or parts thereof, inconsistent or in conflict with this Ordinance, are hereby repealed to the extent only of such inconsistency or conflict.

SEVERABILITY. If any section, paragraph, clause, or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance, the intent being that the same are severable.

RECORDING AND AUTHENTICATION. Upon adoption hereof, this Ordinance shall be recorded in a book kept for that purpose and shall be authenticated by the signatures of the Mayor and the City Clerk.

EFFECTIVE DATE. This ordinance shall be effective upon publication after final passage.

PUBLIC HEARING. This ordinance shall be considered for second or final reading on the 11th day of August, 2020, at the hour of 7:30 p.m. in the City Council Chambers in City Hall, Cortez, Colorado, at which time and place all persons may appear and be heard

concerning the same.

PASSED, ADOPTED AND APPROVED ON FIRST READING THIS 28th DAY OF JULY, 2020.

CITY OF CORTEZ

ATTEST:



LINDA L. SMITH, CITY CLERK



MICHAEL J. LAVEY, MAYOR

PASSED, ADOPTED AND APPROVED ON SECOND AND FINAL READING THIS 11TH DAY OF AUGUST, 2020.

CITY OF CORTEZ

ATTEST:

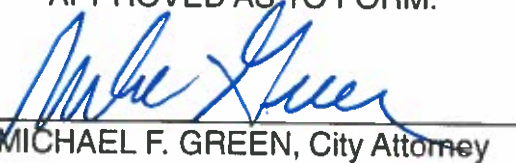


LINDA L. SMITH, CITY CLERK

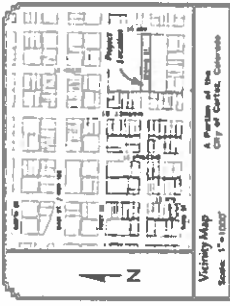


MICHAEL J. LAVEY, MAYOR

APPROVED AS TO FORM:



MICHAEL F. GREEN, City Attorney

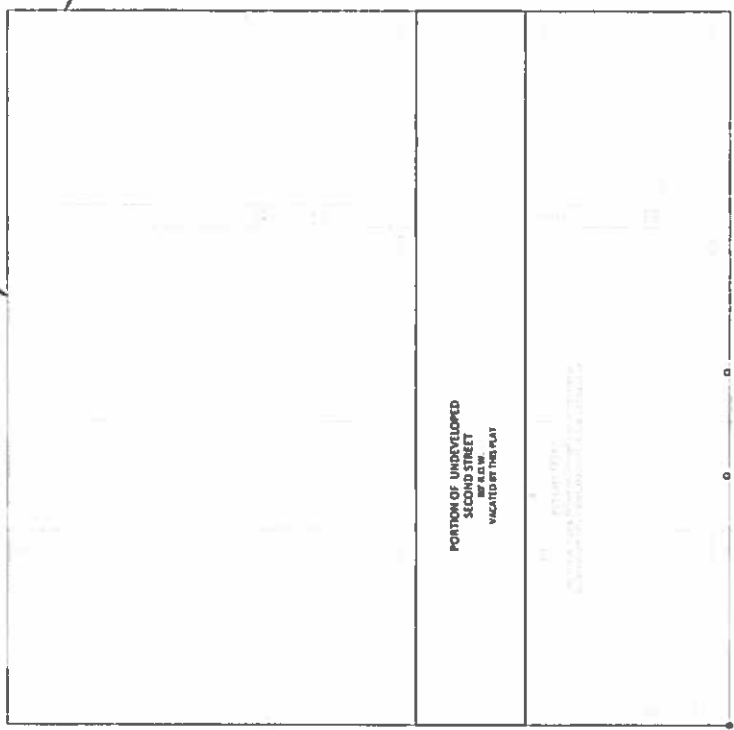


NOTES:
 1) All measurements are to the center line of the street shown on this map. The street shown on this map is not a legal street, but a proposed street. The street shown on this map is not a legal street, but a proposed street. The street shown on this map is not a legal street, but a proposed street.



SECOND STREET

PORTION OF UNDEVELOPED
SECOND STREET
VACATED BY THIS PLAN



VACATION OF A PORTION OF SECOND STREET BETWEEN BLOCK 46 AND BLOCK 47 AS SHOWN HEREON

LOCATED AS SET FORTH IN THE RECORDS OF THE CITY OF CORTAZ, COLORADO

Noted, any easements for existing utilities within this portion of Second Street and the adjacent parcels shall remain in full force and effect.

THIS PLAN, TOGETHER WITH THE RECORDS OF THE CITY OF CORTAZ, COLORADO, HAS BEEN FILED FOR THE CITY OF CORTAZ, COLORADO, AND IS A PART OF THE PUBLIC RECORDS OF THE CITY OF CORTAZ, COLORADO.

PRELIMINARY FOR REVIEW

MANESS & Associates Inc.
REGISTERED LAND SURVEYORS

VACATION OF A PORTION OF SECOND STREET
WITHIN THE CANTON SCHOOL SITE

MANESS & Associates Inc.
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 Fax: 303.461.1235
 www.maness.com