

ORDINANCE No. 306

TOWN OF RICO

AN ORDINANCE RELEASING A PORTION OF A UTILITY EASEMENT OWNED BY THE TOWN OF RICO, COLORADO, ACROSS LOT 25, ATLANTIC CABLE SUBDIVISION.

WHEREAS, the Board of Trustees has determined that the original purpose for the Utility Easement across Lot 25 of the Atlantic Cable Subdivision, Town of Rico, no longer exists; and,

WHEREAS, the Owner of Lots 25, Atlantic Cable Subdivision, Town of Rico, has requested the release by quit claim deed of the 10' Easement as Per Plat of Record which crosses Lot 25, Atlantic Cable Subdivision, Town of Rico; and,

WHEREAS, the Planning Commission of the Town of Rico at its regular meeting on July 25th, 1995, found that the requested release of a portion of the Utility Easement as it crosses Lot 25, Atlantic Cable Subdivision, Town of Rico, would not harm, or interfere with, any municipal interest, and further recommended that such release be granted by the Town of Rico;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF RICO, COLORADO, the following:

SECTION 1: RELEASE OF UTILITY EASEMENT BY QUIT CLAIM DEED

The Town of Rico hereby authorizes the execution of the Quit Claim Deed releasing a portion of a Utility Easement, attached hereto as exhibit "A", and directs the Mayor and the Town Clerk to take all actions necessary to effectuate the purpose of this Ordinance.

SECTION 2: PUBLICATION

After final adoption, the Town Clerk shall cause a copy of this ordinance to be posted in accordance with Resolution No. 104 of the Town of Rico, Colorado.


- Ordinance No. 306, Town of Rico -

READ, PASSED, AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF RICO this 8th day of August, 1995.



By: Robert Small, Mayor

8/9/95



Attest: Linda Yellowman, Town Clerk

8/9/95

[Town Seal]

QUIT CLAIM DEED

THIS DEED, made this 10TH day of AUGUST, 1995,
between the Town of Rico, a Colorado Municipal Corporation, of the County of
Dolores, State of Colorado, Grantor, and,

Darrell H. Pope, whose legal address is
Rt. 1
Box 128 A
Shongaloo, LA 71072

of the County of _____ State of Louisiana, Grantee

WITNESSTH, that the grantor, for in consideration of the sum of Ten Dollars (\$10.00),
the receipt and sufficiency of which is hereby acknowledged, has released, remised, sold and
QUIT CLAIMED, and by these presents do remise, release, sell and **QUIT CLAIM** unto the
grantee, his heirs, successors and assigns, forever, all the right, title, interest claim and demand
which the grantor has in and to the real property lying and being in the County of Dolores and
State of Colorado, described as follows:

A 10 foot wide utility easement across Lot 25, Atlantic Cable Subdivision, Town of Rico,
as described and created by the Atlantic Cable Subdivision Plat recorded at Book 2, Page
7, Dolores County Clerk and Recorder's Office, **except and not including** the portion of
the 15 foot wide utility easement running in a North/South direction across the west side
of Lot 25, Atlantic Cable Subdivision, Town of Rico;

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and
privileges thereunto belonging or in anywise thereunto appertaining, and all the estate, right, title,
interest, claim whatsoever, of the grantor, either in law or in equity, to the only proper use, benefit
and behoof of the grantee, his heirs and assigns forever.

35' wide easement as per plat of Atlantic Cable Subdivision of Record

S. 82° 26' 35" W. - 90.10'

N. 87° 53' 26" E. - 90.68'

8.61'

15' wide easement as per record

15'

Lot 25

10' easement as per plat of record

71.39' (total)

N. 08° 40' 00" W. - 80.00'

40' R/W

St. Louis Road

N. 87° 53' 26" E. - 98.83'

Lot 24

Start get this easement taken off charge to me Darrell

EASEMENT TO BE RELEASED

EASEMENT RETAINED

23

22

N. 02° 06' 34" W.

70.93'