

RESOLUTION 2005-21

**A RESOLUTION VACATING A PORTION
OF A STREET**

WHEREAS, the Silver City Town Council received a request from Carol Thompson to vacate a portion of A Street containing approximately 0.012± acres adjacent to lots 5, 7, 9 and 11 of Block 10 of the Black's addition, located on the west side of A Street, addressed 901 W 6th 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 Colby Trust; and

WHEREAS, the Council accepts such recommendation; and

WHEREAS, the Council has determined that the said portion of A 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:

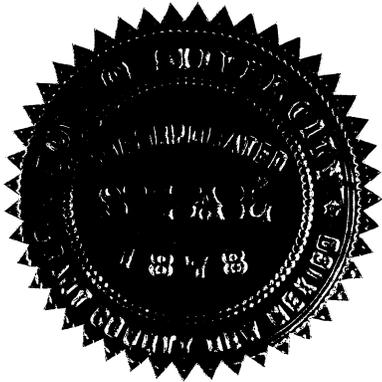
The following described land located within the Town of Silver City is hereby vacated and sold to the Colby Trust.

A 0.012± acre tract of land being Part of Vacated A Street, adjacent to Lot's 5, 7, 9 and 11, Block 10 Black's Addition, the Town of Silver City, Grant County, New Mexico.

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

The Property shall be conveyed by warranty deed to Colby Family Trust, who has requested the vacation and is the owner of real estate overlapping this property. In consideration of this conveyance, Colby Trust shall pay the appraised value of this vacated right-of-way in cash. In addition, Colby Trust 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 9th day of August 2005.



Terry Fortenberry
Terry Fortenberry, Mayor

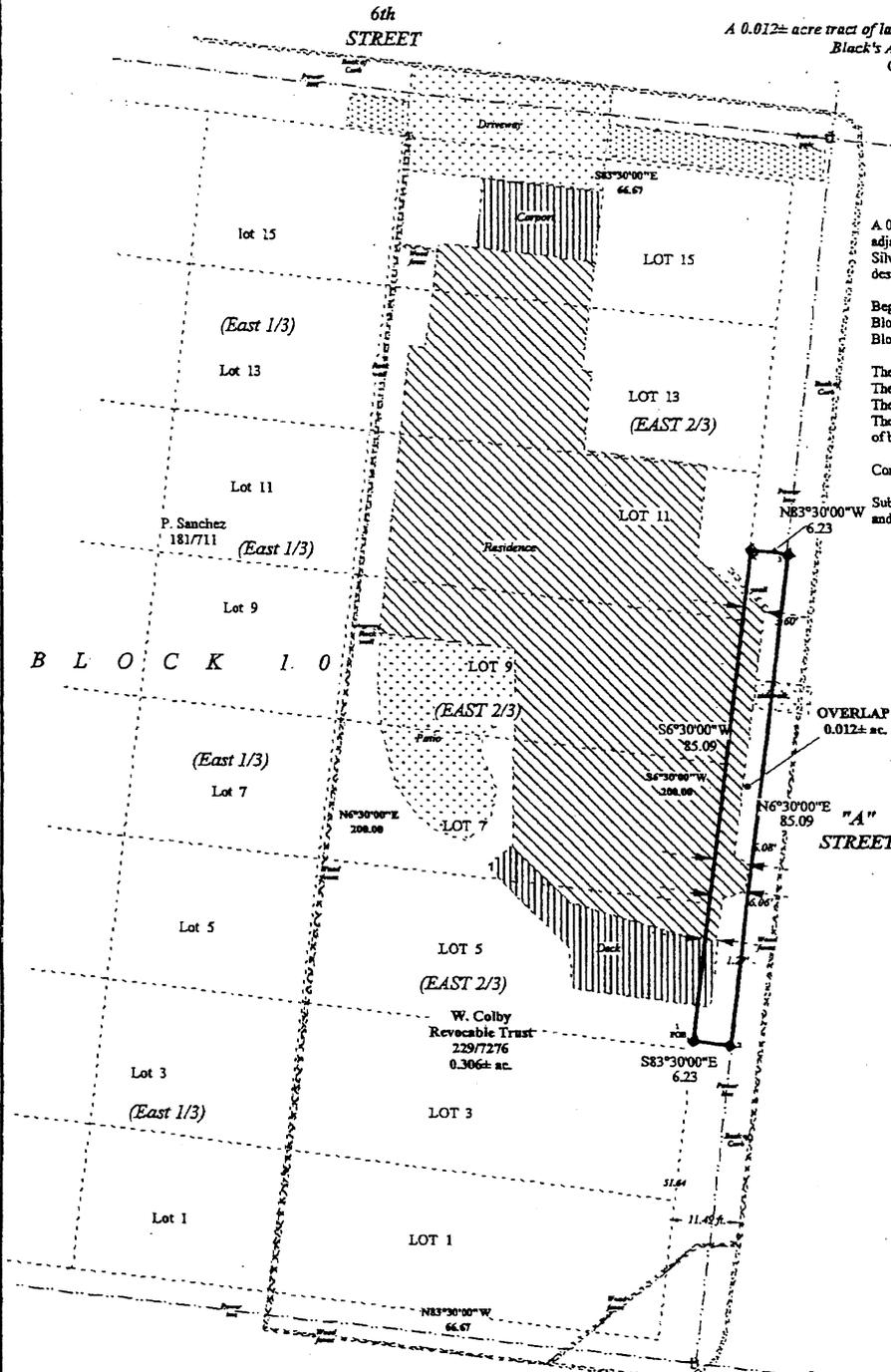
Attest:

Jane Toomajanian
Jane Toomajanian, Town Clerk

Plat of Survey

of

A 0.012± acre tract of land being Part of "A" Street, adjacent to Block 10, Black's Addition, to the Town of Silver City, Grant County, New Mexico.



A 0.012± acre tract of land being Part of "A" Street, adjacent to Block 10, Black's Addition, to the Town of Silver City, Grant County, New Mexico, being described more particularly as follows:

Beginning at Corner No. 1, a point on the East line of Block 10, and from whence the Southeast Corner of Block 10 bears S.6°30'00\"/>

Containing 0.012 acres more or less.

Subject to easements, reservations, and restrictions and such easements as may exist on the ground.

B L O C K 1 0

"A" STREET

KELLY STREET

LEGEND

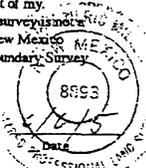
- Concrete slab, drive, shed, etc.
- Residence building
- Monument found.
- 1/2" Baker and Vesper Cap
- Marked Meter P.S. 8893

Record measurements in bold type.
Field measurements in small type.

Documents Used in this Survey

| Description | Rec. Date | Rec. Data |
|------------------|----------------|----------------------|
| William Colby | March 30, 1992 | Book 228, page 7276 |
| Black's Addition | Feb. 23, 1889 | Plat Book 5, page 5A |

I, William Ulric Miller, New Mexico Registered Professional Surveyor No. (N.M.L.S. No. 8893), do hereby certify that this Boundary Survey Plat and the actual survey on the ground upon which it is based were performed by me or under my direct supervision; that I am responsible for this survey; that this survey meets the Minimum Standards for Surveying in 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 Plat of an existing tract or tracts.



Uniform Parcel Code Numbers

| | | |
|---------------|-----------|---------|
| William Colby | 3-081-103 | 390-229 |
| C. Sanchez | 3-081-103 | 395-233 |

Z³ Planners & Surveyors LLC

William Ulric Miller
P.S. 8893
3435 Highway 180 East
Silver City, NM
388-2252

| Information for County Clerk | | |
|------------------------------|------|------|
| SEC. | TWP. | RGE. |
| 3 | 18 S | 14 W |

Subdivision: Black's Addition

| | | |
|------------------|--------------|----------------|
| Survey Completed | May 23, 2005 | Job No. 05-174 |
|------------------|--------------|----------------|

William Ulric Miller P.S. #8893