

**ORDINANCE NO. 2
SERIES 2002**

AN ORDINANCE VACATING THAT PORTION OF THE EAST-WEST ALLEY LYING BETWEEN THE SOUTHERN BOUNDARY OF LOTS 20 THROUGH 24, BLOCK 114, AND THE NORTHERN BOUNDARY OF LOT 19, BLOCK 114, ALL ACCORDING TO THE OFFICIAL AMENDED PLAT OF TOWN OF WEST GUNNISON, CITY OF GUNNISON, COUNTY OF GUNNISON, STATE OF COLORADO.

WHEREAS, the applicant, Michelle Thompson, submitted an application for vacating public property dated October 23, 2001, requesting the City of Gunnison to vacate that portion of the east-west alley located between the southern boundary of Lots 20 through 24, Block 114, and the northern boundary of Lot 19, Block 114, all according to the official amended plat of Town of West Gunnison, City of Gunnison; and

WHEREAS, the subject alley has never been developed, never been used as a public thoroughfare, and has never been opened for public use; and

WHEREAS, the Planning and Zoning Commission of the City of Gunnison, held a public hearing upon the proposed vacation on January 9, 2002, and has made a recommendation to the City Council that the City Council proceed with the requested alley vacation.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, ORDAINS THAT:

Section 1. Findings of Fact. Based upon the application for alley vacation, the supporting materials submitted therewith, and the evidence adduced at the public hearing conducted by the Planning Commission of the City of Gunnison, the City Council hereby finds as follows:

a. That the applicant, Michelle Thompson, is the owner of Lots 18 through 24, both inclusive, Block 114, according to the official amended plat of Town of West Gunnison, the property which is adjacent to the alley requested to be vacated.

b. That no properties, other than those of the applicant, would be denied access by the proposed alley vacation.

c. That the Public Works Department, Building Official, Fire Marshal, and Chief of Police, have no objection to the proposed alley vacation.

d. That no public utility provider has any need to install utilities in the alley proposed to be vacated.

e. That no public comment was received at the public hearing in opposition to the requested alley vacation.

f. That the application to vacate this portion of the east-west alley supports the following goals of the 1994 City of Gunnison Master Plan:

(i). "Ensure the roadway network provides safe, maintainable, and easy access to every parcel, including access for emergency vehicles."

(ii). "Control access onto the road network to ensure safe and efficient traffic flow and adequate ingress and egress."

Section 2. Vacation. The alley which is vacated by this ordinance is that portion of the east-west alley lying between the southern boundary of Lots 20 through 24, Block 114, and the northern boundary of Lot 19, Block 114, according to the official amended plat of Town of West Gunnison, City of Gunnison, County of Gunnison, State of Colorado.

Section 3. Title. The title to such vacated alley shall vest in accordance with the provisions of C.R.S. 43-2-302.

INTRODUCED, READ, PASSED, AND ORDERED PUBLISHED this 26th day of February, 2002, on first reading, and introduced, read, and adopted on second and final reading this 12th day of March, 2002.

Mayor

ATTEST:

City Clerk