

ORDINANCE NO. 855

AN ORDINANCE VACATING A PORTION OF THE PLATTED RIGHT-OF-WAY FOR SWEETGRASS PARKWAY

WHEREAS, by the final plat of the Sweetgrass Filing No. 1 subdivision, recorded with the Weld County Clerk and Recorder on July 19, 2004 at Reception No. 3200001, there was dedicated right-of-way for Sweetgrass Parkway; and

WHEREAS, the landowner and developer have requested, in their application for a final plat for Sweetgrass Filing No. 1 Replat E, to use a portion of the platted right-of-way to construct a landscaped eyebrow within the right-of-way, which will become Outlot A and which will be owned by the Sweetgrass Metropolitan District No. 2 and maintained by the Sweetgrass homeowners association; and

WHEREAS, the City Council has determined this small portion of the Sweetgrass Parkway right-of-way, the legal description of which is set forth in Exhibit A, is not needed by the City for the Sweetgrass Parkway roadway; and

WHEREAS, the City desires to vacate its interest in that portion of the Sweetgrass Parkway right-of-way described in Exhibit A and as shown on Exhibit B; and

WHEREAS, the City Council has determined the City's interests in that portion of the Sweetgrass Parkway right-of-way to be vacated by this Ordinance is not being used or held for park purposes or for any other governmental purposes; and

WHEREAS, the City Council has therefore determined it is appropriate to vacate the City's interests in that portion of the Sweetgrass Parkway right-of-way described in Exhibit A as provided in Sections 1 and 2 of this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DACONO, COLORADO:

Section 1. Subject to the provisions of Section 2 hereof, the City Council of the City of Dacono hereby vacates all of the City's interest in and to that portion of the Sweetgrass Parkway right-of-way described in Exhibit A and shown in Exhibit B, attached hereto and incorporated herein by reference, which right-of-way was dedicated by the Sweetgrass Filing No. 1 subdivision plat for use as a public roadway. Title to the land described in Exhibit A shall vest upon vacation as set forth in C.R.S. § 43-2-302

Section 2. Easements for existing public utilities, if any, shall not be altered or amended by virtue of this ordinance.

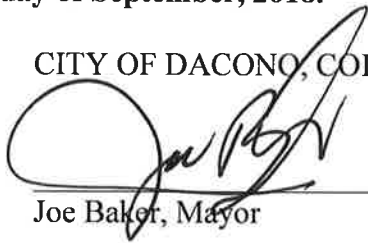
Section 3. The Mayor is authorized to execute such additional documents as may be necessary to evidence the vacation affected by this Ordinance.

Section 4. All other ordinances or portions thereof inconsistent or in conflict with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

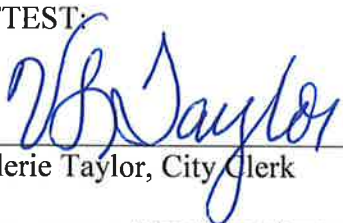
INTRODUCED, READ, ADOPTED ON FIRST READING, AND ORDERED PUBLISHED AND POSTED BY TITLE this 27th day of August, 2018.

PUBLIC HEARING AND SECOND READING WILL BE THE 10th day of September, 2018, AT 6:00 P.M. AT DACONO CITY HALL, 512 CHERRY STREET, DACONO, CO.

READ, ADOPTED ON SECOND READING, APPROVED, SIGNED, AND ORDERED PUBLISHED BY TITLE this 10th day of September, 2018.

CITY OF DACONO, COLORADO


Joe Baker, Mayor

ATTEST:


Valerie Taylor, City Clerk

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Summary of Ordinance No. 855, **“AN ORDINANCE VACATING A PORTION OF THE PLATTED RIGHT-OF-WAY FOR SWEETGRASS PARKWAY”** Vacates the City’s interest in a small portion of the Sweetgrass Parkway right-of-way, which will be used to construct a landscaped eyebrow within Sweetgrass Filing No. 1 Replat E.

EXHIBIT A

RIGHT OF WAY VACATION DESCRIPTION:

A PORTION OF THE RIGHT OF WAY OF "SWEETGRASS PARKWAY" AS DEDICATED BY THE "SWEETGRASS FILING NO. 1" FINAL PLAT, RECORDED 07/19/2004 AT RECEPTION NO. 3200001, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF DACONO, COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWESTERLY CORNER OF OUTLOT A OF "SWEETGRASS FILING NO. 1 REPLAT C";

THENCE ALONG THE WESTERLY LINE OF SAID OUTLOT A, ALSO BEING THE EASTERLY RIGHT OF WAY LINE OF "SWEETGRASS PARKWAY" (AS OF SEPTEMBER 2016) THE FOLLOWING FOUR COURSES:

- 1) N01°03'04"W, 64.02 FEET;
- 2) N07°53'38"W, 100.72 FEET;
- 3) N01°03'04"W, 194.32 FEET;
- 4) 95.80 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 630.00 FEET, A CENTRAL ANGLE OF 08°42'45", AND A CHORD BEARING N05°24'26"W, 95.71 FEET TO THE POINT OF BEGINNING;

THENCE 22.74 FEET ALONG A NON-TANGENT CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 9.50 FEET, A CENTRAL ANGLE OF 137°10'07", AND A CHORD BEARING N78°56'07"W, 17.69 FEET;

THENCE 122.36 FEET ALONG THE ARC OF A REVERSE CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 613.50 FEET, A CENTRAL ANGLE OF 11°25'39", AND A CHORD BEARING N16°03'53"W, 122.16 FEET;

THENCE 22.74 FEET ALONG THE ARC OF A REVERSE CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 9.50 FEET, A CENTRAL ANGLE OF 137°10'07", AND A CHORD BEARING N46°48'22"E, 17.69 FEET TO THE EASTERLY RIGHT OF WAY LINE OF "SWEETGRASS PARKWAY";

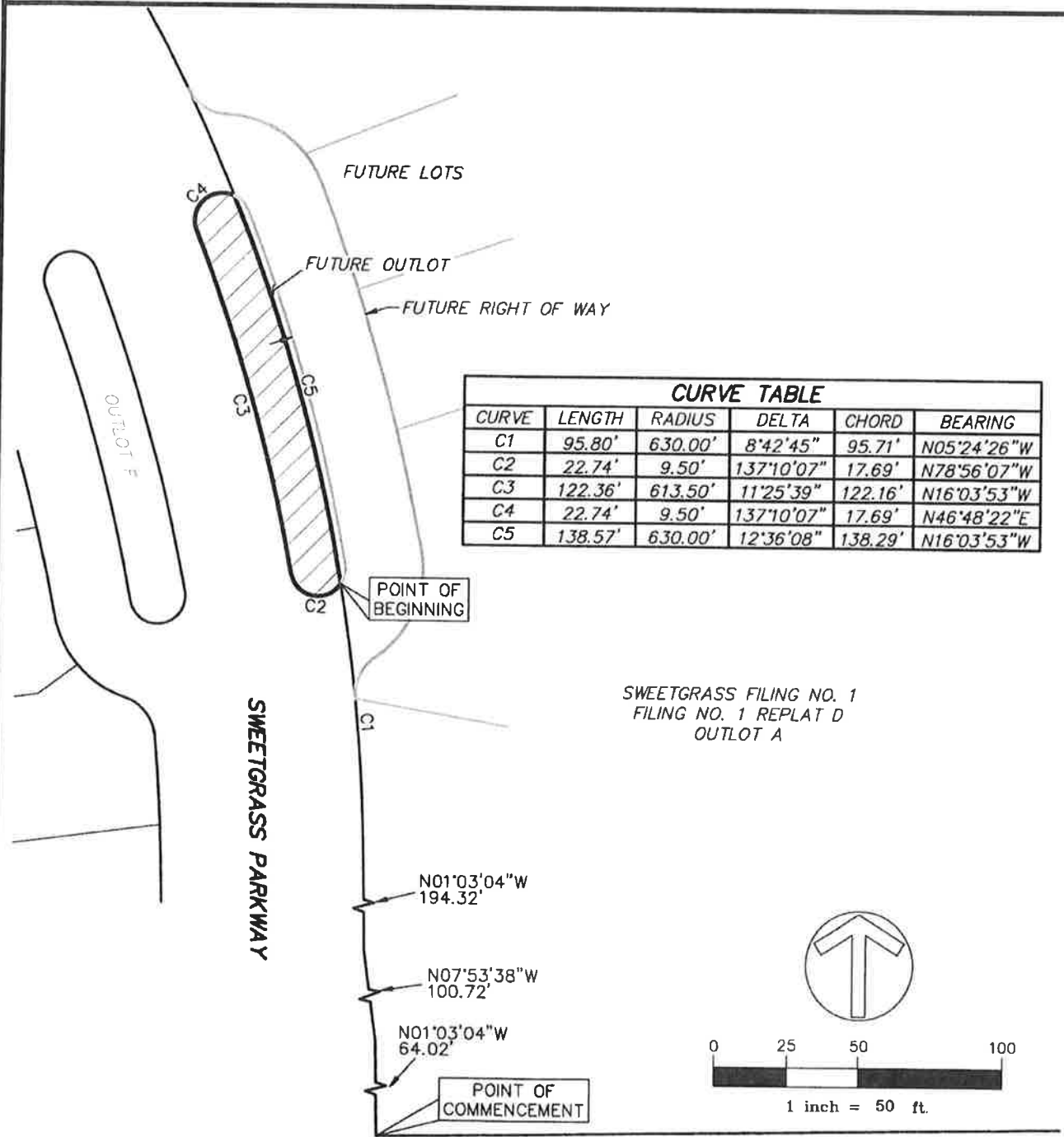
THENCE 138.57 FEET ALONG SAID EASTERLY RIGHT OF WAY LINE, BEING AN ARC OF A NON-TANGENT CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 630.00 FEET, A CENTRAL ANGLE OF 12°36'08", AND A CHORD BEARING S16°03'53"E, 138.29 FEET TO THE POINT OF BEGINNING, CONTAINING 2,307 SQUARE FEET, MORE OR LESS.

BASIS OF BEARINGS: THE EASTERLY LINE OF THE SOUTHEAST QUARTER OF SECTION 14, ASSUMED TO BEAR N00°12'00"W, 2601.92 FEET BETWEEN THE SOUTHEAST CORNER (3.25"

ALUMINUM CAP, PLS 13155 1993) AND THE EAST QUARTER CORNER (3.25" ALUMINUM CAP, PLS 16401), MATCHING THE "SWEETGRASS FILING NO. 1" PLAT.

EXHIBIT B
(attach drawing of ROW vacation)

EXHIBIT



SWEETGRASS FILING NO. 1
 FILING NO. 1 REPLAT D
 OUTLOT A

NOTE: THIS IS NOT A LAND SURVEY PLAT OR AN IMPROVEMENT SURVEY PLAT.
 THIS EXHIBIT IS ONLY INTENDED TO DEPICT THE ACCOMPANYING DESCRIPTION.

SWEETGRASS PARKWAY
RIGHT OF WAY VACATION DESCRIPTION
SE 1/4 SECTION 14, T1N, R68W
DACONO, COLORADO

HURST	CIVIL ENGINEERING	1265 S Public Road, Suite B	SCALE HOR. 1" = 50'
	PLANNING	Lafayette, CO 80026	VERT. N/A
	SURVEYING	303.449.9105	DESIGN/APPR.
	www.hurst-assoc.com	DATE 05/30/18	DRAWN BY BO
	FILE G:\202038\SURVEY\LEGAL\SG ROW VACATION FOR OUTLOT	SHEET 2 OF 2	