

TOWN OF PAGOSA SPRINGS, COLORADO

ORDINANCE NO. 790
(SERIES 2013)

AN ORDINANCE DEDICATING PUBLIC UTILITY AND DRAINAGE
EASEMENT ALONG NORTHERN BOUNDARY OF YAMAGUCHI PARK
ADJACENT TO BLOCK 68, WITHIN THE CORPORATE LIMITS OF THE
TOWN OF PAGOSA SPRINGS

WHEREAS, the Town of Pagosa Springs ("Town") is a home rule municipality duly organized and existing under Article XX of the Colorado Constitution and the Pagosa Springs Home Rule Charter of 2003 as amended in 2012 ("Charter"); and

WHEREAS, on May 31, 2013 the Town received a request for dedicating a 20 foot wide public utility and drainage easement to accommodate the installation of utilities and drainage facilities along the northern boundary of Yamaguchi Park adjacent to Block; and

WHEREAS, The 20 foot wide public utility and drainage easement location request is represented in attached Exhibit A, adjacent to Block 68 within the corporate limits of the Town of Pagosa Springs; and

WHEREAS, on June 25, 2013, the Planning Commission approved a recommendation to the Town Council to "consider approving the requested utility an drainage easement; and

WHEREAS, the Town wishes to formally and expressly dedicate such public utility and drainage easement within the corporate limits of the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PAGOSA SPRINGS, COLORADO, as follows:

SECTION 1 – Incorporation of Recitals and Findings. The above Recitals and Findings of the Town Council are hereby incorporated into this Ordinance.

SECTION 2 – Vacation of Utility Easements. The Town hereby dedicates a 20 foot wide pubic utility drainage easement in along the northern boundary of Yamaguchi Park, adjacent to Block 68, within the corporate limits of the Town of Pagosa Springs, see Exhibit A.

SECTION 3 – Severability. If any portion of this Ordinance is found to be void or ineffective, it shall be deemed severed from this Ordinance and the remaining provisions shall remain valid and in full force and effect.

SECTION 4 – Effective Date. This Ordinance shall become effective and be in force immediately after final passage at second reading and upon recordation of the Town approved Final Major Subdivision plat for the Cobblestone Townhome Project showing such drainage easement and utility easement in along the northern boundary of Yamaguchi Park, adjacent to Block 68 within the corporate limits of the Town of Pagosa Springs.

Rtn: Town of Pagosa Springs
PO Box 1859
Pagosa Springs CO 81147



INTRODUCED, READ, AND ORDERED PUBLISHED PURSUANT TO SECTION 3.9, B) OF THE PAGOSA SPRINGS HOME RULE CHARTER, BY THE TOWN COUNCIL OF THE TOWN OF PAGOSA SPRINGS, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF PAGOSA SPRINGS, ON THE 2nd DAY OF JULY, 2013.

TOWN OF PAGOSA SPRINGS,
COLORADO

By: Ross Aragón
Ross Aragón, Mayor

Attest:

April Hessman
April Hessman, Town Clerk



FINALLY ADOPTED, PASSED, APPROVED, AND ORDERED PUBLISHED PURSUANT TO SECTION 3.9, D) OF THE PAGOSA SPRINGS HOME RULE CHARTER, BY THE TOWN COUNCIL OF THE TOWN OF PAGOSA SPRINGS, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF PAGOSA SPRINGS, ON THE 18th DAY OF JULY, 2013.

TOWN OF PAGOSA SPRINGS,
COLORADO

By: Ross Aragón
Ross Aragón, Mayor

Attest:

April Hessman
April Hessman, Town Clerk

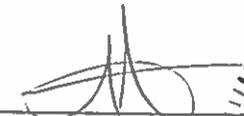




CERTIFICATE OF PUBLICATION

I, the duly elected, qualified and acting Town Clerk of the Town of Pagosa Springs, Colorado, do hereby certify the foregoing Ordinance No. 790 (Series 2013) was approved by the Town Council of the Town of Pagosa Springs on first reading at its regular meeting held on the 2nd day of July, 2013, and was published by title only, including violations of this ordinance and a statement that the full text of the Ordinance, including any amendments, is available for public inspection at the office of the Town Clerk at Town Hall, on the Town's official website, on July 3, 2013, which date was at least ten (10) days prior to the date of Town Council consideration on second reading.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Pagosa Springs, Colorado, this 19th day of July, 2013.



April Hessman, Town Clerk

(SEAL)



I, the duly elected, qualified and acting Town Clerk of the Town of Pagosa Springs, Colorado, do hereby certify the foregoing Ordinance No. 790 (Series 2013) was approved by the Town Council of the Town of Pagosa Springs on second reading, at its regular meeting held on the 18th day of July, 2013, and was published by title only, along with a statement indicating the effective date of the Ordinance and that the full text of the Ordinance is available at the office of the Town Clerk, on the Town's official website, on the 19th day of July, 2013.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Pagosa Springs, Colorado, this 19th day of July, 2013.



April Hessman, Town Clerk

(SEAL)



EXHIBIT A-ORDINANCE 790

5TH STREET

OTHER CURRENT PROPERTY BOUNDARIES, TYP.

PREVIOUS PROPERTY BOUNDARY, TYP.

JACKSON MINOR SUBDIVISION & JACKSON MINOR SUBDIVISION AMENDMENT 2010 PLATTED BOUNDARIES, TYP.

4TH - 5TH ALLEY

JACKSON MINOR SUBDIVISION
AMENDMENT 2010
LOT 2A-2

JACKSON MINOR SUBDIVISION
AMENDMENT 2010
LOT 2A-3

JACKSON MINOR SUBDIVISION
AMENDMENT 2010
LOT 2A-4

JACKSON MINOR SUBDIVISION
AMENDMENT 2010
LOT 2A-5

YAMAGUCHI PARK

PROPOSED PUBLIC & PRIVATE UTILITY & DRAINAGE EASEMENT, BEING THE NORTH 20' OF YAMAGUCHI PARK, EXTENDING WESTERLY TO THE SOUTHERLY EXTENSION OF THE WEST BOUNDARY OF 5TH STREET

EASEMENT LIMITS, TYP.

BLOCK 69
LOT 9

BLOCK 68
LOT 10

SAN JUAN RIVER



DAVIS ENGINEERING SERVICE, INC.
141 HATCH AVENUE
PUEBLO SPRINGS, CO 81147
719.253.1111
WWW.DAVIS-ENGINEERING.COM

EXHIBIT OF PROPOSED EASEMENT ALONG THE NORTH BOUNDARY OF YAMAGUCHI PARK
Located in Pagosa Springs, San Juan General Irrigation District, Montezuma, PUEBLO SPRINGS, CO

LOT	OWNER	DATE	REMARKS
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