

ORDINANCE NO. ___-2016
Series of 2016

**AN ORDINANCE OF THE TOWN OF ERIE, COLORADO,
DISCONNECTING CERTAIN DESCRIBED REAL PROPERTY FROM
THE TOWN IN ACCORDANCE WITH C.R.S. § 31-12-501; AND,
SETTING FORTH DETAILS IN RELATION THERETO.**

WHEREAS, the Town of Erie, Colorado annexed certain real property to the Town by Ordinance No. 761, adopted on July 24, 1997, which real property included a tract of land consisting of 0.351 acres owned by the Stanley Family Trust (“Owner”), more particularly described on “Exhibit A,” attached hereto and incorporated herein by this reference (“Owner’s Property”); and

WHEREAS, the Owner has applied to the Board of Trustees of the Town of Erie for the enactment of an ordinance disconnecting the Owner’s Property from the Town in accordance with C.R.S. §31-12-501; and

WHEREAS, the Board of Trustees of the Town of Erie, in accordance with C.R.S. § 31-12-501, has given due consideration to the Owner’s application, is of the opinion that the best interests of the Town will not be prejudiced by the disconnection of the Owner’s Property and desires to enact an ordinance effecting disconnection of the Owner’s Property.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO, AS FOLLOWS:

Section 1. That following due consideration of the Owner’s application for the enactment of an ordinance disconnecting the Owner’s Property from the Town, the Board of Trustees of the Town of Erie is of the opinion that the best interests of the Town will not be prejudiced by the disconnection of the Owner’s Property.

Section 2. That the Owner’s Property is hereby disconnected from the Town, in accordance with C.R.S. § 31-12-501.

Section 3. That two certified copies of this Ordinance shall be filed by the Town Clerk in the office of the Boulder County Clerk and Recorder and the disconnection of the Owner’s Property from the Town shall be immediately effective upon said filing with the Boulder County Clerk and Recorder.

Section 4. Severance Clause. If an 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 Board of Trustees of the Town of Erie, Colorado hereby declares that it would have passed this Ordinance

and each part or parts thereof, irrespective of the fact that any one part or parts may be declared invalid or unconstitutional.

Section 5. Repeal. All other ordinances, or parts of any ordinances or other Code provisions in conflict herewith are hereby repealed.

Section 6. Effective Date. This ordinance shall take effect thirty (30) days after publication following final passage.

**INTRODUCED, PASSED, ADOPTED AND ORDER PUBLISHED IN FULL BY
THE BOARD OF TRUSTEES OF THE TOWN OF ERIE THIS ____ DAY OF
_____, 2016.**

PUBLISHED IN FULL ON THE ____ DAY OF _____, 2016.

TOWN OF ERIE, COLORADO, a Colorado
municipal corporation

By: _____
Tina Harris, Mayor

ATTEST:

By: _____
Nancy Parker, Town Clerk

EXHIBIT A

[description of Owner's Property]

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, BEING A PART OF ISABELLE NEIGHBORS ANNEXATION 3, RECORDED FEBRUARY 8, 1999 AT RECEPTION NO. 1903176, ALSO BEING A PART OF THAT PROPERTY DESCRIBED IN DEED RECORDED FEBRUARY 27, 2008 AT RECEPTION NO. 2912547, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 23; THENCE N88°39'57"E ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER A DISTANCE OF 483.00 FEET; THENCE N00°21'45"E ALONG THE WEST LINE OF SAID ISABELLE NEIGHBORS ANNEXATION AND ALONG THE EAST LINE OF SAID PROPERTY AT RECEPTION NO. 2912547 A DISTANCE OF 276.50 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE CONTINUING ALONG SAID WEST LINE OF ANNEXATION FOR THE FOLLOWING TWO (2) COURSES: 1) N17°55'54"W A DISTANCE OF 175.74 FEET; 2) N33°10'52"W A DISTANCE OF 135.33 FEET TO A POINT ON THE NORTH LINE OF SAID PROPERTY AT RECEPTION NO. 2912547; THENCE N88°39'57"E ALONG SAID NORTH LINE A DISTANCE OF 130.00 FEET TO THE NORTHEAST CORNER OF SAID PROPERTY; THENCE S00°21'45"W ALONG THE EAST LINE OF SAID PROPERTY A DISTANCE OF 283.50 FEET TO THE **TRUE POINT OF BEGINNING**;

CONTAINING 15,292 SQUARE FEET OR 0.351 ACRE, MORE OR LESS.