

**ORDINANCE NO. 2021-033**

**AN ORDINANCE VACATING A PORTION OF JERRY STREET  
LOCATED IN THE NORTHWEST QUARTER OF SECTION 11,  
TOWNSHIP 8 SOUTH, RANGE 67 WEST, OF THE 6<sup>TH</sup> PRINCIPAL  
MERIDIAN, TOWN OF CASTLE ROCK**

**WHEREAS**, the Town Council finds that it is necessary to vacate the easterly fifteen feet of Jerry Street from the south property line of Lot 7, Block 3, Town of Castle Rock to the south property line of Lot 10, Block 3, Town of Castle Rock, as more particularly described in the attached *Exhibit I* (the "Vacated Property") in conjunction with the planned construction of the View mixed-use project, and

**WHEREAS**, the Vacated Property is not a component of any current or planned transportation network, and

**WHEREAS**, the Town has no active utilities located in the Vacated Property; and

**WHEREAS**, the Town will reserve a temporary access and utility easement in the Vacated Property to ensure continued access to and the right to maintain any other existing utilities until such time as a plat is completed and permanent easements are defined.

**NOW, THEREFORE, IT IS ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK, COLORADO:**

**Section 1. Vacation.** The Vacated Property is hereby vacated pursuant to the authority granted by Section 43-2-303(1)(a), C.R.S., subject to all matters of record. The vacation shall take effect upon the recordation of this Ordinance in the Douglas County public records.

**Section 2. Reservation of Easement.** Pursuant to Section 43-2-303(3), C.R.S., the Town, for itself and the providers of any existing utilities in the Vacated Property, reserves a temporary access and utility easement over the entirety of the Vacated Property, for access, maintenance, repair, and replacement of the existing utilities until such time that a plat is completed and permanent easements are defined. The temporary access and utility easement over the Vacated Property will expire upon the recordation of a plat for the Vacated Property in the Douglas County public records.

**Section 3. Vesting of Ownership.** Ownership of the vacated roadway right of way shall vest in accordance with the provisions of Section 43-2-302, C.R.S.

**Section 4. Severability.** If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect the remaining provisions of this ordinance.

**Section 5. Safety Clause.** The Town Council finds and declares that this ordinance is

promulgated and adopted for the public health, safety and welfare and this ordinance bears a rational relation to the legislative object sought to be obtained.

**APPROVED ON FIRST READING** this 21st day of December, 2021 by a vote of 4 for and 3 against, after publication in compliance with Section 2.02.100.C of the Castle Rock Municipal Code; and

**PASSED, APPROVED AND ADOPTED ON SECOND AND FINAL READING** this 4th day of January, 2022, by the Town Council of the Town of Castle Rock by a vote of 4 for and 3 against.

**ATTEST:**

**TOWN OF CASTLE ROCK**

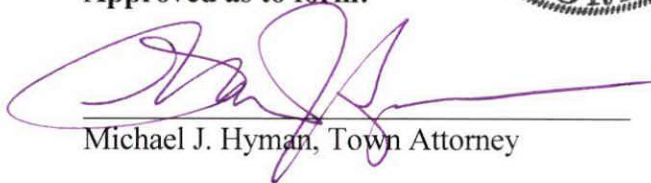
  
Lisa Anderson, Town Clerk



  
Jason Gray, Mayor

**Approved as to form:**

**Approved as to content:**

  
Michael J. Hyman, Town Attorney

  
David L. Corliss, Town Manager



**DAVID E. ARCHER & ASSOCIATES, INC.**  
**PROFESSIONAL LAND SURVEYORS & ENGINEERS**

105 Wilcox Street \* Castle Rock, CO 80104  
PHONE (303) 688-4642 \* FAX (303) 688-4675 \* karcher@davidearcher.com

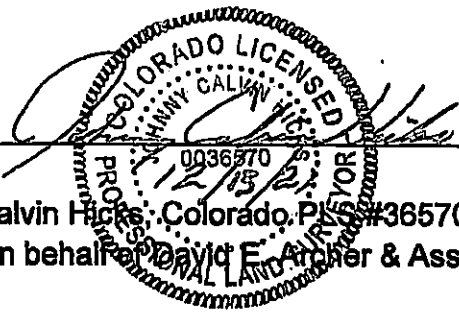
Job No. 19-1068  
December 10, 2021  
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**DESCRIPTION – Right of Way Vacation of Jerry Street**

A Portion of Jerry Street, Town of Castle Rock, per Reception No. 1874010001, located in Section 11, Township 8 South, Range 67 West of the 6<sup>th</sup> Principal Meridian, Town of Castle Rock, Douglas County, Colorado, more particularly described as follows: Beginning at the Southwest Corner of Lot 7, Block 3, Town of Castle Rock and considering the West line of said Block 3 to bear N 00°20'42"E with all bearings contained herein relative thereto;  
Thence N 00°20'42"E along said West line a distance of 150.08 feet;  
Thence S 89°55'39"W a distance of 15.02 feet;  
Thence S 00°20'42"W a distance of 150.08 feet;  
Thence N 89°55'39"E a distance of 15.02 feet to the True Point of Beginning, Containing 2,254 square feet, more or less.

This description was prepared under the direct supervision of Johnny Calvin Hicks, PLS36570 for and on behalf of David E. Archer and Associates, Inc.

Signed \_\_\_\_\_



Johnny Calvin Hicks, Colorado, PLS #36570  
For and on behalf of David E. Archer & Associates, Inc.

# R.O.W. VACATION EXHIBIT

In Section 11, Township 8 South, Range 67 West,  
6th P.M., Douglas County, Colorado  
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