

ORDINANCE NO.

15-06

Series of 2014

**TITLE: AN ORDINANCE VACATING PORTIONS OF HICKORY STREET AND 10<sup>TH</sup> AVENUE**

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 Hickory Street and 10<sup>th</sup> Avenue, formerly known as Weld County Road 12.5, as more particularly described in **Exhibit A**, Property Descriptions, and **Exhibit B**, Vacation and Easement Dedication Map, 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 18th day of March, 2014.



TOWN OF HUDSON, COLORADO

*Raymond Patch*  
Raymond Patch, Mayor

ATTEST:

*Lynette Barker*  
Lynette Barker, Town Clerk

PASSED ON SECOND AND FINAL READING this 1st day of April, 2015, AND ORDERED PUBLISHED ONCE IN FULL.



TOWN OF HUDSON, COLORADO

*Raymond Patch*  
Raymond Patch, Mayor

ATTEST:

*Lynette Barker*  
Lynette Barker, Town Clerk

APPROVED AS TO FORM:

*Corey Y. Hoffmann*  
Corey Y. Hoffmann, Town Attorney

**Exhibit A**  
**Property Descriptions**

**VACATION VESTING PARCEL #1**

A parcel of land being a portion of the Northeast Quarter of Section Three (3) Township One North (T.1N.), Range Sixty-five West (R.65W.), Sixth Principal Meridian (6th P.M.), Town of Hudson, County of Weld, State of Colorado more particularly described as follows:

**BEGINNING** at the Center Quarter Corner of said Section 3 and assuming the North line of the Southeast Quarter of said Section 3 as bearing North 89°43'57" East a distance of 2633.49 feet with all other bearings contained herein relative thereto:

THENCE North 00°20'55" West along the West line of the Northeast Quarter of said Section 3 a distance of 50.00 feet to the North line of the vacated 10<sup>th</sup> Avenue Right of Way;  
THENCE North 89°43'57" East along the North line of the vacated 10<sup>th</sup> Avenue Right of Way a distance of 783.12 feet to the beginning point of a curve non-tangent to this course;  
THENCE along the arc of a curve concave to the Southeast a distance of 246.88 feet, said curve has a Radius of 640.00 feet, a Delta of 22°06'08" and is subtended by a Chord bearing South 77°58'27" West a distance of 245.36 feet to the endpoint of said curve on the South line of the Northeast Quarter of said Section 3;  
THENCE South 89°43'57" West along the South line of the Northeast Quarter of said Section 3 a distance of 542.85 feet to the **POINT OF BEGINNING**;

Said described vacated Right of Way contains 31,204 sq. ft. or 0.716 acres, more or less.

**VACATION VESTING PARCEL #2**

A parcel of land being a portion of the Southeast Quarter of Section Three (3) Township One North (T.1N.), Range Sixty-five West (R.65W.), Sixth Principal Meridian (6th P.M.), Town of Hudson, County of Weld, State of Colorado more particularly described as follows:

**COMMENCING** at the Center Quarter Corner of said Section 3 and assuming the North line of the Southeast Quarter of said Section 3 as bearing North 89°43'57" East a distance of 2633.49 feet with all other bearings contained herein relative thereto:

THENCE North 89°43'57" East along the North line of the Southeast Quarter of said Section 3 a distance of 94.64 feet to the **POINT OF BEGINNING**;  
THENCE North 89°43'57" East continuing along the North line of the Southeast Quarter of said Section 3 a distance of 448.21 feet to the beginning point of a curve non-tangent to this course;  
THENCE along the arc of a curve concave to the Southeast a distance of 107.91 feet, said curve has a Radius of 640.00 feet, a Delta of 09°39'37" and is subtended by a Chord bearing South 62°05'34" West a distance of 107.78 feet to the endpoint of said curve on the South line of the vacated 10<sup>th</sup> Avenue Right of Way;  
THENCE South 89°43'57" West along the South line of the vacated 10<sup>th</sup> Avenue Right of Way a distance of 352.73 feet to the Northeast corner of the Public Service parcel;

THENCE North 00°16'03" West a distance of 50.00 feet to the **POINT OF BEGINNING**;

Said described vacated Right of Way contains 19,860 sq. ft. or 0.456 acres, more or less.

### VACATION VESTING PARCEL #3

A parcel of land being a portion of the Southeast Quarter of Section Three (3) Township One North (T.1N.), Range Sixty-five West (R.65W.), Sixth Principal Meridian (6th P.M.), Town of Hudson, County of Weld, State of Colorado more particularly described as follows:

**BEGINNING** at the Center Quarter Corner of said Section 3 and assuming the North line of the Southeast Quarter of said Section 3 as bearing North 89°43'57" East a distance of 2633.49 feet with all other bearings contained herein relative thereto:

THENCE North 89°43'57" East along the North line of the Southeast Quarter of said Section 3 a distance of 94.64 feet;

THENCE South 00°16'03" East a distance of 50.00 feet to the South line of the vacated 10<sup>th</sup> Avenue Right of Way;

THENCE South 89°43'57" West along the South line of the vacated 10<sup>th</sup> Avenue Right of Way a distance of 47.00 feet to the East line of the vacated Hickory Street Right of Way;

THENCE South 00°09'02" West along the East line of the vacated Hickory Street Right of Way a distance of 50.00 feet;

THENCE North 89°50'58" West a distance of 48.00 feet to the West line of the Southeast Quarter of said Section 3;

THENCE North 00°09'02" East along the West line of the Southeast Quarter of said Section 3 a distance of 99.65 feet to the **POINT OF BEGINNING**;

Said described vacated Right of Way contains 7,132 sq. ft. or 0.164 acres, more or less.

### VACATION VESTING PARCEL #4

A parcel of land being a portion of the Southeast Quarter of Section Three (3) Township One North (T.1N.), Range Sixty-five West (R.65W.), Sixth Principal Meridian (6th P.M.), Town of Hudson, County of Weld, State of Colorado more particularly described as follows:

**COMMENCING** at the Center Quarter Corner of said Section 3 and assuming the North line of the Southeast Quarter of said Section 3 as bearing North 89°43'57" East a distance of 2633.49 feet with all other bearings contained herein relative thereto:

THENCE South 00°09'02" West along the West line of the Southeast Quarter of said Section 3 a distance of 99.65 feet to the **POINT OF BEGINNING**;

THENCE South 89°50'58" East a distance of 48.00 feet to the East line of the vacated Hickory Street Right of Way;

THENCE South 00°09'02" West along the East line of the vacated Hickory Street Right of Way a distance of 316.46 feet to the Southwesterly prolongation of the Northerly line of that Right of Way dedicated by the Hudson Village Square, Amendment No. 1;

THENCE South 46°08'45" West along the Southwesterly prolongation of said Right of Way a distance of 66.73 feet to the West line of the Southeast Quarter of said Section 3;  
THENCE North 00°09'02" East along the West line of the Southeast Quarter of said Section 3 a distance of 362.82 feet to the **POINT OF BEGINNING**;

Said described vacated Right of Way contains 16,303 sq. ft. or 0.374 acres, more or less.

#### **VACATION VESTING PARCEL #5**

A parcel of land being a portion of the Southeast Quarter of Section Three (3) Township One North (T.1N.), Range Sixty-five West (R.65W.), Sixth Principal Meridian (6th P.M.), Town of Hudson, County of Weld, State of Colorado more particularly described as follows:

**COMMENCING** at the Center Quarter Corner of said Section 3 and assuming the North line of the Southeast Quarter of said Section 3 as bearing North 89°43'57" East a distance of 2633.49 feet with all other bearings contained herein relative thereto:

THENCE South 00°09'02" West along the West line of the Southeast Quarter of said Section 3 a distance of 573.69 feet to the Southwesterly prolongation of the Southerly line of that Right of Way dedicated by the Hudson Village Square, Amendment No. 1 and to the **POINT OF BEGINNING**;

THENCE South 48°08'51" East a distance of 64.29 feet to the East line of the vacated Hickory Street Right of Way;

THENCE South 00°09'02" West along the East line of the vacated Hickory Street Right of Way a distance of 540.15 feet to the Southwest corner of Lot 1, Block 1 of the Hudson Village Square;

THENCE North 45°26'43" West along the Northwesterly prolongation of the Southwesterly line of said Lot 1 a distance of 67.19 feet to the West line of the Southeast Quarter of said Section 3;

THENCE North 00°09'02" East along the West line of the Southeast Quarter of said Section 3 a distance of 535.90 feet to the **POINT OF BEGINNING**;

Said described vacated Right of Way contains 25,825 sq. ft. or 0.593 acres, more or less.

#### **VACATION VESTING PARCEL #6**

A parcel of land being a portion of the Southwest Quarter of Section Three (3) Township One North (T.1N.), Range Sixty-five West (R.65W.), Sixth Principal Meridian (6th P.M.), Town of Hudson, County of Weld, State of Colorado more particularly described as follows:

**COMMENCING** at the Center Quarter Corner of said Section 3 and assuming the North line of the Southeast Quarter of said Section 3 as bearing North 89°43'57" East a distance of 2633.49 feet with all other bearings contained herein relative thereto:

THENCE South 00°09'02" West along the West line of the Southeast Quarter of said Section 3 a distance of 807.45 feet to the **POINT OF BEGINNING**;

THENCE South 00°09'02" West continuing along the West line of the Southeast Quarter of said Section 3 a distance of 327.48 feet to the Southeasterly prolongation of the Southwesterly line of Lot 3 of the Bison Highway Minor Subdivision;

THENCE North 43°38'21" West along said prolonged line a distance of 118.80 feet to the Southeasterly line of said Lot 3;

THENCE North 46°21'09" East along the Southeasterly line of said Lot 3 a distance of 97.27 feet to the West line of the vacated Hickory Street Right of Way;

THENCE North 00°09'02" East along the West line of the vacated Hickory Street Right of Way a distance of 174.39 feet to the Northeasterly line of Lot 3 of the Bison Highway Minor Subdivision;

THENCE South 89°50'58" East a distance of 12.00 feet to the **POINT OF BEGINNING**;

Said described vacated Right of Way contains 8,789 sq. ft. or 0.202 acres, more or less.

#### **VACATION VESTING PARCEL #7**

A parcel of land being a portion of the Southwest Quarter of Section Three (3) Township One North (T.1N.), Range Sixty-five West (R.65W.), Sixth Principal Meridian (6th P.M.), Town of Hudson, County of Weld, State of Colorado more particularly described as follows:

**COMMENCING** at the Center Quarter Corner of said Section 3 and assuming the North line of the Southeast Quarter of said Section 3 as bearing North 89°43'57" East a distance of 2633.49 feet with all other bearings contained herein relative thereto:

THENCE South 00°09'02" West along the West line of the Southeast Quarter of said Section 3 a distance of 807.45 feet to the **POINT OF BEGINNING**;

THENCE North 89°50'58" West a distance of 12.00 feet to the intersection of the West line of the vacated Hickory Street Right of Way with the Northeasterly line of Lot 3 of the Bison Highway Minor Subdivision;

THENCE North 00°09'02" East along the West line of the vacated Hickory Street Right of Way a distance of 222.17 feet to the Southwesterly prolongation of the Southerly line of that Right of Way dedicated by the Hudson Village Square, Amendment No. 1;

THENCE North 46°08'45" East along the Southwesterly prolongation of said Right of Way a distance of 16.68 feet to the West line of the Southeast Quarter of said Section 3;

THENCE South 00°09'02" West along the West line of the Southeast Quarter of said Section 3 a distance of 233.76 feet to the **POINT OF BEGINNING**;

Said described vacated Right of Way contains 2,736 sq. ft. or 0.063 acres, more or less.

### VACATION VESTING PARCEL #8

A parcel of land being a portion of the Southwest Quarter of Section Three (3) Township One North (T.1N.), Range Sixty-five West (R.65W.), Sixth Principal Meridian (6th P.M.), Town of Hudson, County of Weld, State of Colorado more particularly described as follows:

**COMMENCING** at the Center Quarter Corner of said Section 3 and assuming the North line of the Southeast Quarter of said Section 3 as bearing North 89°43'57" East a distance of 2633.49 feet with all other bearings contained herein relative thereto:

THENCE South 00°09'02" West along the West line of the Southeast Quarter of said Section 3 a distance of 175.08 feet to the **POINT OF BEGINNING**;

THENCE South 00°09'02" West along the West line of the Southeast Quarter of said Section 3 a distance of 287.39 feet to the Southwesterly prolongation of the Southerly line of that Right of Way dedicated by the Hudson Village Square, Amendment No. 1;

THENCE South 46°08'45" West along the Southwesterly prolongation of said Right of Way a distance of 16.68 feet to the West line of the vacated Hickory Street Right of Way;

THENCE North 00°09'02" East along the West line of the vacated Hickory Street Right of Way a distance of 298.98 feet to the Southeast corner of Lot 4 of the Bison Highway Minor Subdivision;

THENCE South 89°50'58" East a distance of 12.00 feet to the **POINT OF BEGINNING**;

Said described vacated Right of Way contains 3,518 sq. ft. or 0.081 acres, more or less.

### VACATION VESTING PARCEL #9

A parcel of land being a portion of the Southwest Quarter of Section Three (3) Township One North (T.1N.), Range Sixty-five West (R.65W.), Sixth Principal Meridian (6th P.M.), Town of Hudson, County of Weld, State of Colorado more particularly described as follows:

**COMMENCING** at the Center Quarter Corner of said Section 3 and assuming the North line of the Southeast Quarter of said Section 3 as bearing North 89°43'57" East a distance of 2633.49 feet with all other bearings contained herein relative thereto:

THENCE South 00°09'02" West along the West line of the Southeast Quarter of said Section 3 a distance of 175.08 feet to the **POINT OF BEGINNING**;

THENCE North 89°50'58" West a distance of 12.00 feet to the West line of the vacated Hickory Street Right of Way and the Southeast corner of Lot 4 of the Bison Highway Minor Subdivision;

THENCE North 00°09'02" East along the West line of the vacated Hickory Street Right of Way a distance of 125.00 feet to the Northeast corner of said Lot 4;

THENCE South 89°50'58" East a distance of 12.00 feet to the West line of the Southeast Quarter of said Section 3;

THENCE South 00°09'02" West along the West line of the Southeast Quarter of said Section 3 a distance of 125.00 feet to the **POINT OF BEGINNING**;

Said described vacated Right of Way contains 1,500 sq. ft. or 0.034 acres, more or less.

### **HICKORY STREET AND 10<sup>TH</sup> AVENUE UTILITY EASEMENT DEDICATION**

A parcel of land being a portion of Section Three (3) Township One North (T.1N.), Range Sixty-five West (R.65W.), Sixth Principal Meridian (6th P.M.), Town of Hudson, County of Weld, State of Colorado more particularly described as follows:

**BEGINNING** at the Center Quarter Corner of said Section 3 and assuming the North line of the Southeast Quarter of said Section 3 as bearing North 89°43'57" East a distance of 2633.49 feet with all other bearings contained herein relative thereto:

THENCE North 00°20'55" West along the West line of the Northeast Quarter of said Section 3 a distance of 50.00 feet to the North Right of Way line of 10<sup>th</sup> Avenue;

THENCE North 89°43'57" East along the North Right of Way line of 10<sup>th</sup> Avenue a distance of 783.12 feet to the beginning point of a curve non-tangent to this course;

THENCE along the arc of a curve concave to the Southeast a distance of 354.79 feet, said curve has a Radius of 640.00 feet, a Delta of 31°45'46" and is subtended by a Chord bearing South 73°08'38" West a distance of 350.27 feet to the endpoint of said curve on the South Right of Way line of 10<sup>th</sup> Avenue;

THENCE South 89°43'57" West along the South Right of Way line of 10<sup>th</sup> Avenue a distance of 399.73 feet to the East Right of Way line of Hickory Street;

THENCE South 00°09'02" West along the East Right of Way line of Hickory Street a distance of 1106.95 feet to the Southwest corner of Lot 1, Block 1 of the Hudson Village Square, a plat recorded June 7, 2007 as Reception No. 3481958 of the Records of Weld County;

THENCE North 45°26'43" West along the Northwesterly prolongation of the Southwesterly line of said Lot 1 a distance of 67.19 feet to the West line of the Southeast Quarter of said Section 3;

THENCE South 00°09'02" West along West line of the Southeast Quarter of said Section 3 a distance of 25.34 feet to the Southeasterly prolongation of the Southwesterly line of Lot 3 of the Bison Highway Minor Subdivision, a plat recorded January 26, 2012 as Reception No. 3820807 of the Records of Weld County;

THENCE North 43°38'21" West along said prolonged line a distance of 118.80 feet to the Southeasterly line of said Lot 3;

THENCE North 46°21'09" East along the Southeasterly line of said Lot 3 a distance of 97.27 feet to the West Right of Way line of Hickory Street;

THENCE North 00°09'02" East along the West Right of Way line of Hickory Street a distance of 931.76 feet to the Northeast corner of Lot 4 of said Bison Highway Minor Subdivision;

THENCE South 89°50'58" East along a line perpendicular to the West Right of Way line of Hickory Street a distance of 12.00 feet to the West line of the Southeast Quarter of said Section 3;

THENCE North 00°09'02" East along the West line of the Southeast Quarter of said Section 3 a distance of 50.09 feet to the **POINT OF BEGINNING**;

Said described vacated Right of Way contains 125,680 sq. ft. or 2.885 acres, more or less.



**Exhibit A**  
**Hickory Street and 10<sup>th</sup> Avenue Right of Way Vacation and Easement Dedication Map**

