

ORDINANCE OF THE CITY OF RATON, NUMBER 560

AN ORDINANCE, NUMBER 560 OF THE CITY OF RATON, COLFAX COUNTY, NEW MEXICO, ORDAINING AND DECLARING THAT CERTAIN PORTIONS OF THE STREETS KNOWN AS CHERRY AND OAK STREETS, ABUTTING ON BLOCKS TWELVE (12), THIRTEEN (13) AND FOURTEEN (14), IN THE RATCH HEIGHTS SUBDIVISION TO THE CITY OF RATON, COLFAX COUNTY, NEW MEXICO, BE VACATED ACCORDING TO LAW.

WHEREAS:

1. Ratch Development, Inc., a New Mexico corporation, has filed with the City Planning Commission of the City of Raton, and the City Commission of the City of Raton, its "Petition to Vacate" certain portions of Cherry Street and Oak Street, abutting on Blocks Twelve (12), Thirteen (13) and Fourteen (14) in the Raton Heights Subdivision to the City of Raton, which description of the portions of the Streets to be vacated is as hereinafter set forth; and

2. It appears that the Petitioner is the legal owner of all of the property abutting on said thoroughfares sought to be vacated; and

3. The City Planning Commission has approved said vacation procedure; and

4. It is the opinion of the City Commission that said "Petition" is in due form and in conformity with the laws of New Mexico, and that it would be for the best interests of the City if said Petition was granted and said portions of Streets vacated;

NOW THEREFORE, BE IT ORDAINED by the City Commission of the City of Raton:

1. That the following described portions of Cherry and Oak Streets, to wit:

(a) That portion of Oak Street in said Subdivision lying North of the South line of Blocks 13 and 14, and being more particularly described as follows: Commencing at the Southwest corner of Lot 1 in Block 13 of said Subdivision; thence Northerly along the Westerly boundary line of said Lot to the Northwest corner of said Lot; thence Westerly a distance of sixty (60) feet to the Northeast corner of Lot 12 in Block 14 of said Subdivision; thence Southerly along the Easterly line of said Lot 12 to the Southeastern corner of said Lot 12; thence Easterly a distance of sixty (60) feet to the point and place of beginning; being a tract of land sixty (60) feet by one hundred thirty (130) feet.

(b) That portion of Cherry Street in said Subdivision lying North of the Southerly line of Blocks Twelve (12) and Thirteen (13) and more particularly described as follows, to wit: Commencing at the Southwest corner of Lot One (1) in Block Twelve (12) of said Subdivision; thence Northerly along the Westerly line of said Lot One (1) to the Northwest corner of said Lot One (1); thence Westerly a distance of sixty (60) feet to the Northeast corner of Lot Twelve (12) in Block Thirteen (13) of said Subdivision; thence Southerly along the Easterly boundary line of said Lot Twelve (12) to the Southeast corner of Lot Twelve (12) in Block Thirteen (13) of said Subdivision; thence Easterly a distance of sixty feet to the point and place of beginning, being a tract of land sixty (60) feet by one hundred thirty (130) feet

Provided however, that all utility easements presently situate on said vacated property shall remain as easements in perpetuity without interference or obstruction.

be, and the same hereby are, vacated according to law; and

2. That, pursuant to law, the portions of said Streets being vacated shall automatically revert back to the owner abutting on said property, being the Petitioner in this matter; and

3. The Mayor of the City of Raton is hereby directed to execute and deliver to Raton Development, Inc., a quitclaim deed to the said property vacated; and

4. A certified copy of this Ordinance, together with a copy of the Petition be filed with the Clerk, recorded as required by law and maintained with the records of the City.

The foregoing Ordinance is hereby declared to be a lawful and consistent discharge of the powers and duties conferred upon the City of Raton by law, and such Ordinance is deemed necessary and proper to provide for the safety, prosperity, order and convenience of the City of Raton, and inhabitants thereof.

OF ADOPTED at a regular meeting of the City Commission of the City of Raton the 23rd day of February, 1965, and approved by me, the undersigned, as Mayor of said City.

James L. Livingston
Mayor

ATTEST: Eva May Sproule
City Clerk

I, Eva May Sproule, the duly appointed, qualified and acting Clerk of the City of Raton, do hereby certify that the foregoing is a true, correct and conformed copy of the City of Raton Ordinance Number 5760, adopted on the 23rd day of February, 1965, by the City Commission of the City of Raton, Colfax County, New Mexico, as the original thereof is on file with the records of the City of Raton, New Mexico.

Dated this 23 day of February, 1965

Eva May Sproule
City Clerk