MEMORANDUM

TO: Mayor Jones and Members of the Board

FROM: Karen Proctor, Town Administrator

DATE: October 15, 2020

RE: Vacating Town Right-of-Way

HISTORY:

The 1968 Rancheros Felices plat dedicated the 30-foot wide Easter Way (now Fremont Place), Pitkin Street, Fremont Avenue (now Geddes Place), Richfield Street, and Buckley Road as rights-of-way, as well as the 40-foot wide Dry Creek Road (later vacated). The recital language on the plat dedicated these roadways as well as the interior Hinsdale Avenue to the public.

None of the subsequent plats that abut Rancheros Felices to the north and east dedicated additional right-of-way for Fremont Place, Pitkin Street or Geddes Place.

- The 1977 Arcadian Heights plat references the 30 feet of Fremont Place right-of-way but dedicated no additional width for that roadway.
- The 1979 Almor Estates Filing No. 2 plat references the 30 feet of Geddes Place and Pitkin Street rights-of-way but dedicated no additional width for either roadway. It also referenced the Fremont Place right-of-way offsite to the plat.

Fremont Place, Pitkin Street and Geddes Place are Foxfield rights-of-way, dedicated in 1968, whose rights-of-way have not been subsequently widened by abutting subdivision filings, and Arapahoe County's older and current records indicate that these rights-of-way have never been vacated or been widened by a method other than platting. Additionally, Arapahoe County neither assigned these strips of land a parcel number nor is the County assessing any taxes on the land, another indication that it is public land.

Records indicate that in 2001 and 2003 the Town vacated S. Norfolk Ct and S. Salida and title of the vacated property was vested in the abutting owners.

DISCUSSION:

Over the last couple years, the Town has received questions and concerns regarding the right-of-way from Richfield Street to Buckley Road, shown by the blue dots on the maps in exhibit A.

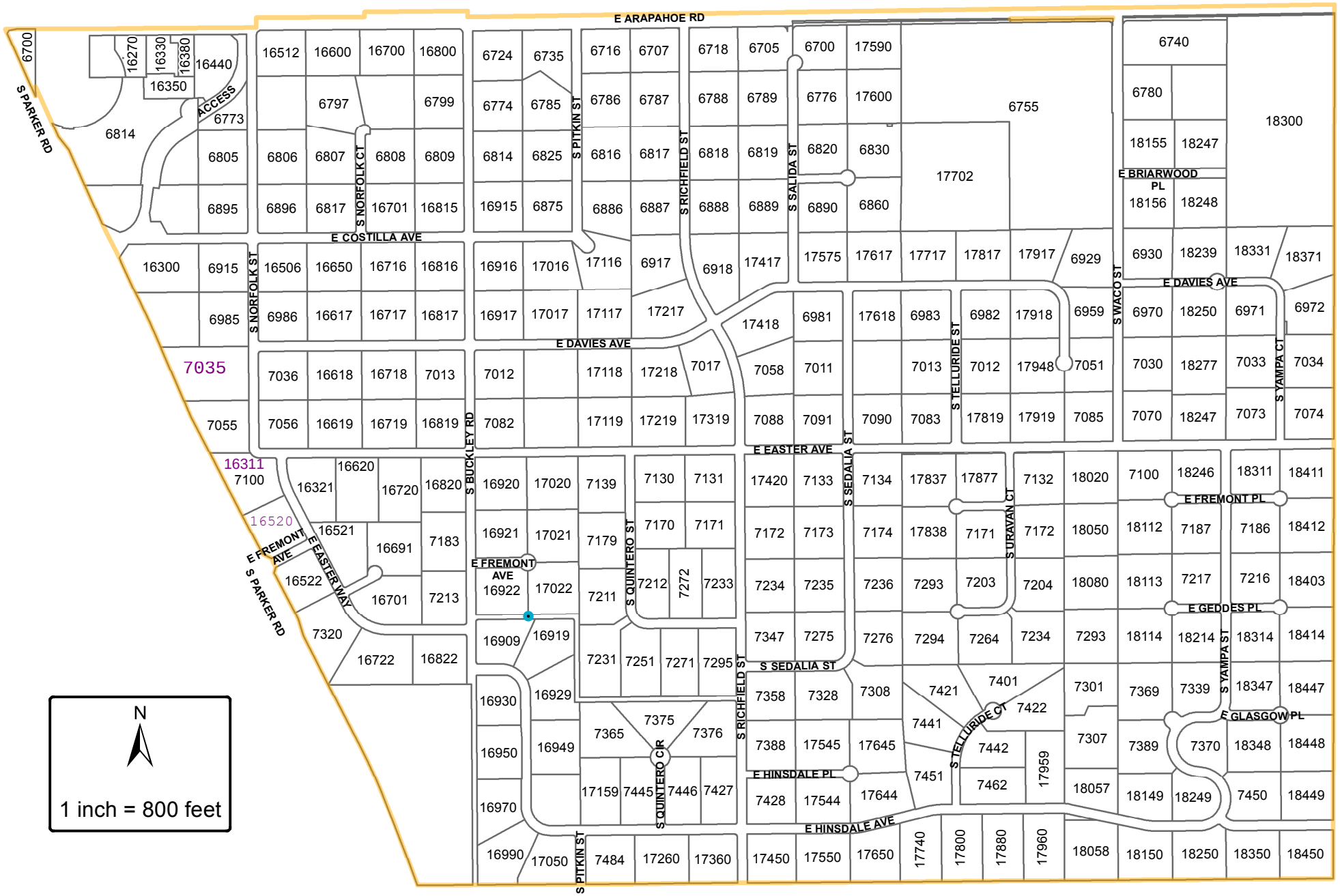
Would the Board like staff to bring forward an Ordinance to vacate this 30’ Town right-of-way and title to the vacated property be vested in the abutting owners?

ATTACHMENTS:

Exhibit A – Maps showing Town right-of-way

Exhibit A

Town of Foxfield

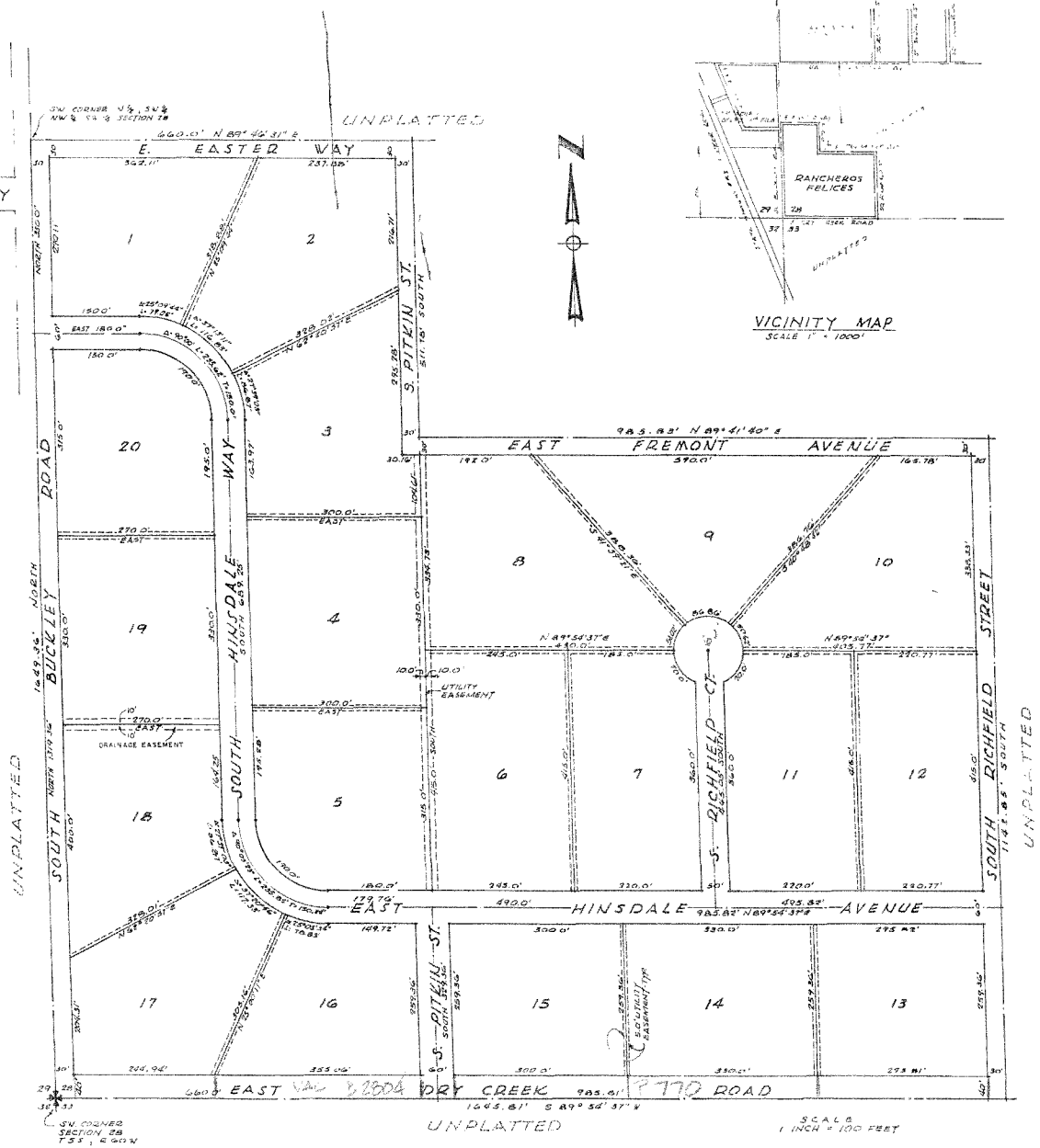


8/10/2015 - Arapahoe County

RANCHEROS FELICES

A SUBDIVISION IN THE SW 1/4 OF SECTION 28, T.5S., R.66W.

ARAPAHOE COUNTY, COLORADO



VICINITY MAP
SCALE 1" = 1000'

NOTE:
ALL PROPERTY CORNERS AT STREET INTERSECTION SHALL HAVE RADII OF 15 FEET.
ALL UTILITIES EASEMENTS ARE 5'-0" WIDE ON BOTH SIDES OF THE PROPERTY LINES EXCEPT WHERE NOTED.

KNOW ALL MEN BY THE PRESENTS: THAT MELVIN D. BECKETT AND WILLIAM R. HARMON BEING THE OWNERS OF CERTAIN LANDS IN ARAPAHOE COUNTY, COLORADO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE S.W. CORNER OF THE S.W. ¼ OF SECTION 28, T.5.S., R.66 W. OF THE 6TH PRINCIPAL MERIDIAN IN ARAPAHOE COUNTY, COLORADO, THENCE NORTH ALONG THE WEST LINE OF SAID S.W. ¼ 1669.36 FEET TO THE S.W. CORNER OF THE NORTH ONE-HALF OF SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 28, THENCE EAST ON AN ANGLE OF 89°46' 31" TO THE RIGHT ALONG THE SOUTH LINE OF SAID NORTH ONE-HALF FOR A DISTANCE OF 660.00 FEET, THENCE SOUTH PARALLEL TO THE WEST LINE OF THE S.W. ¼ OF SAID SECTION 28, 511.78 FEET, THENCE EAST ON AN ANGLE OF 90°18' 20" TO THE LEFT FOR A DISTANCE OF 985.83 FEET, THENCE SOUTH ON A LINE PARALLEL TO THE WEST LINE OF THE S.W. ¼ OF SAID SECTION 28, 1142.85 FEET TO THE SOUTH LINE OF THE S.W. ¼ OF SAID SECTION 28, THENCE WEST ALONG THE SOUTH LINE OF THE S.W. ¼ OF SAID SECTION 28, 1645.81 FEET TO THE POINT OF BEGINNING.

CONTAINING 50.823 ACRES OF LAND MORE OR LESS.

HAVE BY THESE PRESENTS LAID OUT PLATTED AND SUBDIVIDED THE SAME INTO TRACTS, AS SHOWN ON THIS PLAT, UNDER THE NAME AND STYLE OF RANCHEROS FELICES AND DO HEREBY DEDICATE TO THE PUBLIC ALL WAYS AND OTHER PUBLIC RIGHTS-OF-WAY AND EASEMENTS FOR PURPOSES SHOWN HEREON. NO DWELLING SHALL BE ERECTED, ALTERED OR PLACED ON ANY TRACT WITH A GROUND FLOOR AREA EXCLUSIVE OF PATIOS, OPEN PORCHES OR GARAGES OF LESS THAN 1250 SQUARE FEET EXTERNAL MEASUREMENTS, AS DEFINED IN THE ARAPAHOE COUNTY BUILDING CODE.

EXECUTED THIS 22 DAY OF Sept A.D. 1969

Melvin D. Beckett

STATE OF COLORADO } SS
COUNTY OF ARAPAHOE }
THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS 22 DAY OF Sept. A.D. 1969 BY MELVIN D. BECKETT AND WILLIAM R. HARMON

MY COMMISSION EXPIRES [illegible]
WITNESS MY HAND AND SEAL.

Barbara J. Rhodes
NOTARY PUBLIC

I, EUGENE L. PADON A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO DO HEREBY CERTIFY THAT THE SURVEY REPRESENTED BY THIS PLAT WAS MADE UNDER MY SUPERVISION AND THE MONUMENTS SHOWN THEREON ACTUALLY EXIST AND THIS PLAT ACCURATELY REPRESENTS SAID SURVEY.

Eugene L. Padon
REGISTERED LAND SURVEYOR # 2065

EUGENE L. PADON REGISTERED 2065 LAND SURVEYOR State of Colorado

THIS PLAT APPROVED BY THE ARAPAHOE COUNTY PLANNING COMMISSION THIS ___ DAY OF _____ A.D. 1969

William H. Smith
CHAIRMAN

IT IS MUTUALLY UNDERSTOOD AND AGREED BY THE SUBDIVIDER AND THE ARAPAHOE COUNTY BOARD OF COUNTY COMMISSIONERS THAT THE DEDICATED ROADWAYS SHOWN ON THIS PLAT WILL NOT BE MAINTAINED BY THE COUNTY UNTIL AND UNLESS THE SUBDIVIDER CONSTRUCTS THE STREETS IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS IN EFFECT AT THE DATE OF THE RECORDING OF THIS PLAT

APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF ARAPAHOE COUNTY, STATE OF COLORADO

WITNESS MY HAND AND THE CORPORATE SEAL OF ARAPAHOE COUNTY THIS ___ DAY OF ___ A.D. 19__.

ATTEST: [illegible]

John U. Christensen
CHAIRMAN

STATE OF COLORADO } SS
COUNTY OF ARAPAHOE }
THIS PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK AND RECORDER OF ARAPAHOE COUNTY AT ___ M. ON THE ___ DAY OF ___ A.D. 19__ IN BOOK ___, PAGE 31, MAP ___, RECEPTION ___.

[illegible]
COUNTY CLERK AND RECORDER

[illegible]
BY DEPUTY

BEFORE CONSTRUCTION OF ANY SANITATION FACILITIES IS COMMENCED A PERMIT FOR SUCH CONSTRUCTION MUST BE OBTAINED FROM THE TRI-COUNTY HEALTH OFFICER. THE PLAT OF RANCHEROS FELICES IS HEREBY APPROVED BY THE TRI-COUNTY HEALTH DEPARTMENT.

9-24-69
DATE

John C. Fowler
TRI-COUNTY HEALTH DEPARTMENT