

ORDINANCE NO.

13-11  
Series of 2013

**TITLE: AN ORDINANCE VACATING PORTIONS OF OAK STREET NORTH OF  
INTERNET AVENUE AND SOUTH OF THE BNSF RAILROAD RIGHT-  
OF-WAY**

BE IT ORDAINED BY THE BOARD OF TRUSTEES FOR THE TOWN OF HUDSON, COLORADO, THAT:

Section 1. Pursuant to C.R.S. § 43-2-303, the Town of Hudson hereby vacates those portions of Oak Street, formerly known as Weld County Road 47, as more particularly described in **Exhibits A and B**, which are attached hereto and incorporated by this reference (collectively, the "Vacated Property").

Section 2. Pursuant to C.R.S. § 43-2-303(3), the Town hereby reserves for continued use an easement for utility purposes within the property described in **Exhibits A and B**, and thus no permanent structures that prevent access to such utilities may be constructed within the Vacated Property.

Section 3. Title is hereby vested to the property owners adjacent to **Exhibits A and B**, which conveyance shall be by Quit Claim Deed and in accordance with C.R.S. § 43-2-302(1).

Section 4. Safety Clause. The Town Board of Trustees hereby finds, determines, and declares that this ordinance is promulgated under the general police power of the Town of Hudson, that it is promulgated for the health, safety, and welfare of the public, and that this ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Board of Trustees further determines that the ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 5. Severability. If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 6. Effective Date. This Ordinance shall become effective thirty (30) days after final publication.

INTRODUCED, READ IN FULL, AND ADOPTED this 6th day of November, 2013.



TOWN OF HUDSON, COLORADO

Neal Pontius  
Neal Pontius, Mayor

Linnette Barker  
Linnette Barker, CMC, Town Clerk

PASSED ON SECOND AND FINAL READING this 20th day of November, 2013, AND ORDERED PUBLISHED ONCE IN FULL.

TOWN OF HUDSON, COLORADO

Neal Pontius  
Neal Pontius, Mayor

ATTEST:

Linnette Barker  
Linnette Barker, CMC, Town Clerk

APPROVED AS TO FORM:

Corey Y. Hoffmann  
Corey Y. Hoffmann, Town Attorney

EXHIBIT A

**PARCEL DESCRIPTION**

A 30 foot wide strip of land, previously dedicated as Weld County Road 47 Right-of-Way, being a part of Hudson Industrial Park Filing No. 1 as recorded October 3, 2000 as Reception No. 2797604 of the Records of Weld County, located in the Northwest Quarter (NW1/4) of Section One (1), Township One North (T. 1N.), Range Sixty-five West (R.65W.) and the Southwest Quarter (SW1/4) of Section Thirty-six (36) Township Two North (T.2N.), R.65W. of the Sixth Principal Meridian (6th P.M.), Town of Hudson, County of Weld, State of Colorado and being more particularly described as follows:

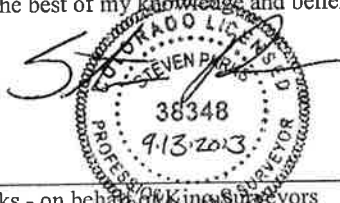
The West 30' of Outlot A.

Along with the West 30' of Tract A.

Said described parcel of land contains 76,263 Square Feet or 1.751 Acres, more or less ( $\pm$ ), and may be subject to any rights-of-way or other easements of record or as now existing on said described parcel of land.

**SURVEYORS STATEMENT**

I, Steven Parks, a Colorado Licensed Professional Land Surveyor do hereby state that this Parcel Description was prepared under my personal supervision and checking, and that it is true and correct to the best of my knowledge and belief.



Steven Parks - on behalf of King Surveyors  
Colorado Licensed Professional  
Land Surveyor #38348

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650 Garden Drive  
Windsor, Colorado 80550  
(970) 686-5011

BURLINGTON NORTHERN  
RAILROAD

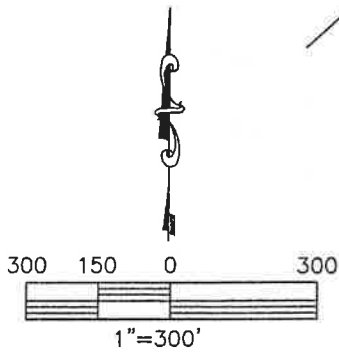
OUTLOT A

NORTHWEST  
CORNER  
SECTION 1,  
T.1N, R.65W.

SEE PLAT FOR EASEMENT  
DETAILS AND DIMENSIONS

LOT 4

LOT 3



NOTE: This exhibit drawing is not intended to be a monumented land survey. It's sole purpose is as a graphic representation to aid in the visualization of the written property description which it accompanies. The written property description supersedes the exhibit drawing.

74,763 SQ. FT.  
1.716 ACRES

REC. NO.  
3327679

COMBINED PARCEL  
76,263 SQ. FT.  
1.751 ACRES

1,500 SQ. FT.  
0.034 ACRES

WEST QUARTER  
CORNER  
SECTION 1,  
T.1N, R.65W.

TRACT A

30'

LOT 1

LOT 1A

50' HYDROCARBON  
PRODUCT PIPELINE  
EASEMENT

TRACT A

INTERNET AVENUE



Steven Parks  
Member of King Surveyors  
Colorado Licensed Professional  
Land Surveyor #38348



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650 E. Garden Drive | Windsor, Colorado 80550  
phone: (970) 686-5011 | fax: (970) 686-5821  
www.kingsurveyors.com

PROJECT NO: 2013584  
DATE: 9-12-2013  
CLIENT: HUDSON  
DWG: 2013584EXH  
DRAWN: SIP CHECKED: SIP

EXHIBIT B

**PARCEL DESCRIPTION**

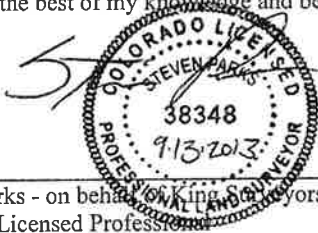
A 30 foot wide strip of land, previously dedicated as Weld County Road 47 Right of Way, being a part of that parcel described in Reception No. 3327679, recorded September 30, 2005 of the Records of Weld County, located in the Northeast Quarter (NE1/4) of Section One (2), Township One North (T. 1N.), Range Sixty-five West (R.65W.) Town of Hudson, County of Weld, State of Colorado and being more particularly described as follows:

The East 30' of said parcel.

Said described parcel of land contains 76,392 Square Feet or 1.754 Acres, more or less (±), and may be subject to any rights-of-way or other easements of record or as now existing on said described parcel of land.

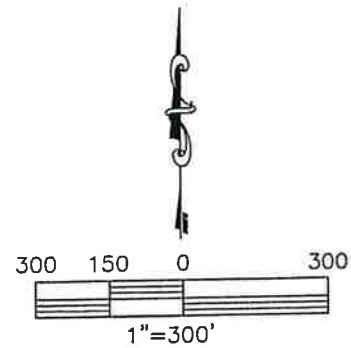
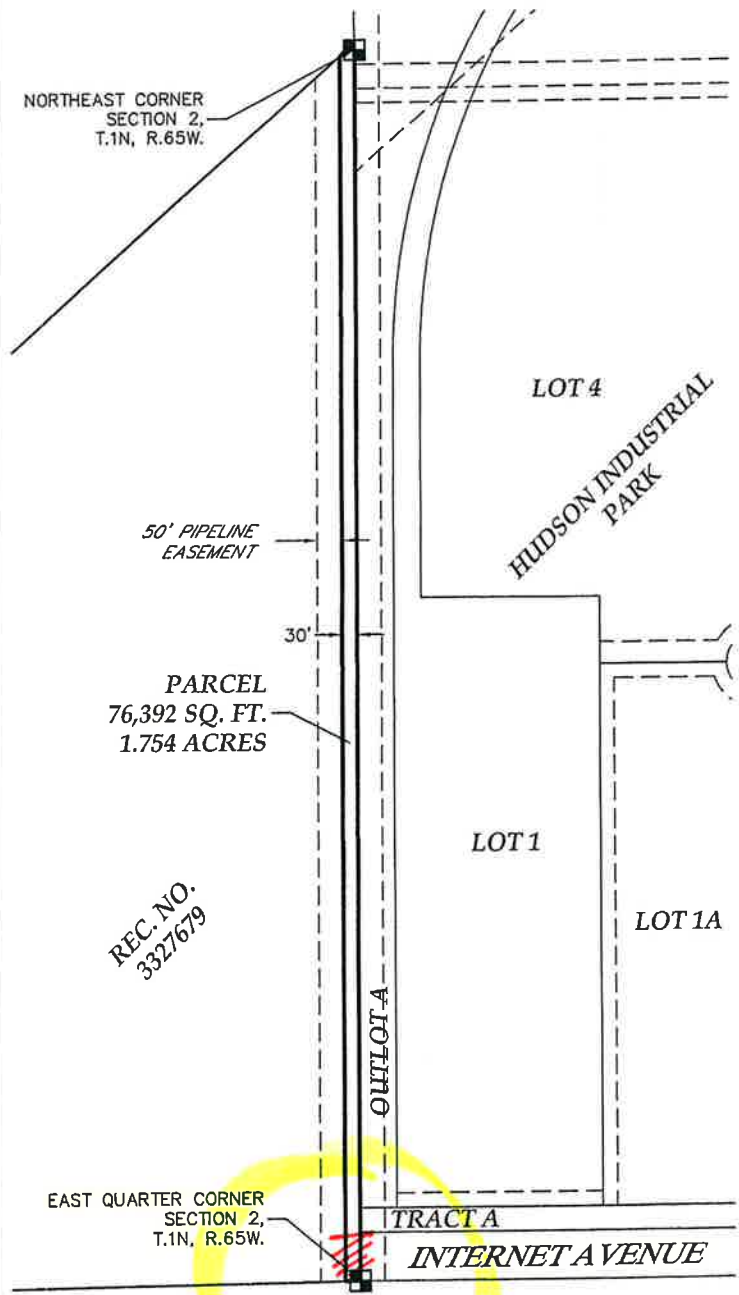
**SURVEYORS STATEMENT**

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Steven Parks - on behalf of King Surveyors  
Colorado Licensed Professional Land Surveyor  
Land Surveyor #38348

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**PROJECT NO:** 2013584  
**DATE:** 9-12-2013  
**CLIENT:** HUDSON  
**DWG:** 2013584EXH  
**DRAWN:** SIP **CHECKED:** SIP

EXHIBIT B

**PARCEL DESCRIPTION**

A strip of land, previously dedicated as Weld County Road 47 Right of Way, being a part of that parcel described in the Warranty Deed recorded September 30, 2005 at Reception No. 3327679, of the Records of the Weld County Clerk and Recorder, located in the Northeast Quarter (NE1/4) of Section Two (2), Township One North (T. 1N.), Range Sixty-five West (R.65W.) of the 6<sup>th</sup> P.M., Town of Hudson, County of Weld, State of Colorado and being more particularly described as follows:

The East 30 feet of said parcel.  
Excepting therefrom the South 100 feet of the said East 30 feet.

Said described strip of land contains 73,391 Square Feet or 1.685 Acres, more or less ( $\pm$ ), and may be subject to any rights-of-way or other easements of record or as now existing on said described strip of land.

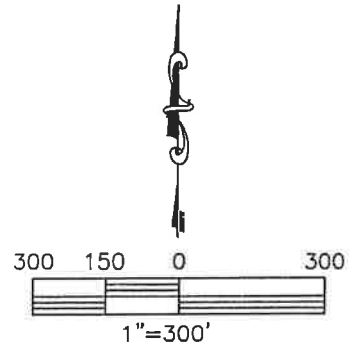
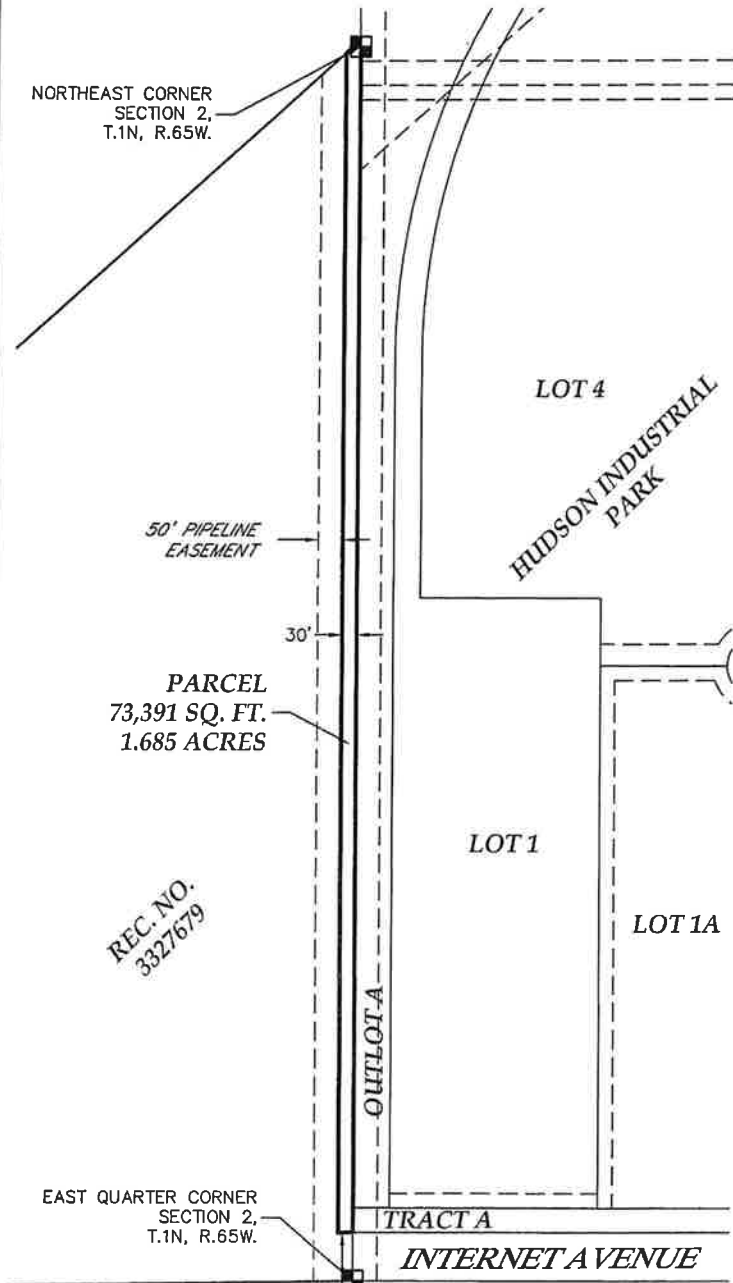
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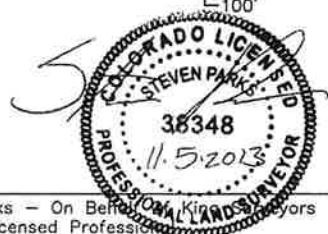


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**PROJECT NO: 2013584**  
**DATE: 11-5-2013**  
**CLIENT: HUDSON**  
**DWG: 2013584EXH**  
**DRAWN: SIP CHECKED: SIP**