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ORDINANCE NO. 96

AN ORDINANCE DISCONNECTING CERTAIN LANDS FROM THE TOWN OF HILLROSE, COLORADO

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF HILLROSE, COLORADO:

WHEREAS, Harry and Ela Baker, Rosann Jimenez, Clarence and Warri Joan Scott, Tom and Maxine Beall, and Marlin Helming applied to the Board of Trustees of the Town of Hillrose, Colorado by a letter dated July 27, 2006, for the disconnection of the following described tracts of land from the Town; and

WHEREAS, Ervin L. and Elizabeth J. Hammond and William R. Johnson and Stephanie Ann Wadel applied to the Board of Trustees of the Town of Hillrose, Colorado by a letter dated August 15, 2006, for the disconnection of the following described tracts of land from the Town; and

WHEREAS, the Board of Trustees has given due consideration to the applications, pursuant to Colorado Revised Statute ' 31-12-501; and

WHEREAS, the Board of Trustees finds that the subject tracts of land are receiving services from the Town in the form of street lighting, mosquito spraying, road maintenance, snow removal, water as provided under permit from the Town by the Morgan County Quality Water District, and other services; and

WHEREAS, the Board of Trustees finds that the subject lands are not receiving sewer service from the Town; and

WHEREAS, these tracts of land are within the corporate limits of the Town of Hillrose, Colorado and are adjacent to the southern boundary of the Town; and

WHEREAS, the Board of Trustees has determined that the best interests of the Town will not be prejudiced by the disconnection of these tracts of land.

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

1. Pursuant to the authority provided in Colorado Revised Statute ' 31-12-501, the Board of Trustees of the Town of Hillrose, Colorado enacts this Ordinance effecting the disconnection of the following described tracts of land from the Town of Hillrose, Colorado:

- a. Harry and Ela Baker tract of land, legally described as: That part of Lot 1, Beaver Creek Addition to Hillrose, Colorado, described as follows: Commencing at the Southwest corner of Lot 1, Beaver Creek Addition to the Town of Hillrose, with said Southwest corner being 30 feet North and 30 feet East of the Southwest corner of Section 10, Township 4 North, Range 55 West of the 6th P.M., thence East and parallel with the South line of Section 10 and along the South line of Lot 1, 200 feet, thence North and parallel with the East line of Lot 1, 223 feet, thence West 190 feet to a point on the West line of Lot 1, thence South along the West line of Lot 1 and parallel with the West line of Section 10, 223 feet to the point of beginning.

AND

All that part of Lots 1 and 15 of Beaver Creek Addition to Hillrose, Colorado described as follows: Commencing at the Northeast corner of Lot 1, Beaver Creek Addition to Hillrose, Colorado; thence North along the prolongation of the East line of Lot 1 56 feet; thence West and parallel to the North line of Lot 1 305 feet; thence Southwesterly 75 feet more or less to a point on the North line of Lot 1; thence Southwesterly 44 feet more or less to a point on the West line of Lot 1 which is 32.3 feet South of the Northwest corner of Lot 1; thence South along the West line of Lot 1 55 feet; thence East 190 feet; thence South 13 feet; thence East 200 feet to a point on the East line of Lot 1; thence North along the East line of Lot 1 100 feet to the point of beginning, as described in survey by Billy G. Holloway dated September 9, 1983.

Also known by street and number as 33015 County Road W.

b. Rosann Jimenez tract of land, legally described as:

Part of Lot 1: Commencing at Southeast corner of Lot 1, thence West 200 feet; thence North 210 feet; thence East 200; thence South 210 feet, Beaver Creek Addition.

Also known by street and number as 33051 County Road W.

c. Clarence and Warri Joan Scott tract of land, legally described as: West 268 feet of Lot 2, Beaver Creek Addition.

Also known by street and number as 33093 County Road W.

d. Tom and Maxine Beall tract of land, legally described as:

West 136 feet of Lot 3, and East 132 feet of Lot 2, Beaver Creek Addition.

Also known by street and number as 33145 County Road W.

e. Marlin Helming tract of land, legally described as:

East 264 feet of Lot 3, and West 31 feet of Lot 4, Beaver Creek Addition.

Also known by street and number as 33149 County Road W.

f. Ervin L. and Elizabeth J. Hammond tract of land, legally described as: West 245 feet of East 369 feet of Lot 4, Beaver Creek Addition.

Also known by street and number as 33255 County Road W.

g. William R. Johnson and Stephanie Ann Wadel tract of land, legally described as:

East 124 feet of Lot 4, Beaver Creek Addition.

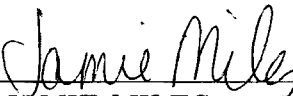
Also known by street and number as 33299 County Road W.


2. The above described tracts of land so disconnected shall not thereby be exempt from the payment of any taxes lawfully assessed against them for the purpose of paying any indebtedness lawfully contracted by the Board of Trustees while such tracts of land were within the corporate limits of the Town of Hillrose and which remain unpaid and for the payment of which the tracts of land could be lawfully taxed.
3. This Ordinance shall become immediately effective upon the payment by the owners of the disconnected tracts of land to the Town of Hillrose, Colorado of the previously agreed upon reimbursable fees and expenses of the Town Attorney's fees for preparing this Ordinance to disconnect the properties pursuant to Colorado Revised Statute ' 31-12-501, the fees associated with recording this Ordinance in accordance with Colorado Revised Statute ' 24-32-109, the fees associated with printing a new map that sets forth the new Town boundaries after the above described tracts of land are

disconnected and upon the required filing of two certified copies of this Ordinance with the Morgan County Clerk and Recorder to accomplish the disconnection as provided by Colorado Revised Statute ' 24-32-109.

INTRODUCED, READ, ADOPTED, APPROVED, PASSED, AND ORDERED
PUBLISHED BY TITLE ONLY by the Board of Trustees of the Town of Hillrose,
Colorado, on October 2, 2006.




JAMIE MILES
Mayor

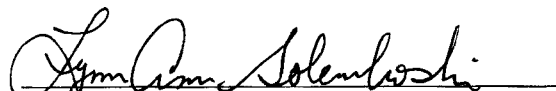

LYNN ANN GOLEMBOSKI
Town Clerk

CERTIFICATION

I, Lynn Ann Golemboski, Town Clerk of the Town of Hillrose, Colorado, hereby certify and attest that the foregoing Ordinance No. 96 was introduced, read, adopted, and ordered published by title only at a regular meeting of the Board of Trustees of the Town of Hillrose, Colorado on the 2 day of October, 2006. This Ordinance was published in The Brush News-Tribune on October 4, 2006.

DATED: October 2, 2006




LYNN ANN GOLEMBOSKI
Town Clerk