

ORDINANCE NO. 896

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, AUTHORIZING THE SALE BY THE CITY OF MONTROSE OF CERTAIN PROPERTY IN THE MONTROSE INDUSTRIAL DEVELOPMENT SUBDIVISION.

WHEREAS, Ordinance 883 authorized the City to enter into an agreement of sale for lots 10 and 11 of the Montrose Industrial Development Subdivision to Roy Pixler, Jr., and

WHEREAS, that Agreement provided that the closing of the sale would be held on or prior to June 1, 1976, and

WHEREAS, it has not been possible to close the sale because of difficulties in having the plat showing said lots 10 and 11 properly recorded, and

WHEREAS, it is therefore necessary to describe the property by meets and bounds.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONTROSE, COLORADO, as follows:

Section 1. The Mayor and City Clerk are hereby authorized to execute a deed to Roy Pixler, Jr., in accordance with the terms of Ordinance 883 and the Agreement of Sale authorized thereby for the following tract of land:

A tract of land situate in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 33 and NW $\frac{1}{4}$ SW $\frac{1}{4}$ and Lot 4 of Section 34, all in Township 49 North, Range 9 West, New Mexico Principal Meridian described as beginning at a point from whence the northwest corner of said Lot 4 bears North 2 degrees 22' 45" West, 1058.66 feet; thence South 45 degrees 35' East, 183.66 feet; thence South 59 degrees 25' East, 418.17 feet to the westerly right of way of the Denver and Rio Grande Railroad; thence along said right of way South 26 degrees 28' 40" East 19.08 feet to the northerly right of way of Apollo Road; thence along said northerly right of way the following courses: South 87 degrees 57' 38" West, 173.89 feet; North 89 degrees 34' 37" West, 123.68 feet; 231.12 feet along the arc of a curve to the right, having a radius of 363.47 feet, the chord of this curve bears North 71 degrees 21' 37" West, 227.25 feet; North 53 degrees 08' 37" West, 90.35 feet; thence North 19 degrees 49' 52" East, 251.75 feet to the point of beginning, EXCEPT a tract of land situate in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and Lot 4 of Section 34, Township 49 North, Range 9 West of the New Mexico Principal Meridian, described as beginning at a point from whence the northwest corner of said Lot 4 bears North 2 degrees 22' 45" West, 1058.66 feet; thence South 45 degrees 35' East, 183.66 feet; thence South 59 degrees 25' East, 418.17 feet to the westerly right of way of the Denver and Rio Grande Railroad; thence along said right of way South 26 degrees 28' 40" East, 19.08 feet to the northerly right of way of Apollo Road; thence along said northerly right of way South 87 degrees 57' 38" West

14.57 feet; thence North 59 degrees 15' West, 374.35 feet;
thence North 50 degrees 02' 50" West, 80.65
feet; thence North 44 degrees 56' 06" West, 149.02 feet;
thence North 19 degrees 49' 52" East 10.85
feet to the point of beginning.

Section 2. The property described in Section 1 above is
not being presently used for, nor is it needed for any
municipal or public purposes.

Section 3. Because the agreement of sale entered into
by the City for this property provided for a closing date of
June 1, 1976, and

Because of technical problems with the plat, it has not
been possible to close the sale and because the City should
convey the property to Roy Pixler, Jr. as soon as possible, the
City Council hereby finds and declares that an emergency
exists and that this Ordinance shall take effect immediately
upon passage.

PASSED and ADOPTED this 15 day of July, 1976.

Robert O. Strong
Mayor

