

**TOWN OF MEAD, COLORADO
ORDINANCE NO. 1055**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO,
APPROVING VACATION OF CERTAIN EASEMENTS IN THE RED BARN SUBDIVISION
FINAL PLAT FILING NO. 2**

WHEREAS, the Town of Mead is authorized to regulate the use and development of land within its jurisdiction, pursuant to Title 31, Article 23, C.R.S., Title 29, Article 20, C.R.S. and the Town's Land Use Code, codified in Chapter 16 of the *Mead Municipal Code* (the "MMC"); and

WHEREAS, Century Land Holdings, LLC, a Colorado limited liability company, and 13-32 Development LLC, a Colorado limited liability company (together, the "Applicant" and "Owner") have submitted to the Town an application for vacation of certain easements, described and shown on the EASEMENT VACATION EXHIBIT attached to this ordinance as ATTACHMENT 1 (the "Easements"); and

WHEREAS, the properties underlying the Easements are legally described as Lots 6, 7, 8, and 9, Block 40; Lots 1, 2, and 3, Block 42; and Lots 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20, Block 43 of Red Barn Subdivision Final Plat Filing No. 2, County of Weld, Town of Mead, Colorado ("Properties"); and

WHEREAS, Applicant is the fee owner of the Properties; and

WHEREAS, Section 16-4-140(1)(i) requires a public meeting for the Board of Trustees to consider approval, conditional approval, or denial of an ordinance to vacate easements; and

WHEREAS, the Town Board of Trustees reviewed this ordinance and the proposed vacation of the Easements at a public meeting held on July 8, 2024, and has determined that the vacation satisfies the review criteria set forth in Section 16-4-140 of the MMC; and

WHEREAS, the administrative record for this case includes, but is not limited to, the MMC, the Town of Mead Comprehensive Plan, all other applicable ordinances, resolutions and regulations, the staff report/agenda item summary presented to the Board of Trustees, the application and all other submittals of the Applicant, and the recording and minutes of the Board of Trustees meeting at which this ordinance was considered; and

WHEREAS, the Town Board of Trustees desires to approve vacation of the Easements.

NOW THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Mead, Weld County, Colorado, that:

Section 1. Recitals incorporated. The foregoing recitals are incorporated herein as findings of the Board of Trustees.

Section 2. Vacation of Easements Approved. Vacation of the Easements is approved as shown on the EASEMENT VACATION EXHIBIT attached to this ordinance as ATTACHMENT 1, incorporated herein by this reference.

Section 3. Effective Date and Recordation. This ordinance shall be published and become effective as provided by law. Further, this ordinance shall be recorded with the Weld County Clerk and Recorder in accordance with Section 16-4-140(1)(i) of the MMC.

Section 4. Severability. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the ordinance. The Board of Trustees hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more part, section, subsection, sentence, clause or phrase is declared invalid.

Section 5. Repealer. All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

Section 6. Certification. The Town Clerk shall certify to the passage of this ordinance and make not less than one copy of the ordinance available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 8TH DAY OF JULY, 2024.

ATTEST:

TOWN OF MEAD

By: _____
Marisol Herman, Deputy Town Clerk

By: _____
Colleen G. Whitlow, Mayor

ATTACHMENT 1

[Easement Vacation Exhibit Attached.]