

ORDINANCE NO. 715

AN ORDINANCE VACATING THE 15-FOOT-WIDE DRAINAGE AND PUBLIC AND PRIVATE UTILITY EASEMENT ALONG THE REAR LOT LINES OF LOTS 7-9, THE MEADOW, A PLANNED NEIGHBORHOOD, ON THE PLAT OF RECORD AT FILE NO. 13397, IN THE OFFICIAL RECORDS OF THE ROUTT COUNTY CLERK & RECORDER; AND PROVIDING AN EFFECTIVE DATE

RECITALS

WHEREAS, a certain drainage and public and private utility easement along the rear lot lines of Lots 7-9, The Meadow, A Planned Neighborhood, was created and dedicated on the Plat of record at File No. 13397 in the Official Records of the Routt County Clerk & Recorder, (the "Easement"); and

WHEREAS, Paul Flood, Pagoda Peak LLC, has requested that the Town of Hayden (the "Town") vacate the said Easement; and

WHEREAS, the Hayden Town Council (the "Council") held a public hearing on the request to vacate the said Easement on April 7, 2022; and

WHEREAS, the Council found that the approval of the vacation of the said Easement is not contrary to the applicable provisions of Hayden Development Code; and

WHEREAS, the Council found that it is appropriate to proceed with the vacation of the said Easement as proposed; and

WHEREAS, the Hayden Development Code requires that any ordinance vacating a right-of-way be recorded in the office of the Routt County Clerk and Recorder and shall reference any exceptions, easements or reservations of the vacation.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HAYDEN, COLORADO, THE FOLLOWING:

Section 1. Vacation. The drainage and public and private utility easement along the rear lot lines of Lots 7-9, The Meadow, A Planned Neighborhood, was created and dedicated on the Plat of record at File No. 13397 in the Official Records of the Routt County Clerk & Recorder, (the "Easement"), is hereby vacated.

Section 2. Authorization to Record Ordinance. This Ordinance No. 715 shall be recorded in the office of the Routt County Clerk and Recorder.


Section 3. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 4. Effective Date. This Ordinance, immediately on final passing and adoption, shall be published in accordance with Section 3-3h of the Home Rule Charter and recorded in the Town Book of Ordinances kept for that purpose, authenticated by the signatures of the Mayor and Town Clerk. This Ordinance shall be in full force and effect immediately after its publication in accordance with Section 3-3h of the Hayden Home Rule Charter.

Section 5. Public Hearing. A public hearing on this Ordinance will be held on the 7th day of April, 2022, at the regular meeting of the Hayden Town Council beginning at 7:30 p.m. at the Hayden Town Hall, 178 West Jefferson Ave, Hayden, Colorado.

INTRODUCED, READ, AND ORDERED PUBLISHED PURSUANT TO SUBSECTION 3-3(d) OF THE HAYDEN HOME RULE CHARTER, BY THE TOWN COUNCIL OF THE TOWN OF HAYDEN, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF HAYDEN, ON THE 17TH DAY OF MARCH, 2022.


Zachary Wuestewald, Mayor

ATTEST

Sharon Johnson, Town Clerk

FINALLY ADOPTED, PASSED, APPROVED, AND ORDERED PUBLISHED PURSUANT TO SUBSECTIONS 3-3 (e) through (h) OF THE HAYDEN HOME RULE CHARTER, BY THE TOWN COUNCIL OF THE TOWN OF HAYDEN, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF HAYDEN, ON THE 7TH DAY OF APRIL, 2022.


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WHEREAS, the Hayden Town Council (the "Council") held a public hearing on the request to vacate the said Easement on April 7, 2022; and

WHEREAS, the Council found that the approval of the vacation of the said Easement is not contrary to the applicable provisions of Hayden Development Code; and

WHEREAS, the Council found that it is appropriate to proceed with the vacation of the said Easement as proposed; and

WHEREAS, the Hayden Development Code requires that any ordinance vacating a right-of-way be recorded in the office of the Routt County Clerk and Recorder and shall reference any exceptions, easements or reservations of the vacation.

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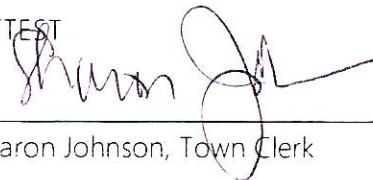
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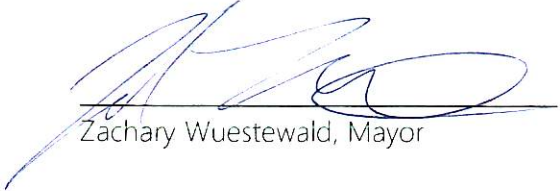
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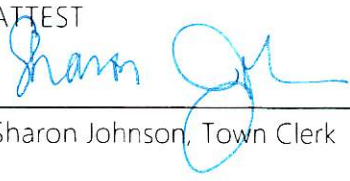
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