

ORDINANCE NO. 4
Series 1998

AN ORDINANCE OF THE TOWN OF LAKE CITY, COLORADO, AUTHORIZING A NINETY-NINE YEAR LEASE OF PART OF THE RIGHT OF WAY OF GUNNISON STREET AND PART OF THE RIGHT OF WAY OF THE NEARBY ALLEY, ADJACENT TO THE WEST LINES OF LOTS 1 THROUGH 12, BLOCK 55, IN THE TOWN OF LAKE CITY.

WHEREAS, Andrew Sansom and Nona W. Sansom (hereinafter referred to as "Owners"), presently own title to Lots 1 through 11 and the north half of Lot 12, Block 55, Town of Lake City, Colorado, which lots adjoin Gunnison Street on the east and a Town alleyway on the west; and

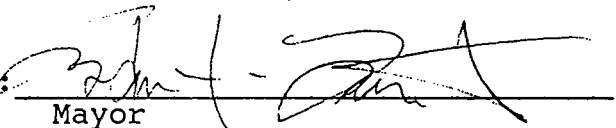
WHEREAS, the entire 16.5 foot width of a log cabin located on parts of said Lots 5 and 6 encroaches approximately 2.1 feet into said alleyway; and the staircase of another log building located on parts of said Lots 1 and 2 encroaches approximately 3 feet into Gunnison Street; and

WHEREAS, the Lake City Board of Trustees has determined that the alleyway and street area encroached upon by the aforementioned log structures are not presently used by Town residents and are unlikely to be needed for public use in the foreseeable future;

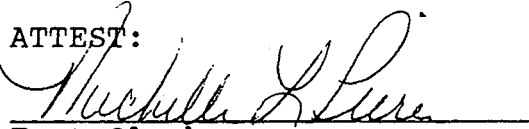
NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Lake City, Colorado that the Mayor and Town Clerk are hereby authorized to execute in favor of said Owners, and their heirs, successors and assigns, a lease of said segments of Gunnison Street and the nearby alleyway upon which the aforementioned structures encroach, as more particularly depicted on the attached copy of the attached copy of the improvement survey plat prepared by professional land surveyor Roy Olson and recorded on April 6, 1998 under Reception No. 88747 of the Hinsdale County, Colorado records. Said lease shall be for a period not to exceed ninety-nine (99) 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 21st day of October, 1998.

TOWN OF LAKE CITY, COLORADO

By: 
Mayor

ATTEST:


Town Clerk

RECORDER'S STAMP

State Documentary Fee
Date 1-15-79
\$ 21.00

THIS DEED, Made this -15th- day of January 19, 79, between Joel F. Swank and Celia Mae Swank

of the County of Hinsdale and State of Colorado, of the first part, and Michael A. Doody and Janet M. Doody whose legal address is GENERAL DELIVERY, LAKE CITY, CO. 81235

of the County of Hinsdale and State of Colorado, of the second part:

WITNESSETH, that the said parties of the first part, for and in consideration of the sum of Ten Dollars and other consideration-----~~DOOLLARS~~

to the said parties of the first part in hand paid by the said parties of the second part, the receipt whereof is hereby confessed and acknowledged, have granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell, convey and confirm unto the said parties of the second part, their heirs and assigns forever, not in tenancy in common but in joint tenancy, all the following described lot or parcel of land, situate, lying and being in the County of Hinsdale and State of Colorado, to wit:

Lots 1 through 27, both inclusive, Block 60, and Lots 21 through 32, both inclusive, Block 69, all in the Town of Lake City.

also known as street and number

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, claim and demand whatsoever of the said parties of the first part, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the said parties of the second part, their heirs and assigns forever. And the said parties of the first part, for themselves their heirs, executors, and administrators do covenant, grant, bargain and agree to and with the said parties of the second part, their heirs and assigns, that at the time of, the ensembling and delivery of these presents they are well seized of the premises above conveyed, as of good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and have good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessment and encumbrances of whatever kind or nature soever, except subject to U.S. patent reservations of record; assessments by reason of inclusion within the Lake City Area Water and Sanitation District and Hinsdale-IOOF Cemetery District; general property taxes for 1979, payable 1980.

and the above bargained premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns, against all and every person or persons lawfully claiming or to claim the whole or any part thereof, the said parties of the first part shall and will WARRANT AND FOREVER DEFEND. their
IN WITNESS WHEREOF the said parties of the first part have hereunto set hands and seals the day and year first above written.

Signed, Sealed and Delivered in the Presence of

Joel F. Swank (SEAL)
Joel F. Swank
Celia Mae Swank (SEAL)
Celia Mae Swank
(SEAL)

STATE OF COLORADO
County of Hinsdale

The foregoing instrument was acknowledged before me this 15th day of January 19 79 by Joel F. Swank and Celia Mae Swank.

My commission expires March 11th, 1980. Witness my hand and official seal.

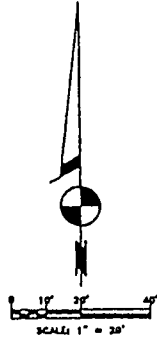
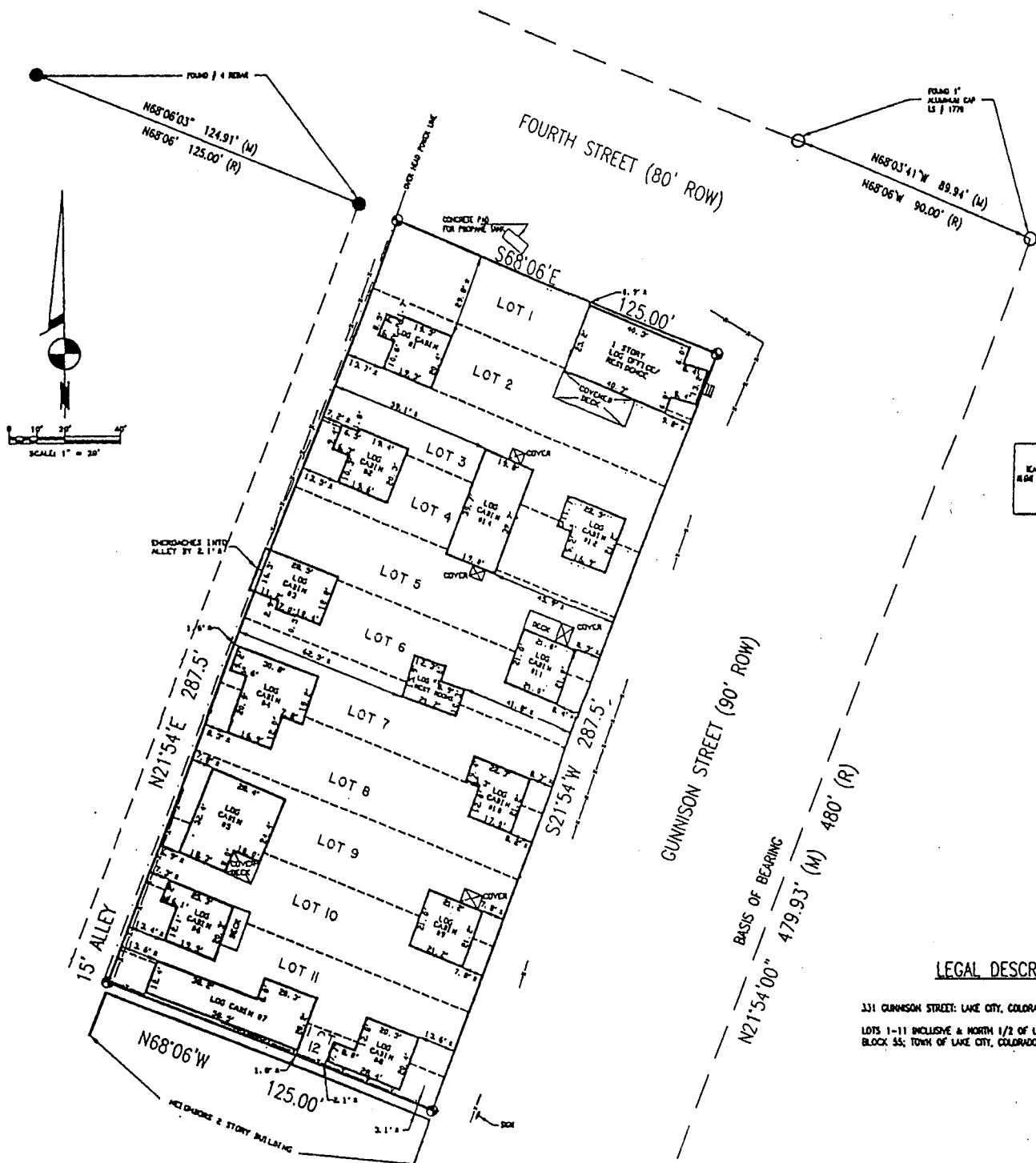


Guthrie D. Hall
Notary Public

AMENDED G & M CABINS

IMPROVEMENT SURVEY PLAT

LOTS 1 - 11 & NORTH 1/2 OF LOT 12, BLOCK 55
TOWN OF LAKE CITY, HINSDALE COUNTY, COLORADO



NOTICE TO BUYERS
 BEWARE: BASED ON THE LOT
 BEING OF THE LINE OF BLOCK 55
 AS SHOWN
 IN THIS MAP

LEGAL DESCRIPTION

331 GUNNISON STREET: LAKE CITY, COLORADO ALSO KNOWN AS:
 LOTS 1-11 INCLUSIVE & NORTH 1/2 OF LOT 12,
 BLOCK 55; TOWN OF LAKE CITY, COLORADO.

CERTIFICATE OF SURVEY

I, ROY OLSON, A REGISTERED LAND SURVEYOR DO HEREBY CERTIFY THAT THE SURVEY PLAT SHOWN HEREON WAS MADE BY ME, OR UNDER MY DIRECTION, FROM NOTES MADE IN THE FIELD AND THE SAME IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

ROY OLSON DATE 2-23-1994 COLORADO P.L.S. 30113
 UNLESS SIGNED, SEALED AND DATED THIS IS A PRELIMINARY PLAT.

Rec. 95747
 Filed for record this 6th day of April 1994 @ 2:24 p.m.
 Linda Paivce Regle, Hinsdale County Recorder
 by Sp. Robert, Deputy

LEGEND

- FOUND #4 REBAR
- FOUND 1" A.C. LS / 1776
- ⊙ SET 2 1/2" A.C. ON # 6 REBAR LS/30113
- PROPERTY LINE
- - - FENCE
- - - OVER HEAD POWER LINE

SET 2 1/2" BRASS WASHER LS / 30113

Scale:	1" = 20'
Surveyed By:	ROY OLSON
Drawn By:	FELDICE
Checked By:	T.D.S.
File:	C:\PERS\77\COOR\LDG
Date:	MAR. 2, 1994

G & M CABINS
 IMPROVEMENT SURVEY PLAT
 LOTS 1 - 11 & NORTH 1/2 OF LOT 12, BLOCK 55
 TOWN OF LAKE CITY, HINSDALE COUNTY, COLORADO

OWNER: HALL REALTY
 P.O. BOX 280.
 LAKE CITY, CO. 81235

No.	DATE	REVISION

Powers Elevation Co.
 LAND SURVEYING
 1000 E. UNIVERSITY AVE., SUITE 115
 DENVER, CO. 80202