

ORDINANCE NO. 27-A

AN ORDINANCE VACATING THE EAST-WEST AND NORTH-SOUTH ALLEYWAYS NOW EXISTING AND HERETOFORE DEDICATED TO THE USE OF THE GENERAL PUBLIC AND LOCATED IN BLOCK TWO (2), COLLINS ADDITION TO THE TOWN OF STRATTON, FORMERLY CLAREMONT, KIT CARSON COUNTY, COLORADO.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF STRATTON, COLORADO:

Section 1. PURPOSE: The purpose of this Ordinance is to vacate the alleyways which were heretofore dedicated to the use of the General Public and which now exist and which run in an east-west and north-south direction on and across Block Two (2), Collins Addition to the Town of Stratton, formerly Claremont, Kit Carson County, Colorado.

Section 2. PUBLIC NEED: The Board of Trustees of the Town of Stratton, formerly Claremont, Kit Carson County, Colorado have heretofore found and determined that K.C. Electric Association, a Colorado Cooperative Corporation is the owner in fee simple absolute of all of Block Two (2), Collins Addition to the Town of Stratton, formerly Claremont, Kit Carson County, Colorado, and that there is no public need and no necessity for the public to use the now existing alleyways upon or across this land and real estate.

The Board of Trustees has in addition heretofore found and determined that the vacation of the alleyways will not leave the land adjoining and/or abutting the alleyways without an established public road connecting the land to another established road. The land adjoining and/or abutting the alleyways to be vacated will, after the alleyways are vacated, still have its primary means of access for ingress and egress.

Section 3. VACATION OF ALLEYWAYS: The Board of Trustees does, by these presents, hereby forever vacate and abandon the east-west and north-south alleyways now existing and heretofore dedicated to the General public on and across Block Two (2), Collins Addition to the Town of Stratton, formerly Claremont, Kit Carson County, Colorado, except the right to maintain any and all existing utility lines, including but not limited telephone, electric, natural gas, water and sewer lines.

Section 4. DEED OF CONVEYANCE: The Board of Trustees does, by these presents, authorize and direct Mayor Ezra Yoder to execute, Jackie Garrett as Town Clerk to attest to such signature and place the seal of the Town thereon, and deliver a Quit Claim Deed on behalf of the Town to K.C. conveying all of the right, title and interest of the Town in and to the east-west and north-south alleyways as they now exist and which were heretofore dedicated to the use of the General Public, upon and across Block Two (2), Collins Addition to the Town of Stratton, formerly Claremont, Kit Carson County, Colorado. Such deed shall be executed and delivered after the effective date of the Ordinance.

Section 5. SEVERABILITY: If any section, subsection, sentence, clause or phrase or other portion of this Ordinance is, for any reason, held illegal, invalid, unconstitutional, or void by any Court or agency of competent jurisdiction, such holding shall not affect the validity of all other portions of this Ordinance.

Passed, adopted, and approved this 7th day of July A.D. 1983

EZRA YODER, Mayor

(SEAL)

ATTEST: JACKIE GARRETT, Town Clerk