

ORDINANCE NO. 95-5

AN ORDINANCE VACATING A PORTION OF THE ALLEY BETWEEN FIRST AND SECOND AVENUES IN BLOCK 86.

WHEREAS, the owner of lands immediately adjacent to these lands has asked the Town of Hudson through its Board to Trustees to vacate and close the same; and

WHEREAS, it is deemed to be to the best interest of the public and of the Town of Hudson that a portion of said alley be closed and vacated.

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

Section 1. Vacation of Alley. That portion of the alley south of the ditch and running north and south in block 86 between First Avenue and Second Avenue in the Town of Hudson is hereby vacated.

Section 2. Entitle a Vesting of Roadway. That portion of the platted alley south of the ditch which traverses block 86 from the southeast to the northwest shall vest to the owners of abutting land south and west of the ditch in the manner provided by ' 43-2-302 (1) C.R.S., as amended.

Section 3. Public Access for Adjoining Land. The vacation of the platted alley described herein shall not leave any land adjoining such alley without established public road or private access easement connecting said land with another public road.

Section 4. Reservation of Easements. All rights of way or easements heretofore existing or granted by the Town of Hudson for gas, electricity, sewer, water or similar pipelines and appurtenances, and for ditches or canals, are hereby reserved and preserved for the continued use of any such rights of way or easements for any and all of said purposes.

Section 5. 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 6. 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 7. Effective Date. This Ordinance shall become effective thirty (30) days after final publication.

INTRODUCED, READ IN FULL, ADOPTED AND ORDERED PUBLISHED ONCE IN FULL this 10th day of May, 1995.

(SEAL)

TOWN OF HUDSON, COLORADO

Judith K. Parker
MAYOR

ATTEST:

Judy Larson
Town Clerk

PASSED ON SECOND AND FINAL READING this __ day of _____, 1995.

(SEAL)

TOWN OF HUDSON, COLORADO

Judith K. Parker
MAYOR

ATTEST:

Judy Larson
Town Clerk