

ORDINANCE NO. 3
Series 1998

AN ORDINANCE OF THE TOWN OF LAKE CITY,
COLORADO, AUTHORIZING A THIRTY-FIVE YEAR
LEASE OF PART OF THE RIGHT OF WAY FOR
THIRD STREET IN THE TOWN OF LAKE CITY.

WHEREAS, James F. Cunningham presently owns title to Lots 28-32, Block 60, Town of Lake City, Colorado, which lots adjoin Henson and Third Streets; and

WHEREAS, a 12' x 62' modular residence owned by Mr. Cunningham is partially located upon the aforementioned Lot 2 while the remainder encroaches upon Third Street; and

WHEREAS, the Lake City Board of Trustees has determined that the area of Third Street encroached upon is not presently used by Town residents and is unlikely to be needed for public use in the foreseeable future;

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Lake City, Colorado that the Mayor and Town Clerk are hereby authorized to execute in favor of James F. Cunningham a lease of said segment of Third Street adjoining said Lot 32 upon which the modular residence encroaches, as more particularly depicted on the attached copy of the improvement location certificate of professional land surveyor Donald R. Geddes dated May 19, 1992. Said lease shall be for a period not to exceed thirty-five (35) years and shall be substantially in the form attached hereto.

INTRODUCED, READ AND ADOPTED by the Board of Trustees of the Town of Lake City, Colorado, this 2nd day of September, 1998.

TOWN OF LAKE CITY, COLORADO

By: 
Mayor

ATTEST:


Town Clerk

Improvement Location Certificate

THIS IS NOT A BOUNDARY SURVEY!

BORROWER(S) JAMES FRANK CUNNINGHAM May 19, 1992
 LENDER FIRST MORTGAGE CORPORATION, Gunnison/Montrose *Rev. July 22, 1992*
 TITLE INS.
 Property Address: 230 North Henson, Lake City, CO 81235
 General Location: South Central Lake City

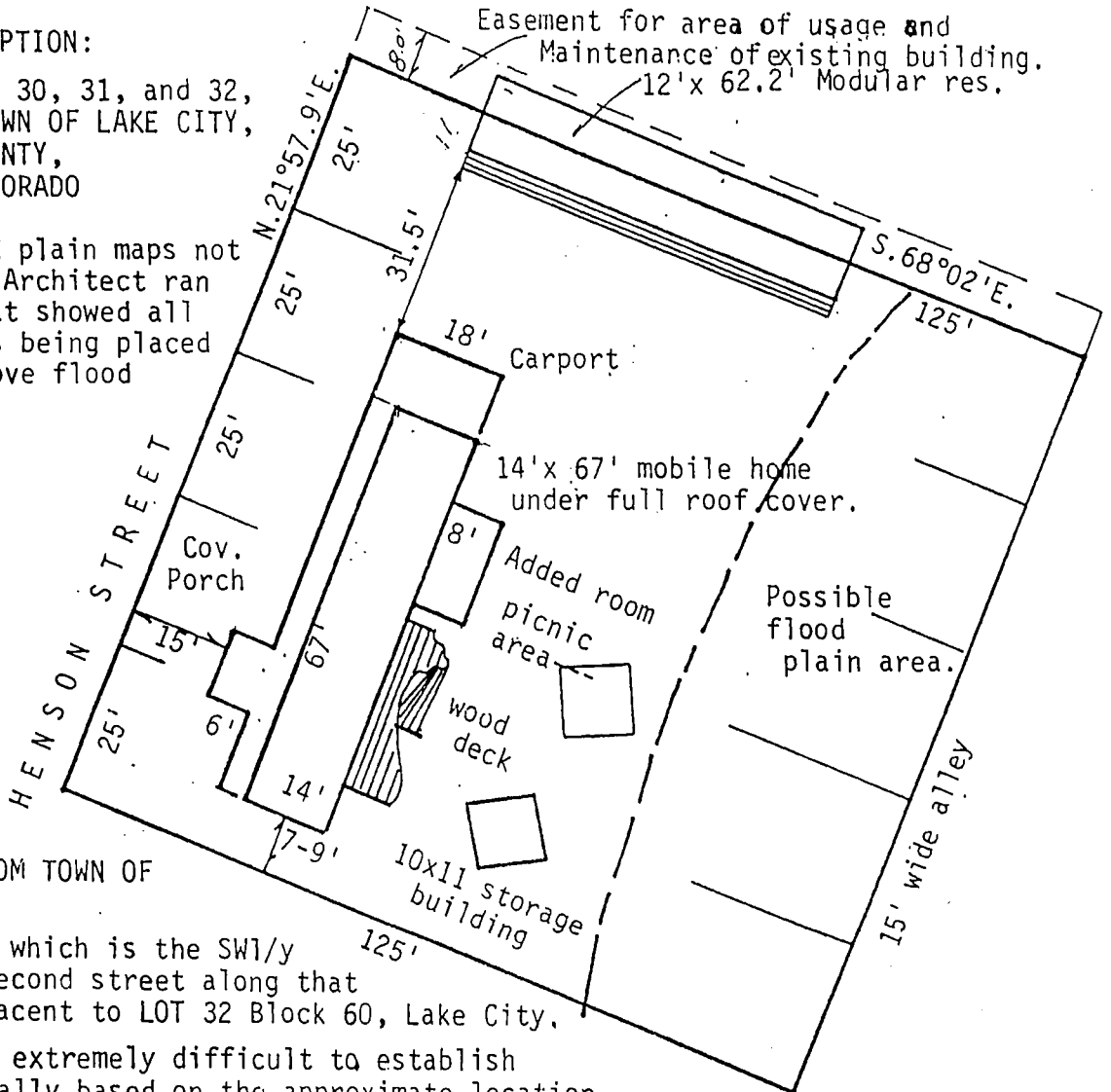
- Pin with cap ——— T ——— Tel. line ——— Irrigation ditch ——— Creek-River
 - Other marker ——— E ——— Elec. line ——— W ——— Waterline ——— CTV ——— Cable TV
 - Significant fence corner ——— G ——— Gas line ——— Pipeline ——— Drainageway
- SCALE: 1" = 30'

THIS PROPERTY IS NOT LOCATED IN ANY DESIGNATED FLOOD PLAIN

LEGAL DESCRIPTION:

Lots 28, 29, 30, 31, and 32,
 Block 60, TOWN OF LAKE CITY,
 HINSDALE COUNTY,
 STATE OF COLORADO

NOTE: Flood plain maps not available. Architect ran a survey that showed all improvements being placed one foot above flood plain.



EASEMENT FROM TOWN OF LAKE CITY:

An easement which is the SW 1/4 8 feet of Second street along that portion adjacent to LOT 32 Block 60, Lake City.

Control was extremely difficult to establish and was finally based on the approximate location of a pin at the NE corner of the intersection of Henson and Third with accuracy of ±2 feet estimated.

INVESTIGATION BY VALLEY SURVEY, INC., 3854 LAMBORN DRIVE, CRAWFORD AIRPORT, CRAWFORD, CO 81415 (303) 921-3017; FAX (303) 921-3015.

I hereby certify that this IMPROVEMENT LOCATION CERTIFICATE was prepared solely for FIRST MORTGAGE/ , that it is NOT a land survey plat, and that it is not to be relied upon for the establishment of fences, buildings, or other future improvement construction lines. I further certify that the improvements on the above described parcel on this May 19, 1992 except utility connections, are entirely within the boundaries of this parcel. EXCEPT as may be shown above, that there are no encroachments upon described parcel by improvements on an adjoining property, EXCEPT as indicated, and that there is no apparent evidence of any easement crossing or burdening this parcel, EXCEPT AS NOTED.

DONALD R. GEDDES
 REGISTERED PROFESSIONAL LAND SURVEYOR
 STATE OF COLORADO
 12766
Donald R. Geddes
 Professional Land Surveyor CO#12766