

ORDINANCE 379

VACATING PORTIONS OF EAST CLIFF STREET, SECOND STREET AND A FRACTION OF THE ALLEY IN BLOCK 16, CREEDMOOR AND AUTHORIZING THE TRANSFER OF PROPERTY

WHEREAS, Colorado Revised Statute §31-15-713(1)(b) authorizes the City of Creede, a Colorado municipality (“City”) to dispose of municipally owned property upon such terms and conditions as the Board of Trustees deems appropriate; and

WHEREAS, pursuant to CRS § 43-2-303(1)(a), a municipality has the power, by adoption of an ordinance, to vacate any roadway or part thereof within its jurisdiction and in accordance with CRS § 31-15-101(1)(d) a municipality has the authority to dispose of property as it deems appropriate; and

WHEREAS, the Board of Trustees have determined the eastern portions of Cliff Street, beginning at Wall Street going north has not been used as a roadway for more than twenty (20) years while being occupied by private property owners; and

WHEREAS, the Board of Trustees have determined the platted alley in Block 16, Creedmoor has not been used as a roadway for more than twenty (20) years while being occupied by private property owners; and

WHEREAS, the Board of Trustees have determined the platted portion of Second Street between Cliff Street and platted Boston Avenue have not been used as a roadway for more than twenty (20) years while being occupied by private property owners; and

WHEREAS, Katherine Brennand is the owner of record and has a warranty deed for Lots 13 & 14 in Block 16, Creedmoor, she purchased June 6, 1992. The property she’s occupied over the years includes portions of lots 8, 9, and 10 in Block 16, Creedmoor, a portion of Second Street, Cliff Street and a fraction of the alley in Block 16, Creedmoor; and

WHEREAS, Betty Jean (B.J.) Myers is the owner of record and has a warranty deed for Lots 1 & 2 in Block 23, Creedmoor, she purchased July 20, 1979. The property she’s occupied over the years includes portions of lots 1 & 2 in Block 23, Creedmoor, a portion of Second Street, Cliff Street and a small portion of lot 10, Block 16, Creedmoor; and

WHEREAS, Maurice and Trary LaMee are the owners of record and have a warranty deed for Lots 3 & 4 in Block 23, Creedmoor, they purchased June 19, 2001. The property they’ve occupied over the years includes portions of lots 1 & 2 in Block 23, Creedmoor and a portion of Cliff Street; and

WHEREAS, Katherine Brennand, Betty Jean (B.J.) Myers, and Maurice and Trary LaMee desire to clarify the titles to the properties they've occupied over the years; and

WHEREAS, the Board of Trustees have determined that vacating the portions of Cliff Street, the platted portion of Second Street between Cliff Street and Boston Avenue and a fraction of the alley in Block 16, Creedmoor occupied by these property owners and transferring the properties to the occupants is in the best interest of the town.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY OF CREEDE,
A COLORADO TOWN, THAT:**

SECTION 1: Pursuant to CRS § 31-15-101(1)(d) and CRS § 43-2-303(1)(a), the eastern portions of Cliff Street as described in Exhibit B, Exhibit F, and Exhibit J is hereby vacated. In addition the platted portions of Second Street between Cliff Street and Boston Avenue as described in Exhibits C and Exhibit G as well as the fraction of the alley in Block 16, Creedmoor as described in Exhibit A is hereby confirmed vacated.

SECTION 2: The Board of Trustees, hereby find and determine that the public rights-of-way herein vacated are not now in public use and have not been in public use for many years; that this vacation will not leave any usable land without an established public access; that this vacation is in the best interest, welfare and safety of the inhabitants of Creede.

SECTION 3: Subject to the terms of this Ordinance, the "City" will convey by quit-claim deed a fraction of the alley in Block 16, Creedmoor, as described in Exhibit A, the eastern portion of Cliff Street as described in Exhibit B, that portion of Second Street between Cliff Street & Boston Avenue as described in Exhibit C, and portions of lots 8, 9, and 10, Block 16, Creedmoor as described in Exhibit D, to Katherine Brennand.

SECTION 4: Subject to the terms of this Ordinance, the "City" will convey by quit-claim deed the eastern portion of Cliff Street as described in Exhibit D, that portion of Second Street between Cliff Street & Boston Avenue as described in Exhibit G, and a fraction of lot 10, Block 16, Creedmoor as described in Exhibit H, to Betty Jean (B.J.) Myers and William L. Kuhlke.

SECTION 5: Subject to the terms of this Ordinance, the "City" will convey by quit-claim deed the eastern portion of Cliff Street as described in Exhibit J, to Maurice and Trary LaMee.

SECTION 6: Subject to the terms of this Ordinance, Katherine Brennand will convey by quit-claim deed lots 13 & 14, Creedmoor as described in Exhibit E, to the City of Creede.

SECTION 7: Subject to the terms of this Ordinance, Betty Jean (B.J.) Myers will convey by quit-claim deed portions of lots 1 & 2, Block 16, Creedmoor as described in Exhibit I, to Maurice and Trary Lamee.

SECTION 7: The parcels will be re-platted by resolution and named “**Tract 4R**”, **Block 16**”, and “**Tract 1R, Block 23**”, and “**Tract 2R, Block 23**” respectively, Creedmoor and recorded in the Mineral County Clerk & Recorder’s office.

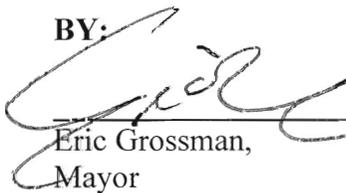
SECTION 8: City Staff is authorized to correct any typographical, grammatical, cross-reference, or other errors which may be discovered in any documents associated with this Ordinance and documents approved by this Ordinance provided that such corrections do not change the substantive terms and provisions of such documents.

SECTION 9: If any provision of this Ordinance, or the application of such provision to any person or circumstance, is for any reason held to be invalid, such invalidity shall not affect other provisions or application 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. The Town Board hereby declares that it would have passed this Ordinance and each provision thereof, even though any one of the provisions might be declared unconstitutional or invalid. As used in this Section, the term “provision” means and includes any part, division, subdivision, section, sub section, sentence, clause or phrase; the term “application” means and includes an application of an ordinance or any part thereof, whether considered or construed alone or together with another ordinance or ordinances, or part thereof, of the Town.

SECTION 10: This Ordinance shall take effect thirty days after the publication of this Ordinance by title only in accordance with C.R.S. §31-16-105.

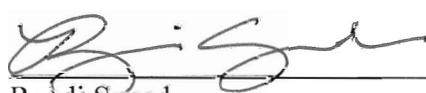
INTRODUCED, APPROVED AND PASSED ON FIRST AND FINAL READING, on this 3RD day of December, 2013.

BY:


Eric Grossman, _____ Date
Mayor

12/4/13

ATTEST:


Randi Sneed, _____ Date
City Clerk

12/4/13

EXHIBIT A

(alley to Brennand #1)

A parcel of land being a fraction of the Alley in Block 16, Creedmoor, City of Creede, situated in the S½SE¼ Section 25, T.42N., R.1W., N.M.P.M., Mineral County, Colorado, which fraction contains 118.8 square feet, more or less, being more particularly described by metes and bounds as follows: Commencing at the NW corner of the Brennand Tract, identical to the SW corner of the Schaaf Tract, a pin and red plastic cap, RLS 5442, whence the S¼ corner for said Section 25, a BLM brass cap, bears S69°27'48"W a distance of 1620.01 feet; thence N60°54'51"E a distance of 18.80 feet to the place of beginning; thence N60°54'51"E a distance of 10.35 feet; thence S02°19'09"E, along the East limit of the said alley, a distance of 25.71 feet; thence N26°01'20"W, along the Easterly limit of Cliff Street, a distance of 22.99 feet to the place of beginning, and
SUBJECT TO any existing easements and/or rights of way of whatsoever nature.

EXHIBIT B

(Cliff St. to Brennand #2)

A parcel of land being a fraction of Cliff Street, Creedmoor, City of Creede, situated in the S½SE¼ Section 25, T.42N., R.1W., N.M.P.M., Mineral County, Colorado, which fraction contains 1196.7 square feet, more or less, being more particularly described by metes and bounds as follows: Beginning at the NW corner of the Brennand Tract, identical to the SW corner of the Schaaf Tract, a pin and red plastic cap, RLS 5442, whence the S¼ corner for said Section 25, a BLM brass cap, bears S69°27'48"W a distance of 1620.01 feet; thence N60°54'51"E a distance of 18.80 feet; thence S26°01'20"E, along the Easterly limit of Cliff Street, a distance of 67.40 feet; thence S60°55'31"W a distance of 16.76 feet to a pin and alum. cap, PE-LS 2281; thence N27°45'24"W a distance of 67.32 feet to the place of beginning, and
SUBJECT TO any existing easements and/or rights of way of whatsoever nature.

EXHIBIT C

(Second St. to Brennand #5)

A parcel of land being a fraction of Second Street, Creedmoor, City of Creede, situated in the S½SE¼ Section 25, T.42N., R.1W., N.M.P.M., Mineral County, Colorado, which fraction contains 1349.3 square feet, more or less, being more particularly described by metes and bounds as follows: Commencing at the NW corner of the Brennand Tract, identical to the SW corner of the Schaaf Tract, a pin and red plastic cap, RLS 5442, whence the S¼ corner for said Section 25, a BLM brass cap, bears S69°27'48"W a distance of 1620.01 feet; thence N60°54'51"E a distance of 18.80 feet; thence S26°01'20"E, along the Easterly limit of Cliff Street a distance of 29.75 feet to the place of beginning, identical to the intersection of the Easterly limit of Cliff Street with the North limit of Second Street; thence N89°14'51"E, along the North limit of Second Street, a distance of 79.25 feet; thence S60°55'31"W a distance of 71.77 feet; thence N26°01'20"W along the Easterly limit of Cliff Street, a distance of 37.65 feet to the place of beginning, and
SUBJECT TO any existing easements and/or rights of way of whatsoever nature.

EXHIBIT D

(Lots 8, 9, 10 Blk 16 to Brennand #9)

A parcel of land being fractions of Lots 8, 9, and 10 in Block 16, Creedmoor, City of Creede, situated in the S½SE¼ Section 25, T.42N., R.1W., N.M.P.M., Mineral County, Colorado, which fraction contains 3358.1 square feet, more or less, being more particularly described by metes and bounds as follows: Commencing at the NW corner of the Brennand Tract, identical to the SW corner of the Schaaf Tract, a pin and red plastic cap, RLS 5442, whence the S¼ corner for said Section 25, a BLM brass cap, bears S69°27'48"W a distance of 1620.01 feet; thence N60°54'51"E a distance of 29.15 feet to the place of beginning; thence N60°54'51"E a distance of 49.80 feet; thence S45°13'48"E, a distance of 70.09 feet; thence S60°55'31"W a distance of 11.47 feet to the North limit of Second Street, a distance of 79.25 feet; thence N26°01'20"W, along the Easterly limit of Cliff Street, a distance of 6.76 feet; thence N02°19'09"W, along the East limit of the alley in said Block 16, a distance of 25.71 feet to the place of beginning, and

SUBJECT TO any existing easements and/or rights of way of whatsoever nature.

EXHIBIT E

(Brennand lots 13 & 14 to City)

Lots 13, and 14 in Block 16, Creedmoor, City of Creede, Mineral County, Colorado.

EXHIBIT F

(Cliff St. to Myers #3)

A parcel of land being a fraction of Cliff Street, Creedmoor, City of Creede, situated in the S½SE¼ Section 25, T.42N., R.1W., N.M.P.M., Mineral County, Colorado, which fraction contains 929.3 square feet, more or less, being more particularly described by metes and bounds as follows: Commencing at the NW corner of the Brennand Tract, identical to the SW corner of the Schaaf Tract, a pin and red plastic cap, RLS 5442, whence the S¼ corner for said Section 25, a BLM brass cap, bears S69°27'48"W a distance of 1620.01 feet; thence S27°45'24"W a distance of 67.32 feet to the place of beginning, a pin and alum. cap, PE-LS 2281; thence N60°55'31"E a distance of 16.76 feet; thence S26°01'20"E, along the Easterly limit of Cliff Street, a distance of 58.59 feet; thence S60°39'41"W a distance of 14.99 feet; thence N27°45'24"W a distance of 58.59 feet to the place of beginning, and

SUBJECT TO any existing easements and/or rights of way of whatsoever nature.

EXHIBIT G

(Second St. to Myers #6)

A parcel of land being a fraction of Second Street, Creedmoor, City of Creede, situated in the S½SE¼ Section 25, T.42N., R.1W., N.M.P.M., Mineral County, Colorado, which fraction contains 3296.7 square feet, more or less, being more particularly described by metes and bounds as follows: Commencing at the NW corner of the Brennand Tract, identical to the SW corner of the Schaaf Tract, a pin and red plastic cap, RLS 5442, whence the S¼ corner for said Section 25, a BLM brass cap, bears S69°27'48"W a distance of 1620.01 feet; thence N60°54'51"E a distance of 18.80 feet; thence S26°01'20"E, along the Easterly limit of Cliff Street a distance of 67.40 feet to the place of beginning; thence N60°55'31"E a distance of 71.77 feet; thence N89°14'51"E, along the North limit of Second Street, a distance of 12.87 feet; thence S27°45'24"E a distance of 53.39 feet; thence S60°55'31"W a distance of 5.12 feet; thence S89°14'51"W, along the South limit of Second Street, a distance of 88.26 feet; thence N26°01'20"W, along the Easterly limit of Cliff Street, a distance of 17.64 feet to the place of beginning, and SUBJECT TO any existing easements and/or rights of way of whatsoever nature.

EXHIBIT H

(lot 10 to Myers #8)

A parcel of land being a fraction of Lot 10, Block 16, Creedmoor, City of Creede, situated in the S½SE¼ Section 25, T.42N., R.1W., N.M.P.M., Mineral County, Colorado, which fraction contains 35.0 square feet, more or less, being more particularly described by metes and bounds as follows: Commencing at the NW corner of the Brennand Tract, identical to the SW corner of the Schaaf Tract, a pin and red plastic cap, RLS 5442, whence the S¼ corner for said Section 25, a BLM brass cap, bears S69°27'48"W a distance of 1620.01 feet; thence S27°45'24"E a distance of 67.32 feet; thence N60°55'31"E a distance of 88.53 feet to the place of beginning; thence N60°55'31"E a distance of 11.47 feet; thence S27°45'24"E a distance of 6.11 feet; thence S89°14'51"W, along the North limit of Second Street, a distance of 12.87 feet to the place of beginning, and SUBJECT TO any existing easements and/or rights of way of whatsoever nature.

EXHIBIT I

(Myers to LaMee)

A parcel of land being fractions of Lots 1, and 2 in Block 23, Creedmoor, City of Creede, situated in the S½SE¼ Section 25, T.42N., R.1W., N.M.P.M., Mineral County, Colorado which fraction contains 2641.4 square feet, more or less, being more particularly described by metes and bounds as follows: Commencing at the NW corner of the Brennand Tract, identical to the SW corner of the Schaaf Tract, a pin and red cap, RLS 5442, whence the S¼ corner for said Section 25, a BLM brass cap, bears S69°27'48"W a distance of 1620.01 feet; thence S27°45'24"W a distance of 125.91 feet, whence a pin and red plastic cap, PLS 23891 bears S60°39'41"W a distance of 5.00 feet; thence N60°39'41"E a distance of 14.99 feet to the place of beginning; thence N60°39'41"E a

distance 77.39 feet to a point on the South limit of Second Street; thence S27°45'24"E a distance of 33.99 feet; thence S02°19'09"E, along the West limit of Boston Avenue to the SE corner of said Lot 1, Block 23, a distance of 19.70 feet; thence S89°14'51"W, along the South line of said Lot 1, a distance of 77.82 feet to the SW corner of said Lot 1; thence N26°01'20"W, along the Easterly limit of Cliff Street, a distance of 14.32 feet to the place of beginning, and
SUBJECT TO any existing easements and/or rights of way of whatsoever nature.

EXHIBIT J

(Cliff St. to LaMee #4)

A parcel of land being a fraction of Cliff Street, Creedmoor, City of Creede, situated in the S½SE¼ Section 25, T.42N., R.1W., N.M.P.M., Mineral County, Colorado, which fraction contains 967.7 square feet, more or less, being more particularly described by metes and bounds as follows: Commencing at the NW corner of the Brennan Tract, identical to the SW corner of the Schaaf Tract, a pin and red plastic cap, RLS 5442, whence the S¼ corner for said Section 25, a BLM brass cap, bears S69°27'48"W a distance of 1620.01 feet; thence S27°45'24"W a distance of 125.91 feet to the place of beginning, whence a pin and red cap, PLS 23891 bears S60°39'41"W a distance of 5.00 feet; thence N60°39'41"E a distance of 14.99 feet; thence S26°01'20"E, along the Easterly limit of Cliff Street, a distance of 69.59 feet; thence S63°58'40"W a distance of 12.88 feet to a pin and cap, PLS 23891; thence N27°45'24"W a distance of 69.75 feet to the place of beginning, and
SUBJECT TO any existing easements and/or rights of way of whatsoever nature.

QUIT CLAIM DEED

(Myers to LaMee)

THIS DEED, Made this 4th day of December 2013 between **Betty Jean (B.J.) Myers and William L. Kuhlke** (“Grantors”) whose address is P.O. Box 272, Creede, CO 81130 and the **Maurice and Trary LaMee**, (“Grantees”) whose address is 205 Tanager, Glenwood Springs, CO 81601.

WITNESSETH, that the grantors, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does remise, release, and quitclaim unto the Grantees, its successors and assigns forever, all the right title, interest, claim and demand which the Grantors have in and to the real properties, together with improvements, if any, situate, lying and being in the County of Mineral and State of Colorado, described as follows:

A parcel of land being fractions of Lots 1, and 2 in Block 23, Creedmoor, City of Creede, situated in the S½SE¼ Section 25, T.42N., R.1W., N.M.P.M., Mineral County, Colorado which fraction contains 2641.4 square feet, more or less, being more particularly described by metes and bounds as follows:

Commencing at the NW corner of the Brennand Tract, identical to the SW corner of the Schaaf Tract, a pin and red cap, RLS 5442, whence the S¼ corner for said Section 25, a BLM brass cap, bears S69°27'48"W a distance of 1620.01 feet; thence S27°45'24"W a distance of 125.91 feet, whence a pin and red plastic cap, PLS 23891 bears S60°39'41"W a distance of 5.00 feet; thence N60°39'41"E a distance of 14.99 feet to the place of beginning; thence N60°39'41"E a distance 77.39 feet to a point on the South limit of Second Street; thence S27°45'24"E a distance of 33.99 feet; thence S02°19'09"E, along the West limit of Boston Avenue to the SE corner of said Lot 1, Block 23, a distance of 19.70 feet; thence S89°14'51"W, along the South line of said Lot 1, a distance of 77.82 feet to the SW corner of said Lot 1; thence N26°01'20"W, along the Easterly limit of Cliff Street, a distance of 14.32 feet to the place of beginning, and

SUBJECT TO any existing easements and/or rights of way of whatsoever nature.

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever, of the Grantors, either in law or equity, to the only proper use, benefit and behoof of the Grantees, their heirs and assigns forever.

IN WITNESS WHEREOF; Grantors have executed this deed on the date set forth above.

QUIT CLAIM DEED

(City to Myers)

THIS DEED, Made this 4th day of December 2013 between the **City of Creede**, a Colorado Town, ("Grantor") whose address is P.O. Box 457, Creede, CO 81130 and **Betty Jean (B.J.) Myers and William L. Kuhlke** ("Grantees") whose address is P.O. Box 272, Creede, CO 81130.

WITNESSETH, that the grantor, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does remise, release, and quitclaim unto the Grantees, its successors and assigns forever, all the right title, interest, claim and demand which the Grantor has in and to the real properties, together with improvements, if any, situate, lying and being in the County of Mineral and State of Colorado, described as follows:

A parcel of land being a fraction of Cliff Street, Creedmoor, City of Creede, situated in the S½SE¼ Section 25, T.42N., R.1W., N.M.P.M., Mineral County, Colorado, which fraction contains 929.3 square feet, more or less, being more particularly described by metes and bounds as follows:

Commencing at the NW corner of the Brennan Tract, identical to the SW corner of the Schaaf Tract, a pin and red plastic cap, RLS 5442, whence the S¼ corner for said Section 25, a BLM brass cap, bears S69°27'48"W a distance of 1620.01 feet; thence S27°45'24"W a distance of 67.32 feet to the place of beginning, a pin and alum. cap, PELS 2281; thence N60°55'31"E a distance of 16.76 feet; thence S26°01'20"E, along the Easterly limit of Cliff Street, a distance of 58.59 feet; thence S60°39'41"W a distance of 14.99 feet; thence N27°45'24"W a distance of 58.59 feet to the place of beginning, and

A parcel of land being a fraction of Second Street, Creedmoor, City of Creede, situated in the S½SE¼ Section 25, T.42N., R.1W., N.M.P.M., Mineral County, Colorado, which fraction contains 3296.7 square feet, more or less, being more particularly described by metes and bounds as follows:

Commencing at the NW corner of the Brennan Tract, identical to the SW corner of the Schaaf Tract, a pin and red plastic cap, RLS 5442, whence the S¼ corner for said Section 25, a BLM brass cap, bears S69°27'48"W a distance of 1620.01 feet; thence N60°54'51"E a distance of 18.80 feet; thence S26°01'20"E, along the Easterly limit of Cliff Street a distance of 67.40 feet to the place of beginning; thence N60°55'31"E a distance of 71.77 feet; thence N89°14'51"E, along the North limit of Second Street, a distance of 12.87 feet; thence S27°45'24"E a distance of 53.39 feet; thence S60°55'31"W a distance of 5.12 feet; thence S89°14'51"W, along the South limit of Second Street, a distance of 88.26 feet; thence N26°01'20"W, along the Easterly limit of Cliff Street, a distance of 17.64 feet to the place of beginning, and

QUIT CLAIM DEED

(City to Brennand)

THIS DEED, Made this 4th day of December 2013 between the **City of Creede**, a Colorado Town, ("Grantor") whose address is P.O. Box 457, Creede, CO 81130 and **Katherine Brennand** ("Grantee") whose address is 6006 Balcones #27, El Paso, TX 79912.

WITNESSETH, that the grantor, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does remise, release, and quitclaim unto the Grantee, its successors and assigns forever, all the right title, interest, claim and demand which the Grantor has in and to the real properties, together with improvements, if any, situate, lying and being in the County of Mineral and State of Colorado, described as follows:

A parcel of land being a fraction of the Alley in Block 16, Creedmoor, City of Creede, situated in the S½SE¼ Section 25, T.42N., R.1W., N.M.P.M., Mineral County, Colorado, which fraction contains 118.8 square feet, more or less, being more particularly described by metes and bounds as follows:

Commencing at the NW corner of the Brennand Tract, identical to the SW corner of the Schaaf Tract, a pin and red plastic cap, RLS 5442, whence the S¼ corner for said Section 25, a BLM brass cap, bears S69°27'48"W a distance of 1620.01 feet; thence N60°54'51"E a distance of 18.80 feet to the place of beginning; thence N60°54'51"E a distance of 10.35 feet; thence S02°19'09"E, along the East limit of the said alley, a distance of 25.71 feet; thence N26°01'20"W, along the Easterly limit of Cliff Street, a distance of 22.99 feet to the place of beginning, and

A parcel of land being a fraction of Cliff Street, Creedmoor, City of Creede, situated in the S½SE¼ Section 25, T.42N., R.1W., N.M.P.M., Mineral County, Colorado, which fraction contains 1196.7 square feet, more or less, being more particularly described by metes and bounds as follows:

Beginning at the NW corner of the Brennand Tract, identical to the SW corner of the Schaaf Tract, a pin and red plastic cap, RLS 5442, whence the S¼ corner for said Section 25, a BLM brass cap, bears S69°27'48"W a distance of 1620.01 feet; thence N60°54'51"E a distance of 18.80 feet; thence S26°01'20"E, along the Easterly limit of Cliff Street, a distance of 67.40 feet; thence S60°55'31"W a distance of 16.76 feet to a pin and alum. cap, PE-LS 2281; thence N27°45'24"W a distance of 67.32 feet to the place of beginning, and

A parcel of land being a fraction of Second Street, Creedmoor, City of Creede, situated in the S½SE¼ Section 25, T.42N., R.1W., N.M.P.M., Mineral County, Colorado, which fraction contains 1349.3 square feet, more or less, being more particularly described by metes and bounds as follows:

Commencing at the NW corner of the Brennand Tract, identical to the SW corner of the Schaaf Tract, a pin and red plastic cap, RLS 5442, whence the S¼ corner for said Section 25, a BLM brass cap, bears S69°27'48"W a distance of 1620.01 feet; thence N60°54'51"E a distance of 18.80 feet; thence S26°01'20"E, along the Easterly limit of Cliff Street a distance of 29.75 feet to the place of beginning, identical to the intersection of the Easterly limit of Cliff Street with the North limit of Second Street; thence N89°14'51"E, along the North limit of Second Street, a distance of 79.25 feet; thence S60°55'31"W a distance of 71.77 feet; thence N26°01'20"W along the Easterly limit of Cliff Street, a distance of 37.65 feet to the place of beginning, and

A parcel of land being fractions of Lots 8, 9, and 10 in Block 16, Creedmoor, City of Creede, situated in the S½SE¼ Section 25, T.42N., R.1W., N.M.P.M., Mineral County, Colorado, which fraction contains 3358.1 square feet, more or less, being more particularly described by metes and bounds as follows:

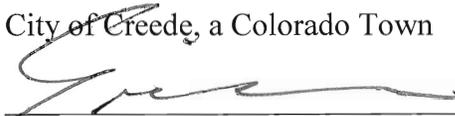
Commencing at the NW corner of the Brennand Tract, identical to the SW corner of the Schaaf Tract, a pin and red plastic cap, RLS 5442, whence the S¼ corner for said Section 25, a BLM brass cap, bears S69°27'48"W a distance of 1620.01 feet; thence N60°54'51"E a distance of 29.15 feet to the place of beginning; thence N60°54'51"E a distance of 49.80 feet; thence S45°13'48"E, a distance of 70.09 feet; thence S60°55'31"W a distance of 11.47 feet to the North limit of Second Street, a distance of 79.25 feet; thence N26°01'20"W, along the Easterly limit of Cliff Street, a distance of 6.76 feet; thence N02°19'09"W, along the East limit of the alley in said Block 16, a distance of 25.71 feet to the place of beginning.

ALL SUBJECT TO any existing easements and/or rights of way of whatsoever nature.

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever, of the Grantor, either in law or equity, to the only proper use, benefit and behoof of the Grantees, their heirs and assigns forever.

IN WITNESS WHEREOF; Eric Grossman, Mayor of the City of Creede, Colorado, has executed this deed on the date set forth above.

City of Creede, a Colorado Town



Mayor, Eric Grossman

12/4/13

Date

Attest:



City Clerk, Randi Snead

12/4/13

Date

QUIT CLAIM DEED

(City to LaMee)

THIS DEED, Made this 24th day of December 2013 between the **City of Creede**, a Colorado Town, ("Grantor") whose address is P.O. Box 457, Creede, CO 81130 and **Maurice and Trary LaMee** ("Grantee") whose address is 205 Tanager, Glenwood Springs, CO 81601.

WITNESSETH, that the grantor, for good and valuable consideration, the receipt and sufficiency of which are herby acknowledged, does remise, release, and quitclaim unto the Grantee, its successors and assigns forever, all the right title, interest, claim and demand which the Grantor has in and to the real properties, together with improvements, if any, situate, lying and being in the County of Mineral and State of Colorado, described as follows:

A parcel of land being a fraction of Cliff Street, Creedmoor, City of Creede, situated in the S½SE¼ Section 25, T.42N., R.1W., N.M.P.M., Mineral County, Colorado, which fraction contains 967.7 square feet, more or less, being more particularly described by metes and bounds as follows:

Commencing at the NW corner of the Brennand Tract, identical to the SW corner of the Schaaf Tract, a pin and red plastic cap, RLS 5442, whence the S¼ corner for said Section 25, a BLM brass cap, bears S69°27'48"W a distance of 1620.01 feet; thence S27°45'24"W a distance of 125.91 feet to the place of beginning, whence a pin and red cap, PLS 23891 bears S60°39'41"W a distance of 5.00 feet; thence N60°39'41"E a distance of 14.99 feet; thence S26°01'20"E, along the Easterly limit of Cliff Street, a distance of 69.59 feet; thence S63°58'40"W a distance of 12.88 feet to a pin and cap, PLS 23891; thence N27°45'24"W a distance of 69.75 feet to the place of beginning, and SUBJECT TO any existing easements and/or rights of way of whatsoever nature, and

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TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever, of the Grantor, either in law or equity, to the only proper use, benefit and behoof of the Grantees, their heirs and assigns forever.

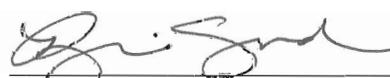
IN WITNESS WHEREOF; Eric Grossman, Mayor of the City of Creede, Colorado, has executed this deed on the date set forth above.

City of Creede, a Colorado Town



Mayor, Eric Grossman 12/4/13 Date

Attest:



City Clerk, Randi Snead 12/4/13 Date

