

**TOWN OF PARACHUTE
ORDINANCE NO. 732-2017**

AN ORDINANCE OF THE TOWN OF PARACHUTE, COLORADO, VACATING THOSE PORTIONS OF COUNTY ROADS 300 AND 305 ANNEXED BY ORDINANCE NO. 728-2017.

WHEREAS, the Town of Parachute (“Parachute” or the “Town” is a home-rule municipality organized under Article XX of the Colorado Constitution and with the authority of the Parachute Home Rule Charter; and

WHEREAS, by Ordinance No. 728-2017, the Town annexed property generally referred to as the Lyons Annexation, including a portion of Garfield County Road 300, which serves as the primary access to the property annexed and which is, and has at all relevant times been, fenced to exclude the public from the use of and access thereto; and

WHEREAS, Section 10-1 of the Parachute Home Rule Charter provides that the Town has full authority, power, and control over all Town streets, alleys, rights-of-way, easements and other Town owned property, including but not limited to, all power and authority to regulate, operate, use, maintain, establish, repair, replace, vacate, purchase, condemn, sell, and lease such property; and

WHEREAS, Section 13-11 of the Parachute Home Rule Charter provides that the Town may dispose of real property interests by ordinance without the need for an election; and

WHEREAS, Sections 31-15-702 and 43-2-301 *et seq.*, C.R.S., provide state statutory authority for the vacation of rights-of-way owned by local governments, and provide that upon vacation of all or part of roadway, all right, title, and interest in such vacated portion shall vest in the owners of the land abutting such vacated portion; and

WHEREAS, the Parachute Board of Trustees finds and believes that it is proper to vacate that portion of Garfield County Roads 300 and 305 annexed into the Town by the Lyons Annexation, with all right, title, and interest thereto vesting hereafter in the owners of the abutting land.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF PARACHUTE, COLORADO THAT:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Town of Parachute hereby vacates those portions of Garfield County Road 300 and Garfield County Road 305 annexed by Ordinance No. 728-2017 as shown on the Lyons Family Annexation Map No. 1, attached as **Exhibit A** and incorporated herein by this reference.

Section 3. All right, title, and interest to those portions of the roadways vacated by this Ordinance shall vest in the owners of the parcels over which Garfield County Roads 300 and 3005

traverse, as depicted on the Lyons Family Annexation Map No. 1 (Exhibit A).

INTRODUCED, READ, PASSED, ADOPTED, AND ORDERED PUBLISHED BY TITLE ONLY by a vote of 5 to 0 of the Board of Trustees of the Town of Parachute, Colorado at a regular meeting held at Town Hall in the Town of Parachute, Colorado, on the 17 day of August, 2017 and approved by the Mayor on the 17 day of August, 2017.



BOARD OF TRUSTEES OF THE TOWN OF PARACHUTE, COLORADO

Roy McClung
Roy McClung, Mayor

ATTEST:
Lucy Cordova
Lucy Cordova, Town Clerk

PUBLIC NOTICE

Public notice is hereby given that an Ordinance entitled:

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was introduced before the Board of Trustees on August 17, 2017; that a copy of said Ordinance is posted at Town Hall; and that the Ordinance was approved at a regular meeting of the Board of Trustees held on August 17, 2017, and approved by the Mayor on August 17, 2017.

Copies of the adopted ordinance are available for inspection at the Town Hall, Parachute, Colorado and available on the internet at <http://www.parachutecolorado.com>.

Dated this 17 day of August, 2017.

TOWN OF PARACHUTE
Lucy Cordova
Lucy Cordova, Town Clerk