

ORDINANCE NO. 2

SERIES 1984

AN ORDINANCE VACATING CERTAIN PORTIONS OF STREETS AND ALLEYS WITHIN THE TOWN OF MARBLE AND ACCEPTING THE STREETS WITHIN THE TOWN OF MARBLE AS DESIGNATED IN THE PLATS OF THE ALPINE WOODS VILLAGE AND MARBLE SKI AREA.

WHEREAS, certain portions of the streets and alleys within the Town of Marble West Park Street Addition were erroneously contained in the Plat of the Alpine Woods Village and the Plat of the Marble Ski Area Filing No.1 on file in the records of the Gunnison County, Colorado, Clerk and Recorder's office; and

WHEREAS, it is now the intent of the Board of Trustees of the Town of Marble to vacate certain streets and alleys within said Town of Marble West Park Street Addition, no longer used by the public and to use and accept those streets within the Town of Marble as designated on said plats of the Alpine Woods Village and Marble Ski Area, Filing No. 1; and

WHEREAS, no detriment will accrue to the rights and necessities of the public and no adjacent land will be deprived of and access to the public streets through the Town of Marble by vacation and acceptance of those portions of the streets referred to below, and such vacation and acceptance will be in the best interests of the Town and the public.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF MARBLE:

Section 1. That the following portions of the Town of Marble West Park Street Addition, as hereinafter described, be and the same hereby are vacated pursuant to the Ordinances and the Statutes of the State of Colorado, as follows:

- (a) West 8th Street from the North boundary of Park Street to a line formed between the Northeast corner of Block 82 and the Northwest corner of Block 83.
- (b) West 7th Street from the North boundary of Park Street to a line formed between the Northeast corner of Block 83 and the Northwest corner of Block 29.
- (c) West 6th Street from the North boundary line of Park Street to a line formed between the Northeast corner of Block 29 and the Northwest corner of Block 30.
- (d) West 5th Street from the North boundary line of Park Street to a line formed between the Northeast corner of Block 30 and the Northwest corner of Block 31 except that a twenty foot wide easement for utilities is reserved along the West side of the East boundary line of West 5th Street from Park Street to State Street. Said easement shall include the right of ingress and egress for the purpose of construction, maintenance and repair of utilities.
- (e) The alley running East and West through the middle of Blocks 82, 83, 29 and 30 from the western boundary of Block 82 to the Eastern Boundary of Block 30.
- (f) Park Street, as platted, along the North boundary of Lots 1-10 of Block 85.
- (g) The alley running East and West through the middle of Block 85 from the West boundary line of Block 85 to a line formed between the Southwest corner of Lot 11 and the Northwest corner of Lot 13.

Section 2. The Mayor and the Town Clerk of the Town of Marble, Colorado, are authorized to execute Quit Claim Deeds without warranty and without any guarantee of representation of title to land owners adjacent to the above-described streets and alleys pursuant to the provisions of C.R.S. 1973, 43-2-302.

Section 3. The vacation and conveyance of said streets and alleys shall be upon the condition that any existing easements for water lines, sewer lines, gas lines, electric power lines, telephone lines, and any other public utilities now used or situate in, on, under, or above the said vacated portions, together with the right of access thereto for repair and maintenance thereof shall not be altered or amended by virtue of this Ordinance or the vacation of said portions above referred to.

Section 4. The Town of Marble accepts as property of the Town, for the purposes of a public roadway and utility easements, those portions of County Road No. 3 and Slate Street that are within the limits of the Town of Marble as dedicated in the plats of the Alpine Woods Village and the Marble Ski Area Filing No. 1, on file in the records of the Gunnison County, Colorado, Clerk and Recorder's office. The acceptance of said roadways is effective immediately on the condition that the Town of Marble is not required to construct and maintain such roadways until such time as the Board of Trustees, in its sole discretion, deems that the need for such construction and maintenance is justified by anticipated use and that the Town of Marble has the economic resources to pay for such construction and maintenance.

INTRODUCED, READ, PASSED AND ORDERED PUBLISHED this 3 day  
of March, 1984.

June K. Blue  
Mayor

ATTESTED BY:

Elaine P. Hogue  
Clerk Of The Town Of Marble