

**AN ORDINANCE TO VACATE STREET**

WHEREAS, The City of Creede has authority to vacate streets within the municipal limits, under CRS 31-15-702 and;

WHEREAS, the Town Board has determined that certain streets are no longer needed for traffic within the Town and should be vacated.

**THEREFORE, BE IT ORDAINED** by the Town Board of the City of Creede

SECTION 1. That the streets known as Second Street, Cliff Street, and the alley in Block 16 Creedmoor subdivision in Creede, Colorado, are hereby vacated to the extent that they encroach on property described below as the Brennand Tract and the B.J. Myers Tract, and the City of Creede does hereby authorize the City Manager and Mayor Pro Tem to execute a quit claim deed on the property as set out herein:

First, the tract described as: A tract of land situated in Creedmoor in the City of Creede, Mineral County, Colorado, containing 0.122 acres more or less, being a portion of lots 8, 9 & 10 in Block 16, the alley in Block 16, Cliff Street and Second Street as shown on the map of Creede on file in the office of the County Clerk and Recorded of Mineral County, Colorado. Said parcel of land being more particularly described as follows: Beginning at a point from which the North ¼ corner of Section 36, T 42.N., R.1 W. of N.M.P.M. bears 69° 26' 27" W. a distance of 1620.01 feet. Said point also being the S.W. corner of the Schaaf Tract.; thence N. 60° 55' E., along the Southerly line of the said Schaaf Tract, a distance 78.95 feet; thence S. 27° 43' E., a distance of 67.36 feet; thence S. 60° 55' W a distance of 78.95 feet; thence N. 27° 43' W, a distance of 67.36 feet to a point which is the point of beginning; known as the Brennand Tract shall be deeded to Ruth Katherine Brennand; and

Second, the tract described as a tract of land situated in Creedmoor in the City of Creede, Mineral County, Colorado containing 0.137 acres more or less, being a portion of lots 10 in Block 16, and Block 23, Cliff Street and Second Street as shown n the map of Creede on file in the office of the County Clerk and Recorded of Mineral County, Colorado. Beginning at a point from which the North ¼ corner of Section 36, T 42.N., R.1 W. of N.M.P.M. bears 69° 26' 27" W. a distance of 1620.01 feet; and thence S. 27° 43' E., 67.36 feet to the true point of beginning; thence N. 60° 55' E 100 feet; thence S27° 43' E., 59.50 feet; thence S. 60° 55' W 100.00 feet; thence N. 27° 3' W 100.00 feet to the point of beginning, known as the B.J. Myers Tract shall be deeded to Betty Jean Myers.

SECTION 2. SEVERABILITY. If any provision of this Ordinance or the application thereof to any person or circumstance is held to be invalid or unconstitutional, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application and to this end the provisions of this Ordinance are declared to be severable.

SECTION 3. NECESSITY. It is hereby declared that this Ordinance is necessary to the immediate preservation of the public peace, health, and safety, and shall take effect and be enforced from and after its final adoption.

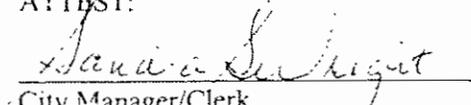
SECTION 4. CODIFICATION. This Ordinance shall be codified into the Municipal Code. Any changes in numbering of paragraphs, sections, or subparagraphs shall not change the validity of any part of the Ordinance. The word "Ordinance" may be changed to "Title", "Section," "Subsection", or "Code" as necessary.

Introduced, read in full, and adopted, approved and signed this 7 day of May, 2001.

TOWN OF CREEDE:

  
\_\_\_\_\_  
Mayor Pro-Tem

ATTEST:

  
\_\_\_\_\_  
City Manager/Clerk