

OWN OF HOT SULPHUR SPRINGS,  
COLORADO

ORDINANCE NO. 2011-1-1/378

AN ORDINANCE VACATING THAT PORTION OF SPRING STREET LYING BETWEEN LOT 13, BLOCK 11 AND LOT 12, BLOCK 12, 1<sup>ST</sup> ADDITION TO HOT SULPHUR SPRINGS, RECEPTION #8525, GRAND COUNTY, COLORADO SECTION 11, TOWNSHIP 1 NORTH, RANGE 78 WEST, 6<sup>TH</sup> P.M.

WHEREAS, the Town of Hot Sulphur Springs has initiated the vacation of a portion of Spring Street in order to accommodate existing water storage tank and related improvements and infrastructure; and

WHEREAS, the Town of Hot Sulphur Springs is owner of the adjacent properties abutting that portion of Spring Street proposed to be vacated; and

WHEREAS, the Planning Commission reviewed the proposed vacation of that portion of Spring Street on January 13, 2011 and recommended approval to the Board of Trustees; and

WHEREAS, proper public notification of the vacation was made prior to the public hearing before the Board of Trustees pursuant to Section 9-4-7 of the Town Code.

**NOW THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF TRUSTEES OF HOT SULPHUR SPRINGS, COLORADO, as follows:**

Section 1. The recitals contained above are incorporated herein by reference and are adopted as findings and determinations of the Town Board of Trustees.

Section 2. The Town of Hot Sulphur Springs Board of Trustees hereby vacate that portion of Spring Street lying between Lot 13, Block 11 and Lot 12, Block 12, 1<sup>st</sup> Addition to Hot Sulphur Springs, Reception #8525, Grand County, Colorado Section 11, Township 1 North, Range 78 West, 6<sup>th</sup> P.M.

Section 3. Title of the vacated right-of-way shall vest with the adjacent property owners pursuant to Section 9-4-7(F) of the Town Code.

Section 4. Severability. If any provision of this ordinance should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this ordinance that can be given effect without the invalid portion, provided that such remaining portions or applications of this ordinance are not determined by the court to be inoperable. The Town Board of Trustees declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, despite the fact that any one or more section, subsection, sentence, clause, phrase, or portion would be declared invalid or unconstitutional.

Section 5. Effective Date. This Ordinance shall become effective thirty days after publication following final passage.

Section 6. Recording. The Town Clerk is hereby directed to record this Ordinance with the Grand County Clerk and Recorder upon the Effective Date.

INTRODUCED, READ, ADOPTED, APPROVED AND ORDERED PUBLISHED BY THE TOWN BOARD OF TRUSTEES OF THE TOWN OF HOT SULPHUR SPRINGS, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD ON THE 20<sup>TH</sup> DAY OF JANUARY, 2011 BY A VOTE OF 4 IN FAVOR, 0 AGAINST, and 0 ABSTAINING.

TOWN OF HOT SULPHUR SPRINGS

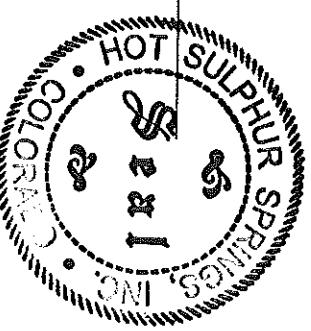
By: [Signature]  
Hershal Deputy, Mayor

I hereby certify that the above Ordinance was introduced and adopted by the Town Board of Trustees of the Town of Hot Sulphur Springs, Colorado, at its meeting of January 20<sup>th</sup>, 2011, and ordered published by Sky Hi newspaper on April 28<sup>th</sup>, 2011.

SEAL

ATTEST:  
By: [Signature]  
Sandy White, Town Clerk

Publication Date: April 28<sup>th</sup>, 2011  
Effective Date: May 29<sup>th</sup>, 2011 (30 days after publication)



PROVIDE THAT WATER TAP FEE AND BASE RATES MAY BE SET BY RESOLUTION AND BILLED QUARTERLY AND THAT SEWER TAP FEE AND BASE RATES MAY BE SET BY SEPARATE ORDINANCE AND BILLED QUARTERLY.  
Published in the Middle Park Times April 28, 2011.  
(6448810)

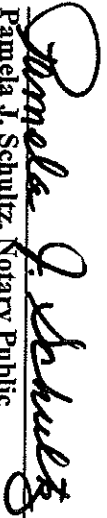
I, Matt Sandberg, do solemnly swear that I am the publisher of the Middle Park Times, that the same is a weekly newspaper printed, in whole or in-part, and published in the County of Grand, State of Colorado, and has a general circulation therein; that said newspaper has been published continuously and interruptedly in said County of Grand for a period of more than fifty-two consecutive weeks next prior to the first publication of the annexed legal notice or advertisement, that said newspaper has been admitted to the United States mail as second-class matter under the provisions of the act of March 3, 1879, or any amendment thereof, and that said newspaper is a weekly newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado.

That the annexed legal notice or advertisement was published in the regular and entire issue of every number of said daily newspaper for the period of 1 consecutive insertions; and that the first publication of said notice was in the issue of said newspaper dated 4/28/2011 and that the last publication of said notice was dated 4/28/2011 in the issue of said newspaper.

In witness whereof, I have here unto set my hand this day, 04/28/2011.

  
\_\_\_\_\_  
Matt Sandberg  
Publisher

Subscribed and sworn to before me, a notary public in and for the County of Eagle, State of Colorado this day 04/28/2011.

  
\_\_\_\_\_  
Pamela J. Schultz, Notary Public  
My Commission expires: November 1, 2011

