

NOTICE OF PROPOSED ORDINANCE

Pursuant of Section 7-3 of the Town of Castle Rock Home Rule Charter, notice is hereby given that the Town Council will consider adoption of the following named and described ordinance during its meeting on October 4, 2016 at 6:00 P.M. at the Town of Castle Rock, Town Hall, 100 North Wilcox, Castle Rock, CO 80104.

Title of Proposed Ordinance:

**AN ORDINANCE VACATING A PORTION OF FIRST STREET AND ALLEY
IN BLOCK 29, NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 8
SOUTH, RANGE 67 WEST, TOWN OF CASTLE ROCK**

Subject Matter Summary:

The proposed Ordinance authorizes the vacation of portions of First Street, and the Alley located in Block 29, Town of Castle Rock, while reserving certain continued use and occupancy rights to allow access and utility maintenance within the vacated area.

The entire text of the proposed ordinance is contained herein, and copies are available for public inspection at the office of the Town Clerk, 100 North Wilcox, Castle Rock, Colorado 80104 during normal working hours between 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding holidays.

Publication date: September 28, 2016

ORDINANCE NO. 2016-XX

AN ORDINANCE VACATING
A PORTION OF FIRST STREET AND ALLEY IN BLOCK 29, NORTHWEST
QUARTER OF SECTION 11, TOWNSHIP 8 SOUTH, RANGE 67 WEST, TOWN OF
CASTLE ROCK

WHEREAS, it is appropriate to vacate portions of First Street and Alley in Block 29 as more particularly described in the attached *Exhibit 1* (collectively, the "Vacated Area") in conjunction with the planned construction of new municipal facilities,

WHEREAS, the Vacated Area has existing public and private utility facilities and accordingly, the Town will permit continued access to and the right to maintain all existing public and private utilities therein until relocated by mutual agreement.

NOW, THEREFORE, IT IS ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK, COLORADO:

Section 1. Vacation. The existing platted right-of-way within the Vacated Area is vacated pursuant to Part 3, Chapter 2, Title 43, C.R.S., subject to all matters of record. The vacation shall take effect upon the recordation of this Ordinance in the Douglas County public records.

Section 2. Vesting of Ownership. Ownership of the vacated roadway right of way shall vest in accordance with the provisions of §43-2-302, C.R.S.

Section 3. Severability. If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect the remaining provisions of this ordinance.

Section 4. Safety Clause. The Town Council finds and declares that this ordinance is promulgated and adopted for the public health, safety and welfare and this ordinance bears a rational relation to the legislative object sought to be obtained.

APPROVED ON FIRST READING this 4th day of October, 2016 by a vote of ___ for and ___ against, after publication in compliance with Section 2.02.100.C of the Castle Rock Municipal Code; and

PASSED, APPROVED AND ADOPTED ON FINAL READING this 18th day of October, 2016, by the Town Council of the Town of Castle Rock, Colorado by a vote of ___ for and ___ against constituting the extraordinary majority required by Section 2.02.100 of the Castle Rock Municipal Code.

ATTACHMENT A

ATTEST:

TOWN OF CASTLE ROCK

Sally A. Misare, Town Clerk

Paul Donahue, Mayor

Approved as to form:

Approved as to content:

Robert J. Slentz, Town Attorney

Bill Detweiler, Director of Development Services

LEGAL DESCRIPTION

THAT CERTAIN 20.00 WIDE FOOT ALLEY TOGETHER WITH THAT CERTAIN PORTION OF FIRST STREET, AS SHOWN ON THE PLAT OF TOWN OF CASTLE ROCK, IN THE TOWN OF CASTLE ROCK, COUNTY OF DOUGLAS, STATE OF COLORADO, PER PLAT RECORDED APRIL 25, 1874 AT RECEPTION NO. 1874010001, IN THE OFFICE OF THE CLERK AND RECORDER OF SAID COUNTY, LYING WITHIN THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 8 SOUTH, RANGE 67 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, IN SAID TOWN, COUNTY AND STATE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWESTERLY CORNER OF LOT 1, SAID BLOCK 29;

THENCE ALONG THE WESTERLY LINE OF LOTS 1 THROUGH 6, INCLUSIVE, BLOCK 29, SAID TOWN OF CASTLE ROCK, SOUTH 00°20'33" WEST, 299.32 FEET TO THE SOUTHWEST CORNER OF SAID LOT 6;

THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 6, BLOCK 29, SOUTH 89°41'42" EAST, 139.92 FEET TO THE SOUTHEASTERLY CORNER OF SAID LOT 6, BLOCK 29, AND THE WESTERLY RIGHT-OF-WAY OF PERRY STREET AS SHOWN ON SAID PLAT;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY, SOUTH 00°20'35" WEST, 80.00 FEET TO THE NORTHEAST CORNER OF LOT 1, BLOCK 32, SAID TOWN OF CASTLE ROCK;

THENCE ALONG THE NORTHERLY BOUNDARY OF SAID LOT 1, BLOCK 32, NORTH 89°41'42" WEST, 139.92 FEET TO THE NORTHWESTERLY CORNER OF SAID LOT 1, BLOCK 32;

THENCE NORTH 00°20'33" EAST, 45.00 FEET;

THENCE NORTH 89°41'42" WEST, 74.98 FEET;

THENCE NORTH 00°18'18" EAST, 35.00 FEET TO THE SOUTHERLY LINE OF LOT 7, BLOCK 29, SAID TOWN OF CASTLE ROCK;

THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 7, BLOCK 29, SOUTH 89°41'42" EAST, 55.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 7, BLOCK 29;

THENCE ALONG THE EASTERLY LINE OF LOTS 7 THROUGH 12, INCLUSIVE, BLOCK 29, SAID TOWN OF CASTLE ROCK, NORTH 00°20'33" EAST, 299.28 FEET TO THE NORTHEASTERLY CORNER OF SAID LOT 12, BLOCK 29, AND THE SOUTHERLY RIGHT-OF-WAY OF SECOND STREET AS SHOWN ON SAID PLAT;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY, SOUTH 89°47'57" EAST, 20.00 FEET TO THE **POINT OF BEGINNING**.

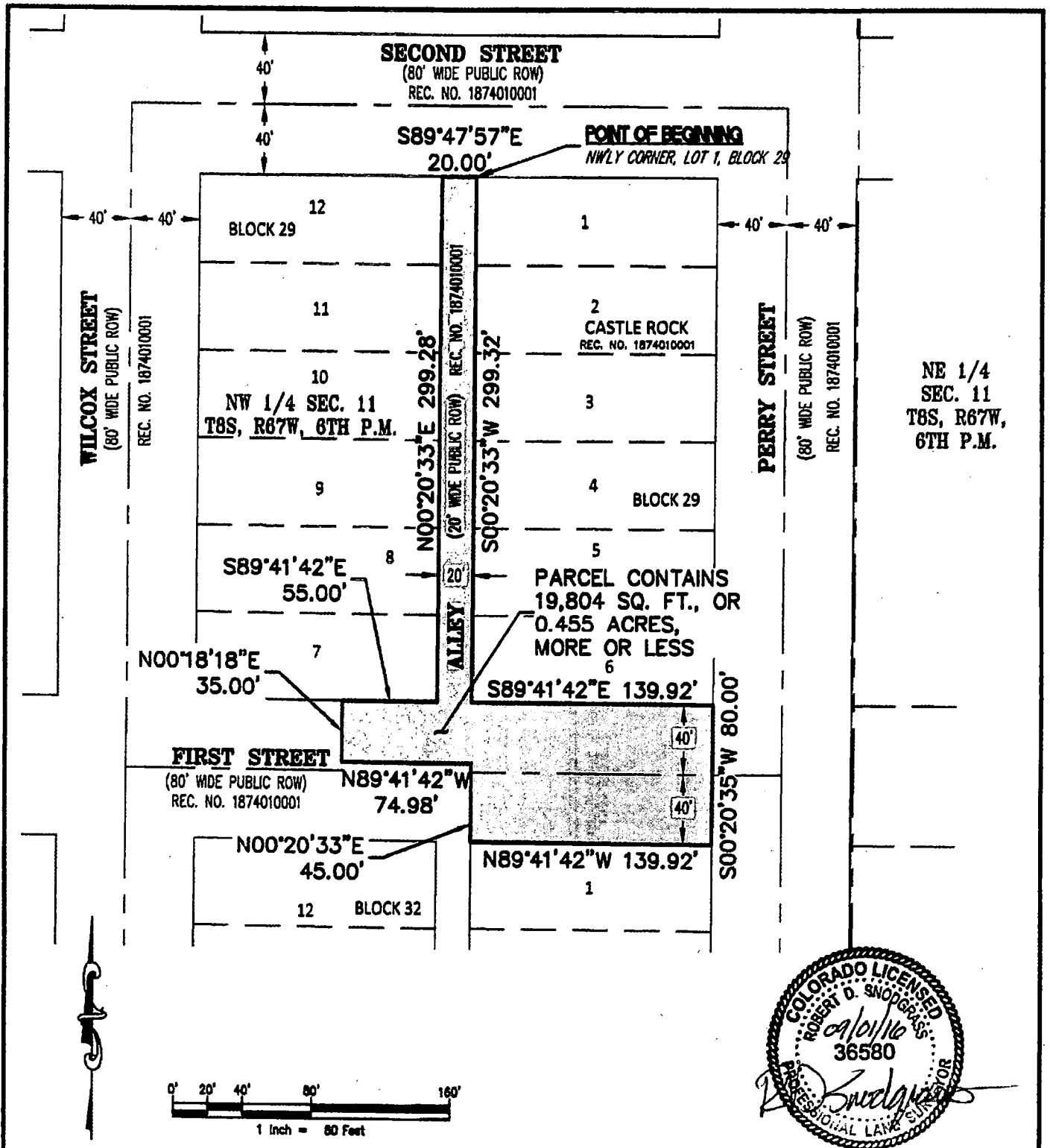
CONTAINS 19,804 SQUARE FEET OR 0.455 ACRES, MORE OR LESS.

AS SHOWN ON THE ATTACHED ILLUSTRATION TO ACCOMPANY LEGAL DESCRIPTION.

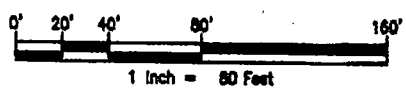
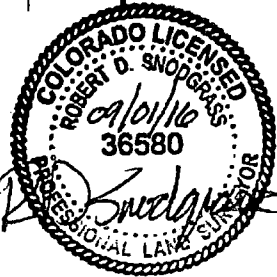
ROBERT D. SNODGRASS, PLS 36580
 COLORADO LICENSED PROFESSIONAL LAND SURVEYOR
 FOR AND BEHALF OF AZTEC CONSULTANTS, INC.
 300 E. MINERAL AVENUE, LITTLETON, CO 80122



ILLUSTRATION TO ACCOMPANY LEGAL DESCRIPTION



NE 1/4
SEC. 11
T8S, R67W,
6TH P.M.



NOTE: THIS DRAWING DOES NOT REPRESENT A MONUMENTED LAND SURVEY AND IS ONLY INTENDED TO DEPICT THE ATTACHED LEGAL DESCRIPTION.

PATH: G:\31816-01\DWG\EXHIBITS\
 DWG NAME: ROW VACATION
 DWG: MDW CHK: RDS
 DATE: 09-01-2016
 SCALE: 1" = 80'

AZTEC
 CONSULTANTS, INC.

300 East Mineral Ave,
 Suite 1
 Littleton, Colorado 80122
 Phone: (303) 713-1808
 Fax: (303) 713-1897
 www.aztecconsultants.com

ROW VACATION
 NW 1/4 SEC 11 T8S R67W 6TH PM
 CASTLE ROCK, COLORADO
 JOB NUMBER 31816-01 2 OF 2 SHEETS