

RCPTN # 96061495 08/23/96 11:20:00 # PAGES - 2 FEE - \$11.00  
M RODENBERGER RECORDER, LARIMER COUNTY CO STATE DOC FEE - \$.00

ORDINANCE NO. 745

AN ORDINANCE VACATING A PORTION OF A DEDICATED UTILITY EASEMENT WITHIN THE TOWN OF BERTHOUD, LARIMER COUNTY, COLORADO.

Section 1.

WHEREAS, the Board of Trustees has reviewed the circumstances for the requested vacation of a portion of the following described utility easement:

The south two feet of the north utility easement which is ten feet wide except for those portions of this north easement which intersect the easements located on the east and west sides of Lot 1, Block 3, Amended Plat of Keep Subdivision, Town of Berthoud, County of Larimer, State of Colorado;

and;

WHEREAS, the Board of Trustees has received the recommendation from the Town's staff that this Easement be vacated because it is not presently being used and it is not anticipated that it will ever be used;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, LARIMER COUNTY, COLORADO:

Section 2.

The portion of the Easement described above which was dedicated to the Town of Berthoud as a utility easement is hereby vacated.

Section 3. Emergency Clause:

The Board of Trustees of the Town of Berthoud further finds that the continued retention of this Easement will create an unnecessary and undue hardship upon the property owners and therefor finds that an emergency exists and determines that this ordinance should take effect and be in force immediately upon passage.

This ordinance was read at the regular meeting of the Board of Trustees held on the 20th day of August, 1996. This ordinance was passed and shall take effect immediately with 5 members of the

95/8  
Board of Trustees voting in favor and 0 members of the Board of Trustees voting against.

ATTEST:

Mary K. Cowdin  
Mary K. Cowdin - Town Clerk

TOWN OF BERTHOUD:

Richard Strachan  
Richard Strachan - Mayor

Published: 8-29-96

✓  
Town of Berthoud  
Town Clerk  
PO Box 1229  
BERTHOUD, CO 80511