

**TOWN OF MEAD, COLORADO
ORDINANCE NO. 998**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO,
APPROVING VACATION OF CERTAIN EASEMENTS AT 4005 N. VALLEY DRIVE**

WHEREAS, the Town of Mead is authorized to regulate the use and development of land within its jurisdiction, pursuant to Title 31, Article 23, C.R.S., Title 29, Article 20, C.R.S. and the Town’s Land Use Code, codified in Chapter 16 of the *Mead Municipal Code* (the “MMC”); and

WHEREAS, Bidanjiri Architects, an Arizona professional limited liability company (the “Applicant”) has submitted to the Town an application for a vacation of certain easements, designated, described, and shown as Parcel 1 and Parcel 2 on the EASEMENT VACATION MAP attached to this ordinance as ATTACHMENT 1 (the “Easements”); and

WHEREAS, the property underlying the Easements is also known as 4005 N. Valley Drive and is located in Mead, Colorado (“Property”); and

WHEREAS, the Applicant is the authorized representative of the current fee owner of the Property, Sunstate Equipment Company, LLC, an Arizona limited liability company (the “Owner”); and

WHEREAS, the Owner desires to vacate the Easements, and more particularly, two (2) thirteen (13) foot utility easements and one (1) thirty (30) foot drainage easement; and

WHEREAS, Section 16-4-140(1)(i) requires a public meeting for the Board of Trustees to consider approval, conditional approval, or denial of an ordinance to vacate easements; and

WHEREAS, the Town Board of Trustees reviewed this ordinance and the proposed vacation of the Easements at a public meeting held on June 27, 2022, and has determined that the vacation satisfies the review criteria set forth in the MMC; and

WHEREAS, the administrative record for this case includes, but is not limited to, the MMC, the Town of Mead Comprehensive Plan, all other applicable ordinances, resolutions and regulations, the staff report/agenda item summary presented to the Board of Trustees, the application and all other submittals of the Applicant, and the recording and minutes of the Board of Trustees meeting at which this ordinance was considered; and

WHEREAS, the Town Board of Trustees desires to approve vacation of the Easements.

NOW THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Mead, Weld County, Colorado, that:

Section 1. Recitals incorporated. The foregoing recitals are incorporated herein as findings of the Board of Trustees.

Section 2. Vacation of Easements Approved. Vacation of the Easements is approved as

shown on the EASEMENT VACATION MAP attached to this ordinance as ATTACHMENT 1, incorporated herein by this reference.

Section 3. Effective Date and Recordation. This ordinance shall be published and become effective as provided by law. Further, this ordinance shall be recorded with the Weld County Clerk and Recorder in accordance with Section 16-4-140(1)(i) of the MMC.

Section 4. Severability. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the ordinance. The Board of Trustees hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more part, section, subsection, sentence, clause or phrase is declared invalid.

Section 5. Repealer. All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

Section 6. Certification. The Town Clerk shall certify to the passage of this ordinance and make not less than one copy of the ordinance available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 27TH DAY OF JUNE, 2022.

ATTEST:

TOWN OF MEAD

By: 

Mary E. Strutt, MMC



Town Clerk

By: 

Colleen G. Whitlow, Mayor

ATTACHMENT 1

[Easement Vacation Map Attached.]

EASEMENT VACATION MAP



PARCEL 1:

PROPERTY DESCRIPTION

TWO UTILITY EASEMENTS BEING A PORTION OF LOTS 17 AND 18, VALLEY/66 BUSINESS PARK (REVISED PHASE 4 FINAL PLAT) RECORDED UNDER RECEPTION NO. 2008016 IN THE RECORDS OF THE WELD COUNTY CLERK AND RECORDS, TOWN OF WILD, COUNTY OF WELD, STATE OF COLORADO, BEING AS FOLLOWS:

BASES OF BEARINGS: THE WESTERLY LINE OF LOT 17, VALLEY/66 BUSINESS PARK (REVISED PHASE 4 FINAL PLAT) RECORDED UNDER RECEPTION NO. 2008016 IN THE RECORDS OF THE WELD COUNTY CLERK AND RECORDS, BEING 1-1/4" RED PLASTIC CAP STAMPED "11 3/8\"

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PARCEL 2:

PROPERTY DESCRIPTION

TWO UTILITY EASEMENTS BEING A PORTION OF LOTS 17 AND 18, VALLEY/66 BUSINESS PARK (REVISED PHASE 4 FINAL PLAT) RECORDED UNDER RECEPTION NO. 2008016 IN THE RECORDS OF THE WELD COUNTY CLERK AND RECORDS, TOWN OF WILD, COUNTY OF WELD, STATE OF COLORADO, BEING AS FOLLOWS:

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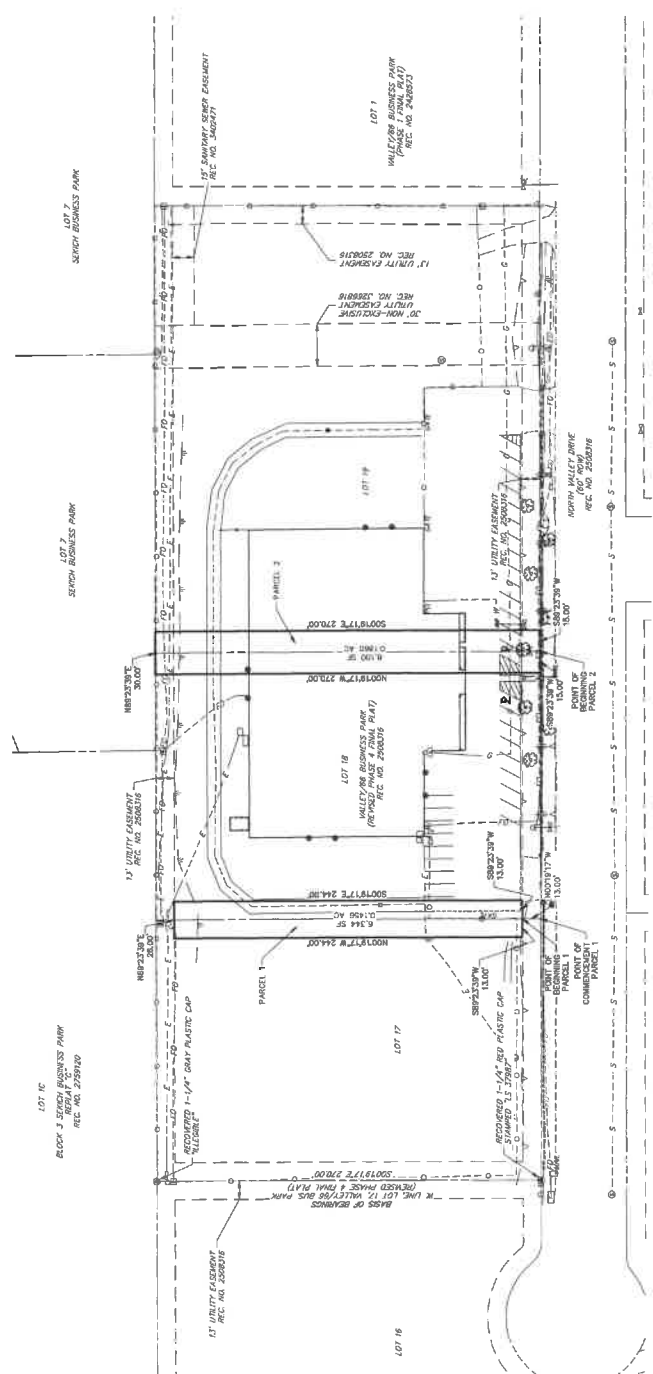
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SUNSTATE
JOB NO. 30800.01
6/2/2022
SHEET 1 OF 1



ORIGINAL SCALE: 1" = 40'

J.R. ENGINEERING
A White Company

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