

ORDINANCE No. 316

TOWN OF RICO

AN ORDINANCE GRANTING A NON-EXCLUSIVE UTILITY EASEMENT TO RICO THEATRE AND CAFÉ, INC.

WHEREAS, the Rico Theatre and Café, Inc., has requested a utility easement for the installation and maintenance of a propane gas line across the alley behind the Theatre and Café building, such alley is located between Glasgow Avenue and River Street; and,

WHEREAS, the Board of Trustees has determined that the granting of a non-exclusive utility easement to the Rico Theatre and Café, Inc., with the reservation of the right to excavate, install, and maintain utilities in the easement area and the further reservation that the cost of repairing, replacing, or relocating the propane line for the Rico Theatre and Café shall not be at the expense of the Town of Rico, will not adversely affect the health, safety and welfare of the Rico community and shall preserve the rights of the Town to regulate, install, and maintain necessary and desired utilities for the Rico community;

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

SECTION 1: GRANT OF UTILITY EASEMENT

The Town of Rico hereby authorizes the execution of a Utility Easement to the Rico Theatre and Café, Inc., 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.

READ, PASSED, AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF RICO this 1 day of April, 1996.

By: 
Robert Small, Mayor


Attest: Linda Yellowman, Town Clerk



P. 469

Recorded at 4:00 o'clock P m. July 8, 1996

Reception No. 136534 Earlene White Recorder B

EASEMENT

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THIS EASEMENT, granted this 1st day of April 1996,
by the Town of Rico, a Colorado Municipal Corporation whose legal address is
2 Commercial Street, P.O. Box 56, Rico, CO 81332,
of the County of Dolores, State of Colorado, the Grantor, and

Rico Theatre & Café, Inc., whose legal address is 9 South Glasgow Avenue, P.O. Box 249,
Rico, CO, 81332, of the County of Dolores, State of Colorado, the Grantee.

WITNESSETH, that the Grantor, for and in consideration of the sum of One Dollar and other good and valuable consideration paid to the Grantor by the Grantee, the receipt and sufficiency of which is hereby acknowledged, does hereby grant, bargain, sell, and convey to the Grantee a non-exclusive utility easement for the purposes of installation and maintenance of a propane gas line across the alley behind the Rico Theater and Café between Glasgow Avenue and River Street, Town of Rico, County of Dolores and State of Colorado, such easement is more particularly described in exhibit 'A'. This Utility Easement shall be 3 feet wide, measured perpendicular to the installed propane gas line. The Town of Rico reserves the right to excavate and install other utilities within this utility easement, and to cause temporary disconnection of the propane gas line, after 10 days mailed notice by certified mail to the Grantee, its heirs, assigns, or successors, and further reserves the right that any cost to repair, replace, or relocate the propane gas line shall not be at the expense or liability of the Town of Rico and shall be the sole expense and liability of the Grantee, its heirs, assigns, and successors.

IN WITNESS WHEREOF, the Grantor has executed this deed on the date set forth above.

By: *Robert Small*
Robert Small, Mayor

200-2200

ALLEY

BORANE GAS
LINE BURIED
3" BELOW
ALLEY GRADE

REGULATOR

020' OUTSIDE PROPERTY LINE

020' OUTSIDE PROPERTY LINE

5 00°00'00" E

50 00'

25 00'

25 00'

N 90°00'00" E

N 90°00'00" W

96.72'

96.72'

100.00'

100.00'

LOT 5

LOT 4

STONE AND BRICK
THEATRE AND CAFE

LOT 3

LOT 2

020' OUTSIDE PROPERTY LINE

020' OUTSIDE PROPERTY LINE

N 00°00'00" E

12 90'

0 63'

9 90'

5 96'

9 10'

4 65'

020' OUTSIDE PROPERTY LINE

020' OUTSIDE PROPERTY LINE

SIDEWALK

2nd FLOOR OVERHANG

50 00'

020' OUTSIDE PROPERTY LINE