

RESOLUTION NO. 2010-02

**A RESOLUTION VACATING A PLATTED PORTION
OF THE FRASER'S TOWNSITE ADDITION**

WHEREAS, resubdivision has been requested for real estate located in Grant County, New Mexico, described as all that part of Reynolds Street, Newsham Street, Durango Street, Market Street, Kelly Street, 6th Street, 7th Street, 8th Street, College Street, 10th Street, and all of Blocks 114, 115, 116, 117, 118, 119, 150, 151, 152, 153, 154, 155, 188, 189, 190, 191, and 192, including part of Block 218 and 219, Fraser Townsite Addition, Town of Silver City, Situate in Section 2, T 18 S, R 14 W, NMPM, Grant County, New Mexico, map attached and incorporated herein; and

WHEREAS, the requested vacation is platted but not improved on the ground; and

WHEREAS, the Council has considered and determined that the property has not and is not being used for any public purpose; and

WHEREAS, the provisions of Section 151.092 (Q) of the Land Use Code of the Town of Silver City have been met; and

WHEREAS, the Community Development Staff recommends that the property be vacated; and

WHEREAS, the Town Council accepts such recommendation; and

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Silver City, Grant County, New Mexico, that the Town of Silver City shall vacate all that part of Reynolds Street, Newsham Street, Durango Street, Market Street, Kelly Street, 6th Street, 7th Street, 8th Street, College Street, 10th Street, and all of Blocks 114, 115, 116, 117, 118, 119, 150, 151, 152, 153, 154, 155, 188, 189, 190, 191, and 192, including part of Block 218 and 219, Fraser Townsite Addition, Town of Silver City based on the following Findings:

Findings

1. The property was subdivided before the adoption of the subdivision regulations as part of the platting of the Town of Silver City.
2. The rights-of-way which are requested to be vacated do not provide access to lots other than those within the property.
3. Approval of this request will not result in denial of access to any adjacent property owner.
4. The property shall not, hereafter, be subject to public use.
5. The vacation of the plat is reasonable to protect the health, safety and general welfare, and is consistent with the Town's Comprehensive Plan.

Conditions:

None

PASSED, APPROVED AND ADOPTED this 9th day of February, 2010.

/s/

(Seal)

Simon W. Wheaton-Smith
President Pro Tempore

Attest:

/s/

Ann L. Mackie, Town Clerk



SURVEYOR'S CERTIFICATION

I, JIMMY B. SOSAYA, NEW MEXICO PROFESSIONAL SURVEYOR NO. 18473, DO HEREBY CERTIFY THAT THIS BOUNDARY SURVEY PLAT AND THE ACTUAL SURVEY ON THE GROUND UPON WHICH IT IS BASED WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, THAT I AM RESPONSIBLE FOR THIS SURVEY; THAT THIS SURVEY MEETS THE MINIMUM STANDARDS FOR SURVEYING IN THE STATE OF NEW MEXICO, AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS SURVEY IS NOT A LAND DIVISION OR SUBDIVISION AS DEFINED IN THE NEW MEXICO SUBDIVISION ACT AND THAT THIS INSTRUMENT IS A BOUNDARY SURVEY OF AN EXISTING TRACT OR TRACTS.

JIMMY B. SOSAYA, NMPSS 18473

DRAFT 01/18/10

DATE

APPROVAL BY TOWN OF SILVER CITY

RESOLUTION NO. _____

MAYOR _____

DATE _____

NOTES:

1. BEARINGS AND DISTANCES IN PARENTHESES DENOTE RECORD DEED IF DIFFERENT FROM ACTUAL FIELD MEASUREMENTS.
2. RECORD DOCUMENTS USED TO DETERMINE THE BOUNDARIES AND TO PREPARE THIS PLAT OF SURVEY:
 - FRASER'S TOWNSITE ADDITION: BOOK 4, PAGE 43-48
3. UNLESS NOTED OTHERWISE, ALL SET CORNER MONUMENTS ARE 1/2" REBAR WITH ALUMINUM SURV-CAP STAMPED "SOSAYA, LS 18473".
4. BASIS OF BEARING EQUALS GPS OBSERVATION.

INDEXING INFORMATION FOR COUNTY CLERK

RECORD DEED: TOWN OF SILVER CITY
VACATION PLAT
PORTION OF FRASER'S ADDITION
SECTION 2, T. 18 S., R. 14 W., N.M.P.M.
TOWN OF SILVER CITY, GRANT COUNTY, NEW MEXICO

ENGINEERS
INC

REGISTERED PROFESSIONAL ENGINEERS
STATE OF NEW MEXICO
NO. 18473

DRAWN BY: JIMMY B. SOSAYA
DATE: 01/18/10
SCALE: AS SHOWN
WITH REVISIONS/ADDITIONS

SHEET 1 OF 1

