

**TOWN OF OAK CREEK**

**ORDINANCE NO. 618**

**AN ORDINANCE VACATING A PORTION OF CARBON AVENUE LOCATED BETWEEN BLOCKS 8 AND 9, THIRD ADDITION TO THE TOWN OF OAK CREEK, ROUTT COUTY, COLORADO**

**WHEREAS**, Board of Trustees for the Town of Oak Creek, Colorado (“Town”) has duly received an application from Ronald G. Graver and Mary C. Graver (“Applicants”) for the vacation of a portion of Carbon Avenue located between Blocks 8 and 9, Third Addition to the Town of Oak Creek; and

**WHEREAS**, all necessary data has been submitted and all required fees have been paid on behalf of the Applicants; and

**WHEREAS**, the Oak Creek Planning Commission (“Planning Commission”) reviewed the application on October 24, 2012 and submitted an advisory report to the Oak Creek Board of Trustees (“Board”) recommending approval of the petition subject to conditions; and

**WHEREAS**, the Board held a public hearing on the matter on November 8, 2012, notice of said hearing having been advertised in the Steamboat Pilot, a local newspaper of general circulation; and

**WHEREAS**, input was taken from the public and the Planning Commission’s recommendation was considered; and

**WHEREAS**, \_\_\_\_\_ moved to approve the vacation of a portion of Carbon Avenue as detailed in the application with the finding of fact that it is appropriate to vacate the portion of Carbon Avenue as proposed by the applicants and reserve public utility easements for water, sewer, electric, phone and cable and subject to the following conditions:

1. An ordinance finalizing the approval given herein shall be submitted for approval to the Board of Trustees and recorded no less than thirty (30) days after publication of said ordinance. The road vacation shall not be final until the ordinance has been recorded with the Routt County Clerk & Recorder’s Office.
2. The ordinance approving the vacation shall contain language reserving public utility easements including, but not limited to, water, sewer, electric, phone and cable.

\_\_\_\_\_ seconded; motion carried \_\_\_\_\_.

**NOW, THEREFORE**, be it ordained by the Board of Trustees of the Town of Oak Creek as follows:

1. The portion of Carbon Avenue as described on the attached Exhibit A is hereby vacated subject to a reservation for a public utility easement.
2. This approval is based upon the record presented at the public hearing and the findings made by the Oak Creek Planning Commission and the Oak Creek Board of Trustees.
3. This ordinance shall take effect and be in full force and effect thirty (30) days after adoption and publication pursuant to C.R.S. § 31-16-105.

**INTRODUCED, READ, APPROVED AND ORDERED PUBLISHED** this 8<sup>th</sup> day of November, 2012.

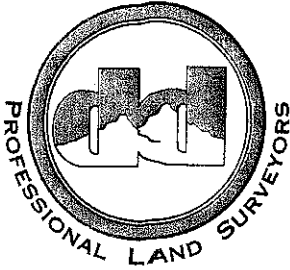
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Nikki Knoebel, Mayor

ATTEST:

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Mary Alice Page-Allen  
Town Administrator/Clerk



## D & D INC.

A PROFESSIONAL LAND SURVEYING AND PLANNING CO.  
2145 RESORT DR. SUITE 105, STEAMBOAT SPRINGS, CO 80487  
(970) 879-2715 • FAX (970) 879-3028

### EXHIBIT A

October 1st, 2012

Description of a portion of Carbon Avenue located between Block 8 and Block 9 of Third Addition to the Town of Oak Creek, Routt County, Colorado.

Beginning at the SE corner of Block 8 of said Third Addition;  
Thence S 88°57'49" E 50.00 feet to the SW corner of Block 9 of said Third Addition;  
Thence N 01°21'26" E 200.00 feet along the west line of said Block 9 to the NW corner of Lot 19 of said Block 9;  
Thence N 88°57'49" W 50.00 feet to the NE corner of Lot 4 of Block 8 of said Third Addition;  
Thence S 01°21'26" W 200.00 feet along the east line of said Block 8 to the Point of Beginning.

Reserving an easement for existing utilities over and across the above described parcel.

Bearings are assumed along the monumented west line of Block 9 of Third Addition to the Town of Oak Creek being N 01°21'26" E.

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This legal description was prepared by R.C. Moon, Colorado Registration No. 13221, at D&D Inc., a Professional Land Surveying and Planning Co., 2145 Resort Drive, Suite 105 Steamboat Springs, CO. 80487-8807  
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