

ORDINANCE NO. 85A

AN ORDINANCE TO VACATE RESERVED UTILITY EASEMENTS IN THE ALLEY IN BLOCK 5 STEGMAN'S ADDITION TO STRATTON

WHEREAS, the Board of Trustees of the Town of Stratton acting on the petition of David S. Dischner for the vacation of a reservation by the Town of Stratton reserving the perpetual right to enter upon the same and to construct, install, use, operate and maintain therein and thereon water lines, sewer lines, and their appurtenances, and to cut and trim trees and shrubbery that may interfere with or endanger the operation and use of such lines, and after full knowledge of the facts, has found that there is no need for the use of that certain reservation set forth in Ordinance 68A recorded in Book 669 at page 450 of the records of Kit Carson County, Colorado

NOW, THEREFORE, IT IS ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF STRATTON:

Section 1. In accordance with the provisions of C. R. S. § 43-2-303, as amended, that certain reservation set forth in Ordinance 68A recorded in Book 669 at page 450 of the records of Kit Carson County, Colorado, designated as:

reserving the perpetual right to enter and upon the same and to construct, install, use, operate and maintain therein and thereon water lines, sewer lines, and their appurtenances, and to cut and trim trees and shrubbery that may interfere with or endanger the operation and use of such lines.

as shown by the recorded Plat of Stegman's Addition to the Town of Stratton of record in the office of the Clerk and Recorder of Kit Carson County, Colorado, be and by these presents is vacated.

Section 2. From and after the effective date of this Ordinance, no utility easements shall exist or be maintained across or through that certain alley designated as:

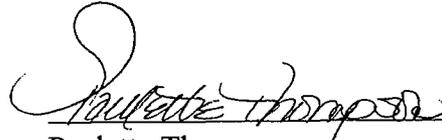
The alley in all of Block Five (5), Stegman's Addition to Stratton, (formerly Claremont), Kit Carson County, Colorado

as shown by the recorded Plat of Stegman's Addition to the Town of Stratton of record in the office of the Clerk and Recorder of Kit Carson County, Colorado, and any and all right, title or interest of the Town of Stratton, is hereby released and surrendered to the owner(s) of the abutting property.

STATE OF COLORADO)
County of Kit Carson)ss.
Town of Stratton)

CLERK'S CERTIFICATE OF PUBLICATION

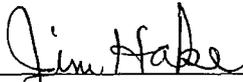
I, Paulette Thompson, the official Town Clerk of the Town of Stratton, do by these presents say that the foregoing Ordinance No. 85A and Clerk's Certificate attached thereto was published in the Stratton Spotlight, a weekly newspaper of general circulation in Stratton, Kit Carson County, Colorado on September, 1997, and the "Proof of Publication" is filed therewith.



Paulette Thompson
Town Clerk

This Ordinance, immediately upon its passage, shall be recorded in the Book of Ordinances of the Town of Stratton, Colorado, authenticated by the signature of the Mayor and attested by the Clerk under the corporate seal of the Town and shall be published in *The Stratton Spotlight*, a public weekly newspaper published within the corporate limits of the Town of Stratton and the County of Kit Carson and State of Colorado and shall be in full force and effect five days after such publication.

PASSED, ADOPTED, AND ORDERED PUBLISHED this 14th day of August, 1997.



Jim Hake, Mayor pro tem

(SEAL)

ATTEST:



Paulette Thompson, Town Clerk

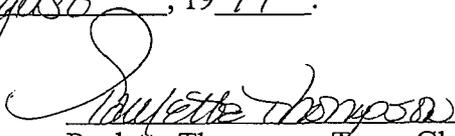
STATE OF COLORADO)
County of Kit Carson) ss.
Town of Stratton)

CLERK'S CERTIFICATE

That I, Paulette Thompson, the official Town Clerk of the Town of Stratton, do by these presents say that the foregoing Ordinance No. 854 was passed and adopted by the Board of Trustees of the Town of Stratton on the 14th day of August, 1997, and that the above entitled Ordinance is a true, correct and full copy of the Ordinance as shown in Ordinance Book — at Page — of the records of the Town of Stratton, Colorado.

Dated this 27th day of August, 1997.

(SEAL)



Paulette Thompson, Town Clerk