

ORDINANCE 389

AN ORDINANCE RATIFYING A PREVIOUS ORDINANCE VACATING A PORTION OF FOURTH STREET BETWEEN BLOCKS 14 AND 15, SOUTH CREEDE AND AUTHORIZING THE TRANSFER OF PROPERTY

WHEREAS, Colorado Revised Statute §31-15-713(1)(b) authorizes the City of Creede, a Colorado town (“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 City of Creede approved Ordinance No. 188 at a special meeting of the Board of Trustees on April 7, 1972 for the vacation of “a portion of Fourth Street which lies East of La Garita Avenue between Lots 14 and 15, South Creede” as shown on **Exhibit A**; and;

WHEREAS, the word “Lots” was mistakenly used instead of the intended word “Blocks” and needs to be ratified for clarification; and

WHEREAS, the Board of Trustees have determined that this portion of East Fourth Street, between Blocks 14 and 15, South Creede should be conveyed to Creede School District to help clarify their ownership and is the best interest of the town.

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

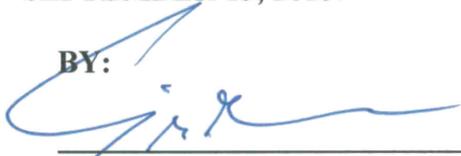
SECTION 1: Pursuant to CRS § 31-15-101(1)(d) and CRS § 43-2-303(1)(a), the East Portion of Fourth Street between Blocks 14 and 15, South Creede is hereby vacated.

SECTION 2: Subject to the terms of this Ordinance, the “City” will Quit-Claim the East Portion of Fourth Street between Blocks 14 and 15, South Creede to the Creede School District.

SECTION 3: 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.

**INTRODUCED, APPROVED AND ADOPTED AT A SPECIAL MEETING OF THE
BOARD OF TRUSTEES OF THE CITY OF CREEDE, A COLORADO TOWN ON
SEPTEMBER 15, 2015.**

BY:



Eric Grossman,
Mayor

9/20/15
Date

ATTEST:



Randi Snead,
City Clerk

9/20/15
Date



Exhibit A

ORDINANCE NO. 188

AN ORDINANCE VACATING A PORTION OF FOURTH STREET WHICH LIES EAST OF LA GARITA AVENUE, BETWEEN LOTS 14 AND 15, SOUTH CREEDE.

BE IT ORDAINED by the Board of Trustees of the City of Creede, Mineral County, Colorado, a Town:

Section 1 That pursuant to Chapter 120, Article 14, Colorado Revised Statutes, 1963, (as amended), that portion of Fourth Street which lies East of La Garita Avenue, and which is located between Lots 14 and 15, of South Creede, being in and a part of the City of Creede, an incorporated town, and the County of Mineral, State of Colorado, be and the same hereby is vacated and closed.

Section 2 That the fee of the land, including the said portion of Fourth Street to be vacated and closed hereby, and all the right, title, and interest therein in the State of Colorado, or the City of Creede, a Town, or the inhabitants thereof, shall be deemed and taken to vest in the Board of Education of Creede Consolidated Schools.

Section 3 That the Board of Trustees of the City of Creede, a Town in Mineral County, Colorado, hereby finds and determines that the portion of Fourth Street hereby vacated intersects that property which has been purchased by the Board of Education of the Creede Consolidated Schools for construction of new facilities, and that deleting the road way into and on school property is in the best interests, welfare, and safety of the citizens of Creede. The Board of Trustees further finds that the vacation of such portion of said Fourth Street will not leave any usable land adjoining said street without an established road way connecting the same to another existing street, and will not interfere any way with nor adversely affect the health, safety and convenience of the inhabitants of the City of Creede, a Town, and is not contrary to the public interest.

Believe this was meant to be "Blocks"

Eryn K Wintz
Mineral County Clerk

69452
10/2/2015 11:13 AM
ORDIN R\$26.00 D\$0.00

69452
3 of 4

Exhibit A

INTRODUCED, read in full, passed and approved at a special meeting of the Board of Trustees of the City of Creede, a Town, this 7th day of April, A.D. 1972.

APPROVED:

[Signature]
Mayor

ATTEST:

[Signature]
City Clerk

Eryn K Wintz
Mineral County Clerk

69452

10 2 2015 11:13 AM
ORDIN R\$26.00 DS0.00

69452
4 of 4