

ORDINANCE NO. 2, 1954

Recorded FEB 19 1954 at 9:47 o'clock A:M

Reception No. 670955 G. Marion Brafford, Recorder

BEING AN EMERGENCY ORDINANCE VACATING AN ALLEYWAY LYING IMMEDIATELY NORTH OF LOTS 1 TO 8 INCLUSIVE AND THE SOUTH 10 FEET OF THE ALLEY LYING BETWEEN LOTS 9 AND 26 IN BLOCK 2, BABBITT ADDITION TO THE CITY OF FORT COLLINS AND PORTIONS OF WEST MOUNTAIN AVENUE AND BRYAN AVENUE ABUTTING BLOCK 2, BABBITT ADDITION TO THE CITY OF FORT COLLINS, COLORADO

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WHEREAS the owner of all of Lots 1 to 10 and Lots 25 and 26 in Babbitt Addition to the City of Fort Collins, Colorado, has petitioned the City Council to cause the vacation of the following described portion of Mountain Avenue and Bryan Avenue and a portion of the alley lying immediately north to Lots 1 to 8 inclusive and the south 10 feet of the alley between Lots 9 and 26 described as follows, to-wit:

1. WEST MOUNTAIN AVENUE.

That portion of West Mountain Avenue lying South of Block 2 in the Babbitt Addition to the City of Fort Collins, Colorado, and contained within boundary lines described as beginning at the Southeast corner of said Block 2 and running thence South 20 feet, thence West 295 feet, thence N 30° 35' W 23.23 feet to the South line of said Block 2 and thence East, along the South line of said Block 2, 306.82 feet, more or less, to the point of beginning.

2. BRYAN AVENUE.

That portion of Bryan Avenue lying West of Lots 7 and 8 in Block 2 of the Babbitt Addition to the City of Fort Collins, Colorado, and contained within boundary lines described as beginning at the South corner on the West line of said Lot 8 and running thence South 10.34 feet, thence S 30° 35' E. 149.34 feet to a point on the Southwesterly line of said Lot 7, which bears N 22° 26' 30" W 31.48 feet from the West corner on the South line of said Lot 7, thence N 22° 26' 30" W 68.06 feet along the Southwesterly line of said Lot 7 to the South corner on the West line of said Lot 7, thence N 33° 20' 30" W 90.97 feet, more or less, along the Southwesterly line of said Lot 7, to the point of beginning.

3. ALLEY.

The alley lying immediately North of Lots 1 to 8 inclusive and the South 10 feet of the alley lying between

Lot 9 and Lot 26 and contained within boundary lines described as beginning at the Northeast corner of said Lot 1 and running thence North 18 feet to the Southeast corner of said Lot 26, thence West 190 feet to the Southwest corner of said Lot 26, thence North 10 feet along the West line of said Lot 26, thence West 20 feet to the East line of said Lot 9, thence South 10 feet to the Southeast corner of said Lot 9, thence West 190 feet to the Southwest corner of said Lot 9, thence South 18 feet to the Northwest corner of said Lot 8 and thence East 400 feet to the point of beginning;

AND WHEREAS, said alleyway sought to be vacated has never been used as an alleyway;

AND WHEREAS, the areas of West Mountain Avenue and Bryan Avenue sought to be vacated are not and never have been traveled portions of said streets;

AND WHEREAS, the City Council is of the opinion that it will be to the best interests of the City to vacate the portions of said West Mountain Avenue and Bryan Avenue as above described;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT COLLINS:

Section 1. That the portion of West Mountain Avenue adjoining Block 2, Babbitt Addition to the City of Fort Collins, more particularly described as follows, to-wit:

That portion of West Mountain Avenue lying South of Block 2 in the Babbitt Addition to the City of Fort Collins, Colorado, and contained within boundary lines described as beginning at the Southeast corner of said Block 2 and running thence South 20 feet, thence West 295 feet, thence N 30° 35' W 23.23 feet to the South line of said Block 2 and thence East, along the South line of said Block 2, 306.82 feet, more or less, to the point of beginning;

and that portion of Bryan Avenue adjoining Block 2, Babbitt Addition to the City of Fort Collins, more particularly described as follows, to-wit:

That portion of Bryan Avenue lying West of Lots 7 and 8 in Block 2 of the Babbitt Addition to the City of Fort Collins, Colorado, and contained within boundary lines described as beginning at the South

corner on the West line of said Lot 8 and running thence South 10.34 feet, thence S. 30° 35' E 149.34 feet to a point on the Southwesterly line of said Lot 7, which bears N 22° 26' 30" W 31.48 feet from the West corner on the South line of said Lot 7, thence N 22° 26' 30" W 68.06 feet along the Southwesterly line of said Lot 7 to the South corner on the West line of said Lot 7, thence N 33° 20' 30" W 90.97 feet, more or less, along the Southwesterly line of said Lot 7, to the point of beginning;

and that portion of the alley lying immediately north of Lots 1 to 8 inclusive and the south 10 feet of the alley lying between Lots 9 and 26, Block 2, Babbitt Addition to the City of Fort Collins, more particularly described as follows, to-wit:

The alley lying immediately North of Lots 1 to 8 inclusive and the South 10 feet of the alley lying between Lot 9 and Lot 26 and contained within boundary lines described as beginning at the Northeast corner of said Lot 1 and running thence North 18 feet to the Southeast corner of said Lot 26, thence West 190 feet to the Southwest corner of said Lot 26, thence North 10 feet along the West line of said Lot 26, thence West 20 feet to the East line of said Lot 9, thence South 10 feet to the Southeast corner of said Lot 9, thence West 190 feet to the Southwest corner of said Lot 9, thence South 18 feet to the Northwest corner of said Lot 8 and thence East 400 feet to the point of beginning;

be and the same is hereby vacated, abolished and abandoned, pursuant to the ordinances of the City of Fort Collins, and the statutes of the State of Colorado in such case made and provided, and particularly under the provisions of Chapter 217 of the 1949 Session Laws of the State of Colorado.

Section 2. In the opinion of the City Council an emergency exists for the preservation of the public health, peace and safety, and this ordinance shall take effect upon its passage under and by virtue of the authority contained in Section 6 & 7 of Article IV of the City Charter.

Introduced, read at length, and adopted by the unanimous

vote of all members of the City Council, at a regular meeting  
 hold this 12th day of February, A. D. 1954.

Robert W. Hoyle  
 Mayor

Attest:

Miles F. House  
 City Clerk.

STATE OF COLORADO )  
 ) ss.  
 COUNTY OF LARIMER )

I, MILES F. HOUSE, City Clerk of the City of Fort Collins, do hereby certify and declare that the aforesaid Ordinance, consisting of two sections, was duly proposed and read at length at a regular meeting of the City Council, held February 12th, A. D. 1954, and was duly adopted and ordered published in the Fort Collins Coloradoan, a daily newspaper and official newspaper of the City of Fort Collins, by the unanimous vote of all members of the City Council, as an Emergency Ordinance, in accordance with the provisions of sections 6 and 7 of Article IV of the City Charter; and thereafter and on, to-wit: the 16th day of February, A. D. 1954, said Ordinance No. 2 was duly published in the Fort Collins Coloradoan, a daily newspaper published in the City of Fort Collins, Colorado.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said City, this 16th day of February, A.D. 1954.

Miles F. House  
 City Clerk.

