

**TOWN OF SEVERANCE
ORDINANCE NO. 2024-05**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SEVERANCE,
COLORADO, VACATING A PORTION OF THE ALLEY RIGHT-OF-WAY ON
BLOCK 2, TOWN OF SEVERANCE TOWN PLAT, LOCATED BETWEEN SECOND
AVENUE AND THIRD AVENUE WEST OF FIRST STREET**

WHEREAS, the original town plat map of the Town of Severance, recorded in the records of Weld County, State of Colorado, on December 31, 1906, under reception no. 115520, created the subdivision of Blocks 1 through 4 and dedicated First, Second, Third, and Fourth Avenues and the alleys across Blocks 1, 2, and 3; and

WHEREAS, since approximately 2019, the Town of Severance has operated its Public Works operations center at 145 Third Avenue, which is located on Block 2 of the Town of Severance town plat, between Second and Third Avenues and west of First Street; and

WHEREAS, the westernmost three-quarters of the alley right-of-way that traverses east-west across Block 2 is located within the existing Public Works operations center, which portion of the alley right-of-way is legally described and shown on **Exhibit A**, "Alley Vacation," attached to this ordinance and incorporated herein by this reference; and

WHEREAS, the Town of Severance, as the owner of the alley right-of-way across Block 2, desires to vacate that portion of the alley described and depicted on **Exhibit A** attached hereto; and

WHEREAS, discussion of the proposed vacation has occurred before the Town Council in a duly noticed public hearing with input from the general public; and

WHEREAS, the Town Council finds that the proposed vacation conforms with the requirements of Section 16.19.180(d)(1) of the Severance Municipal Code as follows:

- a. No property would be left without reasonable access or provision of any public facilities or utility services by reason of the vacation;
- b. The alley right-of-way is no longer necessary for public use or convenience;
- c. The vacation will not restrict access to any parcel so that access is unsafe, unreasonable, or economically prohibitive;
- d. Adequate easements have been reserved for use and/or maintenance by the Town or other utility agencies; and
- e. The vacation is consistent with the goals of the Town's Comprehensive Plan.

WHEREAS, the Town Council finds and determines that the alley right-of-way for which vacation is proposed, as described and depicted on **Exhibit A**, titled “Alley Vacation,” is no longer necessary for the public use and convenience.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SEVERANCE, COLORADO:

Section 1. That certain portion of the alley right-of-way located on Block 2, Town of Severance town plat, between Second and Third Avenues, as legally described and depicted on **Exhibit A**, which is attached hereto and incorporated herein by this reference, shall be vacated.

Section 2. The Town Clerk is directed to record this Ordinance No. 2024-05 with the Weld County Clerk and Recorder’s Office, which shall indicate the effective date of the vacation of that certain portion of alley right-of-way authorized under this ordinance.

Section 3. Town Council directs that a certified copy of this Ordinance No. 2024-05 be filed with the Town Clerk and further, the Town Clerk index, file, and make the ordinance available to the public.

Section 4. If any article, section, paragraph, sentence, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The Town Council hereby declares it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 5. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

Section 6. This ordinance is deemed necessary for the immediate protection of the health, welfare and safety of the community.

INTRODUCED, READ, ADOPTED, APPROVED, AND ORDERED PUBLISHED IN FULL this 9th day of April, 2024.



TOWN OF SEVERANCE, COLORADO

Matthew Fries, Mayor

ATTEST:

Leah Vanarsdall

Leah Vanarsdall, MMC, Town Clerk

EXHIBIT A

PARCEL DESCRIPTION

Alley Vacation

A parcel of land being part of Block 2, Map of the Town of Severance, as recorded December 31, 1906 as reception number 115520 of the records of the Weld County Clerk and Recorder, situate in the Southeast Quarter (SE1/4) of Section Thirty-five (35), Township Seven North (T.7N.), Range Sixty-seven West (R.67W.) of the Sixth Principal Meridian (6th P.M.), Town of Severance, County of Weld, State of Colorado and being more particularly described as follows:

The Alleyway between lots 6 through 26, Block 2, Map of the Town of Severance, further described to wit;

BEGINNING at the Northwest Corner of Lot 16, Block 2, Map of the Town of Severance, and assuming the south line of said Block 2 as bearing South 89°04'40" West, being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/2011, a distance of 418.50 feet, monumented by a #4 rebar on the west end and monumented by a #4 rebar with a yellow plastic cap on the east end and with all other bearings contained herein relative thereto;

THENCE along the west line of Block 2, being on the arc of a curve concave to the east a distance of 20.39 feet, having a Radius of 1780.08 feet, a Delta of 00°39'23" and is subtended by a chord that bears North 10°22'20" East a distance of 20.39 feet;

THENCE North 89°05'19" East, along a line non-tangent to the aforesaid curve, a distance of 270.99 feet to the Southeast Corner of Lot 26 of Block 2;

THENCE South 00°13'11" West a distance of 20.00 feet to the Northeast Corner of Lot 6, Block 2;

THENCE South 89°05'19" West a distance of 274.59 feet to the POINT OF BEGINNING.

RESERVING a non-exclusive utility easement over the east 15.00 feet thereof;

Said described parcel of land contains 5,456 Square Feet or 0.125 Acres, more or less (±).

SURVEYORS STATEMENT

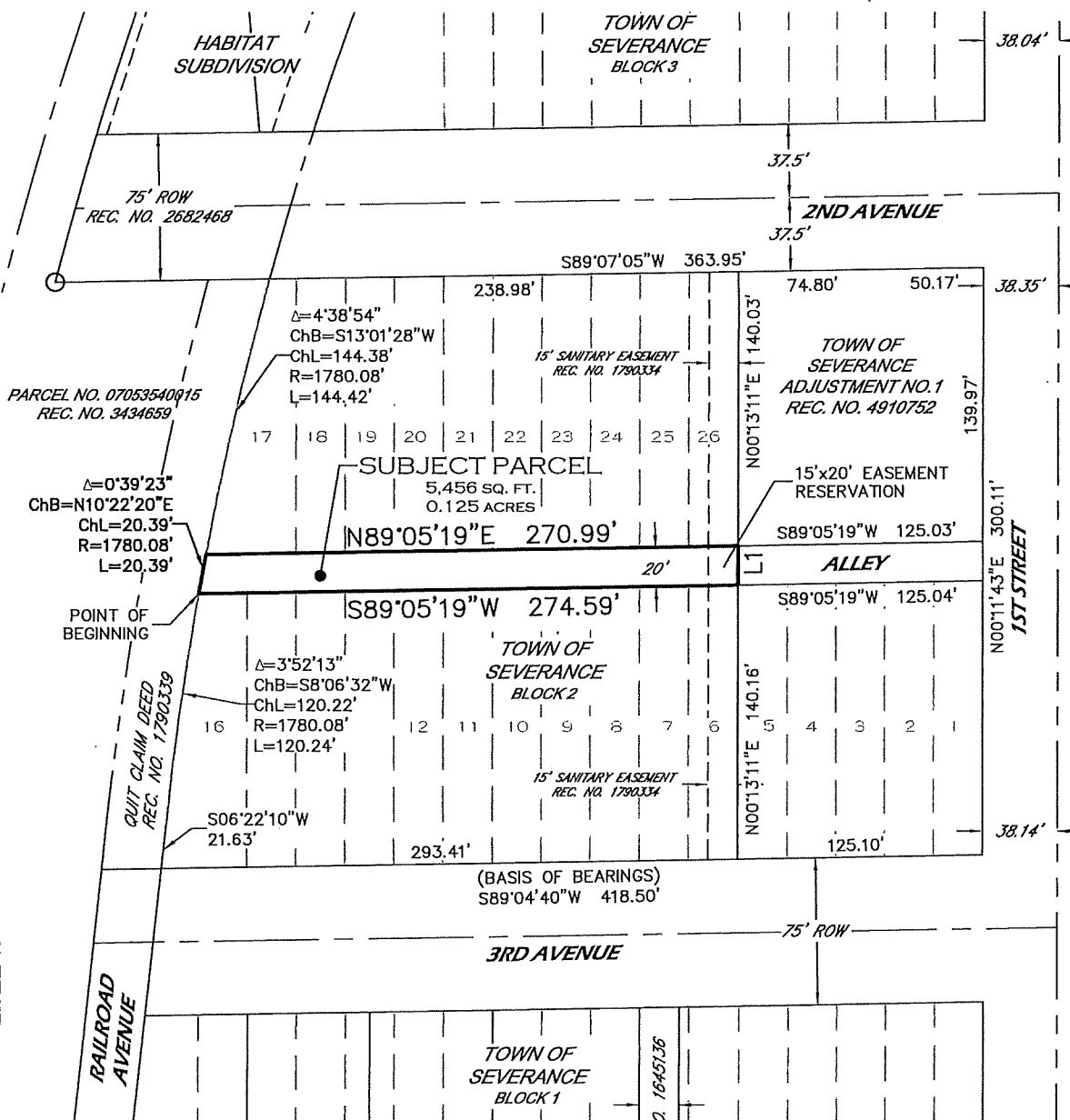
I, Matthew A. Kramer, a Colorado Licensed Professional Land Surveyor, do hereby state that this Parcel Description was prepared under my personal supervision and checking, and that it is true and correct to the best of my knowledge and belief.



Matthew A. Kramer - on behalf of Majestic Surveying, LLC
Colorado Licensed Professional Land Surveyor #38844

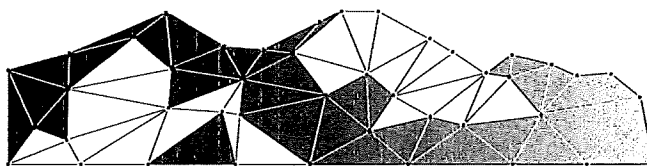


LINE TABLE		
LINE	BEARING	LENGTH
L1	S00°13'11"W	20.00'



Note: This drawing does not represent a monumented land survey. Its sole purpose is a graphic representation of the accompanying written description.

Notice: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon. (CRS 13-80-105)



Majestic Surveying

Matthew A. Kramer, PLS 38844
On behalf of Majestic Surveying, LLC

PROJECT NO: 2024078
DATE: 3-28-2024

CLIENT: Severance
SCALE: 1"=70'