



TOWN OF MOFFAT | EST. 1911

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6/15/2023 10:28 AM  
RS18.00 DS0.00

Trish Gilbert  
Saguache County Clerk

PO Box 353  
Moffat, CO 81143  
719-256-4538

TOWN OF MOFFAT, COLORADO  
ORDINANCE NO. 2023-08

**ORDINANCE OF THE TOWN OF MOFFAT, COLORADO, VACATING THE ALLEYWAY  
BETWEEN 4<sup>TH</sup> STREET AND 3<sup>RD</sup> STREET, BETWEEN LINCOLN AVE AND REYNOLDS  
AVE., RESTATED AS BETWEEN LOTS 1-15 AND 16-31 OF BLOCK 161, IN THE TOWN OF  
MOFFAT, COLORADO**

WHEREAS, at the Board Meeting on June 6th, 2023, Ms. Whitney Justice, appeared before the Board of Trustees requesting a vacation of the alleyway between the East and West lots of Block 161, and

WHEREAS, at the Board Meeting on June 6th, 2023, Ms. Whitney Justice, stated that this request was previously made in to the Town Board in 2020, and

WHEREAS, at the Board Meeting on June 6th, 2023, Ms. Whitney Justice, provided a Land Use Application Form that contained her signature and the signatures of the additional owners of lots within Block 161, that purport to support the alley vacation.

WHEREAS, the Board of Trustees has determined that such vacation will not block any public access or negatively impact surrounding property owners, and may provide a small amount of additional property tax revenues for the town, and

WHEREAS, the Board of Trustees has determined that the alleyway is bounded by straight lines, and

WHEREAS, pursuant to C.R.S. § 43-2-301 Et Sec., the Board of Trustees has the power and authority to vacate any roadway or part thereof, so long as such vacation does not have the effect of leaving any land adjoining the vacated roadway without an established access, and

WHEREAS, this roadway does not constitute the boundary line of the Town, and

WHEREAS, this vacation does not deny access to any land adjoining the vacated roadway;

NOW THEREFORE, Be it hereby ordained by the Board of Trustees of the Town of Moffat, Colorado approves the vacation of: the alley way between Lots 1-15 of Block 161 and Lots 16-31 of Block 161 in the Town of Moffat, Colorado, County of Saguache, Colorado. The Board of Trustees hereby reserves the entire width of said alleyway for utility easements in said vacated alleyway to the Town of Moffat. Fee ownership of the vacated street shall revert to the property owner(s) holding fee title to the property adjacent to the vacated alleyway. Ownership shall vest to the centerline of said alleyway with all lot owners adjacent to the alleyway taking to the center of the alleyway. The Town Clerk is hereby instructed to record this Ordinance in the office of the Saguache County Clerk and Recorder, and according to C.R.S. 43-1-202.7, after such Ordinance is signed. READ and ADOPTED on this 13 day of June 2023.

APPROVED:

Cassandra L. Foxx, Mayor

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Trish Gilbert  
Saguache County Clerk

**ATTEST and CERTIFIED:**

I hereby certify that the above Ordinance was introduced, read in full, on June 13, 2023 and then approved and adopted at the Special meeting of the Board of Trustees of the Town of Moffat, Colorado on the June 13, 2023, and published by posting as described in Town Resolution.

Nina Mayell  
Town Clerk

