

**Town of Erie
Ordinance No. 026-2024**

An Ordinance of the Town Council of the Town of Erie Vacating a Public Right-of-Way Located at the Intersection of Baseline Road and East County Line Road in the South Half Quarter of the Southeast Quarter of Section 36, Township 1 North, Range 69 West, Boulder County, Colorado, in Accordance with the Intergovernmental Agreement with the City of Lafayette

Whereas, the City of Lafayette (the "City") and the Town are parties to an intergovernmental agreement, dated June 4, 2019, regarding the planning for and regulating of land uses as to certain areas surrounding their respective jurisdictions, the sharing of revenue, and the resolution of formal legal proceedings dealing with their respective authority to regulate development activities impacting their respective citizens (the "Global Settlement IGA");

Whereas, as part of the Global Settlement IGA, the City and the Town agreed to cooperate with one another to disconnect a portion of East County Line Road from the Town and to annex that portion of East County Line Road to the City;

Whereas, the Town disconnected the Property from the Town pursuant to the Global Settlement IGA via Ordinance No. 36-2021; and

Whereas, in furtherance of the Global Settlement IGA and of such annexation of East County Line Road to the City, the Town now seeks to vacate that portion of East County Line Road that it previously disconnected.

Now Therefore be it Ordained by the Town Council of the Town of Erie, Colorado, as follows:

Section 1. Pursuant to C.R.S. § 43-2-301, *et seq.*, the portion of the Town's right-of-way depicted in **Exhibit A**, attached hereto and incorporated herein by this reference, is hereby vacated.

Section 2. Pursuant to C.R.S. § 43-2-302, title to the vacated area will be vested in the abutting landowner, the City.

Section 3. The Town Clerk shall cause a copy of this Ordinance to be recorded in the real estate records of the Boulder County Clerk and Recorder and shall cause all applicable Town maps and plats to be amended to conform to the vacation accomplished hereby.

Section 4. *Severability.* If any 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 Town Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one, or part, or parts be declared unconstitutional or invalid.

Section 5. Safety. The Town Council finds that the adoption of this Ordinance is necessary for the protection of the public health, safety and welfare.

Section 6. Effective Date. This Ordinance shall take effect 10 days after publication following adoption.

Introduced, Read, Passed and Ordered Published this 25th day of June, 2024.

Justin Brooks, Mayor

Attest:

Debbie Stamp, Town Clerk

Exhibit A

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Parcel Description

All that portion of that parcel annexed to the Town of Erie by Ordinance No. 38 Series 2016 filed February 3, 2017 at Reception Number 3573292 and as shown on the Erie Gateway South Annexation No. 6 to the Town of Erie Annexation Map filed February 3, 2017 at Reception Number 3573293 in the south half quarter of the southeast quarter of Section 36, Township 1 North, Range 69 West, Boulder County, Colorado;

Excepting therefrom any portion in that BNSF Parcel 2 Rev-2 Quit Claimed to OEO, LLC filed September 21, 2017 at Reception No. 3616070.



Prepared by Joel T. Vogt
For and on behalf of Topographic Land Surveyors
520 Stacy Ct. Ste B, Lafayette, CO 80026

Exhibit A

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