

RESOLUTION 2005-07
VACATING A PORTION OF 8TH STREET

WHEREAS, The Silver City Town Council received a request from James J. and Julie E. Fitzgerald to vacate a portion of 8th Street containing approximately 0.030± acres adjacent to lot 15 of Block 29 of the Black's addition, located on the west side of D Street, addressed 709 D Street, described below; and

WHEREAS, The provisions of Section 6.3.17 of the Land Use Code of the Town of Silver City have been met; and

WHEREAS, The Community Development Department and other Town Staff recommends that the property be vacated and conveyed to James J. and Julie E. Fitzgerald; and

WHEREAS, The Council accepts such recommendation; and

WHEREAS, The Council has determined that the said portion of 8th Street shall not be needed for a future street or other public purposes.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF SILVER CITY, GRANT COUNTY, NEW MEXICO, THAT:

The following described land located within the Town of Silver City is hereby vacated and sold to James J. and Julie E. Fitzgerald.

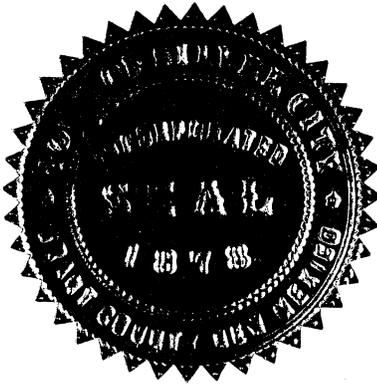
A 0.030± acre (1318.92± Sq. Ft.) tract of land being part of vacated 8th Street, adjacent to Lot 15, Block 29 Black's Addition, the Town of Silver City, Grant County, New Mexico.

The property shall not hereafter be subject to public use except for easements for public and private utilities as may presently exist across or beneath the Property.

STATE OF NM, GRANT COUNTY
200500179
I hereby certify that this instrument was filed for record on 03/18/2005 at 09:54:10 AM & duly recorded in book 267 page 179
Pages 1 of 2
Witness my hand & seal of office
HOWIE MORALES, COUNTY CLERK
DEPUTY- CONNIE

The Property shall be conveyed by warranty deed to James J. and Julie E. Fitzgerald, who have requested the vacation and are the owners of real estate located adjacent to this property. In consideration for this conveyance, James J. and Julie E. Fitzgerald shall pay the appraised value of this vacated right-of-way in cash. In addition, James J. and Julie E. Fitzgerald shall pay all costs incurred in connection with the conveyance including cost of publication, research costs, cost of survey, deed preparation, recording fees and attorney fees.

PASSED, APPROVED AND ADOPTED this 8th day of February 2005.



Terry Fortenberry
Terry Fortenberry, Mayor

Attest:

Jane Toomajianian
Jane Toomajianian, Town Clerk

STATE OF NM, GRANT COUNTY
200500179
I hereby certify that this instrument was filed for record on 03/18/2005 at 09:54:10 AM & duly recorded in book 267 page 180
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