

ORDINANCE 392

VACATING THE ALLEY IN BLOCK 14, 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 Creede School District is the owner of record for Lots 1 thru 17 in Block 14, South Creede, more particularly described in **Exhibit A**; and;

WHEREAS, the Creede School District Main School Building was constructed on portions of this property including the platted alley in Block 14 in 1948; and

WHEREAS, the Board of Trustees has determined the alley in Block 14, South Creede, although platted, has never been used as a public roadway; and

WHEREAS, the Board of Trustees has determined the alley in Block 14, South Creede, should be conveyed to Creede School District to help clarify their property boundary and is in the best interest of the town; and

**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 alley in Block 14, South Creede, City of Creede, as described in **Exhibit A**, is hereby vacated.

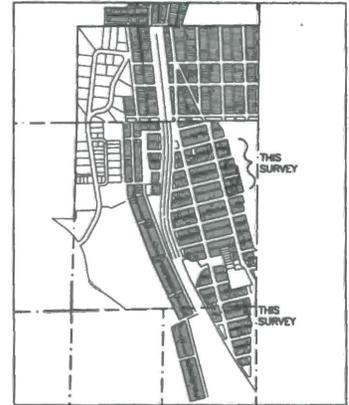
SECTION 2: Subject to the terms of this Ordinance, the “City” will Quit-Claim the alley in Block 14, South Creede, to the Creede School District as described in **Exhibit B**.

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.

Exhibit A

IMPROVEMENT SURVEY PLAT
CREEDE SCHOOL DISTRICT PROPERTIES
BLOCKS 7, 8, 14 & 15

Located in the Northeast 1/4 S.36, T. 39 N., R. 7 E.,
N.M.P.M., City of Creede, Mineral County, Colorado



- LEGEND:**
- ▲ Found Section monument as described
 - Found No.4 Rubber w/ Red Plastic Cap (LS 8443)
 - Found No.4 Rubber
 - Found No.4 Rubber w/ Red Plastic Cap (PLS 23891)
 - Set No. 8 meter with 1.5" Aluminum Cap (LS 30043)
 - No monument set due to location
 - Property Boundary Line
 - Deed Description Boundary
 - Section Line
 - Lot Lines
 - Fence Line
 - Overhead Electric
 - Overhead Telephone
 - Concrete
 - Asphalt
 - (V) Record Distances are derived from the map of South Creek, dated February 25, 1882. See Survey Note #1



MONUMENTED SURVEY PLAT
Deposited this _____ day of _____ 2015, at _____ O'clock _____, in Book _____ of the Land Survey Plats of Page _____ of the records of the Mineral County Clerk and Recorder.

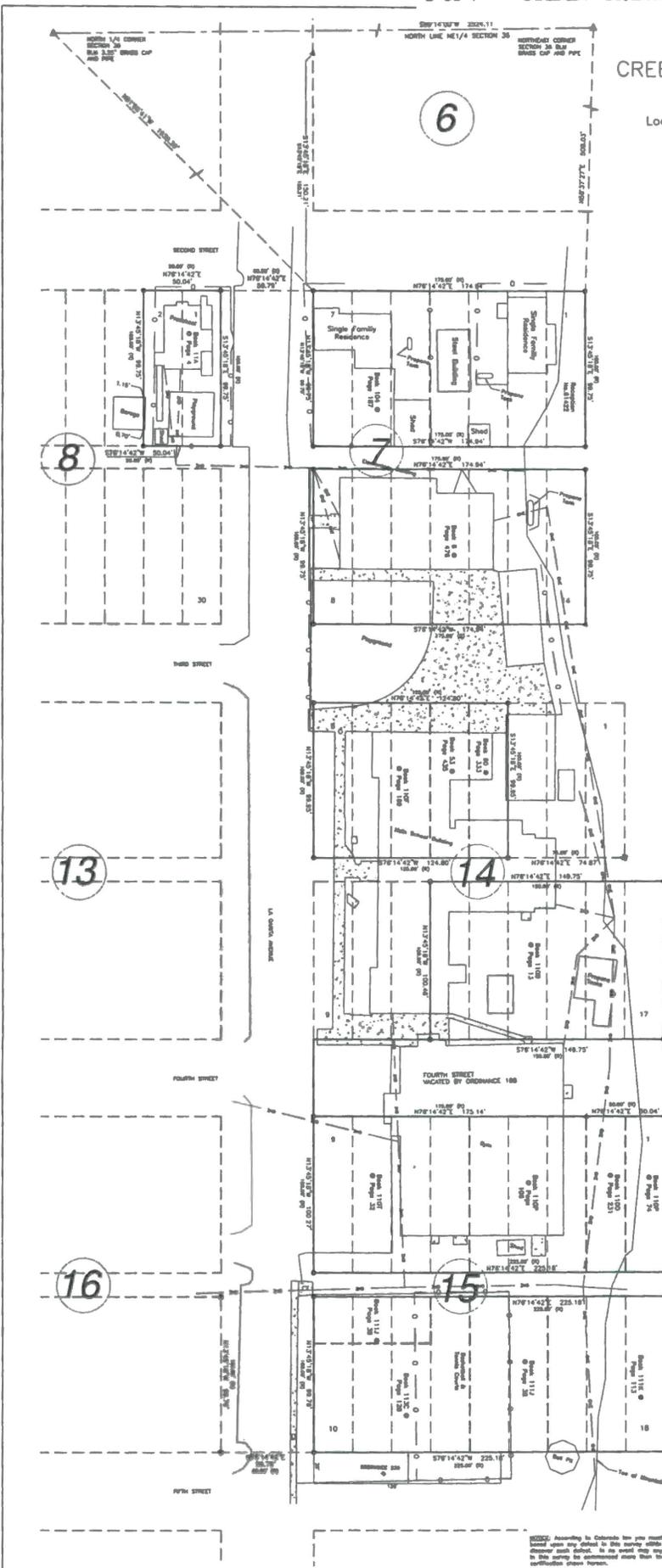
SURVEY NOTES:
1. LOTS AND BLOCKS SHOWN HEREON ARE DERIVED FROM THE MAP OF SOUTH CREEK DATED FEBRUARY 25, 1882 - FILED IN HISTORICAL, GEOGRAPHICAL AND RECORDS COURTESY OF J.P. BARRELL, STATE ENGINEER OF THE STATE BOARD OF LAND COMMISSIONERS DATED FEBRUARY 24, 1882 BY THE PRESIDENT OF THE STATE BOARD OF LAND COMMISSIONERS.

SURVEYOR'S NOTE:
1. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT OR TITLE CURATOR AND IN NO WAY SHALL BE CONSTRUED AS A TITLE OPINION BY THIS SURVEYOR OR SAID ENGINEERING, INC. CLIENT DID NOT HOLD TO HOLD SAID ENGINEERING, INC. RESEARCH AND SHOW RECORD OR APPARENT EASEMENTS THAT MAY AFFECT THIS PROPERTY.

SURVEYOR'S CERTIFICATE:
I, HEART E. LUTWELL, A duly Licensed Land Surveyor in the State of Colorado, do hereby certify that this plat or map was prepared from notes of an actual field survey performed by me, or under my direct supervision and is based upon my personal observation and belief, and it is in accordance with applicable standards of practice.

FOR AND ON BEHALF OF
DAVE ENGINEERING SCHOOL, INC.

REVISIONS	APPROVED SURVEY PLAT
	CREEDE SCHOOL DISTRICT PROPERTIES
	BLOCKS 7, 8, 14 & 15
	Located in the Northeast 1/4 S.36, T. 39 N., R. 7 E.,
	N.M.P.M., City of Creede, Mineral County, Colorado
DATE	12/18/14
SCALE	1"=30'
DRAWN BY	ALANZA GONZALES
CHECKED BY	HEART E. LUTWELL
PROJECT	CREEDE SCHOOL DISTRICT
PLAT NO.	AP0787



PRELIMINARY

NOTES: According to Colorado law you must maintain any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification date herein.

