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ORDINANCE NO. 122

RECORDED

THE BOARD OF TRUSTEES OF THE TOWN OF ARRIBA, LINCOLN COUNTY, COLORADO, DO HEREBY ORDAIN TO VACATE A PORTION OF ELM STREET THEREBY MERGING SUCH VACATED PROPERTY INTO ADJOINING MUNICIPALLY OWNED REAL PROPERTY

Whereas, the Town of Arriba (hereinafter referred to as the "Town"), in the County of Lincoln, and State of Colorado, is the body corporate operating as a Town pursuant to the general statutes of the State of Colorado; and

Whereas, Colorado Revised Statute 43-2-303(2)(c), gives to the governing body of each municipality the power and authority to vacate municipal streets by ordinance; and

Whereas, the Board of Trustees of the Town (hereinafter referred to as the "Board"), deems that it is preferable and appropriate to vacate a portion of Elm Street and to merge such portion of vacated street into real property owned by the Town for the purpose of constructing improvements beneficial to the citizens of the Town;

NOW, THEREFORE, BE IT ORDAINED AND RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF ARRIBA, COLORADO:

1. The following legally described real property presently constituting part of Elm Street, as platted and existing in the Town of Arriba, is hereby vacated in favor of and merged into real property owned by the Town of Arriba and located next to Elm Street:

A PARCEL OF LAND IN THE NE1/4 OF SECTION 12, TOWNSHIP 9 SOUTH, RANGE 53 WEST OF THE 6TH PRINCIPAL MERIDIAN, LINCOLN COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF ELM STREET IN THE TOWN OF ARRIBA, LINCOLN COUNTY, COLORADO, WHICH POINT IS 80.0 FEET EAST OF THE NORTHEAST CORNER OF BLOCK 6 OF THE TOWN OF ARRIBA; THENCE SOUTH ALONG THE EAST LINE OF ELM STREET, A DISTANCE OF 51.45 FEET TO THE POINT OF BEGINNING;

THENCE WEST, A DISTANCE OF 15.0 FEET;

THENCE SOUTH, A DISTANCE OF 120.0 FEET;

THENCE EAST, A DISTANCE OF 15.0 FEET TO A POINT ON THE EAST LINE OF ELM STREET;

THENCE NORTH, A DISTANCE OF 120.0 FEET TO THE POINT OF BEGINNING.

2. This Ordinance has been deemed necessary to preserve the health and welfare of the residents of the Town of Arriba. This Ordinance shall be in effect after proper passage and publication according to state statute. Further, this Ordinance, upon passage, shall be published in the records of the Lincoln County Clerk and Recorder.

3. Any Ordinance or Resolution found to be in conflict with this Ordinance shall be, and is repealed upon passage of this Ordinance.

Adopted and Approved this 11th day of February, 1998.

Signed

Mayor

Dee Johnson



Attest:

Kay Rudder

Town Clerk